

**BHAGAT PHOOL SINGH MAHILA VISHWAVIDYALAYA  
KHANPUR KALAN (SONIPAT)**



**Agenda for 78<sup>th</sup> Meeting of Executive Council**

**Date:- 06/03/2024**

**Time:- 11.00 a.m.**

**Venue:- Conference Hall, Administrative Block, BPSMV**

## INDEX

Sr. No.	Particulars	Page No.
1	Confirmation of the Minutes of 77 <sup>th</sup> meeting of Executive Council held on 08/12/2023.	1
2	Follow up Action Report.	1
3	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for contractual engagement of following teachers on consolidated remuneration equal to the initial basic pay of the post of Assistant Professor under 7 <sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances):- 1. Dr. Ashok Kumar, Assistant Professor (Temporary) in Physical Education, against the leave vacancy of the post of Assistant Professor in Department of Education on contract basis for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department whichever is earlier. 2. Ms. Manisha, Assistant Professor (Temporary) in Economics against the leave vacancy of the post of Assistant Professor in Department of Economics on contract basis for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department whichever is earlier.	1
4	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for extension in contractual engagement of Sh. Rajbir Singh, Clerk (on contract basis) for a period of one year w.e.f. 16.01.2024 to 15.01.2025 on previous terms and conditions.	2
5	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for engagement of Sh. Girish Kumar Saini as Junior Consultant (PRO) (on contract basis) for a period of six months @ Rs. 40000/- (fixed) per month.	3
6	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the Provision of Statue 23 (4) of BPSMV Act for contractual engagement of Dr. Kuldeep Singh, Assistant Professor (Temporary) in Hindi Subject against leave vacancy in the Department of Law purely on contract basis for a period of six months on a consolidated salary of Rs. 57700/- per month without any allowances.	3
7	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for contractual engagement in respect of Ms. Richa, Assistant Professor (Temporary) in Commerce at SRD Regional Centre, Kharal on contract basis on consolidated remuneration equal to the initial basic pay of the post of Assistant Professor under 7 <sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances).	4
8	To ratify the action taken by the Vice-Chancellor in anticipation of	5

	approval of the Executive Council regarding grant of extension to Sh. Devender Singh, Accountant on contractual basis for a period of one year from 26.12.2023 to 25.12.2024.	
9	To consider & approve the recommendations kept in sealed envelopes of the Selection Committee held on 27.12.2023 and 09.01.2024 for grant of promotion to the following teachers under CAS (Career Advancement Scheme) as Associate Professor (Stage-III to Stage-IV) in the pay band-IV (Rs. 37,400-67,000 + GP Rs. 9,000/-) on successful completion of three years of service as Assistant Professor in AGP of Rs. 8,000/- in light of UGC guidelines received from State Govt. vide memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011.	6
10	To consider & approve the recommendations kept in sealed envelopes of the Selection Committee held on 28.12.2023 for grant of promotion to the followings under Career Advancement Scheme (CAS) from stage-III to Stage-IV in the pay band-IV (Rs. 37,400-67,000 + GP Rs. 9,000/-) on successful completion of three years of service as Assistant Librarian in AGP of Rs. 8,000/- in light of UGC guidelines received from State Govt. vide memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011.	6
11	To consider & approve the report of the Fact Findings Enquiry submitted by Dr. D.R. Yadav, Inquiry Officer appointed by the Vice-Chancellor vide letter No. BSMV/ET-1/22/682 dated 30.05.2022 to enquire and resolve the pension case of Dr. Sumitra Devi, Associate Professor (Retd.)	7
12	To re-consider/ review the case of appointment of Ms. Jyoti Pahal, Lab Attendant in light of the State Govt. Memo issued by Director General Higher Education vide no. 18/117-2017 UNP (2), E-6884 dated 22.02.2022.	7
13	To consider the Legal Opinion rendered by Advocate General, Haryana w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan in view of the decision of Executive Council taken vide Resolution No. 24 in its meeting held on 08/12/2023.	10
14	To consider the reply of charge sheet submitted by Sh. Rajesh Kumar, Assistant Registrar and report of FIR received from the SHO, Mahila Police Station which was issued in pursuance of the decision of the Executive Council vide resolution No. 22 dated and non issuance of charge sheet to Sh. K.K. Dhaka, Assistant Registrar who superannuated on 31/08/2014.	12
15	Any other item.	14

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

**AGENDA FOR THE 78<sup>th</sup> MEETING OF THE EXECUTIVE COUNCIL TO BE HELD ON 06/03/2024 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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**1 Confirmation of the Minutes of 77<sup>th</sup> meeting of Executive Council held on 08/12/2023.**

To confirm the Minutes of 77<sup>th</sup> meeting of the Executive Council held on 08/12/2023, circulated vide email dated 14/12/2023. (Annexure-1, pages-1-10).

**2 Follow up Action Report.**

To note the follow up action on the decisions taken by the Executive Council in its 77<sup>th</sup> meeting held on 08/12/2023. (Annexure-2, pages-11-19).

**3. To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for contractual engagement of following teachers on consolidated remuneration equal to the initial basic pay of the post of Assistant Professor under 7<sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances):-**

- 1. Dr. Ashok Kumar, Assistant Professor (Temporary) in Physical Education, against the leave vacancy of the post of Assistant Professor in Department of Education on contract basis for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department whichever is earlier. (Annexure-3, page-20-21)**
- 2. Ms. Manisha, Assistant Professor (Temporary) in Economics against the leave vacancy of the post of Assistant Professor in Department of Economics on contract basis for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department whichever is earlier. (Annexure-4, page-22-23)**

**Statement of the case:-**

Presently, Dr. Yogesh Chander, Associate Professor in the Department of Education is on deputation w.e.f. 25.05.2023 for a period of one year at Sports University of Haryana, Rai, Sonipat and Dr. Kiran Devi, Assistant Professor in the Department of Economics is on lien w.e.f. 12.10.2023 for a period of one year at Kurukshetra University, Kurukshetra. For the smooth functioning of said departments, there is a dire need to engage the teacher against leave vacancy. Accordingly, a proposal with regard to engagement of Assistant Professor in Physical Education, Department of Education and Assistant Professor in Economics,

Department of Economics against the leave vacancy on contract basis for a period of six months or till the existence of leave vacancy or the incumbents of the post join back to their parent departments whichever is earlier on consolidated remuneration equal to the initial basic pay of a regular Assistant Professor under 7<sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances) was placed before the Vice-Chancellor for consideration. After approval of the Vice-Chancellor, the University advertised the said posts on leading newspapers and University Website for inviting the applications. Thereafter, the applications forms were got screened from the Screening Committee. On the basis of the recommendations of the Screening Committee, the interviews for the said posts were held on 27.12.2023 at 10.a.m. & 2.00 p.m. respectively.

The recommendations of the Selection Committee were placed before the Vice-Chancellor for consideration and she has approved the recommendations of the Selection Committee in anticipation of approval of the Executive Council by exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act as the meeting of the Council is not going to be held in near future and further ordered to place the same to the Executive Council for ratification.

4. **To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for extension in contractual engagement of Sh. Rajbir Singh, Clerk (on contract basis) for a period of one year w.e.f. 16.01.2024 to 15.01.2025 on previous terms and conditions.**

**Statement of the case:-**

The University is facing acute shortage of experienced non-teaching staff for smooth functioning of various offices.

Sh. Rajbir Singh was retired from the post of Clerk on 31.10.2022 after superannuation. He made a request showing his willingness to work with BPSMV, Khanpur Kalan after retirement. He was engaged as Clerk on contract basis for a period of six month on a fixed remuneration of Rs. 19900/- per month and his contractual engagement was further extended for another six months up to 15.01.2024 vide resolution no. 12 of 74<sup>th</sup> meeting of Executive Council dated 05.04.2023.

Keeping in view the dire need of experienced staff in the University, the case for extension of contractual engagement on previous terms and conditions, beyond 15.01.2024 for one more year was put up to the Vice Chancellor, who after due consideration approved the same in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act and ordered to place the matter before the ensuing meeting of the Executive Council for ratification.

5. To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for engagement of Sh. Girish Kumar Saini as Junior Consultant (PRO) (on contract basis) for a period of six months @ Rs. 40000/- (fixed) per month.

**Statement of the case:-**

An advertisement for engagement of Junior Consultant (PRO) was released by the University (Annexure-5, Page-24) and three applications/ bio-data(s) were received. The Vice Chancellor constituted the following committee to consider the bio-data and interview of the applicants:

1. Vice Chancellor	Chairperson
2. Prof. Ravi Bhushan, Dept. of English	Member
3. Dr. Anil Balhara, Asst. Prof. Dept. of Laws	Member
4. Sh. Maha Singh Poonia, KUK	External Expert
5. Registrar	Member Secretary

The meeting of the committee was held on 30.01.2024. The Committee after considering the received bio-datas and after interviewing candidates recommended that Sh. Girish Kumar Saini S/o Sh. Satya Narayan Saini may be engaged as Junior Consultant (PRO) on contract basis for one year. The honorarium of Rs. 40000/- per month shall be paid to him (Annexure-6, page-25).

The recommendations of the committee were submitted to the Vice-Chancellor for approval, who after due consideration approved the same in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act and ordered to place the matter before the ensuing meeting of the Executive Council for ratification.

6. To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the Provision of Statue 23 (4) of BPSMV Act for contractual engagement of Dr. Kuldeep Singh, Assistant Professor (Temporary) in Hindi Subject against leave vacancy in the Department of Law purely on contract basis for a period of six months on a consolidated salary of Rs. 57700/- per month without any allowances.

**Statement of the Case:-**

The Incharge, Department of Law, BPSMV informed vide note dated 20/12/2023 that Visiting Faculty of Hindi subject tendered his resignation on 14/12/2023 and workload of Hindi subject exist in the Department is 22 hours/per week (BA, LLB 2<sup>nd</sup> and 3<sup>rd</sup> Semester) further requested to appoint one Assistant Professor in Hindi before the commencement of Academic Session for even semester. Accordingly, recruitment notice was issued by the University in the leading newspapers and website of the University vide advertisement no. Asst.Prof.(Temp)/Hindi/Dec-23 dated 29/12/2023. The last date to apply for the post was 08/01/2023. Against the said advertisement, eight applications were received by the University.

A Screening Committee consisting of Dean Faculty of Laws, Incharge Deptt. of Law and one Associate Professor, BPS, IHL was constituted for the

verification and screening of the applications vide order No. BPSMV/ET-I/24/286-290. The meeting of said Screening Committee was held on 12/01/2024 and 16/01/2024 for verification and screening of applications received against the advertisement and submit the list of screened candidates on 16/01/2024.

A Selection Committee of the following was constituted to conduct the interview of candidates and for engagement of one Assistant Professor (Temporary) in Hindi subject vide order no. BPSMV/ET-IV/24/659-664 dated 19/01/2023 (**Annexure-7, page-26**):

- |                                                                              |           |
|------------------------------------------------------------------------------|-----------|
| 1. Vice-Chancellor                                                           | Convener  |
| 2. Chancellor's Nominee                                                      | Member    |
| 3. Three outside subject expert (s)                                          | Member    |
| 4. Dean of the Faculty                                                       | Member    |
| 5. Incharge, Deptt. of Law                                                   | Member    |
| 6. Vice Chancellor's Nominee<br>(representing SC/ST/OBC/Minority/Women, etc) | Member    |
| 7. Registrar                                                                 | Secretary |

The interview was fixed on 30/01/2024 and eight candidates were called for interview vide letter dated 18/01/2024. Out of total 8 candidates, 6 candidates were appeared before the Selection Committee. On the basis of performance of candidates in interview, the Selection Committee unanimously recommends the following candidates for engagement of Assistant Professor (Temporary) in Hindi subject purely on contract basis against the leave vacancy in order of merit:

Sl. No.	Applicant Name	Father's Name	Remarks
1.	Dr. Kuldeep Singh	Sh. Bhim Singh	
<b>Waiting List</b>			
2.	Dr. Kuldeep	Sh. Hosiyar Singh	

The recommendations of Selection Committee were approved by the Vice-Chancellor in anticipation of the approval of Executive Council by exercising the powers conferred upon her under the Provision of Statute 23 (4) of BPSMV Act so that the teaching work of the Department may not suffer as the meeting of Executive Council is not going to be held in near future and further ordered to place the same to the Executive Council for ratification.

7. **To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for contractual engagement in respect of Ms. Richa, Assistant Professor (Temporary) in Commerce at SRD Regional Centre, Kharal on contract basis on consolidated remuneration equal to the initial basic pay of the post of Assistant Professor under 7<sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances):-**

**Statement of the case:-** A request was made by the Director, SRD Regional Centre, Kharal to appoint/engage one faculty in the subject of

Commerce for smooth functioning of teaching classes B.Com (Hons.), SRD Regional Centre, Kharal

For the smooth functioning of said Regional Centre, a proposal with regard to engagement of Assistant Professor (Temporary) in Commerce against sanctioned posts and vacant post on contract basis for a period of six months or till the regular appointment is made whichever is earlier on consolidated remuneration equal to the initial basic pay of a regular Assistant Professor under 7<sup>th</sup> Pay Commission i.e. salary of Rs. 57700/- per month (without any allowances) was placed before the Vice-Chancellor for consideration. After approval of the Vice-Chancellor, the University had advertised the said post on leading newspapers and University Website for inviting the applications. Thereafter, the screening the applications forms were got screened from the Screening Committee. On the basis of screening the recommendations of the Screening Committee, the interview for the said post was held on 09.01.2024. A Selection Committee was constituted vide order dated 02/01/2024 (**Annexure-8, page-27**).

The recommendations of the Selection Committee was placed before the Vice-Chancellor for consideration and she has approved the recommendations of the Selection Committee in anticipation of approval of the Executive Council by exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act as the meeting of the Council is not going to be held in near future and further ordered to place the same to the Executive Council for ratification.

8. **To ratify the action taken by the Vice-Chancellor in anticipation of approval of the Executive Council regarding grant of extension to Sh. Devender Singh, Accountant on contractual basis for a period of one year from 26.12.2023 to 25.12.2024.**

**Statement of the Case:-**

Keeping in view, the shortage of staff, Sh. Devender Singh, Ex-Superintendent, who retired from the services of University on 31.10.2018, was appointed on contract basis as Accountant initially for a period of six months i.e. 26.12.2018 to 25.06.2019 in MSM Institute of Ayurveda. His term was further extended by the competent authority upto 25.12.2023.

Now, Sh. Devender Singh has submitted a request regarding extension in his contractual appointment and the same has been recommended by the Finance Officer.

The Hon'ble Vice-Chancellor by considering the request of Sh. Devender Singh, has approved the case of his further extension in contractual period w.e.f. 26.12.2023 to 25.12.2024 on the existing terms and conditions in anticipation of the approval of the Executive Council and further ordered to place the same before Executive Council in its ensuing meeting to ratify the same please.



9. To consider & approve the recommendations kept in sealed envelopes of the Selection Committee held on 27.12.2023 and 09.01.2024 for grant of promotion to the following teachers under CAS (Career Advancement Scheme) as Associate Professor (Stage-III to Stage-IV) in the pay band-IV (Rs. 37,400-67,000 + GP Rs. 9,000/-) on successful completion of three years of service as Assistant Professor in AGP of Rs. 8,000/- in light of UGC guidelines received from State Govt. vide memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011:-

Sr. No	Name of the Teacher	Name of Department	Stage	Due date of Promotion
1.	Dr. Anju Rani, Assistant Professor	Economics	Stage-III to IV	27.01.2023
2.	Dr. Seema Malik, Assistant Professor	Commerce	Stage-III to IV	29.04.2023

**Statement of Case:-**

As per the UGC guidelines received through the State Government as mentioned in para 8.0 regarding Revised pay Scale, Service conditions, and Career Advancement Scheme for teachers and equivalent positions; and as per the provision clause-10.7, Assistant Professor completing three years of teaching in third grade (stage-3) shall be eligible, subject to the qualifying conditions and the API based PBAS requirements prescribed by these Regulations, to move to the next higher grade (stage-4) and to be designated as Associate Professor. Accordingly, the Vice-Chancellor constituted the Selection Committee as per University Act-2006 statute 24 and the meetings of the Selection Committee were held on 27.12.2023 and 09.01.2024 respectively. The recommendations of the committee are kept in two separate sealed envelopes.

The above matter was placed before the Hon'ble Vice-Chancellor who ordered that the recommendations of the Selection Committee be placed before the Executive Council for consideration and approval.

10. To consider & approve the recommendations kept in sealed envelopes of the Selection Committee held on 28.12.2023 for grant of promotion to the followings under Career Advancement Scheme (CAS) from stage-III to Stage-IV in the pay band-IV (Rs. 37,400-67,000 + GP Rs. 9,000/-) on successful completion of three years of service as Assistant Librarian in AGP of Rs. 8,000/- in light of UGC guidelines received from State Govt. vide memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011:-

Sr. No.	Name of the employee	Name of Department	Stage	Due date of Promotion
1.	Sh. Nafay Singh, Assistant Librarian	Centre Library	Stage-III to IV	11.11.2022
2.	Dr. Dinesh Kumari, Assistant Librarian	Education	Stage-III to IV	11.09.2022

**Statement of Case:-**

As per the UGC guidelines received through the State Government as mentioned in para 8.4 (C-IV) regarding revised pay Scale, Service conditions, and Career Advancement Scheme for teachers and equivalent positions; and as

per the provision clause-11.6, Assistant Librarians completing three years in third grade (stage-3) shall be eligible, subject to the qualifying conditions and the API based PBAS requirements prescribed by these Regulations, to move to the next higher grade (stage-4) and to be designated as Deputy Librarian. Accordingly, the Vice-Chancellor constituted the Selection Committee as per University Act-2006 statute 24 and the meeting of the Selection Committee was held on 28.12.2023. The recommendations of the committee are kept in two separate sealed envelopes.

The above matter was placed before the Hon'ble Vice-Chancellor who ordered that the recommendations of the Selection Committee be placed before the Executive Council for consideration and approval.

11. To consider & approve the report of the Fact Findings Enquiry submitted by Dr. D.R. Yadav, Inquiry Officer appointed by the Vice-Chancellor vide letter No. BSMV/ET-1/22/682 dated 30.05.2022 to enquire and resolve the pension case of Dr. Sumitra Devi, Associate Professor (Retd.) (Annexure-9, page-28-48).

**Statement of the case:-**

The then Vice-Chancellor constituted a Committee under the convenership of Dean Academic Affairs to enquire and resolve the pension case of Professor Vimal Joshi (Rtd), Department of Law and Dr. Sumitra Devi, Associate Professor (Retd) vide letter No. BSMV/ET-11/22/693-704 dated 09.07.2022. After that, the Dean Academic Affairs made a request to replace him and assign the duty to any Retired Person from the panel of Haryana Govt. as the Dean Academic Affairs dealt the academic matters. Accordingly, Dr. D.R. Yadav was appointed as Inquiry Officer by the Vice-Chancellor to enquire and resolve the pension case of Dr. Sumitra Devi, Associate Professor (Retd) vide letter No. BSMV/ET-1/22/682 dated 30.05.2022.

The Inquiry Officer has submitted the report of the fact findings inquiry on 05.01.2024 and the same was placed before the Vice-Chancellor, who after due consideration has ordered to place the same before the Executive Council for consideration and approval.

12. To re-consider/ review the case of appointment of Ms. Jyoti Pahal, Lab Attendant in light of the State Govt. Memo issued by Director General Higher Education vide no. 18/117-2017 UNP (2), E-6884 dated 22.02.2022.

**Statement of the case:-**

A letter bearing no. 6968/MB dated 24.03.2017 (Annexure-10, page-49) was received from the office of Deputy Commissioner, Sonapat vide which they have supplied the list of five candidates who were the family members of those persons who were deceased during the Jat Reservation Agitation, wherein it was requested that these persons may be considered sympathetically for some appropriate regular jobs.

In this reference, out of the list received from the O/o Deputy Commissioner, Sonapat, only the name of Ms. Jyoti Payal was considered for appointment as Peon against the regular vacant post in the University. The Executive Council in its meeting dated 30.03.2017 vide resolution no. 18 resolved as under:

*"The House after detailed deliberation considered the request received from Deputy Commissioner, Sonapat for sympathetic consideration and unanimously recommended that Ms. Jyoti Pahal D/o Sh. Jaipal, Village-Gumar, Teh-Gannaur, Dist-Sonapat (Sister of Sh. Sandeep, deceased during Jat Reservation Agitation in Feb. 2016) for the post of Peon as per her qualification be sent to the State Govt/ Finance Department for approval as a special case as it is case of rehabilitation and the budgeted post of Peon is lying vacant for more than two years". (Annexure-12, page-50).*

Accordingly, a request was sent to DGHE vide letter dated 03.05.2017 (**Annexure-13, page-51**). In response to the said letter DGHE vide Memo no. 18/117-2017 UNP (2) dated 11.05.2017 (**Annexure-14, page-52**), has intimated to consider all such cases of appointments of brother/sister of those who have been deceased in Jat Reservation Agitation in Feb. 2016 at the appropriate level under the existing provisions of the concerned university.

Ms. Jyoti Pahal was offered appointment with the post of Peon on compassionate grounds vide this office letter no. BPSMV/EN-II/17/2150 dated 09.05.2017 (**Annexure-15, pages-53-54**) but she did not join to the post of Peon. Meanwhile, Deputy Commissioner, Sonapat forwarded a request dated 19.09.2017 (**Annexure-16, page-55**) made by Ms. Jyoti Pahal vide which she has requested for appointment on class-III posts and mentioned that her family is dependent upon her. Her qualification is 10+2 with Diploma in Early Childhood Care and Education from SCERT. To consider the request of Ms. Jyoti an agenda item was placed before the 56<sup>th</sup> meeting of the Executive Council dated 19.12.2017 and the EC vide resolution no. 07 resolved as under:

*"Resolved that Ms. Jyoti Pahal D/o Sh. Jaipal who possess the 10+2 (Arts) qualifications be appointed as Lab Attendant (in labs other than science labs i.e. Geography, Home Science labs etc.) as a special case" (Annexure-17, page-56).*

In compliance to the EC resolution no. 07 dated 19.12.2017, an appointment letter to the post of Lab Attendant was issued to Ms. Jyoti Pahal vide this office letter no. BPSMV/EN-I/PF/18/208 dated 19.01.2018 (**Annexure-18, pages-57-58**).

It is also pertinent to mention here that there is no where mentioned the class against which the concerned employee is to be appointed in the letters received from Govt. Moreover, the DHE has requested that the instant matter may be decided at the appropriate level of the university under the existing provision contained in BPSMV Act 2006. The appointment of Ms. Jyoti Pahal to the post of Lab Attendant is made on the recommendations of the Executive

Council i.e. supreme body of the University. The University also wrote to State Govt. requesting to relax in the qualification for appointment as Lab Attendant vide letter dated 20.09.2019 and 02.02.2021(**Annexure-18, pages-59-61**).

Further, the Director Higher Education, Panchkula has informed vide memo No. 18/117-2017 UNP (2) dated 29.05.2020 that the University was directed to appoint such persons on class-IV posts in the State Universities by State Government. But no such instructions received from the State Govt.

In this regard, the information was asked from the M.D. University, Rohtak and DCRUST, Murthal with regard to number of persons appointed in group C & D posts on compassionate grounds of the family members who have died during Jat Reservation Agitation in February, 2016. Now, the reply has been received from the both Universities which are as under:

1. **M.D. University, Rohtak** - Total 15 persons (09 in group-C and 06 in Group-D) were appointed in the University on compassionate grounds, to the dependents of the deceased persons during Jat reservation agitation in February, 2016 by the Executive Council as per Govt. instructions dated 29.04.202017.

One person out of nine has been appointed as Catalogue Typist in Groups "C" post with relaxation of required type test. The same has been approved by the Executive Council of M.D. University, Rohtak (**Annexure-19, page-62-63**).

**DCRUST, Murthal** – One person in Group "C" and three persons in Group "D" were appointed on compassionate grounds of the family members who have died during Jat reservation agitation in February, 2016. The same has been approved by the Executive Council of the DCRUST, Murthal (**Annexure-20, page-64**).

The State Govt. vide memo no. 18/117-2017 UNP (2), E-6884 dated 22.02.2022 has directed the University to withdraw the appointment letter dated 19.01.2028 issued to Ms. Jyoti Pahal and fix the responsibility of all the officials/officers involved in wrong appointment to take disciplinary action and send report to their office.

It is also pertinent to mention here that the qualifications for the post of Lab Attendant of State Govt. Haryana and the qualifications possessed by Ms. Jyoti Pahal are as under:-

Qualification prescribed by the State Govt.	Qualification possessed by Ms. Jyoti Pahal
1 Matric with Science (Physics Chemistry) and 2 Hindi/ Sanskrit as one of subject in Matriculation or Higher.	1 10 <sup>th</sup> with Science & Hindi 2 10+2 3 Diploma in Early Childhood.

Hence, in view of above, Ms. Jyoti Pahal possessed the requisite qualifications for the post of Lab Attendant as prescribed by the State Govt.

The matter was submitted to the Hon'ble Vice Chancellor, who after due consideration has desired to place the same before the Executive Council for approval.

13. To consider the Legal Opinion rendered by Advocate General, Haryana w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan in view of the decision of Executive Council taken vide Resolution No. 24 in its meeting held on 08/12/2023 as well as advice of Finance Department, Haryana received through Director, Higher Education Department, Haryana vide letter dated 19/12/2023.

**Statement of the Case:-**

The agenda item to decide the future course of action regarding three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan being huge deficit in funds and payment of outstanding salary to faculty appointed for these courses, thereof in view of refusal by the State Government to convert these posts into budgetary posts was put up before the meeting of Executive Council in its meeting held on 08/12/2023 vide Agenda No. 24 (**Annexure-21, page-65-72**). The Executive Council resolved the issue and it was decided that the salary be released to the concerned staff on work done basis from the Internal Income of the University. Further resolved that the legal advice be sought from AG, Haryana in the matter. It was also resolved that Principal, Polytechnic be directed to pursue the matter with the State Government in consultation with Dean Faculty of Engineering and Technology with regard to the enhancement of fee of SFS courses. The concerned teachers be also directed to try to make sincere efforts to generate more funds in the courses being run to become more financial viable. A copy of proceedings of the meeting is placed at (**Annexure-22, page-73**).

As per decision of Executive Council, the office of Advocate General, Haryana was requested to render Legal Opinion on the following five issues vide letter No. BPSMV/ET/23/5787 dated 19/12/2023 (**Annexure-23, page-74-82**):

1. Whether the University was bound to seek prior approval of the Department of Higher Education, Govt. of Haryana before advertising these posts in February, 2009 as these posts were created by the erstwhile private educational society at the time of introduction of these courses in the year 2001-02 and Section-36 of the University Act vested the courses and posts created, filled by Kanya Gurukul Khanpur Kalan (erstwhile private educational society) before the establishment of this University in the University.
2. Whether the Department of Higher Education, Govt. of Haryana is under legal obligation to sanction these posts of SFS to budgetary posts under the rationalization policy in view of Section-36 of the University Act, the Finance Commissioner & Principal Secretary memo no. 20/1-2006 UNP (1) dated 21.09.2006, Rationalization Policy for SFS Staff approved by the University Executive Council Resolution No. 3 in its meeting dated 23.06.2008 and sanction of 190 budgetary posts for rationalization of SFS staff vide memo no. 18/203-2007 UNP (2) dated 27.02.2009.

3. Whether these Teachers are regulated by the Self Financing Scheme incorporated in the University Account Code in Chapter-24.
4. Whether the University can change terms and conditions of appointment of these teachers especially offering them consolidated fixed salary instead of pay scale prescribed in their appointment letters in view of the fact that these courses have failed to generate adequate funds to meet salary expenses of these teachers in the prescribed pay scale.
5. Whether the University should take a policy decision for discontinuation of one of the courses namely Diploma in Computer Engineering in view of the fact that four teachers out of these six teachers are appointed for this course and this course has failed to generate adequate funds to meet the salary of teachers.

The office of Advocate General, Haryana vide note 22/12/2023 submitted its legal opinion (**Annexure-24, page-83-85**). The opinion rendered by Dy. Advocate General, Haryana is reproduced below:

**"After going through the noting and the documents Annexure A-I to Annexure A-XII undersigned of the opinion that it is not possible to tender the opinion on the different points mentioned at serial no. 1 to 3 as reproduced in the preceding paras, as these are the purely administrative policy decision, exclusively required to be taken as per the regulation of the University with the consultation of the Department of Higher Education as well as of the Finance Department of the Government of Haryana. Hence, this office refrain to tender the opinion.**

**Apart from above, answer to question No. 4 and 5 again pertains to a policy decision which has to be taken by the University with the consultation of the Department of Higher Education as well as Finance Department as per the provisions/regulations of the University Act under which the Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan (Sonapat) etc. was established".**

The Dy. Advocate General, Haryana has opined to take policy decision on the issues in consultation with Department of Higher Education as well as Finance Department, Haryana as per the provisions/regulations of the University Act. It is pertinent to mention here that the Department of Higher Education has repeatedly declined to sanction posts under rationalization or convert these posts from Self-Financing Scheme to budgetary posts on the ground that the University has not taken prior permission of the State Government for these posts before filling the same and the State does not provide grant for Self-Finance Course to any of the State Universities.

The Higher Education Department, Haryana vide Memo No. 5/42-2020 UNP(1) dated 19/12/2023 (**Annexure-25, page-86**) forwarded the advice received from Finance Department issued vide U.O. No. 60/44/2022-3

FDII/28713 dated 09.01.2023 (**Annexure-26, page-87**) vide which the Finance Department denied to provide the funds for the payment of salary of the teaching staff working under SFS programmes in BPS Mahila Polytechnic. Moreover, it has also been directed that the BPSMV, Khanpur Kalan has created that posts under SFS at their own level which is beyond the provisions of Rule, hence, strict disciplinary action may be initiated against the erring officers/officials of the University. It is pertinent to mention here that the University has already appointed Sh. Sunil Kumar Gulati, IAS (Retd.) as inquiry officer vide letter No. BPSMV/ET-IV/23/4540 dated 13/10/2023 to fix the responsibility of erring officer/official for making these appointments without prior approval of the State Government under SFS in BPS Mahila Polytechnic.

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 in view of the Legal Opinion rendered by Advocate General, Haryana as well as advice of Finance Department, Haryana received through Director, Higher Education Department, Haryana.

14. **To consider the reply of charge sheet submitted by Sh. Rajesh Kumar, Assistant Registrar (Annexure-27, Pages-88-129) and report of FIR received from the SHO, Mahila Police Station (Annexure-28, pages-130-132) which was issued in pursuance of the decision of the Executive Council vide resolution No. 22 dated (Annexure-29, pages-133) and non issuance of charge sheet to Sh. K.K. Dhaka, Assistant Registrar who superannuated on 31/08/2014.**

**Statement of the Case:-**

The Director General Higher Education, Haryana vide Memo No. 7/58-2016 UNP (1) dated 27/04/2022 (**Annexure-30, pages-134-158**) forwarded a copy of the report of enquiry No. 11 dated 15/12/2017 as received from the Vigilance Department, Haryana vide their Memo No. 63/60/2017-1 Vig.-1 dated 02/02/2022, with the request to take action as per the suggestions/directions given in the letter under reference be taken against the accused and the action taken report/compliance report may be sent to their office.

Further, vide letter dated 02/02/2022, the Chief Secretary, Haryana has agreed with the report submitted by the Vigilance Department, Haryana, wherein it has been found that Sh. Krishan Kumar Dhaka, Assistant Registrar, BPSMV(Retired) and Sh. Rajesh Kumar, Assistant Registrar, BPSMV have been found guilty for missing of record and to mislead the higher authorities by preparing wrong information and recommended for disciplinary action (Major Penalty) for the accused.

In light of the above letters and findings of enquiry report the matter was referred in the Executive Council in its 72<sup>nd</sup> meeting dated 07/10/2022. In terms/response of the decision of Executive Council vide resolution No. 22, a charge sheet was issued to Sh. Rajesh Kumar, Assistant Registrar vide office

letter No. BPSMV/EN-1/23/205 dated 31/01/2023 (**Annexure-31, pages-159-162**) with a direction to submit his written reply within 21 days from the date of issue the charge sheet. Further, a request to lodge FIR and status regarding missing of old record of the Establishment Teaching Branch for the year 2007 and 2008 related to the advertisement and selection was also taken up with the SHO, Mahila Police Station, Khanpur Kalan vide letter No. BPSMV/1794 dated 21/08/2023 and BPSMV/204 dated 31/01/2023.

In response to the above said charge sheet, Sh. Rajesh Kumar, vide letter dated 20/02/2023 requested to supply some documents and one month extension in time to submit his reply of charge sheet. The desired documents were supplied to him vide this office letter dated 10/04/2023 with a direction to supply within 24 days from the date of receipt of this letter. But, Sh. Rajesh Kumar vide letter dated 03/05/2023 again requested to provide him documents and one more month's time to submit his reply. Accordingly, the requisite documents supplied to him vide letter No. BPSMV/EN-1/23/1448 dated 20/07/2023 after due approval of the competent authority and directed to submit his reply immediately.

Now, Sh. Rajesh Kumar, Assistant Registrar has submitted his reply of charge sheet as annexed above and he has requested to drop the charge sheet as explained by him.

Further, Sh. K.K Dhaka, the then Assistant Registrar who superannuated on 31/08/2014 has not been charge sheeted as per Chapter III, clause 2(i,ii) the Haryana Civil Services (pension) Rules, 2016 which is as under:-

The Departmental proceedings, if not instituted while the Government employees was in service, whether before his retirement, or during his re-employment,-

- (i) Shall not be instituted save with the sanction of the Government,
- (ii) Shall not be in respect of any event which took place more than four years before such institution, and
- (iii) Shall be conducted by such authority and at such place as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the Government employee during his service.

Further, in response of the request for lodging the FIR for missing of old record of the Establishment Teaching Branch for the year 2007 and 2008 related to the advertisement and selection has also received vide letter No. 391 dated 30/08/2023 which is reproduced below:-

“आपके कार्यालय से प्राप्त पत्र REF No. BPSMV/1794 दिनांक 21.08.2023 उपरोक्त विषय के संबंध में निवेदन है कि वर्ष 2007 व 2008 में ESTABLISH TEACHING BRANCH से पुराना रिकार्ड गुम होने का मामला पाया गया है जो वर्ष 2007 व 2008 में महिला थाना खानपुर कला नहीं बना था इसलिए आज इस पत्र के दिये जाने का कोई औचित्य नहीं है पत्र हजा आपकी सेवा में वापिस भेजा जा रहा है । रिपोर्ट सेवा में पेश है।”



Procedure for imposing Major penalty under the Service and Conduct rules of MDU by the University (**Annexure-32, pages-163-175**)

The matter was placed before the Vice-Chancellor and who after due consideration has ordered to refer the matter to the Executive Council for consideration and taking further decision in the matter.

**15. Any other item with the permission of the Chair.**

*Malik*  
Registrar  
21/2/24

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

**SUPPLEMENTARY AGENDA FOR THE 78<sup>th</sup> MEETING OF THE EXECUTIVE COUNCIL TO BE HELD ON 06/03/2024 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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15. To ratify the action taken by the Vice-Chancellor in according approval in anticipation of Executive Council regarding the uploading of the AQAR 2022-23 on NAAC Portal.

**Statement of Case:-**

The university successfully completed the first cycle of accreditation in March 2023 with B++ grade. Post accreditation, it is mandatory for the university to submit the AQAR annually on NAAC portal. As per the directions of NAAC, the deadline of submission of AQAR for 2022-23 was 31<sup>st</sup> December 2023. As a part of requirements, the AQAR is to be approved by statutory body i.e. the Executive Council. Keeping in view the urgency of the matter, the Vice-Chancellor accorded anticipatory approval for uploading the same on NAAC portal and ordered to report it to the Executive council at its next meeting.

16. To ratify the action taken by the Vice-Chancellor regarding engagement of Dr. Sanjai Bhatt, Former Professor in Social Work, Delhi School of Social Work, University of Delhi as Adjunct Faculty in the Department of Social Work initially for a period of six months on usual terms and conditions mentioned in guidelines for engagement of Adjunct Faculty, approved by the Executive Council vide Resolution No. 22 held on 02.12.2022.

**Statement of the Case:-**

A Curriculum Vitae of Dr. Sanjai Bhatt, Former Professor in Social Work, Delhi School of Social Work, University of Delhi has been received for engagement as Adjunct Faculty in the Department of Social Work. The Chairperson, Department of Social Work has recommended to consider his request for engagement as Adjunct Faculty as there is acute shortage of Senior Professor in the Department of Social Work. Keeping in view his qualifications and vast experience, a committee of the following was constituted for consideration of the request/Curriculum vitae of Dr. Sanjai Bhatt (Retd.) for engagement/appointment as Adjunct Faculty in the Department of Social Work as per approved guidelines for engaging Adjunct Faculty:-

- |                                                         |                        |
|---------------------------------------------------------|------------------------|
| 1. Prof. Sudesh, Vice-Chancellor, BPSMV, Khanpur Kalan  | Chairperson            |
| 2. Prof. Sanket Vij, Dean, Academic Affairs             | Member                 |
| 3. Prof. Ravi Bhushan, Dean, Faculty of Social Sciences | Member                 |
| 4. Dr. Manju Panwar, Chairperson, Dept. of Social Work  | Member                 |
| 5. Prof. Sanjay Roy, Department of Social Work, DU      | Outside Subject Expert |
| 6. Registrar, BPSMV, Khanpur Kalan                      | Secretary              |

The meeting of the said Committee was held on 28.02.2024. The Committee recommended that Dr. Sanjai Bhatt, Former Professor in Social Work, Delhi School of Social Work, University of Delhi may be engaged as Adjunct Faculty initially for a period of six months on usual terms and conditions of appointment as Adjunct Faculty duly approved by the Executive Council vide Resolution No. 22 held on 02.12.2022 in view of his vast experience (**Annexure-33, page-176**), it is pertinent to mention here that as per above resolution the final recommendations of the Selection Committee would be forwarded to the Executive Council for information. Accordingly, the Vice-Chancellor approved the recommendation of the Selection Committee as referred to above and ordered that the matter be reported to the Executive Council for information and ratification.

17. **To consider and approve the recommendations of the Selection Committee meeting held on 28.12.2023 (kept in sealed envelope) for the post of University Librarian advertised vide No. 1/2023 to 69/2023. The recruitment process for the said post has been got checked from the Observers i.e. Dr. Anju Manocha, Joint Director O/o Director Higher Education, Panchkula vide No. 18/34-2024 UNP (1) dated 15.02.2024 and Prof. Dinesh Kumar, Vice-Chancellor, Gurugram University vide No. UGU/VC/2024/28 dated 28.02.2024 (Annexure-34, pages-177-178).**

**Statement of the case:-**

The University had advertised the various teaching posts against advt. No. 01/2023 to 69/2023 including one post of University Librarian (UR) in the leading newspapers as well as on the University website.

Thereafter, on the basis of applications received against the said post and on completion of screening process of received applications, the University had conducted the interviews for the post of University Librarian on 28.12.2023.

Further, as per instructions of the Additional Chief Secretary to Govt. Haryana, Higher Education Department, Haryana, the recruitment process for said post has been got checked from the observer i.e. Dr. Anju Mancha, Joint Director O/o Director Higher Education, Panchkula vide No. 18/34-2024 UNP (1) dated 15.02.2024 and Prof. Dinesh Kumar, Vice-Chancellor, Gurugram University vide No. UGU/VC/2024/28 dated 28.02.2024.

The above matter was placed before the Hon'ble Vice-Chancellor who ordered that the recommendations of the Selection Committee (kept in sealed envelope) be placed before the Executive Council for consideration and approval.

18. **To ratify the action taken by the Vice-Chancellor in sending a proposal for establishment of a new Department i.e. Department of Psychology from the session 2024-25 at BPSMV, Khanpur Kalan under the Faculty of Social Sciences .**

**Statement of the case:-**A meeting was held on 08.02.2024 under the Conveneship of Additional Chief Secretary Higher Education, Chandigarh for creation of teaching and non-teaching posts. During the discussion, the ACS

Higher Education has desired that the University should establish the Department of Psychology in the University and further directed to submit the proposal for the same at the earliest. Accordingly, the Dean Faculty of Social Sciences was requested to get the proposal prepared for the same (**Annexure-35, page-179-181**).

The Vice-Chancellor considered the proposal of the Dean, Faculty of Social Sciences and approved in anticipation of the approval of the Academic Council/Executive Council so that a proposal be sent to the Additional Chief Secretary, Department of Higher Education, Chandigarh as well as a copy of the same to the DHE, Haryana (**Annexure-36, page-182-183**) with the request to arrange to convey the sanction of the State Government for creation of Teaching posts along with the permission to establish the Department of Psychology as referred above.

19. **To consider and approve the recommendations of the Screening-cum-Evaluation Committee held on 27.02.2024 for grant of AGP Rs. 7000/- w.e.f. 24.02.2019 under CAS to Ms. Vidushi Sharma, Assistant Professor, Department of Foreign Languages, BPSMV, Khanpur Kalan in the pay scale of Rs. 15600-39100 on successful completion of five years of service in AGP Rs. 6000/- in light of UGC guidelines received from State Govt. vide Memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011.**

**Statement of case:-**

As per UGC guidelines received through State Govt. vide Memo No. KW-7/18-2009 C-IV (3) dated 21.07.2011 and as per provision in para 8.0, sub para 8.1 (vii) for CAS promotion of Assistant Professors.

**“Assistant Professors with completed service of five years at the AGP of Rs. 6000/- shall be eligible, subject to other requirements laid down in annexure IV, to move up to the AGP of Rs. 7000/-”**

Further, as per provision in 9.5.1 of above guidelines, the Vice-Chancellor constituted a Screening-cum-Evaluation Committee. The meeting of the committee was held on 27.02.2024. The recommendations of the committee are kept in sealed envelope. The Hon'ble Vice-Chancellor ordered that the recommendations of the Screening-cum-Evaluation Committee be placed before the Executive Council for consideration and approval.

20. **To consider the report submitted by fact finding committee constituted by the Vice Chancellor to examine the complaints received against Dr. Neelam Malik, Registrar, BPSMV, Khanpur Kalan.**

**Statement of the Case:-**

The complaints were received from the following offices/ departments made by Sh. Rajesh Malik against Dr. Neelam Malik, Registrar, BPSMV, Khanpur Kalan:-

1. Director General Higher Education, Haryana.
2. SHO Mahila Thana, Khanpur Kalan.

3. Office of the Secretary to Governor, Haryana.
4. Office of Vice Chancellor, BPSMV, Khanpur Kalan.
5. Deputy Commissioner Office Sonapat

The above said complaints were submitted to the Vice Chancellor who had constituted a fact finding committee consisting of the following to examine the matter:-

1. Prof. Ashok Verma, Dept. of English, Convener
2. Dr. Monika (EC Member), BPSMV, KK Member
3. Sh. Sunil, Superintendent ENT For presenting the record

The meeting of the above fact finding committee was held on 01.03.2024 at 10:00 A.M. in the office of Director IQAC. The committee has submitted its report in a sealed envelope.

The matter was submitted to the Hon'ble Vice Chancellor, who after due consideration has desired to place the same before the Executive Council for consideration.

21. **To consider the case for engagement of Sh. Arun Kumar Goel (Chief Engineer, Retired) Haryana, PWD (B&R) as Technical Advisor (Civil Engineering) on visit basis @ 5000/- per visit but not exceeded to three visit in a week plus TA/DA for maximum two visit in a month as per entitlement.**

**Statement of the case:-**

There is no senior person having vast experience in the Engineering Cell of the University. The CV from the experienced person having more than 15 years experience were invited through an advertisement released on the website. In response to the above advertisement, three curriculum vitae were received. The CV of the three persons were put up before the screening-cum-selection committee under the chairpersonship of Vice-Chancellor. The meeting of the selection committee was held on 01.03.2024. The committee after considering the all bio-data has recommended Sh. Arun Kumar Goel (Chief Engineer, Retired) Haryana, PWD (B&R) for engagement as Technical Advisor (Civil Engineering) on visit basis @ 5000/- per visit but not exceeded to three visit in a week plus TA/DA for maximum two visit in a month as per entitlement, initially for a period of one year (**Annexure-37, page-184**).

The case was placed before the Hon'ble Vice-Chancellor who after due consideration has desired that the matter be placed before the Executive Council for approval.

22. **To rectify the action taken by the Hon'ble Vice-Chancellor in appointing Assistant Registrar on deputation basis on the recommendations of the Establishment Committee initially for a period of one year in anticipation approval of the Executive Council.**

**Statement of the case:-** The University is facing acute shortage of experience staff. An advertisement for inviting the applications of various non-teaching posts on deputation basis was released on the website. In response to the above advertisement, three applications were received for the post of Assistant

Registrar. The candidates were called for interview before the Establishment Committee under the chairpersonship of Vice-Chancellor on 04.03.2024. The committee after interviewing the candidate has recommended the following candidate for selection of Assistant Registrar on deputation subject to issuance of certificate from his parent department mentioning that there is no vigilance/ disciplinary proceeding pending or contemplated against him. The salary shall be paid as per rules **(Annexure-38, page-185)** :-

1. Sh. Pardeep Kumar S/o Sh. Jagdev Singh Dhull

The recommendations of the Establishment Committee were placed before the Hon'ble Vice-Chancellor who after due consideration has approved the recommendations in anticipation of the approval of the Executive Council and further desired that the same be placed before Executive Council for approval.

**23. To Consider and approve the provision of Vice-Chancellor's Discretionary Fund.**

There is a provision in the M.D. University Calendar Volume-4 in Chapter- 29, that namely Vice-Chancellor Discretionary Fund which provides as under:-

29.1 The Fund shall be called the "Maharshi Dayanand University Vice-Chancellor's Discretionary fund'.

29.2 The Fund shall comprise of the allocation made annually by the Maharshi Dayanand University, Rohtak out of its funds.

29.3 "The Vice-Chancellor at his discretion may sanction expenditure out of this fund for the benefit of students and employees of the university upto a limit of Rs.15,000/- in each case." **(Annexure-39, page-186)**

The said provision under point 29.3 has been amended by the Executive Council of MDU, Rohtak vide Resolution No. 53 dated 16.09.2021 which is reproduced:

29.3 [The Vice-Chancellor at his discretionary may sanction expenditure out of this fund for the benefit of students and employees of the University upto a limit Rs.1.00 lakh in each case **(Annexure-40, page-187)**

Since the University is following the rules of the MDU, Rohtak being a sister university and we may follow the same as there is no such provision in the existing rules of BPSMV, Khanpur Kalan.

The Draft agenda item was submitted to the Vice-Chancellor for consideration and approval. The Vice-Chancellor considered the proposal and ordered to refer it to the ensuing meeting of the Executive Council for approval as well as to insert the said provision in the University Calendar.

**24. Any other item with the permission of the Chair.**

  
3/24  
Registrar

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

**TABLE AGENDA FOR THE 78<sup>th</sup> MEETING OF THE EXECUTIVE COUNCIL TO BE HELD ON 06/03/2024 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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24. To ratify the action taken by the Vice-Chancellor for extension in contractual engagement of Sh. Jagat Singh as Attendant on contract basis for one year from 20.02.2024 to 19.02.2025 on consolidated salary of Rs. 16900/- per month in anticipation of approval of the Executive Council.

**Statement of the case:-**

Sh. Jagat Singh was working in MSM Institute of Ayurveda BPSMV on regular basis. He was retired on 31.05.2020. Keeping in view, the shortage of staff, he was engaged as Attendant on contract basis on 20.02.2023 for a period of one year. At present, his contractual period has been expired on 19.02.2024.

Further, the Principal has forwarded the request for grant of extension of Sh. Jagat Singh for one year w.e.f 20.02.2024 to 19.02.2025 with the recommendation that his services are required in MSM Institute of Ayurveda, BPSMV, Khanpur Kalan.

The case was submitted to the Vice Chancellor who after due consideration has approved the same in anticipation of approval of the Executive Council and further desired to place the same before Executive Council for information.

25. To consider and approve the case of extension in deputation period of Sh. Vikas Kumar, Executive Engineer for a period of one year w.e.f. 28.04.2024 to 27.04.2025.

**Statement of the Case:-**

Sh. Vikas Kumar, Executive Engineer, Haryana Police Housing Corporation, Ambala was appointed as Executive Engineer on deputation basis vide EC Resolution no. 36 dated 05.04.2023 for a period of one year. Accordingly, he joined the University on 28.04.2023. Now, his present term of deputation is going to complete on 27.04.2024. Presently, the University is facing acute shortage of experienced staff in the Engineering Cell. The post of Executive Engineer was lying vacant w.e.f. 21.09.2006.

Keeping in view the dire need of experienced staff in the University, the case for extension in deputation beyond 27.04.2024 for one more year i.e. 28.04.2024 to 27.04.2025 was put up to the higher authorities, who after due consideration ordered to place the matter before the ensuing meeting of the Executive Council for consideration & approval.

26. TO CONSIDER THE PROPOSAL FOR CHANGE OF NAME OF CAMPUS SCHOOL TO UNIVERSITY CAMPUS SCHOOL.

Statement of the case:-

The Executive Council vide Resolution No. 4 of its 10<sup>th</sup> meeting held on 26.03.2008 had approved the proposal for establishment of Campus School in the University. This school is a co-education school since its establishment. Now, a proposal has been received from the Principal, Campus School stating that the then Principal had applied for seeking recognition of Campus School in 2010. However, since 2008 to till date the issue of recognition could not be resolved due to numbers of objections raised by the concerned quarters.

Now, the Principal University Campus School had pointed out that the Central Board of Secondary Education had issued the Affiliation No. 520001 vide letter No. CBSE/Affl./ 520001/2010/49957-60 dated 25.02.2010 (**Annexure-41, page-188-189**) which is in the name of **University Campus School** instead of **Campus School**. It is also reported that while processing the case of recognition and affiliation by the then Principal, in some documents the school name was mentioned as Campus School and in other documents it was mentioned as **University Campus School**. Due to the mistakes made by the then Principal, the present case of recognition is not being considered by the concerned bodies.

It is also a fact that till date all the DMCs of students have been issued mentioning the name of School as University Campus School. Now to resolve this issue in the interest of the rural students and wards of the University employees of the school, it is felt that the name of the school be considered **University Campus School** instead of **Campus School**. The said name of the school shall be considered on the existing documents and for future also. The case was placed before the Hon'ble Vice-Chancellor who after due consideration has desired that the matter be placed before the Executive Council to frame a uniform policy.

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

  
6/3/24.  
Registrar



# Annexures

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

The following were present:-

	Designation	Attended
1. Prof. Sudesh, Vice-Chancellor	Chairperson	Offline
2. Sh. Bhupinder Singh, HCS, Deputy Secretary Nominee of Finance Department,	Ex-officio-member	Online
3. Dr. Anju Manocha, Joint Director O/o DGHE Panchkula, Nominee of ACS Higher Education	-do-	Online
4. Sh. Sanjeev Kumar, Deputy Director, Nominee of Technical Education Department	-do-	Offline
5. Prof. Shweta, Dean, Faculty of Commerce and Management & Dean of Colleges	-do-	Offline
6. Prof. Mahesh Kumar Dadhich, Dean Faculty of Ayurveda	-do-	Offline
7. Prof. Vijay Nehra Dean, Faculty of Engineering & Technology	-do-	Offline
8. Dr. Suman Dalal, Dean, Faculty of Physical Education Dean Faculty of Education	-do-	Offline
9. Prof. Ashok Verma Dean, Faculty of Arts & Languages	-do-	Offline
10. Dr. Neelam Jain, Dean, Faculty of Pharmaceutical Sciences.	-do-	Offline
11. Dr. Sunil Kumar, Dean Faculty of Sciences	-do-	Offline
12. Prof. (Dr.) Sunita Srivastava, Professor, Department of Physics, Central University of Haryana, Mahendargarh	Chancellor's Nominee	Online
13. Smt. Kamla Rani	-do-	Offline
14. Dr. Monika Malik, Associate Professor, Head, Department of Laws, Central University of Haryana, Mahendargarh.	-do-	Offline
15. Prof. Ipshita Bansal	Other Member	Offline
16. Dr. Sangeeta Sapra, Principal, Tau Devi Lal Govt. College for Women, Murthal, Sonipat	-do-	Online
17. Dr. Manju Sharma, Assistant Professor, GCW, Madlauda	-do-	Offline
18. Ms. Manju, Assistant, BPSMV, Khanpur Kalan	-do-	Offline
19. Dr. Sandeep Dahiya, Controller of Exams	-do-	Offline
20. Dr. Neelam Malik, Registrar	Secretary	Offline

*AK Malik*

At the outset, the Vice-Chancellor welcomed all the members, to the 77<sup>th</sup> meeting of the Executive Council. The Vice Chancellor informed the House that Prof. Mahesh Dadhich MSM institute of Ayurveda has been appointed as Chief Executive Officer (Technical), National Medicinal Plant Board (NMPB), Ministry of Ayush, New Delhi on deputation basis. It is a proud moment for the University. The House congratulated Prof. Mahesh Dadhich. Further it was informed that State Government has assigned the responsibility to BPSMV, Khanpur Kalan for mentoring 52 colleges of Sonipat, Panipat, Jind and Kaithal district for preparation of NAAC Accreditation. The Chairperson congratulated the IQAC Cell for their sincere efforts due to which this big responsibility has been assigned to our University. After the exchange of pleasantries, the formal agenda items with the permission of the Chairperson were taken up by the Secretary, Executive Council.

1. Confirmation of the Minutes of 76<sup>th</sup> meeting of Executive Council held on 01/09/2023.

**Resolved that the minutes of 76<sup>th</sup> meeting of Executive Council held on 01/09/2023 be confirmed.**

2. Follow up Action Report.

**Resolved that the action taken report of 76<sup>th</sup> meeting of Executive Council held on 01/09/2023 be noted. Further, the House noted the observations of Dean Academic Affairs on resolution No. 17 w.r.t case of Dr. Nitika, Asstt. Prof. in English, IHL that "she may be allowed to re appear before the Selection Committee after a period of one year from the date of her initial eligibility for promotion in place of one year from the date of meeting of the Selection Committee i.e. 22.08.2023" and the House agreed upon the same.**

**Further, the Controller of Examinations had submitted his observations on resolution No. 24 i.e. "The Flexi/Special Examination will only be applicable upto extended duration of the course only", the same was noted and approved by the House.**

**(Action by COE & ET Branch)**

3. To ratify the action taken by the Vice-Chancellor under Statute 22 (1) (d) of the University Act, in appointing Dr. Geeta Phogat, Associate Professor as Chairperson, Department of English w.e.f. 12.09.2023 for a period of three years in addition to her own duties and without any financial liabilities.

**Resolved that the action taken by the Vice Chancellor be noted.**

**(Action by ET Branch)**

4. To note the action taken by the Vice-Chancellor in anticipation approval of Executive Council regarding fee concession policy duly approved by Academic Council vide resolution no. 16 of its 26<sup>th</sup> meeting held on 14.07.2023.

**Resolved that the action taken by the Vice Chancellor be noted .**

**(Action by DSW & Acad. Branch)**

5. To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for contractual engagement as Directors for both Regional Centre i.e. Krishan Nagar (Rewari) and Swami Rattan Dev Regional Centre, Kharal, Narwana (Jind) against the vacant posts of Associate Professor in the respective Institutes for a period of six months in the first instance or till the regular

M. Malik

appointment is made against the post of Associate Professor, whichever is earlier on pay minus pension as per Haryana Govt./ University, rules.

**Resolved that the action taken by the Vice Chancellor be noted.**

**(Action by ET Branch)**

6. To Note the change of Nomenclature for the Post of TPO to Vice Principal-cum-Training & Placement Officer at BPS Mahila Polytechnic in view of Clarification received from DHE vide Memo No. 959711 UNP (2) dated 18/10/2023.

**Resolved that the instructions regarding change of Nomenclature for the Post of TPO to Vice Principal-cum-Training & Placement Officer at BPS Mahila Polytechnic received from the Government as above be noted.**

**(Action by ET Branch)**

7. To note the action taken by the Vice-Chancellor with regard to withdraw the show cause notice already issued to Ms. Seema, Clerk (Under Suspension) in anticipation of approval of the Executive Council and decide the further course of action in the matter.

**Resolved that the action taken by the Vice Chancellor be noted and approved. The reply dated 18.09.2023 submitted by Ms. Seema, Clerk (Under Suspension) was placed before the House. After considering the reply submitted by Ms. Seema, it was resolved that a Show Cause Notice be served to her for Major Penalty under clause (x) of Rules 5 of the Service and Conduct Rules for Non -Teaching Employee of MDU, Rohak i.e. "Removal from Service which shall not be a disqualification for future employment under the University".**

**(Action by ENT Branch)**

8. To note the action taken by the Hon'ble Vice Chancellor regarding granting extension in contractual engagement of Sh. Mahabir Singh, Chowkidar for another six month i.e from 16.11.2023 to 15.5.2024 in anticipation of approval of the Executive Council by exercising her power conferred under section 23(4) of University act.

**Resolved that the action taken by the Vice Chancellor be noted.**

**(Action by ENT Branch)**

9. 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.

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 10/08/2023 as per enquiry report submitted by Prof. Gulshan Taneja, Registrar, MDU, Rohtak duly approved by EC vide Resolution No. 28 dated 05/04/2023.

To consider short reply of Charge-Sheet submitted by Sh. Pwan Kumar Dahiya and also to decide the further course of action in the matter as he has not submitted his reply even after issuing another reminder vide letter No. BPSMV/ET/23/5009 dated 08/11/2023.



Resolved that the action taken by the Vice Chancellor be noted. After considering the short reply to the Charge Sheet submitted by Sh. Pawan Dahiya, Sr. Lecturer (U/S) it was resolved that a regular inquiry be conducted for the charges levelled against him as per University/Haryana Civil Service Rules (Punishment & Appeal) 2016 and the Vice Chancellor was authorized to appoint the Enquiry Officer in the matter.

(Action by ET Branch)

10. To consider and approve the recommendations of the committee constituted to examine the case of all staff of HRDC for confirmation of their services and release / grant of subsequent benefits.

It was resolved that the recommendations of the committee be approved and all Teaching and Non-Teaching Staff appointed in HRDC be confirmed from the date of completion of their probation period and the revised confirmation letters be issued by the concerned establishment branches. Further resolved that with regard to deposition of Employer NPS share from the date of the initially joining of the respective teaching and non-teaching Staff upto 26.06.2017, the matter be taken up with the UGC by the concerned establishment branches. The calculation of the required amount of employer share of NPS shall be made by the Finance Officer.

(Action by FO, ET & ENT Branch)

11. To consider the request of Dr. Reena Rani, Assistant Professor, Department of Education (Annexure-13, page-46) to withdraw her Ph.D. (Hindi) degree from her service record and the subsequent financial benefits given to her on account of Ph.D. degree may also be withdrawn.

Resolved that the above proposal be approved.

(Action by ET Branch)

12. To consider and approve the constitution of Bhagat Phool Singh Mahila Vishwavidyalaya Sports Council (BPSMVSC) for organizing and regulating sports Activities in University.

AND

Rules and Regulations for the Inter-College /North Zone/All India Inter-University Tournament/Championship and guidelines of remuneration, TA/DA, officiating charges, Selection Committee, honorarium, Prizes Special Allowance etc.

Resolved that the above proposal be approved.

(Action by Director, Sports)

13. To decide the case of ineligible Teaching Assistants engaged in Kanya Gurukul Sr. Sec. School Khanpur, University Campus School and Kanya Gurukul Sr. Sec School, Regional Centre Kharal.

After detailed deliberations, it was resolved that the Teaching Assistants who were eligible at the time of their initial engagement be continued as their workload exists at present and their remuneration be also increased at par with State Government Guest Teachers. Further resolved that Ms. Meena, Teaching Assistant (TGT Hindi) who was not HTET qualified at the time of her initial engagement be replaced with

the eligible candidate after completion of the current academic session. It was also resolved that the State Government be requested to sanction the additional teaching posts required for the schools.

(Action by ENT Branch)

14. To consider & approve the format of Self Appraisal Report (to be filled up the end of every academic year) for Teachers as per revised guidelines dated 11.11.2022 received from the State Government.

Resolved that the above proposal be approved.

(Action by ET Branch)

15. To consider & approve the recommendations made by the Committee constituted by the Vice-Chancellor to review the existing rules and regulations of the Child Care Leave.

Resolved that the above proposal be approved.

(Action by ET & ENT Branch)

16. To Consider & approve the recommendations of Departmental Promotion Committee held on 25/09/2023 at 2:00 PM for grant of 2<sup>nd</sup> ACP to Mrs. Nitesh Sharma, Lecturer, DMLT w.e.f. 01/03/2021 in the pay scale of 15600-39100+7600 GP.

Resolved that the above proposal be approved.

(Action by ET Branch)

17. To consider and approve the recommendation (Annexure-19, pages-82-86) of the committee constituted by the Hon'ble Vice-Chancellor to frame the Selection criteria for promotion under CAS as Associate Professor and Professor for University Teaching Departments and also proposed the criteria for teachers working in the Institute of Higher Learning in view of Clause-6 (under the heading of selection criteria) of the revised guidelines received from the state Govt. vide memo no. 779-2017-IV (3) dated 11.11.2022.

Resolved that the above proposal be approved.

(Action by ET Branch)

18. To consider and approve the contents of the Memo No. 18/86-2023 UNP (1), E.No. 989546 dated 03.10.2023 received from the Director Higher Education, Haryana Panchkula regarding Economy measure for ex-post-facto approval of filling up of sanctioned vacant Teaching and Non-Teaching posts and conversion of existing posts of this University

Resolved that the above proposal be approved.

(Action by ET & ENT Branch)

Atalika

19. To consider & decide the following issues in respect of Smt. Neelam Punia, Lecturer, OMCA, BPSM polytechnic, presently working as Deputy Director in Higher Education Department, Haryana:

- (1). To note the Deputation period of Smt. Neelam Punia, Lecturer, OMCA
- (2). To decide the issue of Leave Salary and Pension Contribution for the period from 2006 to 2018 for working with Department of Technical Education, Haryana.
- (3). To decide the issue of absence period from 01/03/2015 to 23/04/2015.
- (4). To decide the term of deputation period over and above five years in terms of existing rules.
- (5). To decide the issue of Leave Salary and Pension Contribution for the period from 25/02/2019 onwards for working with Directorate of Higher Education, Haryana.

Resolved to approve the following:

- (1) Noted the deputation period of Ms. Neelam Punia, Lecturer, OMCA upto 20.07.2024.
- (2) Resolved that the Director, Technical Education and Director, Haryana State Board Technical Education be requested to deposit the Leave Salary and Pension Contribution in r/o Ms. Neelam Punia for the period in the respective departments from 2006 to 2018.
- (3) Resolved that the following committee be constituted to look into matter of Smt. Neelam Punia and give a specific recommendations:
  1. Prof. Ipshita Bansal, Dean Faculty of Commerce and Management
  2. Principal, Govt. Polytechnic, Sonipat.
  3. Superintendent, Estt. Teaching Branch
- (4) The House after considering the matter of deputation beyond five years approved the same as a special case.
- (5) Resolved that Ms. Neelam Punia be directed to deposit the Leave Salary and Pension Contribution for the period from 25.02.2019 onwards working on deputation with the Higher Education, Haryana as per the terms and conditions of the deputation issued by the Directorate of Higher Education.  
(Action by ET Branch)

20. To consider the recommendations of the committee constituted by the Vice Chancellor to finalize the Inspection Proformas for Degree (UG & PG) for affiliated colleges, BPSMV Khanpur Kalan, Sonipat.

Resolved that the above proposal be approved.

(Action by Dean of Colleges)

21. To consider the recommendations submitted by the Enquiry Officer Dr. Sunil Kumar Gulati (IAS) Retd regarding to resolve the issue of Dr. Sheela LMO, MSM Institute of Ayurveda.

The report submitted by Dr. Sunil Kumar Gulati (IAS) Retd. was considered and approved by the House and it was resolved that the revised letter after mentioning the post of AMO be issued to Dr. Sheela retrospectively subject to the final outcome in CWP 6737 of 2013 & CWP 28882 of 2018 pending before the Hon'ble High Court at Chandigarh. Further resolved that with regard to grant the financial benefits on account of ACP to the concerned Medical Officer be taken with the State Govt. to extend the benefit as a personal measure.

(Action by ENT Branch)

Atal

22. To consider the proposal for establishment of The Subhashini Devi Chair in BPS Mahila Vishwavidyalaya.

Resolved that the above proposal be approved and financial implications be borne out from the Internal Income of the University as well as other sources be also explored to sponsor the said Chair.

(Action by Acad Branch)

23. To decide the case of NTTs with regard to release their salary of current academic session i.e. 2023-24 and to decide their further continuation in University Campus School.

Resolved that the above NTTs be continued as their workload exists at present and their salary be released accordingly. Further resolved that a proposal for sanction of required posts be sent to the State Government.

(Action by ENT Branch)

24. To consider & decide the future course of action w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan being huge deficit in funds and payment of outstanding salary to faculty appointed for these courses, thereof in view of refusal by the State Government to convert these posts into budgetary posts.

Resolved that the salary be released to the concerned staff on work done basis from the Internal Income of the University. Further resolved that the legal advice be sought from AG, Haryana in the matter. It was also resolved that Principal, Polytechnic be directed to pursue the matter with the State Government in consultation with Dean Faculty of Engineering and Technology with regard to the enhancement of fee of SFS courses. The concerned teachers be also directed to try to make sincere efforts to generate more funds in the courses being run to become more financially viable.

(Action by ET Branch & Principal, Polytechnic)

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.

Resolved that the above proposal be approved.

(Action by ET Branch)

Atalika



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.PoojaKumari, M.Tech. student presently working as Assistant Professor (Temporary) in Department of F.T. BPSMV, Khanpur Kalan, Sonipat.

After detail deliberations, it was resolved that the case be closed once for all on the basis of recommendations of the committee (s).

(Action by COE Branch)

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.

Resolved that the action taken by the Vice Chancellor be noted. Since Sh. Pawan Dahiya, Sr. Lecturer (U/S) has failed to submit the reply to the charge sheet and after considering the totality of the case, it was resolved that a regular inquiry be conducted for the charges levelled against him as per University/Haryana Civil Service Rules (Punishment & Appeal) 2016 and the Vice Chancellor was authorized to appoint the Enquiry Officer in the matter.

(Action by ET Branch)

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.

Resolved that the above proposal be approved.

(Action by ET Branch)

M. Malik

29. To consider and approve the recommendations of the Selection Committees meeting held on 14.06.2023 and 15.06.2023 (kept in sealed envelopes) for the post of Assistant Professor i.e. (i) Kaya Chikitsa (2) Sharir Kriya (3) Dravyaguna (4) Prasuti Tantra & Stri Roga of MSM Institute of Ayurveda advertised vide No. No. 1/2023 to 69/2023. The recruitment process for the said posts have been got verified/checked form the Observers i.e. Dr. Anju Manocha, Joint Director, Director Higher Education, Panchkula and Prof. Dinesh Kumar, Vice-Chancellor, Gurugram University as conveyed by the Director Higher Education, Haryana vide letter No. 18/86-2023 UNP (1) E.No. 989546 dated 25.08.2023:

The sealed envelope (s) were opened before the House and the names of the selected and waiting candidates were read by the Chairperson.

Assistant Prof. ( Kaya Chikitsa):

1. Ms. Neha Lamba D/o Sh. Dinesh Lamba
2. Ms. Neha Sharma D/o Sh. Jaï Narian Sharma (waiting)

Assistant Prof. (Sharir Kriya) :

1. Mr. Kapil S/o Sh. Surjan Bhan Yadav
2. Ms. Anu Saini D/o Sh. Dharmapal Saini (Waiting)

Assistant Prof. (Dravyaguna):

1. Mr. Amit Sharma S/o Sh. Jagdish Sharma
2. Mr. Sandeep Malik S/o Sh. Rohtash Malik (Waiting)

Assistant Prof. (Prasuti Tantra & Stri Roga):

1. Ms. Jyoti Gaur D/o Sh. Rampal Gaur
2. Ms. Swati Kimathi D/o Sh. Bharat Bhushan Kimathi (Waiting)

Resolved that the recommendations of the Selection Committees as above be approved.

(Action by ET Branch)

30. To consider & approve the recommendations made by the Committee constituted by the Vice-Chancellor to revise the rules / policy of Travel Grant Scheme of the University (Annexure-45, page-225-231).

Resolved that the recommendations of the committee be approved. Further, resolved that the word "after a gap of one year" mentioned in point No. 2 (c) be read "once in a financial year for National and once in three financial years for international" and the amount Rs. 2 lakhs mentioned in point No. 4 (i) be read as 1.5 Lakhs.

(Action by ET Branch)

Malik

- 31 To consider and approve the request of Prof. Mahesh Kumar Dadhich, Professor, MSM Institute of Ayurveda, BPSMV, Khanpur Kalan for placing his services on deputation (short term contract) for 05 years from BPSMV to join as Chief Executive Officer (Technical) at National Medical Plants Board (NMPB), Ministry of Aayush in Pay level-14 of Matrix in light of order No. A-12034/11/2019-E-II dated 05.06.2023 issued by the Government of India, Ministry of Aayush.

Resolved that Prof. Mahesh Kumar Dadhich be allowed to proceed on deputation for a period five years to join as Chief Executive Officer (Technical) at National Medical Plants Board (NMPB), Ministry of Ayush as a special case. Further resolved that the borrowing institute shall have to deposit the Leave Salary and Pension Contribution as per terms and conditions of Foreign Service Rules of the University.

(Action by ET Branch)

32. To review the decision taken by the Executive Council vide Resolution No. 21 in its meeting of Executive Council held on 16/06/2023 regarding all the vacant posts of Professor be filled up through promotion from the eligible incumbents of Associate Professor working in MSM Institute of Ayurveda in terms of the contents of the Memo no. 18/86-2023 UNP (1), E.No. 989546 dated 03/10/2023 received from Director Higher Education, Haryana Panchkula.

Resolved that the vacant posts of Professors in MSM Institute of Ayurveda be filled up by direct recruitment instead of promotion as conveyed through the letter referred above.

(Action by ET Branch)

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

  
14/12/23  
Vice Chancellor

  
14/12/22  
Registrar cum Secretary

## Annexure-2

### Report of follow-up action on the decisions taken by the Executive Council in its 77<sup>th</sup> meeting held on 08/12/2023.

Agenda No.	Agenda	Action Taken by
1	Confirmation of the Minutes of 76 <sup>th</sup> meeting of Executive Council held on 01/09/2023.	Noted
2	<p>Follow up Action Report.</p> <p>Resolved that the action taken report of 76<sup>th</sup> meeting of EC held on 01.09.2023 be noted. Further, the House noted the observations of Dean Academic Affairs on resolution No. 17 w.r.t case of Dr. Nitika, Asstt. Prof. in English, IHL that "she may be allowed to re-appear before the Selection Committee after a period of one year from the date of her initial eligibility for promotion in place of one year from the date of meeting of the Selection Committee i.e. 22.08.2023" and the House agreed upon the same.</p> <p>Further, the Controller of Examinations had submitted his observations on resolution No. 24 i.e. "The Flexi/Special Examination will only be applicable upto extended duration of the course only", the same was noted and approved by the House</p>	Letter issued to Ms. Nitika, Assistant Professor in English, BPSIHL vide letter No. BPSMV/ET-II/23/5833-5835 dated 19.12.2023.
3	To ratify the action taken by the Vice-Chancellor under Statute 22 (1) (d) of the University Act, in appointing Dr. Geeta Phogat, Associate Professor as Chairperson, Department of English w.e.f. 12.09.2023 for a period of three years in addition to her own duties and without any financial liabilities.	Letter issued vide Endst. No. BPSMV/ET-II/23/5941-5942 dated 21.12.2023
4	To note the action taken by the Vice-Chancellor in anticipation approval of Executive Council regarding fee concession policy duly approved by Academic Council vide resolution no. 16 of its 26 <sup>th</sup> meeting held on 14.07.2023.	In compliance of the resolution a letter No. BPSMV/Acad/23/3975-4000 dated 15/09/2023 has been circulated to all the HODs/Principals, UTD/Constituent Colleges.
5	To ratify the action taken by the Vice-Chancellor in exercising the powers conferred upon her under the provision of Statute 23 (4) of University Act for	Letter issued to Sh. Jagbir Singh vide Endst. No. BPSMV/ET-II/23/5967 to 5968 dated 22.12.2023 and Sh. Balbir Singh vide Endst. No.

	contractual engagement as Directors for both Regional Centre i.e. Krishan Nagar (Rewari) and Swami Rattan Dev Regional Centre, Kharal, Narwana (Jind) against the vacant posts of Associate Professor in the respective Institutes for a period of six months in the first instance or till the regular appointment is made against the post of Associate Professor, whichever is earlier on pay minus pension as per Haryana Govt./ University, rules.	BPSMV/ET-II/23/5969 to 5970 dated 22.12.2023
6	To Note the change of Nomenclature for the Post of TPO to Vice Principal-cum-Training & Placement Officer at BPS Mahila Polytechnic in view of Clarification received from DHE vide Memo No. 959711 UNP (2) dated 18/10/2023.	The same was informed to Principal, BPS Mahila Polytechnic and Finance Officer, BPSMV vide letter No. BPSMV/ET/23/5956 dated 22/12/2023 and Endst. No. 5957 dated 22/12/2023.
7	To note the action taken by the Vice-Chancellor with regard to withdraw the show cause notice already issued to Ms. Seema, Clerk (Under Suspension) in anticipation of approval of the Executive Council and decide the further course of action in the matter.	Show Cause Notice has been issued to Ms. Seema vide letter no. BPSMV/EN-1/24/112 dated 12.01.2024.
8	To note the action taken by the Hon'ble Vice Chancellor regarding granting extension in contractual engagement of Sh. Mahabir Singh, Chowkidar for another six month i.e from 16.11.2023 to 15.5.2024 in anticipation of approval of the Executive Council by exercising her power conferred under section 23(4) of University act.	Extension letter has been issued to Sh. Mahavir Singh, Welder on contract basis vide this office letter no. BPSMV/EN-1/24/2617 dated 21.11.2023.
9	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. 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 10/08/2023 as per enquiry report submitted by Prof. Gulshan Taneja, Registrar, MDU, Rohtak duly approved by EC vide Resolution No. 28 dated	As per decision Sh. Sunil Kumar Gulati, IAS (retd.) has been appointed as Inquiry Officer to conduct the regular inquiry in the matter vide letter no. BPSMV/ET/24/29 dated 01/01/2024.

	05/04/2023. To consider short reply of Charge-Sheet submitted by Sh. Pwan Kumar Dahiya and also to decide the further course of action in the matter as he has not submitted his reply even after issuing another reminder vide letter No. BPSMV/ET/23/5009 dated 08/11/2023.	
10	To consider and approve the recommendations of the committee constituted to examine the case of all staff of HRDC for confirmation of their services and release / grant of subsequent benefits.	ENT Branch:- Revised confirmation letters has been issued to the concerned non-teaching employees vide letter no. BPSMV/EN-1/24/52 dated 04.01.2024, BPSMV/EN-1/24/557 dated 04.01.2024, BPSMV/EN-1/24/62 dated 04.01.2024, BPSMV/EN-1/24/67 dated 04.01.2024. ET Branch:- Revised confirmation letter issued to all teaching staff (Director, Associate Professor and Assistant Professor) appointed in HRDC from the date of completion of their probation period vide Ref. No. BPSMV/ET-I/23/01, BPSMV/ET-I/23/11 and BPSMV/ET-I/23/06 dated 01/01/2024 respectively.
11	To consider the request of Dr. Reena Rani, Assistant Professor, Department of Education (Annexure-13, page-46) to withdraw her Ph.D. (Hindi) degree from her service record and the subsequent financial benefits given to her on account of Ph.D. degree may also be withdrawn.	Letter issued to Dr. Reena Rani, Chairperson, Dept. of Education and Finance Officer vide Endst. No. BPSMV/ET-II/23/5943 to 45 dated 21.12.2023.
12	To consider and approve the constitution of Bhagat Phool Singh Mahila Vishwavidyalaya Sports Council (BPSMVSC) for organizing and regulating sports Activities in University. AND Rules and Regulations for the Inter-College /North Zone/All India Inter-University Tournament/Championship and guidelines of remuneration, TA/DA, officiating charges, Selection Committee, honorarium, Prizes Special Allowance etc.	Implemented with immediate effect of this session i.e. 2023-24.
13	To decide the case of ineligible Teaching Assistants engaged in Kanya	The office order has been issued vide no. BPSMV/EN-III/24/12-17

	Gurukul Sr. Sec. School Khanpur, University Campus School and Kanya Gurukul Sr. Sec School, Regional Centre Kharal.	dated 02.01.2024.
14	To consider & approve the format of Self Appraisal Report (to be filled up the end of every academic year) for Teachers as per revised guidelines dated 11.11.2022 received from the State Government.	Circulated all Deans/Chairperson/HOD/Principals and upload the format University website vide Endst. No. BPSMV/ET-II/5898 to 5918 dated 21.12.2023
15	To consider & approve the recommendations made by the Committee constituted by the Vice-Chancellor to review the existing rules and regulations of the Child Care Leave.	Circulated All Deans/Chairperson/In-Charges vide Endst. No. BPSMV/ET-II/23/5867 to 5897 dated 21.12.2023.
16	To Consider & approve the recommendations of Departmental Promotion Committee held on 25/09/2023 at 2:00 PM for grant of 2 <sup>nd</sup> ACP to Mrs. Nitesh Sharma, Lecturer, DMLT w.e.f. 01/03/2021 in the pay scale of 15600-39100+7600 GP.	As per approval of EC, the 2 <sup>nd</sup> ACP has been granted to Smt. Nitesh Sharma, Lecturer in the pay scale of Rs. 15600-39100 + 7600 GP w.e.f. 01/03/2021 vide officer order no. BPSMV/ET/23/5954-5955 dated 22/12/2023.
17	To consider and approve the recommendation (Annexure-19, pages-82-86) of the committee constituted by the Hon'ble Vice-Chancellor to frame the Selection criteria for promotion under CAS as Associate Professor and Professor for University Teaching Departments and also proposed the criteria for teachers working in the Institute of Higher Learning in view of Clause-6 (under the heading of selection criteria) of the revised guidelines received from the state Govt. vide memo no. 7/79-2017-IV (3) dated 11.11.2022.	Circulated through E-mail
18	To consider and approve the contents of the Memo No. 18/86-2023 UNP (1), E.No. 989546 dated 03.10.2023 received from the Director Higher Education, Haryana Panchkula regarding Economy measure for ex-post-facto approval of filling up of sanctioned vacant Teaching and Non-Teaching posts and conversion of existing posts of this University	ENT Branch:- Post conversion letters have been issued to the concerned employees on 21.02.2024. ET Branch:- Letter issued vide Endst. No. BPSMV/ET-II/23/5958, 5961, 5964 dated 22/12/2023 to convey the transfer of 3 post of Assistant Professors from BAS to the Department of Mathematics, Department of Chemistry and Department of Physics and

		Conversion of post Librarian, Department of Education as Assistant Librarian vide letter issued Endst. No. BPSMV/ET-II/23/5948 dated 22.12.2023 respectively
19	<p>To consider &amp; decide the following issues in respect of Smt. Neelam Punia, Lecturer, OMCA, BPSM polytechnic, presently working as Deputy Director in Higher Education Department, Haryana:</p> <p>(1). To note the Deputation period of Smt. Neelam Punia, Lecturer, OMCA</p> <p>(2). To decide the issue of Leave Salary and Pension Contribution for the period from 2006 to 2018 for working with Department of Technical Education, Haryana.</p> <p>(3). To decide the issue of absence period from 01/03/2015 to 23/04/2015.</p> <p>(4). To decide the term of deputation period over and above five years in terms of existing rules.</p> <p>(5). To decide the issue of Leave Salary and Pension Contribution for the period from 25/02/2019 onwards for working with Directorate of Higher Education, Haryana.</p>	<p>The Director, Higher Education Department, Haryana has informed the deputation period of Smt. Neelam Punia, Lecturer, OMCA upto 20/07/2024 vide letter no. BPSMV/ET/23/5988 dated 27/12/2023.</p> <p>The Director, Technical Education Department, Haryana has requested to deposit the leave salary and pension contribution of Smt. Neelam Punia for the deputation period from 22/06/2006 to 18/01/2015 and 24/04/2015 to 24/01/2018 as per Haryana Government rules vide letter No. BPSMV/ET/23/5854 dated 20/12/2023.</p> <p>A Committee of said officers has been constituted to decide the issue of absence period from 20/01/2015 to 23/03/2015 and casual leave availed in excess i.e. 36 days during the period from 25/01/2018 to 31/12/2018 in respect of Smt. Neelam Punia, Lecturer OMCA vide order No. BPSMV/ET/23/5855-5857 dated 20/12/2023.</p> <p>The deputation period beyond five years was approved as a special case. The same has been informed to Director, Technical Education, Haryana vide letter dated no. BPSMV/ET/23/5982 27/12/2023.</p> <p>Smt. Neelam Punia, Lecturer, OMCA has been requested to deposit her leave salary and pension contribution for the deputation period from 25/02/2019 to till date as per Haryana Government rules vide letter no. BPSMV/ET/23/5853 dated 20/12/2023.</p>
20	To consider the recommendations of the committee constituted by the Vice Chancellor to finalize the Inspection	The revised inspection proformas for UG & PG and guidelines of affiliated colleges are taken on the



	Proformas for Degree (UG & PG) for affiliated colleges, BPSMV Khanpur Kalan, Sonipat.	record and the same will be provided to the inspection committee at the time of inspection.
21	To consider the recommendations submitted by the Enquiry Officer Dr. Sunil Kumar Gulati (IAS) Retd regarding to resolve the issue of Dr. Sheela LMO, MSM Institute of Ayurveda.	A letter with regard to change of nomenclature has been issued to Dr. Sheela vide no. BPSMV/EN-II/24/72 dated 04.01.2024.
22	To consider the proposal for establishment of The Subhashini Devi Chair in BPS Mahila Vishwavidyalaya.	In compliance of the resolution notification has been issued vide No. BPSMV/Acad/24/39-85 dated 02/01/2024.
23	To decide the case of NTTs with regard to release their salary of current academic session i.e. 2023-24 and to decide their further continuation in University Campus School.	The office order has been issued vide no. BPSMV/EN-III/24/25-28 dated 02.01.2024.
24	To consider & decide the future course of action w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan being huge deficit in funds and payment of outstanding salary to faculty appointed for these courses, thereof in view of refusal by the State Government to convert these posts into budgetary posts.	Principal Polytechnic:- The file (CFMS) 7327 (23) regarding implementation of tuition fee exemption in SFS courses is in process and the concerned teachers have also been directed to try to make sincere efforts to generate more funds in the courses being run to become more financially viable.  ET Branch:- 1. The Principal, BPSM Polytechnic has been requested to release the pending salary of staff appointed under Self Finance Scheme (SFS) in BPS Mahila Polytechnic from Internal Income of the University on priority basis vide letter No. BPSMV/ET/23/5956 dated 22/12/2023 and the Principal, BPSM Polytechnic has also requested to pursue the matter with the State Government in consultation with Dean Faculty of Engineering and Technology with regard to the enhancement of fee of SFS courses and to direct the concerned teachers to try to make sincere efforts to generate more funds in the courses being run to become more financial viable. 2. The Advocate General,

		Haryana has requested to render the Legal Opinion in respect to staff appointed under SFS in BPS Mahila Polytechnic vide letter No. BPSMV/ET/23/5787 dated 19/12/2023
25	<p>Any other item with the permission of the Chair.</p> <p>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 &amp; 03.05.2022 regarding minimum &amp; maximum age may be adopted for making direct recruitment for teaching and non-teaching posts.</p>	Noted
26	<p>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.PoojaKumari, M.Tech. student presently working as Assistant Professor (Temporary) in Department of F.T. BPSMV, Khanpur Kalan, Sonipat.</p>	Implemented in compliance of the orders of the Executive Council. Further, the agenda item and resolution are also apprise to O/o Director higher Education, Haryana, Panchkula with reference to/- memo No. 18/64-2023 UNP-1 dated 07/08/2023.
27	<p>To consider &amp; decide the following issues in respect of Sh. Pawan Kumar Dahiya, Sr. Lecturer (under suspension), Department of Electronics &amp; Communication Engineering, BPS Mahila Polytechnic, Khanpur Kalan in case of deployment of manpower in CDTP Scheme without following proper procedure and financial irregularities thereof.</p> <p>i. To note the action taken by the Vice-Chancellor in issuing</p>	As per decision Sh. Sunil Kumar Gulati, IAS (retd.) has been appointed as Inquiry Officer to conduct the regular inquiry in the matter vide letter no. BPSMV/ET/24/32 dated 01/01/2024.

	<p>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.</p> <p>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.</p>	
28	<p>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).</p> <p>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.</p> <p>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.</p>	<p>Letter issued to Dr. Malvika vide Endst. No. BPSMV/ET-V/23/5816 dated 19.12.2023 and Dr. Hemlata BPSMV/ET-V/5812 dated 19.12.2023</p>
29	<p>To consider and approve the recommendations of the Selection Committees meeting held on 14.06.2023 and 15.06.2023 (kept in sealed envelopes) for the post of Assistant Professor i.e. (i) Kaya Chikitsa (2) Sharir Kriya (3) Dravyaguna (4) Prasuti Tantra &amp; Stri Roga of MSM Institute of Ayurveda advertised vide No. No. 1/2023 to 69/2023. The recruitment process for the said posts have been got verified/checked form the Observers i.e. Dr. Anju Manocha,</p>	<p>Appointment letter issued to Ms. Neha Sharma (Kaya Chikitsa) vide Endst. No. BPSMV/ET-II/23/5803 dated 19.12.2023, Mr. Kapil (Sharir Kriya) vide Endst. No. BPSMV/ET-II/23/5500 dated 08.12.2023, Mr. Amit Sharma (Dravyaguna) vide Endst. No. BPSMV/ET-II/23/5488 dated 08.12.2023 and Ms. Jyoti Gaur (Prasuti Tantra &amp; Stri Roga) vide Endst. No. BPSMV/ET-II/23/5494 dated 08.12.2023</p>

	Joint Director, Director Higher Education, Panchkula and Prof. Dinesh Kumar, Vice-Chancellor, Gurugram University as conveyed by the Director Higher Education, Haryana vide letter No. 18/86-2023 UNP (1) E.No. 989546 dated 25.08.2023:	
30	To consider & approve the recommendations made by the Committee constituted by the Vice-Chancellor to revise the rules / policy of Travel Grant Scheme of the University.	Circulated all Deans/Chairpersons/In-Charge and AR (Academic) vide Endst. No. BPSMV/ET-II/23/5920-5940 dated 21.12.2023.
31	To consider and approve the request of Prof. Mahesh Kumar Dadhich, Professor, MSM Institute of Ayurveda, BPSMV, Khanpur Kalan for placing his services on deputation (short term contract) for 05 years from BPSMV to join as Chief Executive Officer (Technical) at National Medical Plants Board (NMPB), Ministry of Aayush in Pay level-14 of Matrix in light of order No. A-12034/11/2019-E-II dated 05.06.2023 issued by the Government of India, Ministry of Aayush.	Letter issued to Dr. Mahesh Kumar Dadhich vide Endst. No. BPSMV/ET-V/23/5557 and 5558-5562 dated 12.12.2023
32	To review the decision taken by the Executive Council vide Resolution No. 21 in its meeting of Executive Council held on 16/06/2023 regarding all the vacant posts of Professor be filled up through promotion from the eligible incumbents of Associate Professor working in MSM Institute of Ayurveda in terms of the contents of the Memo no. 18/86-2023 UNP (1), E.No. 989546 dated 03/10/2023 received from Director Higher Education, Haryana Panchkula.	To intimate the Principal, MSM Institute of Ayurveda vide Endst. No. BPSMV/ET-V/23/5946 dated 21.12.2023

# Bhagat Phool Singh Mahila Vishwavidyalaya

Khanpur Kalan (Sonapat), Haryana-131305

Office No. 01263-282333, website: www.bpsmv.ac.in

Ref. No. BPSMV/ET-I/24/\_\_\_\_\_

Annexure - 3

Dated \_\_\_\_\_

To

Ms. Manisha D/o Sh. Surender Singh  
H.No. 81, Dubaldhan Kirman,  
Near Cooperative Bank,  
Subdistrict Beri, District Jhajjar (HARYANA).

**Sub: - Engagomnt as Assistant Professor (Temporary) against leave vacancy in the Department of Economics purely on contract basis.**

**Memo:**

It is to inform you that on the recommendations of the Selection Committee made in its meeting held on 27.12.2023, the Vice-Chancellor, in anticipation of approval of the Executive Council under Statute 23(4) of BPSMV Act-2006 is pleased to engage you as Assistant Professor (Temporary) in the Department of Economics purely on contract basis (against leave vacancy) for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department on the following terms and conditions:-

1. You will be paid consolidated remuneration equal to the initial basic pay of a regular Assistant Professor under 7<sup>th</sup> Pay Commission i.e. Rs. 57,700/- p.m. (without any allowances).
2. The contract is liable to be terminated without any notice immediately in case any adverse fact comes to the notice of the authorities.
3. You will not claim for regularization as your engagement is as a stop-gap-arrangement.
4. You will abide by the rules and regulations laid down by the University and conveyed vide circulating an Office Order with Endst. No. BPSMV/ET-II/23/3757-90 dated 19.09.2019.
5. The engagement is purely on contractual basis which may be extended as per University Rules.
6. You are required to submit your original documents/ experience certificates for verification of the genuineness of your educational qualifications from the concerned University/ Institutions. Further, you are required to submit the verification fee as required by the concerned Board/Institutions/University. If any adverse is reported with regard your qualification/ experience then the University is liable to terminate your appointment.
7. You will be required to submit a medical fitness certificate from MSM Institute of Ayurveda, BPSMV, Khanpur Kalan.

If you accept this offer of appointment, you are required to submit your joining within seven days to the Chairperson, Department of Economics along with undertaking towards acceptance of the terms and conditions as mentioned above.


Deputy Registrar (ET)  
for Registrar

Endst No. BPSMV/ET-1/24/21-23

Dated: 11/20/24

Copy of the above is forwarded to the following for information and necessary action please:

1. Chairperson, Department of Economics, BPSMV, Khanpur Kalan.
2. Finance Officer, BPSMV, Khanpur Kalan (Sonipat).
3. Deputy Medical Officer, MSM Institute of Ayurveda, BPSMV, Khanpur Kalan.

  
Deputy Registrar (ET)  
for Registrar 11/24

Ref. No. BPSMV/ET-II/24/

Annexure - 4

Dated

To

Dr. Ashok Kumar S/o Sh. Prem Singh  
H.No. 103-B, Adarsh Nagar,  
Panipat (HARYANA).

**Sub: - Engagement as Assistant Professor (Temporary) against leave vacancy in the Department of Education purely on contract basis.**

Memo:

It is to inform you that on the recommendations of the Selection Committee made in its meeting held on 27.12.2023, the Vice-Chancellor, in anticipation of approval of the Executive Council under Statute 23(4) of BPSMV Act-2006 is pleased to engage you as Assistant Professor (Temporary) in the Department of Physical Education purely on contract basis (against leave vacancy in the Department of Education) for a period of six months or till the existence of leave vacancy or the incumbent of the post joins back to his parent department on the following terms and conditions:-

1. You will be paid consolidated remuneration equal to the initial basic pay of a regular Assistant Professor under 7<sup>th</sup> Pay Commission i.e. Rs. 57,700/- p.m. (without any allowances).
2. The contract is liable to be terminated without any notice immediately in case any adverse fact comes to the notice of the authorities.
3. You will not claim for regularization as your engagement is as a stop-gap-arrangement.
4. You will abide by the rules and regulations laid down by the University and conveyed vide circulating an Office Order with Endst. No. BPSMV/ET-II/23/3757-90 dated 19.09.2019.
5. The engagement is purely on contractual basis which may be extended as per University Rules.
6. You are required to submit your original documents/ experience certificates for verification of the genuineness of your educational qualifications from the concerned University/ Institutions. Further, you are required to submit the verification fee as required by the concerned Board/Institutions/University. If any adverse is reported with regard your qualification/ experience then the University is liable to terminate your appointment.
7. You will be required to submit a medical fitness certificate from MSM Institute of Ayurveda, BPSMV, Khanpur Kalan.

If you accept this offer of appointment, you are required to submit your joining within seven days to the Chairperson, Department of Physical Education along with undertaking towards acceptance of the terms and conditions as mentioned above.

-22-

Deputy Registrar-(ET)  
for Registrar

Endst No. BPSMV/ET-1/24/17-19

Dated: 1/1/2024

Copy of the above is forwarded to the following for information and necessary action please:

1. Chairperson, Department of Physical Education, BPSMV, Khanpur Kalan.
2. Finance Officer, BPSMV, Khanpur Kalan (Sonipat).
3. Deputy Medical Officer, MSM Institute of Ayurveda, BPSMV, Khanpur Kalan.

  
Deputy Registrar (ET)  
for Registrar 1/1/24



*Annexure-5*  
Bhagat Phool Singh Mahila Vishwavidyalaya  
Khanpur Kalan (Sonapat), Haryana-131305  
(B++ grade University accredited by NAAC)

Ref. No. BPSMV/EN-1/23/\_\_\_\_\_

Dated \_\_\_\_\_

Advertisement

Applications are invited from eligible candidates for engagement as Jr. Consultant for PRO Office in BPSMV, Khanpur Kalan purely on contract basis on consolidated remuneration of Rs. 40000/- P.M.

Minimum Qualifications:

- 1 Post-graduate degree in Journalism or Mass Communication or Public Relations & Advertisement from a recognized University or its equivalent.

OR

Post-graduate degree in English or Hindi with one year PG Diploma in Journalism/ Mass Communication/ Public Relations & Advertising or its equivalent.

- 2 05-10 years experience in the relevant field is required.

Interested candidates may submit their applications along with self attested copies of the relevant qualifications and experience to the office of Registrar, BPSMV Khanpur Kalan-131305 up to 15/01/2024.

REGISTRAR



**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**

Ref. No. BPSMV/EN-1/24/ 260

Dated 11/02/24

To

Sh. Girish Kumar Saini,  
S/o Late Sh. Satyapal Saini  
156/M, Chunni Pura,  
Saini School, Rohtak

**Sub: Engagement as Junior Consultant (PRO).**

It is to inform you that on the recommendations of the committee, the Vice-Chancellor has been pleased to engage you as Junior Consultant (PRO) for a period of six months on the remuneration @ Rs. 40000/- (fixed) per month in anticipation of approval of Executive Council, on the following terms and conditions:

- 1 The engagement would be for a period of Six months.
- 2 The review of the contract as Junior Consultant may be done with due approval of the competent authorities.
- 3 The appointment is of temporary nature against the specific job. You will not be entitled for any benefit/ compensation/ absorption/ regularization of service with the University.
- 4 The University may terminate your contract as Junior Consultant if:
  - (a) You are unable to address the assigned work.
  - (b) You refuse to follow directions/ orders of the reporting/ controlling officer or Competent Authority.
  - (c) Your quality of output on assigned works is not to the satisfaction of the University.
  - (d) Lack of honesty and integrity is found.The University reserves the right to terminate the contract, by giving fifteen days' notice. Termination shall be effected by written notice served upon you and shall take effect in 15 days of delivery of such notice. The termination will be without prejudice to either party's rights accrued before termination. However, the University may immediately dispense with your engagement without any notice period if your conduct and activities are detrimental to the smooth functioning of the University.
- 5 You shall not be entitled to any kind of allowance or accommodation facility.
- 6 You are required to submit an affidavit with regard to your experience.  
If you accept this offer of engagement, you may submit your joining report to the Registrar within seven days.

Assistant Registrar (ENT)  
for Registrar *etc*

Endst. No. BPSMV/EN-1/24/ 261-263

Dated 11/02/24

Copy of the above is forwarded to the following for information and further necessary action please:

1. Finance Officer, BPSMV, Khanpur Kalan, Sonipat.
2. P.S. to Vice Chancellor (for kind information of the Vice Chancellor), BPSMV, Khanpur Kalan, Sonipat.
3. P.A. to Registrar (for kind information of the Registrar), BPSMV, Khanpur Kalan, Sonipat.

-25-

Assistant Registrar (ENT)  
for Registrar *etc*

## Bhagat Phool Singh Mahila Vishwavidyalaya

Khanpur Kalan (Sonipat), Haryana-131305

Office No. 01263-283001, 283002, Fax No. 01263-283779, www.bpswomenuniversity.ac.in  
(state University established by an Act 31 to 2006 of Haryana Legislature & Recognized by UGC under  
section 2(f) and 12 (B) of the UGC act, 1956)

### OFFICE ORDER

The Vice Chancellor has been pleased to constitute the following Selection Committee for engagement of one Assistant Professor (Temporary) in the subject of Hindi in the Department of Law on contract basis against leave vacancy:

- |                                                                        |           |
|------------------------------------------------------------------------|-----------|
| 1. Vice -Chancellor                                                    | Convener  |
| 2. Chancellor's Nominee                                                | Member    |
| 3. Three outside subject expert(s)                                     | Member    |
| 4. Dean of the Faculty                                                 | Member    |
| 5. Incharge, Deptt. of Law                                             | Member    |
| 6. Vice Chancellor's Nominee<br>(representing SC/ST/OBC/Minority, etc) | Member    |
| 7. Registrar                                                           | Secretary |

The meeting of the above said committee is scheduled to be held on 30.01.2024 at 10:00 AM in the Conference Hall, Administrative Block, adjacent to the O/o Vice-Chancellor.

REGISTRAR

Endst No.: BPSMV/ET-IV/24/ 659-664

Dated:- 19/01/2024

A copy of the above is forwarded to the following for kind information and necessary action:-

1. Prof. Vijay Nehra, Dean, Faculty of Law, BPSMV, Khanpur Kalan.
2. Finance Office, BPSMV, Khanpur Kalan with the request to kindly make arrangement on spot payment of TA/DA and honorarium to the outside committee members.
3. Dr. Karam Singh, Examination Branch (for making on spot payment of TA/DA and honorarium to the outside committee members), BPSMV, Khanpur Kalan.
4. Incharge, Guest House, BPSMV, Khanpur Kalan with a request to make arrangement of necessary Lunch/ Tea and boarding at University Guest House for outside committee members (12 Lunch).
5. P.S to the Vice-Chancellor (for kind information of the Vice-Chancellor), BPSMV, Khanpur Kalan. He is also requested to make correspondence with the members at Sr. No. 2 & 3 at his own level.
6. P.A to the Registrar (for kind information of the Registrar), BPSMV, Khanpur Kalan.

Deputy Registrar (ET)

For Registrar

19/1/24

**Bhagat Phool Singh Mahila Vishwavidyalaya****Khanpur Kalan (Sonapat), Haryana-131305**

Office No. 01263-282333, website: www.bpsmv.ac.in

**OFFICE ORDER**

The Vice-Chancellor has been pleased to constitute the following Selection Committee for engagement of one Assistant Professor (Temporary) in the subject of Commerce at SRD Regional Centre, Kharal (against vacant post) on contract basis:

- |                                                |          |
|------------------------------------------------|----------|
| 1. Vice-Chancellor                             | Convener |
| 2. Chancellor's Nominee                        | Member   |
| 3. Three Outside Subject Expert(s)             | Member   |
| 4. Dean of the Faculty                         | Member   |
| 5. Director, SRD Regional Centre, Kharal(Jind) | Member   |

Meeting of the above said committee is scheduled to be held on 09.01.2024 at 10.00 AM in the Conference Hall, Administrative Block, adjacent to the O/o Vice-Chancellor.

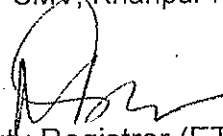
REGISTRAR

Endst. No. BPSMV/ET-I/24 58-63

Dated:- 02/01/2024

Copy of the above is forwarded to the following for kind information and necessary action:

1. Prof. Shweta Hooda, Dean, Faculty of Commerce and Management, BPSMV, Khanpur Kalan.
2. Finance Officer, BPSMV, Khanpur Kalan with the request to kindly make arrangement for on spot payment of TA/DA and honorarium to the outside committee members.
3. Dr. Karam Singh, Examination Branch (for making on spot payment of TA/DA and honorarium to the outside committee members), BPSMV, Khanpur Kalan.
4. Incharge, Guest House, BPSMV, Khanpur Kalan with a request to make arrangement of necessary Lunch/ Tea and boarding at University Guest House for outside committee members. (12 lunch)
5. P.S. to the Vice-Chancellor (for kind information of the Vice-Chancellor), BPSMV, Khanpur Kalan.
6. P.A. to the Registrar (for kind information of the Registrar), BPSMV, Khanpur Kalan.

  
Deputy Registrar (ET)  
for Registrar.

DRET-76  
5/11/2024

Annexure - 9

**Sub: Fact Findings Inquiry Report on the complaint of Sh. Sultan Singh dt 25.04.2016 against the selection process of Dr. Sumitra Devi on a vacant post of 'Lecturer in Educational Technology' in Bhagat Phool Singh College of Education, Khanpur Kalan, for final disposal of her pension case.**

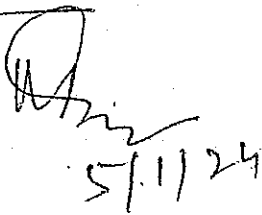
Vide your order No. BPSMV/ET-II/22/95 dt 6.1.2013, I was assigned an inquiry on the subject cited above the report of which stands submitted.

For this Kindly pay me the honorarium of Rs.12000/- in my Account No. SBI Account Medical College Rohtak 10230620529, IFSC: SBIN0004735.

In addition to this, Rs. 5000/- as Secretarial Assistance to Sh. Sachin Katyal in his Bank Account No. 107001525731 IFSC ICIC0000168 and Aadhar card no. 987121500397, as per the prevalent instructions in accordance with the details attached, may also be paid.

DA: As Above

DR. ESTH

  
5/11/24

Asstt.

  
(Dr. D R Yadav) 5/11/24

Medico-Legal Advisor to Govt of Haryana  
& Director PGIMS Rohtak (Retd)  
# 696/28, Subhash Nagar, Rohtak

**Fact Findings Inquiry Report on the complaint of Sh. Sultan Singh dt 25.04.2016 against the selection process of Dr. Sumitra Devi on a vacant post of 'Lecturer in Educational Technology' in Bhagat Phool Singh College of Education, Khanpur Kalan, for final disposal of her pension case.**

Undersigned was earlier appointed as Inquiry Officer vide BPSMV/ET-1/22/1682 dt 30.05.2022 as per orders of the Hon'ble Vice Chancellor, Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, (Sonipat) on the issues of complaints pending against 2 Faculty members, requiring disposal for resolving pension cases, for which due to paucity of time, consent for only one, i.e. retiral benefits to Prof. Vimal Joshi (retired,) Department of Law, Bhagat Phool Singh Mahila Vishwavidyalaya Khanpur Kalan, Sonipat was given, after consultation with D.R. Establishment vide my letter dt 18.07.2022. And now, the University vide letter no. BPSMV/ET-II/22/95 dt 06.01.2023, requesting for the final report in the matter on the title mentioned above as well.

In this inquiry, the crux of allegations is that Smt Sumitra Devi wife of Sh. Ram Kumar Jatyan, who was then working as Supdt. and ultimately retired as Dy Registrar from Maharishi Dayanand University (MDU) Rohtak, which was the Affiliating University of the Pvt Grant-in-Aid colleges for granting approval of teachers so appointed, got her initially appointed on regular basis after advertisement, despite being ineligible as 'Lecturer in Educational Technology', on a vacant sanctioned post, by the management of Bhagat Phool Singh (BPS) College of Education, a Govt aided pvt. College running B Ed course, at Khanpur Kalan (Sonipat), and subsequently, got her approval of appointment on a different post, which did'nt exist (already filed up) as 'Lecturer in Education', from the officiating Vice Chancellor, Dr. L. N. Dahiya, MD University Rohtak. This approval was just contrary to her earlier rejection orders of her appointment duly issued by a regular VC, Sh. Vivek Chand Sharma, resulting thereby loot of public money to the tune of crores of rupees, under a criminal conspiracy hatched by Smt. Sumitra Devi, her husband & other public servants fraudulently in seeking such appointment, and then continued to remain illegally on public post, drawing salary & service benefits throughout till her retirement, despite other complaints including his complaint dt 14.04.2021 regarding not to release pension, to all the concerned quarters which includes vigilance bureau also pending against her in this regard, as per the allegations.

In this context, Bhagat Phool Singh Mahila Vishwavidyalaya (herein after called the B.P.S University) was asked to send a complete brief of subject matter of Inquiry which was sent to the undersigned vide University letter dt 05.04.2023, followed by documents given subsequently including on the date of such hearing fixed on 03.11.2023 for the complainant & defendant Smt. Sumitra Devi. Complainant Sh. Sultan Singh submitted his written

statement on 03.11.2023 attached as **Annexure A** giving a synopsis of the background of the whole case depicting the inter personal relationship of Sh. Ram Kumar Jatyan, Smt Sumitra Devi, and Dr L N Dahiya, Prof. of MD University, and submitted also the documents in support of the allegations of her illegal appointment. Documents pertaining to this Inquiry were also collected from the Directorate of Higher Education Haryana, Panchkula attached as **Annexure B**. All these documents so collected were arranged sequence-wise as per Page-no. depicted in the paras given below may kindly be perused and the findings based on facts that emerged from such record are as under:

1. Initially in the year 1993, Govt of India enacted & notified a Central Act, National Council for Teacher Education (NCTE) Act, 1993 for regulating the education system throughout the Country with the aim of preparing committed, responsible and professional teachers, expected to equip the aspirant school teachers with the requisite attitude, skill & knowledge to address the challenges of becoming effective school teachers. For this, duly recognised Higher Education Institutions offering undergraduate or post graduate programmes of study in the fields of arts, science, commerce, mathematics etc. are set up while laying down the qualifications of the teachers working. This Act was amended from time to time and Rules, Regulations were framed under this Act. To achieve such aims and objectives, existing Teacher qualified in field of Educational Technology is absolutely essential in the institution for imparting training to future Teachers.
2. Principal Sharda Sharma of Bhagat Phool Singh (BPS) College of Education, Kanya Gurukul Khanpur Kalan, Sonapat vide letter 815/TC/F-5 dt 03.09.88 requested the Director, Higher Education Haryana, Chandigarh to accord sanction to create a new post of 'Lecturer in Educational Technology' being a newly introduced compulsory subject which only a specialised person can teach, and other routine posts, about which she wrote in the past number of times also, but to no avail (**Page: 1-2**). Accordingly, the Director, Higher Education (DHE) issued the sanction to create 1 post of Lecturer in Educational Technology along with 2 other posts of lecturers in Hindi and Economics, vide letter No. 20/1-87 C II(4) dt 17.10.88 (**Page: 3-4**). The appointment so made on this newly created 1 post i.e Lecturer in Educational Technology has been the subject matter of this Inquiry.
3. Consequently, Mrs Rama Tyagi was the first one to join this Institution, being M.Sc., M Phil, M.Ed., as Lecturer in Educational Technology on this newly created post, on 14.12.88 (**Page: 5-6**). She remained on leave without pay from 1.3.94 to 28.2.95,

and ultimately she resigned. During the leave vacancy period of Mrs. Tyagi, Mrs. Sumitra Devi applied for Ad-hoc appointment (**Page: 7-8**) vide advertisement stated to be appearing in The Tribune dt 17.11.1994 & 27.11.94 mentioning there in the Application Form dated 29.11.94 that she offer her service for the post of lecturer in education (Social Science and Educational Technology) obviously, knowing fully well that she is actually eligible for the post of Lecturer in Education only, and the word Educational Technology was written in bracket to claim the benefit of leave vacancy post of Educational Technology as well, thus misrepresenting the fact, in order to secure an appointment under well thought of & preplanned manner. As per the proceedings of selection committee, 4 candidates appeared in the interview of the post of lecturer in Educational Technology held on 15.12.94, at 12:00 noon wherein 2 candidates <sup>shown as</sup> selected on purely temporary basis and Smt Sumitra was mentioned at top at sr. no. 1, by the Selection Committee consisting only of Principal Sharda Sharma; Lecturer, Mrs. Shakuntla Khereta; General Secretary, Dr Kapoor Singh Narwal & President of College Governing body, Sh. Hoshiar Singh Malik (**Page: 9**). Appointment letter on the post of Lecturer in Educational Technology on purely temporary basis was given to Smt. Sumitra Devi on 15.12.94 itself (**Page: 10**), and following this, she must have to join the post on 15.12.94 itself however, the joining report is not available in the record supplied. Her joining can only be in the afternoon of 15.12.94. This otherwise was an illegal appointment due to absence of DHE & University nominees and subject expert in the selection committee, the salary of which was illegally claimed and elaborated in para 4 below, leaving aside the absence of essential specialised qualification of Educational Technology for the newly introduced compulsory subject as moved by the same Principal her self, duly present in the Selection Committee meeting, while demanding the post of Lecturer in Educational Technology from DHE.

4. Then strangely Mrs Sumitra Devi in collusion with the Principal proceeded further to move her <sup>Undated</sup> case for regularisation of her such temporary service renaming by her as "Lecturer in Education" (**Page: 11**), while concealing the fact that she was actually appointed on 15.12.94 for the post of Lecturer in educational technology as per her appointment letter. This was done to hide her ineligibility for not being a specialised teacher for the post of Educational Technology so got created by the Principal from DHE, as contained in para 2 above and further knowing fully well



that her selection made by illegal selection committee without any subject expert, nominee of DHE and University, still the matter was sent by the Principal to MDU Rohtak for regularisation as Lecturer in Education being Affiliating University vide letter no 479/TC/F-5 dt 7-2-95 (Page--12) (without any response from MDU as per record ) & Dept. of Higher Education also vide letter No. 1548/TC/F-5 dt 25.03.95 (Page:13) for regularisation of her service as Lecturer without mentioning the particular of post, with ulterior motive whether in the subject of "Education" or "Educational Technology". On this, the Directorate sought proceedings for the appointment of Smt Sumitra as Lecturer, name of the nominee of the Department of Higher Education and approval of the appointment by MDU Rohtak vide memo no.8/14-93C-4(1) dt 9.5.95 (Page: 14). About this, the Department of Higher Education was informed by the Principal vide letter no. 1645/TC/F-5 dt 20.05.95 (Page: 15) that she was relieved on 31.3.95 AN in absentia vide letter 1552/TC/F-5 dt 31.03.95 (Page:16). This move of her reliving was obviously done to hush up the matter after smelling the Director's adverse attitude towards regularisation because she was not attending her duty from 09.03.95 onwards (Page: 16/A). In this, her Pay Bills of teaching staff of sanctioned post duly passed by the Dy Director O/o Director, Higher Education, Haryana under the grant- in- AID scheme reveals that salary has been claimed from 15.12.1994 to 08.03.1995 (Temporary services) after more than one year gap along with the bill of so called regular job of subsequent period (Page-16 B) . From 09.03.1995 to 31.03.1995, she was not on duty period and still she procured experience certificate illegally from 15.12.1994 to 31.03.1995 (Page: 16 C). Thus There has been a clear embezzlement of petty amount of salary of one day i.e 15.12.1994 when on that day her interview was fixed at 12 noon, then how can she claim salary for that day i.e 15.12.94 ? Such state of affairs reflect her doubtful integrity and this was the first offence she committed on the very first day of her becoming Lecturer. The act & conduct of Smt Sumitra, and that of Principal of the college & its management reflects adversely about the intention to get her temporary services regularised in such a short span of time of leave vacancy of about three months on the false pretext of her selection through duly constituted Selection Committee, which had neither the University & DHE nominees, nor the Subject Expert, nor she possessed the specialised qualification of that post which was got sanctioned from DHE i.e Educational Technology. Accordingly, the Directorate held the reply of proposal

unsatisfactory and asked about the appointment as to on what basis it was made and whether her salary was given by the department vide letter dt 07.07.95 (**Page: 17**), about which no further records of correspondence available & produced to me whereas the department paid to her salary of Rs. 14040/- of this period illegally resulting in its embezzlement as well.

5. Then, an advertisement for regular appointment appeared for a post of lady lecturer preferably Science candidate in Educational Technology again for BPS College of Education, Khanpur in the press- Hindustan Times August 10 and Tribune Aug 11, 1995, with last date of submission of application as 5.9.95 (**Page: 18**).
6. Surprisingly, after the closing date of 5.9.95, a Corrigendum of the aforesaid post was issued <sup>by The Gen. Sec. of Society</sup> in the press dt 28/30.11.95 stating the words "Lady lecturer in Educational Technology" may be read as Lady Lecturer in Education to teach "Essential of Teaching-learning". It was mentioned in this that the application should reach to the principal and copy to Dean, College Development Council, MDU, Rohtak up to dt 8.12.95, as issued by General Secretary of college management (**Page: 19**). Obviously, the such corrigendum has been got introduced by the interested person not possessing the specialised qualification of post of Educational Technology, thus accusing fingers were pointed towards Smt Sumitra Devi who could not get her service regularised earlier & DHE snubbed the College and asked Principal whether the salary of this period given or not as stated in preceding para 4. However, somehow with the subsequent Corrigendum appearing in the press dt 1 & 4.12.95, the earlier Corrigendum stood withdrawn and the original advertisement of the post of Educational Technology remains valid (**Page: 20-21**). This was on the intervention of the University as the same got inkling that this was a design to change of qualification, to accommodate Smt Sumitra Devi as per the averments made by the complainant.
7. As per records, in all 9 candidates applied for the post of "Lecturer in Educational Technology" (**Page: 22-22/1**). Against this very advertisement, there is no formal original Application of Smt Sumitra Devi on the record, except that at sr. no. 54 of Dak Diary register of the college, simply an entry of receipt of undated such application on 30.08.95 made, which was shown as "filed in the concerned file" (**Page: 23**). During the date of hearing on 3.11.2023, the University provided exact photo copy of her old earlier application dated 29.11.94 (**Page: 24-25**) with testimonials attached for being the application submitted for the post of lecturer

in educational technology advertised on 10<sup>th</sup> and 11<sup>th</sup> August 1995, which is a questionable Application Form misrepresenting the fact of applying for the post of "Lecturer in Education" as discussed in earlier para 3 above, and need no repetition. Similar application was also available from the records of the Directorate. As per the synopsis sheet for the interview for the post of lecturer in educational technology on 11.12.94 it can be extracted that only one candidate was belonging to the preference category of Science stream at sr. no. 8, and the rest including Smt. Sumitra Devi , at Sr. 4 were from Arts stream and Dr. Sumitra Devi was ineligible for the said post of educational technology, because she was not qualified/passed in the specialised subject of "Education Technology" in her Post-Graduate degree i.e. M.Ed. or MPhil or PhD level. A person who has not studied educational technology as a subject in Masters or Ph.D level can not teach one full-fledged compulsory subject of Educational Technology in B.Ed. course, which has 3 Hours paper IV of 80 marks + 20 internal Assessment, being followed in parental Kurukshetra University as attached here **(Page: 26)**

8. Since she was not an eligible candidate, as per the original advertisement of lecturer in Educational Technology, the matter in the first go after carrying out the scrutiny, which was not done should have been closed there & then filed for her selection process. But the Principal of BPS College of Education, on extraneous considerations, went ahead with her selection process of holding the interview, obviously to select her despite being ineligible & the interview date for 11.12.95 got fixed and in this case, vide interview letters written to all the candidates dt 27.11.95 **(Page: 27)** wherein it was strangely left to the candidates themselves to decide the eligibility to appear in the interview to be held on 11.12.95, while recording the following para in the interview letter :-

*"come for interview only if you are convinced that you fulfil the eligibility qualifications according to the university norms"*

Outside members of selection committee were also informed about the date, time and venue of the meeting vide various letters dt 27.11.95 **(Page: 28-30)**. In the letter endorsed by the Director Higher Education to his nominee, the College Principal, Meham, it was made clear to the Principal on the back side of the letter that sending of DHE representative does not imply that the post for which the DHE nominee has been sent is a sanctioned one by the department. It is clarified in the letter that the DHE will disburse the salary only for the post which is duly

sanctioned by it and salary for non-sanctioned posts will not be given (Page: 30) but contrary to this, her salary bills not only of ad- hoc, temporary service but of her so called regular job passed up to Dy. Director O/o DHE and deposited in her account. Starting of interview at scheduled time 11:30 on 11.12.95 of 5 candidates, might have been deferred considerably because of contemplated proposal for its postponing arising out of controversy of issuing the corrigendum of advertisement of Lecturer in Educational Technology and Lecturer in Education post, for which withholding the VC nominee, as evident from a hand written letter dt 11.12.95 presented by the Principal of the college to the Dean, College Development Council of MDU Rohtak on the date of interview itself (Page: 31). Obviously, considerable time might have been consumed in decision making by the VC at Rohtak and then reaching to the venue of interview at Khanpur, for such selection proceedings to complete, and the whole thing might have lasted upto evening.

9. Any how, interview carried out on 11.12.95 wherein out of 9 applicants, 5 appeared in interview and its proceedings are reproduced below (Page--32):

*The Proceedings of selection committee for the selection of Lect. in Educational Technology held on 11.12.1995 at 11:30 A.M. in the office of Principal, B.P.S. College of Education, Khanpur Kalan. The following were present.*

1. Sh. H.S. Malik, President, Governing Body, B.P.S. College of Education, Khanpur Kalan.
2. Mrs. Sharda Sharma, Principal, B.P.S. College of Ed. Khanpur
3. Sh. R.S. Punia, D.H.E. Nominee, Principal, Govt. College, Meham
4. Sh. D.K. Chadha, V.C. Nominee, Reader, Deptt. of Ed., M.D.U. Rohtak
5. Dr. B.S. Dagar, Subject Expert, Reader Deptt of Ed., M.D.U Rohtak

*The following candidates were interviewed:*

1. Dr. (Mrs.) Vandana Rana D/o Sh. Raj Singh
2. Mrs. Sunita Dahiya D/o Sh. S.M. Dahiya Singh
3. Mrs. Sumitra Devi D/o Sh. Dalip Singh
4. Dr. Shakuntal D/o Sh. Gian Chand
5. Mrs. Sushma D/o Sh. Dayanand Dalal

*The selection committee recommended the following candidates in order of merit for appointment to the post of Lect. in Education Technology against vacant post.*

1. Dr. (Mrs.) Sumitra Devi D/o Sh. Dalip Singh
2. Dr (Mrs.) Vandana kana D/o Sh. Raj Singh
3. Mrs. Sushma D/o Sh. Dayanand Dalal

10. In this context, coming to the constitution of the selection committee about which a complaint of aa' prospective candidate Dr. Mrs. S. Sexena, H. No.13, New Munirka, New Delhi ( Page: 33-36) was lodged to the Hon'ble Chancellor/ Governor, Haryana, with a copy to the Commissioner & Secretary Education Deptt duly received in Director Higher Education Office on 20.01.97, questioned the appointment of subject expert as member of selection committee for the post of "Lecturer in Educational Technology", Dr. B.S Dagar, Reader, Dept. of Education, MDU Rohtak who himself did not studied this subject of Educational Technology, and thus he is not a specialised teacher even qualified in Educational Technology so as to act as an Expert and it was incumbent upon him to recuse himself. Thus constitution of such selection committee appears unsustainable & not considered as legal one, and the selection made becomes null & void. No record is available as to how this complaint was disposed of consequently as there is no rebuttal of the Principal to the Director.
11. Surprisingly, the Appointment letter without any rider/precondition of approval of appointment by the University imposed & was issued to Smt Sumitra Devi with undue haste on the same day i.e 11.12.95 (Page: 37) just to favour her. Prior approval of her appointment from the competent authority i.e VC of Affiliating University was not taken by the President of Governing Body of BPS college of Education, Khanpur Kalan, nor the condition of subject to approval of VC incorporated in her appointment letter which was essential because of prevailing circumstances of her controversial selections, not only of regular selection made on 11.12.95 but also of her ad-hoc/temporary selection made on this Educational Technology post on 15.12.94 when she had to be relieved by the Principal on 31.03.95 in absentia. Such selections now also made smacks of malafide intentions to favour her, in any case.
12. Following the issuance of her appointment letter as "Lecturer in Educational Technology", she submitted her joining report on 12.12.95 (FN) to the Principal, BPS College of Education Khanpur Kalan & joined as such on the post (Page: 38).
13. College Teacher's Return for the post of "Lecturer in Educational Technology" was sent by the Principal of the college to the University for seeking the approval of such appointment so made of Smt Sumitra Devi on the next day of her joining on 13.12.95 (Page: 39)

14. The university made a back reference to the Principal of the college to send a detail reply as to whether the sanctioned post is of "Lecturer in Educational Technology" or of "Lecturer in Education" and whether regular or temporary, vide its letter CB-III/96/2194 dt 19.4.96 (Page: 40), which was obviously essential to approve such appointment.
15. The Principal vide its letter no. 1947/TC/F-1 dt 9.5.96 (Page- 41) rightly replied to the University regarding the creation of the post of "Lecturer in Educational Technology" by the DHE letter dt 17.10.88. And further stated that the post is on regular basis and was filled up after the selection of the candidate by properly constituted selection committee, which appears a wrong reply as per the deliberations made in the preceding paras above. There has been concerted effort on the part of beneficiary Smt Sumitra Devi and College Authorities with malafide intention and design to sabotage the fair & transparent selection process for the post of "Lecturer in Educational Technology" which was specifically and purposefully created for specialised Teacher and thus the college issued a manipulated and vague appointment letter to her.
16. Therefore Competent Authority i.e the Vice Chancellor of the Affiliating MD University of BPS College of Education Khanpur Kalan issued order vide CB-III/96/3636 dt 1.7.96 (Page: 42) while rejecting outrightly the approval of appointment of Smt Sumitra Devi as "Lecturer in Educational Technology", since she has neither studied the subject of Educational Technology at M.Ed./ M.Phil. level nor her area of Ph.D. ( Cooperative learning) falls under the area of Educational Technology. In fact, these are the speaking orders, which cannot be rebutted with any stretch of imagination. The Principal conveyed these orders to the Gen. Sec. of the Governing Body who ordered " She (Dr. Sumitra Devi) will continue and have no dues on college till further orders". Smt Sumitra Devi noted these and on the back side of these orders recorded that "I will not claim any kind of dues against my post and salary till further orders". No record was made available from any file of the College and her personal file as to whether these orders were obeyed or not ?
17. However, the Principal of the collage represented to the University vide letter dt 05.07.96 (Page: 43-44) pleading the main issue that Educational Technology at M Ed/ M Phil level or PhD in Educational Technology are not part of essential qualification prescribed by your University for the said post. This contention is

wrong because the post of Lecturer in Educational Technology was specifically got created by this very Principal herself vide letter dt 3.9.98 when it was stated that educational technology is a newly introduced compulsory subject which only a specialised person can teach, as per para 2 & none else. Therefore, Smt Sumitra being not specialised teacher can not be appointed. As such, complete selection process so adopted was fraudulent right from calling for interview all candidates without any scrutiny of Applications done. Infact incumbent Dr Sumitra Devi was ineligible, composition of selection committee was questionable as the so called subject Expert was not the qualified one in the concerned subject of Educational Technology as per the complaint of Mrs. Saxena cited in preceding para. The allegations levelled in the complaint of Mrs Saxena were never refuted by the College Principal as per the record made available/shown by the university and defendant Dr. Sumitra Devi on the day of hearing on 3.11.23 where due opportunity to her was given to defend her appointment. Placing Smt Sumitra at top of merit list without specifying any interview marks is arbitrary, and thus so is issuance of appointment letter. These points have already been considered in preceding paras from 2 onwards.

18. In this context, reminder after reminders were issued by the Principal for approval of appointment to University and latest was of dt 7.9.96 (**Page: 45**) which shows that the college was so keen to accommodate her on extraneous reasons/grounds.
19. The regular VC, Sh. Vivek Sharma being the Competent Authority, reiterated his earlier orders dt 1.7.96 clarifying that she does not possess specialisation of Educational Technology at M Ed/ M Phil/ Ph D level vide his orders issued CB-III/96/5552 dt 20/30.9.96 (**Page: 46**) for the post. Such orders are perfect and expected orders but these 10 days time after putting the dispatch no. on 20<sup>th</sup> instant and then issuing the same on 30.09.96 suggesting that beneficiary might have tried to get such orders annulled. Such dates of dispatch 20/30 Sept., 96 smacks of nothing but contemplating to manage the rejection orders concerning Smt Sumitra Devi approval, which they failed to get before. However, the management of the college which was a privately managed institution under grant in aid scheme of State Govt., rather than relieving her from the job, still continued her with job.
20. As a consequences of that, the Principal of the college vide his letter 2058/TC/F-5 dt 5.10.96 (**Page: 47-48**) continued to write to the University alleging the condition

of imposing the qualification of specialization of Educational Technology for the said post utterly untenable on frivolous grounds (i) hypothetical conditions, which is basically wrong. Infact these were realistic in accordance with the letter & spirit with which post so created as per recommendation of the Principal itself. (ii) a letter unsigned stated to be written by simply a HOD (Education) who is other wise not a competent authority to do so, and (iii) V C nominee's presence, who otherwise miserably failed to perform his assigned duty of fair selection of only eligible candidate resulting in issuance of manipulated illegal appointment letter, which was outrightly rejected & not approved by the regular concerned VC vide his orders dt 1.7.95 and 20/30.9.95 so issued in this regard as cited in the previous para. The version of the principal stated vide letter dated 5.10.96 was never acceded to by the university as being unjustified and unreasonable.

21. Surprisingly considering the above letter dt 5.10.96 of Principal submitted to the University in para-above, and the Teacher's Return of Smt Sumitra Devi, the Principal was informed that Vice Chancellor, who was actually Officiating the office of the V.C from 22.11.96 to 25.2.97, vide his letter no. CE-III/96/7405 dt 29.11.96 (Page: 49) i.e just with in a weak of assuming the new charge, approved her appointment as "Lecturer in Education" w.e.f 15.12.94 to 31.3.95 on temporary basis and w.e.f. 12.12.95 on regular basis. It is strange that neither the letter of 5.10.96 nor the Teacher's Return form mentions about such approval of her ad-hoc/temporary appointment made from 15.12.94 to 31.3.95 on any of the post like "Lecturer in Educational Technology" by the college, which reflects that approval of this period has been given purely on extraneous considerations, because her salary might not have been dispersed, which is a ploy to get that. And further, how an acting/officiating Vice-Chancellor Dr. L N Dahiya, can overrule, modified, or review arbitrarily the rejection order of the approval of appointment of Smt Sumitra on the post of "Lecturer in Educational Technology" duly issued by a Regular Vice Chancellor, Sh Vivek Sharma, that too, with speaking orders so issued to justify the same. It is strange that the post vacant was of "Lecturer in Educational Technology", which was duly advertised on both the occasions in the year 1994 & 95, that resulted in selection & appointment of an ineligible candidate Smt Sumitra Devi on this post illegally ( who was otherwise eligible for another post of Lecturer in Education only being the generic & not specialised post). Principal of College, sent Teacher's Return for approval of appointment so made



for regular post only & not the ad hoc made in 1994, of Educational Technology, being the specialised subject. At this stage, the question about the role of VC is simply to determine whether the appointment so made is genuine or not? If genuine, its approval is granted and if not, approval of appointment is not made or refused specifying the reasons thereof i.e. with speaking orders (which had already been done by the regular VC on 2 occasions). But the Acting VC Dr Dahiya overstepped his authority. He wrongly approved her appointment as Lecturer in Education, not only for regular appointment, but also of her Ad hoc service, for which no request ever made. Dr Dahiya approved her appointment on a non-existent post of "Lecturer in Education". There was no vacant post of lecturer in education under grant-in-aid scheme at that time in BPS College. There was only one single sanctioned post of lecturer in education which was already occupied by Dr Renuka Sharma. Such type of approval of appointment given to her on a different post, for which she was actually eligible, amounts to a back door entry into the service, for which the post was never advertised. Thus, this letter dt 29.11.96 so procured from VC office was a fraudulent document so created to claim unauthorized regular salary, and other service benefits and it is on this account, Smt Sumitra Devi at some place uses her designation of Lecturer in Educational Technology and at other places as Lecturer in Education depending upon the situation to mislead concerned quarters, at her will for illegally claiming benefits.

22. In this context, a Complaint by another prospective candidates Sh. Dharam Pal & Sh. Ram Parshad was lodged against wrong approval for Lecturer ship to Smt Sumitra Devi to the Director Higher Education, Haryana received on 12/12/96, which was sent to Principal, BPS college of Education Khanpur Kalan for comments (Page: 50-51) alleging that post of Lecturer in Educational Technology was actually advertised by BPS College of Education, for which only few candidates applied including Smt Sumitra, whose husband Sh. Ram Kumar Jatain is working as Supdt in the University and he got her selected as Lecturer in Education, whereas the post advertised was of Lecturer in Educational Technology, and moreover, she has not studied the subject of Educational Technology at M Ed level. Her approval as Lecturer in Educational Technology was denied by Sh. Vivek Sharma, Vice Chancellor twice as she had not studied the subject of Educational Technology. Now her husband, who has earned lacs of rupees in B Ed course approval and also

built a Kothi in Sec-1, Rohtak, is trying to get approval of his wife by the new Vice Chancellor, Mr. L N Dahiya by spending money. He has spent lot of money during the agitation against the VC, Sh. Vivek Sharma for his removal. She, thus may not be approved as Lecturer in Education. Such irregularities of the selection has been done in connivance with the University Authorities. Since no noting file of such approval was made available, so the complete chain of the persons involved could not be ascertained.

23. On such complaint, comments given by the Principal vide letter TC/F-5/2057 dt 21.1.97 (Page: 52) are that selection of Smt Sumitra has been made by duly constituted selection committee wherein representative of University & Govt were present and the approval of her appointment was made by citing above University letter no. CB-III-96/7405 dt 29.11.96, which is otherwise illegal and misleading. As discussed in earlier Paras, the selection process was completely fictitious. On this complaint, the DHE made a back reference vide letter dt. 18.2.97 (Page: 53) demanding the date & proceedings of selection committee which were supplied vide letter dt 6.3.97 (Page: 54). Further, fate of this complaint is not available on the record so supplied.
24. Following the said so called approval of appointment of Smt Sumitra Devi as Lecturer in Education issued vide letter no. CE-III/96/7405 dt 29.11.96 and after completing two year of service, she wrote an undated letter to the Principal of College (Page: 55) requesting for confirmation of her service stating that she was very kindly appointed by your authority (thereby putting whole blame on University) as Lecturer in Education in your college w.e.f 12.12.95, and working honestly and efficiently since then. However, further record of disposal of this letter about her confirmation is not available.
25. Despite being junior to three other Lecturers, Smt Sumitra Devi got herself appointed as acting Principal of the College, establishing thereby her further nexus with the college management, vide endorsement order no. 1077-79/PS dt 19.12.2003 to 10.08.2007 (Page: 56-58). During this period, she was the custodian of the whole record and such non availability of records reported in various paras is directly attributable to her. Scrutiny of her personal file revealed that record has not been maintained date-wise, with page marking done subsequently and in a most unsystematic manner the index of which prepared a few year ago, not concurrently. Since correspondence pages in the personal file of Smt Sumitra Devi

have not been arranged date wise, so it is not possible to tell about the missing papers, which can be taken out of the file by the custodian of the record, which were otherwise contrary to her interest. So the absence of the application form of Mrs. Sumitra Devi along with other records could be the actual reason behind this been custodian .

26. So far as the inquiry report of Professor PC Patanjali dt 10.06.19 and 10.12.19 (Page: 59-60) is concerned, the same was conducted superficially & in a casual manner by not calling the complainant Sh. Sultan Singh. He, thus ex- party, made out and examined two issues. The first issue was about the degrees of Smt Sumitra Devi. She on the date of hearing 03.11.2023 so fixed brought all her degrees, with which complainant was confronted and he was duly satisfied with the genuineness of such degrees. She submitted the photocopy of her Pre university, BA part 1 degrees (Page: 61-62) which were causing suspicion about the final BA degree, and that of M Ed. (Educational Technology) as additional subject passed by her later on in Dec 1998 (Page: 63), not submitted earlier. Thus first issue settled. However, about her late producing of additional qualification of M Ed in Educational Technology after <sup>three</sup> years of her appointment justify the averment made by the complainant that she was very well aware of her ineligibility already and thus obtained this degree secretly to fill up this lacuna in her selection later on. The second issue was of whether the post, on which Smt Sumitra Devi was initially appointed on 12.12.95 was duly sanctioned by the Directorate of Higher Education Haryana? To which Prof Patanjali reported-

*The post was duly sanctioned by the Directorate of Higher Education vide letter no. 20/1-87C II (4) dt 17.10.88( copy enclosed at Annexure 3). This is absolutely correct so far as the sanctioning of the post is concerned. But the post so sanctioned was that of Lecturer on Educational Technology, not that of Lecturer in Education.*

But in her case, there was lot of bungling in her selection process for the post on which so called her selection made. For this to understand, it would be worth while to go into whole background of the case. The Department of Education or a College, imparting training to prospective Teachers , comprise of 3 categories of Teachers-

- (i) Lecture in Education, meant for generic/general purpose
- (ii) Lecturer in specific subjects, like Physics/Biology/Economics/Hindi/English etc, and

- (iii) Lecturer in Educational Technology, introduced recently possessing specialised qualification in subject of Educational Technology

On the recommendation of Principal that Educational Technology, newly introduced compulsory subject which only a specialised person can teach, the DHE sanctioned this one post of Lecturer in Educational Technology vide his letter dt 17.10.88. Obviously, it was not meant for an ordinary teacher like Smt Sumitra Devi, who had no specialisation in the subject of the Educational Technology. In the month of August, 1995 one such regular post of Lecturer in Educational Technology was advertised in the press for BPS College of Education. 9 candidates applied including Smt Sumitra Devi. She was otherwise ineligible but with vested interest, still her interview conducted on 11.12.95. It was strange that the interview letter put the condition of determining eligibility on the candidates himself/herself so as to avoid any blame on the College administration. In this interview, Smt Sumitra was selected illegally being ineligible and appointment letter also issued without any rider/conditions of approval on the same day and she joined on this post of Lecturer in Education Technology on 12.12.95 immediately. Her Teacher's Return sent next day for approval of appointment to the affiliating MDU Rohtak, approval of such irregular appointment was not given & rejected outrightly by the regular VC with speaking orders dt 01.07.96 (Page 42) of not possessing requisite qualification of Educational Technology. On subsequent representations, the VC naturally reiterated his earlier orders of rejection vide his orders dt 20/30.09.96. But still other representations made without any relevant rhymes and reasons. In collusion with vested interests, the acting VC issued a letter dt 29.11.96 stating that *the VC approved her appointment as Lecturer in Education w.e.f 15.12.94 to 31.03.95 on temporary basis and w.e.f 12.12.95 onwards on regular basis.*

Such letter issued is vague and fictitious and not genuine, on account of -----

- a. *There existed no sanctioned vacant post of Lecturer in Education, being pre occupied by Dr. Renuka Sharma*
- b. *The post of Lecturer in Education was neither advertised nor selection made nor the appointment letter of this post issued*

- c. *No Teacher's Return of approval of appointment as Lecturer in Education post from the Principal of the College was ever sent & pending with the VC office, on which such approval letter can be issued*
- d. *The regular VC has already settled the issue once for all the pending issues of Teacher's Return of Smt Sumitra Devi for an approval of her appointment as Lecturer in Educational Technology Post so advertised & filled up with her appointment, with the passing of speaking orders of not possessing the specialised qualification of Educational Technology, hence not eligible for the post on which she appointed. These order were never challenged before the Competent Authority i.e Chancellor nor in the Court, thus attaining finality.*
- e. *Thus a simple communication, that too, from acting VC dt 29.11.96 cannot superseded the speaking orders duly issued by the regular VC*
- f. *About the actual intention behind letter dated 29.11.96, so issued within a week's times of unsettling of regular VC due to agitation launched by the vested interests contrary to their interest, including Sh. Ram kumar Jatian, the husband of Smt Sumitra, as per the complaints lodged and averments and statement of complainant made, was to give financial and other service benefits to Smt Sumitra Devi. The benefits of temporary service w.e.f 15.12.94 to 31.03.95 given, that too of on the post of Lecturer in Education, for which she was not issued any experience by the college rather an experience certificate was issued by the college for the post of lecturer in educational technology. The orders dated 29.11.1996 by the then officiating vc for approving the temporary service of Dr. Sumitra Devi from 15.12.94 to 31.3.95 on the post of lectuer in education is basically wrong, given merely on extraneous consideration and not demanded in Teacher's Return form. The approval of her appointment as Lecturer in Education was not asked for in Teacher's Return at any time. Then such letter tantamount to a back door entry of Smt Sumitra Devi which was misused by her, knowingly fully well that she was never appointed as Lecturer in Education post as conveyed to her, by the acting VC by endorsement of letter dt 29.11.96 .*
- g. *And at the same time, also fully aware of rejection of her actual appointment letter on the sanctioned post of Lecturer in Educational Technology, due to her ineligibility, vide regular VC orders Endorsements so conveyed dt 1.7.96 and 20/30.09.96. So the pleadings of Dr. Patanjali without considering these two*

W

orders of a regular VC & continuous disbursement of pay from grant-in-aid scheme of the post is absolutely erroneous, and not sustainable.

- h. **Even otherwise, the law is well settled that the successor in office does not have the Jurisdiction to review or modify the order passed by its predecessor.** In this regard, reliance, can be placed upon a judgement rendered by the Supreme Court in *Vinod Kumar v/s State of Haryana and others 2014(1) SCT 312* and by Punjab and Haryana High Court in CWP no. 137944 of 1995 tiled as *Balvinder Singh v/s State of Punjab and others decided on 17.05.2017.*

27. Considering the facts and circumstances of this case, neither her appointment on the post of Lecturer in Education Technology is valid/ legal due to her ineligibility, nor the approval of her appointment as Lecturer in Education, due to non-existence of such sanctioned post and other factors. Thus while misleading & mispresenting the fact of ineligibility for the post and non-existence of the post for the claiming and payment of salary etc. and other consequential benefits are questionable and unjustified and such issues hardly arise. Existence of sanctioned post is absolutely essential condition for the disbursement of pay as conveyed by the Director Higher Education vide letter dated 5.12.95 (Page: 30) , and consequently the pension as well of the employee which is the primary responsibility of Accounts Section and its Audit branch, which have been dealt with in a most irregular and scammed manner in this case of Sumitra Devi in BPS College, right from its inception when it was a Govt Aided pvt institution to its taking over ultimately by the BPS University. It was the Head of Department of Education, Dr. Sandeep Berwal who was the first one to put up his note of dissent on 14.09.10 which was over looked in a 3 members committee's decisions constituted by a VC to sort out the issue of release of her pay by the majority of 2 (Dr. Vimal Joshi HOD Law and Sh. J. K. Sharma Assistant Registrar (Estt.)) to 1, regarding release of her pay and seeking clarification from MD University Rohtak about her approval dt 29.11.1996 so given by acting VC Dr. L N Dahiya ( **Page: 72 of Page 64-73**) and no further record has been made available from MD University Rohtak in this regard except that following issuance of so called her approval of appointment on a <sup>known</sup> ~~known~~ existent Lecturer in Education post given by acting V C, Dr Dahiya dt 29.11.1996 while concealing his predecessor's speaking order passed retreated its regular V C, setting aside the illegal appointment so made of Smt Sumitra Devi on account of her ineligibility for the post of Lecturer in Educational Technology, thus her first salary bills of her temporary appointment ( from 15-12-1994 to 31-03-1995) and that of regular appointment from 12.12.1995 which were claimed after a lapse of more than a year and got the amount deposited in her personal account after being prepared by the Principal fraudulently and got

passed from the Dy. Director in the office of the Director, Higher Education Haryana under the Grant-in-Aid scheme as per the prescribed Performa present in the past Pay Bill Register (Page-74-87). In this undated pay bill claim of her temporary service rendered starting from 15.12.1994 to 31.03.1995 (Page-74), there was clear cut embezzlement of one day's salary of 15-12-1994, as the timing of interview was at 12 noon itself, and on that very day of joining would therefore be in the afternoon, and thus no salary was admissible, which otherwise continued to be given for the whole period under Grant-in-Scheme, despite approval of her appointment was of a different post i.e Lecturer in Education, whereas the vacant post so advertised & duly sanctioned, was of Lecturer- in - Educational Technology as per the typed pay bill claims made by the O/o of Principal in the Performa (Page-74). Salary bill of entire period cleared & given from Grant-in-Aid scheme, despite her approval of appointment made on a non-existent post, 'Lecturer in Education' vide the MDU letter dt 29.11.1996 as mentioned in the letter but not recorded so in the pay bill Performa, which is violative of DHE letter dt 5.12.1995 (Page 30) so issued.

The modus operandi of claiming her first pay bill of so called regular services starting from 12.12.1995 was that, as soon as the illegal approval of her appointment issued by the acting V C Dr. Dahiya vide letter dt 29.11.1996, as 'Lecturer in Education' (non existent post), instead of 'Lecturer in Educational Technology' (duly advertised post) received in the college, immediately after that, process of claiming the salary of Smt. Sumitra Devi initiated by the Principal of the college, while preparing a manipulated pay bill (Page-87) concealing and suppressing the vital facts, in order to claim her salary in fraudulent manner. Firstly, at the top of this bill, after her name Mrs Sumitra Devi, the designation simply of Lecturer typed while concealing subject of the post- whether 'Lecturer in Education' or 'Lecturer in Educational Technology'. Secondly, under the column 3, of Designation with subject & teaching, the designation had been deceptively depicted as Lect-in-Edu instead of 'Lecturer in Educational Technology', by scrubbing with pen ink there on the last words of Technology under the second line, so as to appear as Lect-in Edu, for the lonely post of 'Lecturer in Education', for which Smt. Sumitra Devi was actually eligible. This was done in order to claim & embezzle full salary of about one year in one go just to favour Smt. Sumitra Devi, simulating with the actual approval of officiating Vice Chancellor dt 29.11.1996 as that of the post of 'Lecturer in Education' (being non existent, pre occupied ) and the fact of sanctioned post of Educational Technology is completely concealed. Thirdly, under column 2 of the Performa, where merely 'Appointment approved vide MDU letter No.' alone was got typed without specifying the name of the post, and letter no. left blank therein, which is hand written, may be subsequently written at the time of passing of the bill at the level of DHE office under a conspiracy, or later on when Smt. Sumitra Devi was the custodian of whole record

acting as Principal as discussed earlier in the preceding paras. Dr. Dahiya over stepped his authority in issuing such approval letter as 'Lecturer in Education', the post of which neither existed, nor advertised and already filled up by Dr. Renuka Sharma, as is evident from the pay bill of February 1996 (Page-77), in which approval of post of 'Lecturer in Educational Technology' was also shown awaited against Mrs. Sumitra Devi's name. This manoeuvring of Bills was done to favour Smt. Sumitra Devi so as to start getting her pay regularly. Similar was the state of affairs so far as her pay bill of temporary appointment from 15.12.1994 to 31.03.1995 is concerned. Despite such irregularities existing, her salary bills were passed hassle free in one go for obvious reasons.

The motive behind such irregularity was to give regular appointment with salary to Smt. Sumitra Devi by hook and crook, when she was actually qualified for the post of 'Lecturer in Education' only, but the post available/sanctioned/advertised was of 'Lecturer in Educational Technology'. Somehow, she was appointed as 'Lecturer in Educational Technology' despite being ineligible by the management of the college and the approval of the appointment was not given by the university on the 2 consecutive occasions. Following this, acting V.C approved her appointment as 'Lecturer in Education', the post which was not available and already occupied by another Lecturer of the same subject. Then how can such salary bills of Smt. Sumitra Devi pertaining to her past temporary service and current regular appointment can be moved and then the bill passed ? on the contrary her pay bills were passed amount of which credited in her account.

It is beyond comprehension that such gross irregularity would continue to be done not only from months to month, but also from years together, till superannuation going unnoticed, unless there had been a nexus operating in the system of Grant-in Aid. This may not be a solitary case of such irregularity but others may be going on now. Therefore it, would be desirable to get the special audit of whole of the Grant-in Aid scheme done at state level to assess the actual pilferage of State Exchequer. Secondly, system of issuance of blanket appointment letters by Pvt. Institutions just after interview should be banned all together, until approval of affiliating University so taken. However, in case of exigency, the rider of such approval should be imposed in the terms and conditions of Appointment letters so issued.

To find out as to where, how and by whom, such tempering with of records committed and how her original Application of Regular job and noting files records not available, and beyond my scope of inquiry, being a matter of criminal investigation by investing agency to be headed by a officer of repute and impeccable integrity, so that a right message go to the public to refrain from committing such corrupt practices in future.



From the findings based on the facts narrated above, I am of the opinion that Smt Sumitra Devi and her husband Sh. Ram Kumar Jatyan, while working as Supdt. and retired subsequently as Dy. Registrar MD University Rohtak, hatched a well-knit criminal conspiracy, in collusion with Smt Sharda Sharma, the then the Principal & the Management of a Govt aided Private B.P.S College of Education, Khanpur Kalan (Sonapat) and Dr. L N Dahiya, the then officiating Vice Chancellor of the affiliating MD University, Rohtak, with flagrant disregard to the system, resorted to abuse of power by giving the illegal approval on 29-11-1996 of her initial appointment as 'Lecturer in Education' during earlier recruitments made in the year 1994 and 95, when neither such post of 'Lecturer in Education' advertised nor existed (the sole sanctioned post of 'Lecturer in Education' in the college was already occupied by Dr. Renuka Sharma). While doing so, Dr. Dahiya subverted the earlier orders dt 01.07.1996 and 20/30.09.1996 duly passed by his predecessor, regular Vice Chancellor rejecting her approval of an illegal appointment as 'Lecturer in Educational Technology' due to her ineligibility, made by above said private college, which was also otherwise not permissible under the settled law of the land that **successor in office does not have the jurisdiction to review or modify the order passed by its predecessor.** The manner in which this whole issue of recruitment of an ineligible teacher Smt. Sumitra Devi processed by the college from its advertisement smacks of mala fide intention, which is not in consonance with the spirit of National Council for Teachers Education Act.

Such actions of officers holding public assignments amounts to grave criminal misconduct while in service, resulting thereby putting a huge burden on the State Exchequer in the form of salary and other consequential benefits arising out of seeking such fraudulent appointment and then continuing illegally on the public post drawing salary throughout till her retirement and still continuing as pensioner.

DA: As above

*Wd. 1-11-2021*  
(Dr. D R Yadav)

Inquiry Officer

Medico-Legal Advisor to Govt of Haryana  
& Director PGIMS Rohtak (Retd)  
# 696/28, Subhash Nagar, Rohtak

Annexure-10 ~~ANNEX-1~~

From  
Deputy Commissioner,  
Sonipat.

VC/BB/617  
25/3/17

To  
The Vice Chancellor,  
B.P.S. Mahila Vishvavidyalaya,  
Khanpur Kalan.

497  
24/3/17

No. 6968

M.B., Dated: 24/3/17

Subject :- Considering the names of persons from family of those, who died during Jat Reservation Agitation in February, 2016.



Please find enclosed herewith the applications (details given below) along with enclosures received from the family members of those persons, who died during Jat Reservation Agitation in February, 2016. Keeping in view their family circumstances, it is requested that these persons may be considered sympathetically for some appropriate regular jobs.

Sr. No.	Details of persons, for whom application of job is received	Age/Caste	Qualification	Details annexed as
1-	Smt. Aarti w/o Sh. Vikram, Balmiki Basti, Samta Chowk, Gohana, Distt. Sonipat (Wife of Sh. Vikram, deceased)	26 Yrs./SC	6 <sup>th</sup> Class	Annexure 'A'
2-	Ms. Jyoti Pahal d/o Sh. Jaipal, r/o Village Gumar, Tehsil Ganaur, District Sonipat (Sister of Sh. Sandeep, deceased)	25 Yrs./Gen.	12 <sup>th</sup> and Diploma in Early Childhood Care and Education (ECCE)	Annexure 'B'
3-	Sh. Amit s/o Sh. Jai Bhagwan, r/o Village Malha Majra, District Sonipat (Brother of Sh. Sumit, deceased)	25 Yrs./Gen.	12 <sup>th</sup>	Annexure 'C'
4-	Sh. Manjit s/o Sh. Jagbir, r/o Village Panchi Jatan, Tehsil Ganaur, Distt. Sonipat (Brother of Sh. Sanjit, deceased)	28 Yrs./Gen.	12 <sup>th</sup>	Annexure 'D'
5-	Smt. Poonam w/o Late Sh. Dilbag, r/o Village Panchi Jatan, Tehsil Ganaur, Distt. Sonipat (Wife of Sh. Dilbag, deceased)	34 Yrs./Gen.	4 <sup>th</sup> Class	Annexure 'E'

Encl: As above

Urgent

Examine & put up for necessary <sup>action</sup> on priority basis

for Deputy Commissioner,  
Sonipat

Registrar  
24/3/17

AR (ENT) - 49-  
27/3/2017

27/3/2017

EN-I

-2-  
Annexure - 1b

~~ANNEXURE - 1b~~

8-

ANNEXURE - II

BPS MAHILA VISHWAVIDYALAYA KHANPUR KALAN /  
Extract of Agenda and Resolution No.6,16,18,19,20,25 of the 51<sup>st</sup> meeting of  
Executive Council held on 30/03/2017.

6. To note the Memo No. 18/105-2009 UNP (3) dated 08.12.2016 received from the  
Director Higher Education Haryana, Panchkula regarding implementation of  
pension scheme in BPS Mahila Vishwavidyalaya, Khanpur Kalan (Sonipat).

This agenda item stands withdrawn as the same was discussed under agenda item  
no. 25 of the ibid meeting.

16. To note the action taken by the Vice-Chancellor in exercising her powers  
confirmed upon her under the provisions of Act-II sub clause 6 for grant of  
further extension for six months w.e.f. 08/02/2017 to 07/08/2017 on consolidated  
salary of Rs. 35000/-p.m. alongwith rent free accommodation as per terms and  
conditions of his appointment letter dated 08/08/2014 in R/o Shri M.S. Hooda,  
Executive Engineer (on contractual basis)

The House noted the action taken by the Vice-Chancellor and approved the extension  
for six months w.e.f. 08/02/2017 to 07/08/2017 on consolidated salary of Rs. 35000/-  
p.m. alongwith rent free accommodation as per terms and conditions of his  
appointment letter dated 08/08/2014 in R/o Shri M.S. Hooda, Executive Engineer (on  
contractual basis) or till the regular appointment is made by the University whichever is  
earlier since the post has already been advertised by the university.

- ✓ 18. To consider the case of providing of regular job in the University to Ms. Jyoti  
Pahal d/o Shri Jaipal r/o Village Gumar, Tehsil Ganaur, Distt-Sonepat (Sister  
of Shri Sumit deceased) in the Jat reservation agitation Feb 2016.

The House after detailed deliberation considered the request received from Deputy  
Commissioner Sonepat for sympathetic consideration & unanimously  
recommended that the case of Ms. Jyoti Pahal D/o of Shri Jaipal R/o Village  
Gumar, Tehsil Ganaur Distt. Sonipat (Sister of Shri Sumit deceased in the Jat  
reservation agitation Feb 2016) for the post of peon as per her qualification be sent  
to the State Govt./Finance Department for approval as a special case as it is a case  
of rehabilitation and the budgeted post of peon is laying vacant for more than 2  
years.

-3-  
Annexure-12 ~~Annexure-12~~

**Bhagat Phool Singh Mahila Vishwavidyalaya**

**Khanpur Kalan (Sonapat), Haryana-131305**

Office No. 01263-283064, Fax No. 01263-283779, www.bpswomenuniversity.ac.in

No. BPSMV/EN-1/17/ 2060

Dated: 3/1/17

To

The Director,  
Higher Education, Haryana,  
Shiksha Sadan, Sector-5  
Panchkula (Haryana).

**Sub: To consider the case of regular job of Peon in r/o Ms. Jyoti Pahal (Sister of Shri Sumit deceased) in Jat reservation agitation.**

Sir,

It is to inform you that a request of Ms. Jyoti Pahal D/o Shri Jaipal R/o Village-Gumar, Tehsil-Ganaur, Distt-Sonapat whose brother died during Jat Agitation during Feb 2016 was received from Deputy Commissioner Sonapat for considering her request for appointment in this University. The matter was considered by the Executive Council in its meeting held on 30.3.2017 vide resolution No18 and it has been recommended that Ms. Jyoti Pahal D/o Shri Jaipal R/o Village-Gumar, Tehsil-Ganaur, Distt-Sonapat (Sister of Shri Sumit who died in Jat reservation agitation Feb, 2016) be appointed on the post of Peon as per her qualification as a special case of rehabilitation against the budgeted post of Peon lying vacant in the University for more than two years. A copy of letter of the Deputy Commissioner, Sonapat, Agenda Item and Resolution No. 18 is enclosed for ready reference.

In view of the above, you are requested kindly to convey the necessary approval of the State Govt. to appoint Ms. Jyoti Pahal on the post of Peon as a special case at the earliest, please.

Yours sincerely,

  
Assistant Registrar (ENT)  
for Registrar

Encl: As above

Endst. No. BPSMV/EN-1/17/ 2061

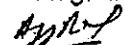
Dated 3/1/17

A copy of the above is forwarded to the Deputy Commissioner, Sonapat with reference to his letter No. 6968/ M-B dated 24.3.2017 for information.

  
Assistant Registrar (ENT)  
for Registrar

-51-

etc.

  
3/1/17

~~CANNED~~

-6- Annexure - 13

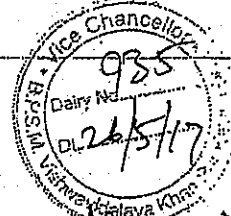
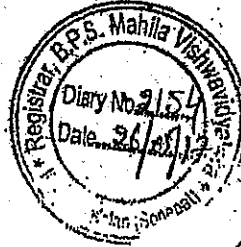
From

Director Higher Education, Haryana, Panchkula.

To

The Vice-Chancellor,  
BPS Mahila Vishwavidyalaya,  
Khanpur Kalan (Sonapat).

Memo No. 18/117-2017 UNP (2)  
Dated Panchkula, the 11/5/17



11/11/17/1132

28/5/17

**Subject: To consider the case of regular job of peon in r/o Jyoti Pahal sister of Sh. Sumit deceased in Jat Reservation Agitation.**

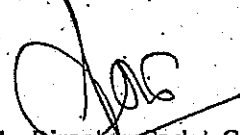
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M.T-2291  
29/5/17

Kindly refer to your letter No. BPSMV/EN-I/17/2060 dated 03.05.2017 received through e-mail on the subject cited above.

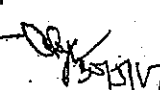
I have been directed to inform you that vide letter No. 18/117-2017 UNP (2) dated 29.04.2017/ 01.05.2017 (copy enclosed) it has already been intimated to consider all such cases of appointments of the brother/ sister of those who have been deceased in Jat Reservation Agitation in February, 2016 at the appropriate level under the existing provisions of the concerned university.

It is, therefore, requested that the instant matter may be decided at the appropriate level of the university under the existing provisions contained in the BPSMV Act, 2006.

  
Deputy Director Cadet Corps,  
for Director Higher Education, Haryana,  
Panchkula.

Aug  
26/5/17

Registrar  
(O.T.)  
BPS  
29/5/2017

1/2 ENT  


Syker  
30/5/2017

EN-I

4  
Annexure - 14

~~ANNEXURE - 14~~

HJUNCAURK-VV (5)

**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**

Ice No. 01263-283001, 283002, Fax No. 01263-283779, www.bpswomenuniversity.ac.in

BPSMV/EN.II/17/2150-2153  
Dated: 9/5/2017

REGISTERED

To

Ms. Jyoti Pahal D/o Sh. Jaipal  
R/o Village -Gumar, Tehsil-Ganaur,  
Distt. Sonipat

Sub: Appointment to the post of Peon.

This has reference to your application received from your father through the Deputy Commissioner, Sonipat vide letter No. 6968/M.B. dated 24.03.2017 regarding regular job.

The matter has been considered by the Executive Council vide resolution No. 18 of its meeting held on 30.03.2017 and it has been resolved that you be appointed as Peon in the pay scale of Rs. 4440-7440+1300 G.P. as a special case. Accordingly, you are hereby offered the post of Peon in the pay scale of Rs. 4440-7440+1300 G.P. on the following conditions:

1. You will be on probation for a period of one year extendable for a maximum period of one more year. If during this period your work and conduct are not found satisfactory, or you wish to leave, your services can be terminated with one month's notice or one month's salary in lieu thereof from either side. After confirmation, whenever affected, three months' notice will be required for termination of service on either side.
2. Your testimonials in support of your qualification shall be got verified and in case the same are found deficient in any manner at any stage, your services will be dispensed forthwith and an FIR for committing fraud and forgery shall be lodged with the police. In the event of any fee being demanded by the concerned institution/university for verifying the documents, the same will be charged from you.
3. Other terms and conditions of your appointment in so far as they are not specified in this letter, will be governed by the rules and regulations of this University, as are framed/made applicable from time to time.
4. You will be required to submit a medical fitness certificate from the Chief Medical Officer, Civil Hospital, Sonipat at the time of joining.
5. Your character and antecedents will be got verified from the concerned authorities and if anything is found against you, your services are liable to be terminated.
6. You shall not have more than one spouse. An affidavit to this effect shall be submitted by you at the time of joining.

-53-



13

-2-

- 7. Before assuming charge or duties, you will be liable to take an oath of allegiance to the Indian Republic and submit the duly completed antecedent verification form (attached).
- 8. You will also submit an affidavit from your parents and dependents of late Sh. Jaipal (your brother) that no one will be claim service later on and the dependents of the deceased will be taken care of by you.
- 9. If, you accept this offer of appointment, you should report on duty to the Registrar, BPS Mahila Vishwavidyalaya Khanpur Kalan within 15 days from the issue of this letter failing which, this offer of appointment will be treated as cancelled.

*[Handwritten Signature]*  
 Incharge (ENT.)  
 for Registrar

dated: 9/5/2017

Endst. No. BPSMV/ENT/17/

Copy of the above is forwarded to the following for information and necessary action:-

- 1. The Director Higher Education, Haryana Siksha Sadan, Sector -5, Panchkula in continuation to this office letter No. BPSMV/EN-1/17/2060 dated 03.05.2017 and also his office Endst. No. 18/117-2017 UNP (2) dated 29.04.2017
- 2. The Deputy Commissioner, Sonapat with reference to his office letter No. 6968/M.B. dated 24.03.2017.
- 3. The Chief Medical Officer, Civil Hospital, Sonapat (with a request that after the medical examination of the above named person, a report to this effect whether he is medically fit for the University service or not, may also be given to her for official record.
- 4. Finance Officer, BPS Mahila Vishwavidyalaya, Khanpur Kalan (Sonapat).
- 5. PA to Vice Chancellor, BPSMV, Khanpur Kalan (for kind information of the Vice-Chancellor).
- 6. P.A to Registrar, BPSMV, Khanpur Kalan (for kind information of the Registrar).

*[Handwritten Signature]*  
 Incharge (ENT.)  
 for Registrar  
*[Handwritten Signature]*  
 9/5/17

etc

-7-  
Annexure-15

~~Annexure-15~~

-14-

ANNEXURE-15

19/9/17



प्रेषक

उपायुक्त, सोनीपत ।

सेवा में

रीजिस्ट्रार,  
ज्योत्सोपी (सी) महिला विश्वविद्यालय,  
खानपुर कला ।

क्रमांक 21598 /एमओबी, दिनांक 19-9-17

विषय :- भारतरी, 2016 में जाट आरक्षण आन्दोलन के दौरान मारे गए व्यक्तियों के आश्रितों को रोजगार प्रदान करने बारे ।

उपरोक्त मामले में आपके कार्यालय के पत्र क्रमांक बीपीएसएमवी/ईएनटी/17/2151-2156, दिनांक 9-5-2017 के संदर्भ में ।

2- संदर्भाधीन पत्र के माध्यम से आप द्वारा सुश्री ज्योति पहल पुत्री श्री जयपाल, निवासी भोंव, गुमट, तहसील गन्नीर, जिला सोनीपत को विश्वविद्यालय में सेवादर के पद पर नियुक्ति के लिए जारी किया गया था । आवेदिका सुश्री ज्योति पहल द्वारा अब इस कार्यालय में एक आवेदन प्रस्तुत किया गया है, जिसमें उम्मेद लिखा है कि उसने बारहवीं कक्षा उत्तीर्ण की हुई है तथा पूर्व बाल्यावस्था देखभाल एवं शिक्षा का डिप्लोमा लिया हुआ है । उसने नृतीय श्रेणी का रोजगार प्रदान करने का अनुरोध किया है ।

आवेदिका का यह आवेदन अन्तर्गतों सहित आपको भेजकर अनुरोध है कि कृपया मामले में सहायतापूर्वक विचार करने का कष्ट करें ।

संलग्न : सारोक्त

S. S. 18/9/17  
कृते: उपायुक्त, सोनीपत ।

URGENT

W. Registrar Bury,  
Bury 2019/2017  
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AMT  
8783  
28/9/17



-8-  
Annex-16

~~Annex-16~~

56<sup>th</sup> meeting of the E.C.  
dt. 19-12-2017.

Sl. No.	Particulars	Page No.
1	...	...

✓ Considered the request of Ms Jyoti Pahal D/o Sh Jaipal Resident of Village Gumar, Tehsil-Gannor, Distt-Sonpat for appointment against regular posts in class-C post as her elder brother Namely Sh. Sandeep Pahal died during the JAT agitation. (Request received through Deputy Commissioner Sonpat) already circulated.

AND

Considered the correction in the name of the deceased as Sandeep instead of Sumit in the agenda item /Resolution No. 18 dated 30.03.2017 due to typographical mistake.

Resolved that Ms. Jyoti Pahal D/o Sh. Jaipal who possess the 10+2 (Arts) qualifications be appointed as Lab Attendant (in labs other than science labs i.e. Geography, Home Science labs etc.) as a special case.

Resolved further that the correction in the name of the deceased as Sandeep instead of Sumit be approved.

8. Considered the creation of following 10 posts of Post Graduate Teachers (PGT) for BPSMV Campus School for Senior Secondary wing (Science, Commerce and Humanities stream)

1. Biology

2. Chemistry

3. Physics

4. Mathematics

5. English

6. Hindi

7. Geography

8. Political Science

9. Commerce

10. Economics

-56-

<sup>p</sup>  
Mangam 4/1/18

-9-  
Annexure -17



**Khanpur Kalan (Sonapat), Haryana-131305**  
Office No. 01263-283001, 283002, Fax No. 01263-283779,  
[www.bpswomenuniversity.ac.in](http://www.bpswomenuniversity.ac.in)

Ref. No. BPSMV/EN-I/PF/18/ 208

Dated: 19-01-2018

To,

Ms. Jyoti Pahal  
D/o Sh. Jaipal  
# 473 A, Ward No. 17  
Gali no. 03, Gandhi Nagar  
Gannour, Distt Sonapat (Haryana)

**Sub: Appointment to the post of Lab Attendant in Home Science Lab (BPSIHL).**

This has reference to your application dated nil received through Dy. Commissioner, Sonapat vide letter no. 21598/MV dated 19.09.2017 regarding regular job.

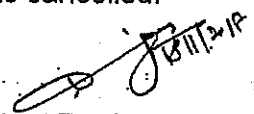
The matter has been considered by the Executive Council vide resolution no. 07 in its meeting held on 19.12.2017 and it was resolved that you will be appointed as Lab Attendant as a special case. Accordingly, you are hereby offered the post of Lab Attendant in the pay scale of Rs. 5200-20200+1900GP revised as per 7-CPC in level-II Rs. 19,900/- on the following terms and conditions:-

- 1 You will be on probation for a period of one year extendable for a maximum period of one more year. If during this period your work and conduct is not found satisfactory, or you wish to leave, your services can be terminated with one month's notice or one month's salary in lieu thereof from either side. After confirmation, whenever affected three months notice will be required for termination of service on either side.
- 2 Your testimonials in support of your qualification shall be got verified and in case the same are found deficient in any manner at any stage, your services will be dispensed forthwith and an FIR for committing fraud and forgery shall be lodged with the police. In the event of any fee being demanded by the concerned institution/university for verifying the documents, the same will be charged from you.
- 3 Other terms and conditions of your appointment in so far as they are not specified in this letter, will be governed by the rules and regulations of this university, as are framed/made applicable from time to time.

-57-

You will be required to submit a medical fitness certificate from the Chief Medical Officer Civil Hospital, Sonapat at the time of joining.

5. Your Character and antecedents will be got verified from the concerned authorities and if anything is found against you, your services are liable to be terminated. (Copy of form is enclosed).
6. You shall not have more than one spouse. An affidavit to this effect shall be submitted by you at the time of joining.
7. Before assuming charge or duties, you will be liable to take an oath of allegiance to the Indian Republic and submit the duly completed antecedent verification form (attached).
8. You will also submit an affidavit from your parents and dependents of late Sh. Sandeep (your brother) that no one will claim service later on and the dependents of the deceased will be taken care of by you.
9. If, you accept this offer of appointment, you should report on duty to the Registrar, BPS Mahila Vishwavidyalaya Khanpur Kalan within 15 days from the issue of this letter failing which, this offer of appointment will be treated as cancelled.

  
Assistant Registrar-ENT  
for Registrar

Endst No. BPSMV/EN-1/18/ 209-215

dated: 19-01-2018

A copy of the above is forwarded to the following for information and necessary action:-

1. The Director, Higher Education, Haryana, Shiksha Sadan, Sector-5, Panchkula in continuation to this office letter no. BPSMV/EN-1/17/2060 dated 03.05.2017 and also his office Endst. No. 18/117-2017 UNP (2) dated 29.04.2017.
2. The Deputy Commissioner, Sonapat with reference to his office letter no. 21598/MV dated 19.09.2017.
3. The Chief Medical Officer, Civil Hospital, Sonapat (with a request that after the medical examination of the above named person, a report to this effect whether she is medically fit for the University service or not, may also be given to her for official record.
4. Finance Officer, BPSMV, Khanpur Kalan.
5. Principal, BPS IHL, BPSMV Khanpur Kalan.
6. P.A. to Vice-Chancellor (for kind information of the Vice-Chancellor), BPSMV, Khanpur Kalan
7. P.A. to Registrar (for kind information of the Registrar), BPSMV, Khanpur Kalan

  
Assistant Registrar (ENT)  
For Registrar

-11-  
Annexure-18

सेवा में

**Bhagat Phool Singh Mahila Vishwavidyalaya  
Khanpur Kalan (Sonepat), Haryana-131305**

Office No. 01263-283001,283002, Fax No. 01263-283779, www.bpswomenuniversity.ac.in

BPSMV/EN/II/19/2792  
Dated: 20/9/2019

To

The Director General Higher Education, Haryana  
Shiksha Sadan, Sector -5  
Panchkula

**Sub:-Regarding relaxation in the qualification for appointment as Lab Attendant in  
r/o Ms. Jyoti Pahal, Lab Attendant, BPSIHL.(case of appointment under Jat  
Agitation)**

Sir,

Ms. Jyoti Pahal was appointed as lab Attendant on regular basis on compassionate ground as per direction of the Govt. conveyed vide letter No./Memo No. 18/117-2017 UNP(2) dated 11.5.2017 that to consider all such case of appointment of the brother/ sister of those who have died in Jat Reservation Agitation in Feb-2016(copy inclosed). The qualification for the post of Lab Attendant is 10+2 with science 50% marks, with the knowledge of Hindi/Sanskrit upto Matric standard. However, Ms. Jyoti Pahal has pass 10+2 with (Arts) as her subject which was already considered by the Executive Council vide Resolution No-1 of its meeting held on 19.12.2017 and resolved that Ms. Jyoti Pahal D/o Sh. jaipal who possess the 10+2 (Arts) qualifications be appointed as lab Attendant (in labs other than science labs i.e. Geography, Home Science labs etc.) as a special case.

Resolved further that the correction in the name of the deceased as Sandeep instead of Sumit be approved (copy enclosed). The case was submitted to audit branch for verifying of the salary.

The D.D Audit has observed that Ms. Jyoti Pahal has not fulfilled the required qualification for the post of lab Attendant. This requires the approval of Government for relaxation in the qualification for her appointment (copy enclosed).

Hence the matter is being sent for approval of relaxation in the qualification for the appointment of Ms. Jyoti Pahal on the post of Lab Attendant.

-59.

Yours sincerely,

Incharge (ENT)  
for REGISTRAR

19/9/19

Ref. No. BPSMV/EN/21/ 232

Dated 02/02/2021

To,

The Director General,  
Higher Education,  
Haryana, Panchkula.

**Sub: Regarding relaxation in the qualification for appointment as Lab Attendant in r/o Ms. Jyoti Pahal, Lab Attendant, BPS IHL. (Case of appointment under Jat agitation).**

Sir,

Kindly refer to your Memo no. 18/117-2017 UNP (2) Dated 29.05.2020 and, on the subject cited above.

In this regard, it is informed that the Deputy Commissioner Sonapat vide office letter no. 6968/MB dated 24.03.2017 sent a list of family members of those person who died during Jat Reservation Agitation in February 2016 along with their applications for considering them for some appropriate regular jobs on sympathetic grounds (Annexure-1).

The Executive Council of the University taking into consideration the above request in its meeting dated 30.03.2017 vide resolution no. 18 resolved as under:

*"The House after detailed deliberation considered the request received from Deputy Commissioner, Sonapat for sympathetic consideration and unanimously recommended that Ms. Jyoti Pahal D/o Sh. Jaipal, Village-Gumar, Teh-Ganaur, Distt. Sonapat (sister of Sh. Sandeep, deceased during Jat Reservation Agitation in Feb. 2016) for the post of Peon as per her qualification be sent to the State Govt/ Finance Department for approval as a special case as it is a case of rehabilitation and the budgeted post of Peon is lying vacant for more than two years". (Annexure-2).*

Accordingly, the University vide letter dated 03.05.2017 requested the Director Higher Education Haryana to convey approval of the State Government for appointment of Ms. Jyoti Pahal on the post of Peon as a special case (Annexure-3). The Director General-Higher-Education Haryana in response to the above letter vide Memo No. 18/117-2017 UNP (2) dated 11.05.2017, intimated to consider all such cases of appointments of brother/ sister of those who have been deceased in Jat Reservation Agitation in Feb. 2016 at the appropriate level under the existing provisions of the University Act (Annexure-4). Accordingly, the University vide office letter no. BPSMV/EN-II/17/2150 dated 09.05.2017 offered appointment on compassionate grounds on the post of Peon to Ms. Jyoti (Annexure-5) but she did

Hereafter, the Deputy Commissioner, vide office letter no. 21598 dated 19.09.2017 requested the university to consider fresh application of Ms. Jyoti Pahal for appointment on Class III post on compassionate grounds taking into consideration her qualifications of Senior Secondary along with Diploma in Early Childhood Care and Education (Annexure -6).

The Executive Council of the University in its 56<sup>th</sup> meeting dated 19.12.2017 taking into consideration the above letter vide resolution no. 07 resolved as under:

**"Resolved that Ms. Jyoti Pahal D/o Sh. Jaipal who possess the 10+2 (Arts) qualifications be appointed as Lab Attendant (in labs other than science labs i.e. Geography, Home Science labs etc.) as a special case" (Annexure -7).**

The above Executive Council meeting was attended by the Hon'ble Governor-Chancellor nominees Professor Sudesh Chikara (Faculty of Commerce and Management Studies, Kurukshetra University, Kurukshetra), Dr. Kamlesh Malik (Former Principal, Tika Ram Girls College, Sonapat), Smt. Kamal rani, Nominee of the Secretary to Government of Haryana, Finance Department, MS. Kiran Lekha Walia (Financial Advisor, HBSE), Nominee of the Secretary to Government of Haryana, Technical Education Department, Mr. Sunil Yadav (Deputy Director) apart from Ex-officio members of the University.

It is also pertinent to mention here that the minutes of the Executive Council were circulated to all members including DGHE, Haryana for seeking observations/objections, if any, as per rule (Annexure-8), however, no observation / objections were received from any of the members of the Executive Council.

In pursuance of the above resolution of the Executive Council, the University office letter no. BPSMV/EN-I/PF/18/208 dated 19.01.2018 offered appointment on compassionate grounds on the post of Lab Attendant to Ms. Jyoti Pahal (Annexure-9).

The above facts are submitted for kind information and further necessary action, please.

*M. Malik*  
21/12/21  
Deputy Registrar (ENT)  
for REGISTRAR *DLK* 21/12/2021

Endst.No. BPSMV/EN-I/21/ 233-34

Dated 02/02/2021

Copy of the above is forwarded to the following for information and necessary action:-

1. P.S. to Vice Chancellor, BPSMV, Khanpur Kalan.
2. P.A. to Registrar, BPSMV Khanpur Kalan.

*M. Malik*  
21/12/21  
Deputy Registrar (ENT)  
for Registrar *DLK* 21/12/2021

11. Change of nomenclature of the post of Road Roller Driver (Engineering Cell) to that of Driver

To revoke the Executive Council Resolution No. 41 dated 15.06.2015 regarding change of nomenclature of the post of Road Roller Driver (Engineering Cell) to that of Driver (Transport Office) (Annexure A/16 page 270).

**NOTE:**

On the demand of the then President, NTEA, the matter regarding to change the nomenclature of the post of Road Roller Driver (Engineering Cell) in the pay band of Rs.5200-20200+2400 Grade Pay to that of Driver (Transport Office) in the pay band of Rs.5200-20200+2400 GP+300 SP was examined and referred to the Executive Council in its meeting held on 15.06.2015 and the Executive Council vide its Reso. No.41 dated 15.06.2015 has resolved that proposal be approved for referring to the State Government."

Accordingly, the case referred to the Director General Higher Education, Haryana, Panchkula to approve the said conversion vide this office letter No. EN-1/14/M-15A/9723 dated 29.06.2015 and subsequent reminders.

In response to this, the Director Higher Education has informed vide their office letter dated 16.02.2017 (Annexure A/17 page 271) that there is no justification to change the nomenclature of the post of Road Roller Driver to that of Driver as the both posts carries difference pay scales.

It is also added that the post of Road Roller Driver which was converted to that of Driver vide Executive Council Reso. No.41 dated 15.06.2015 subject to the approval of the state government is lying vacant.

The whole matter was considered by the Vice-Chancellor and he has ordered to place the same before the Executive Council for consideration.

12. Appointments on compassionate grounds for relatives of the those who died during Jat reservation agitation in 2016

To consider the proceedings (Annexure A/18 pages 272-274) of the five-member Committee constituted by the Vice-Chancellor for recommending appointments on compassionate grounds for relatives of the those who died during Jat reservation agitation in 2016 by considering the names forwarded by Deputy Commissioners, Jhajjar and Rohtak

**NOTE:**

The Vice-Chancellor, upon receipt of 14 names from DC, Jhajjar and DC, Rohtak, constituted a Committee on 2<sup>nd</sup> May, 2017 for recommending appointments on compassionate grounds for relatives of people who died during Jat reservation agitation in 2016. This Committee met on 3<sup>rd</sup> May, 2017 in the office of the Registrar and studied the so forwarded requests vis-a-vis

their eligibility for getting appointments in the University or the positions presently available. The Committee made its recommendations which were submitted before the Vice-Chancellor for consideration of approval and he, after approving the same, ordered to present the recommendations of the Committee before the Executive Council.

The Committee has made recommendations for continuation of pay scales of the posts of Store Keeper (Engineering Cell) and Workshop Assistant. However, that is not required now as this observation was based on the budget of 2016-17 whereas in the latest budget the scale has been allowed for both the posts without any rider. Therefore, the relaxation required now is in case of Mr. Manjeet only from the type test for the post of Catalogue Typist apart from doing away with the process of making appointments considering their compassionate nature.

The State Government has already conveyed its no objection for granting employment to the relations of deceased who expired in the Jat reservation agitation in February, 2016 on compassionate grounds vide its memo no. 18/117-2017 UNP(2) dated 29<sup>th</sup> April, 2017 (Annexure A/19 page 275).

**13 Recommendations of the Fee Structure Committee regarding revision/prescription of fees of existing/new Courses being run under SFS**

To consider the recommendations (Annexure A/20 pages 276-279) of Fee Structure Committee made in its meeting held on 09.05.2017 regarding revision/prescription of fees of existing/new Courses being run under SFS in the University Teaching Departments and University Institute of Law and Management Studies, Gurugram and also Fee for Foreign students for the courses being run in the affiliated colleges w.e.f. session 2017-18.

**NOTE:**

The proposals of various Heads of the University Teaching Departments for revision of the fee of existing Courses and prescription of fee for new Courses were considered by the Fee Structure Committee in its meeting held on 09.05.2017. The fee as recommended by the Fee Structure Committee is annexed above.

The Vice-Chancellor has considered the recommendations of the Fee Structure Committee and he has ordered to place the same before the Executive Council for approval.

**14. Any other item 'with the permission of the Chair'**

REGISTRAR





: 6 :  
Regarding Implementation of 7<sup>th</sup> Pay Commission, the House was apprised that the University has already received letter Memo No. 44/48/2016/4TE dated 01.12.2016 from the office of Director-General, Technical Education Department, Panchkula for its implementation. Letter for concurrence has been sent to Finance Department. House authorized Vice Chancellor to take up the matter and decide accordingly.

**Item No. 29\_4** To consider and approve the amendment in remuneration rules for various type of examinations duties

Deferred.

**Item No. 29\_5** To note & approve the activities of TEQIP-II project for the period (21.12.2016 to 21.03.2017)

Noted.

**Item No. 29\_6** To consider and approve the matter regarding grant of benefit of past service rendered in M.D.U.P.G. Regional Centre, Rewari from 14.09.1988 to 01.07.1996 of Dr. P. K. Bhatia, Professor in the Department of Mathematics for the purpose of pensionary benefits.

Deferred.

**Item No. 29\_7** To consider and approve the matter regarding appointment of dependent of victims of agitation of Jat Reservation

It was resolved that Sh. Sachin S/o Sh. Virender, V.P.O. Bindhroll, Distt. Sonapat will continue to serve on DC rate on the post of Lab Technician Grade 'A'.

It was further resolved that an affidavit has to be obtained from the wife of Sh. Sanjeev Kumar (who was expired during Jat agitation) to the extent that there will be no claim from her family for the job. After getting the affidavit, approval for the appointment of Sh. Sachin S/o Sh Virender who has been found eligible and suitable for the post of Lab Technician Grade 'A' on regular basis is given subject to concurrence from the Government.

**Item No. 29\_8** To consider and decide the request of Dr. Amita Rani, Associate Professor, Department of Computer Science & Engineering regarding grant of grade pay of Rs. 9000/- from date of joining

Deferred.

  
D.R. (Estt.1)

Contd....7...

**Agenda No. 24 EC Dated 08/12/2023**

To consider the Legal Opinion rendered by Advocate General, Haryana w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan in view of the decision of Executive Council taken vide Resolution No. 24 in its meeting held on 08/12/2023.

**Statement of the Case:-**

The agenda item to decide the future course of action regarding three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kalan being huge deficit in funds and payment of outstanding salary to faculty appointed for these courses, thereof in view of refusal by the State Government to convert these posts into budgetary posts was put up before the meeting of Executive Council in its meeting held on 08/12/2023 vide Agenda No. 24 (**Annexure-1**). The Executive Council resolved the issue and it was decided that the salary be released to the concerned staff on work done basis from the Internal Income of the University. Further resolved that the legal advice be sought from AG, Haryana in the matter. It was also resolved that Principal, Polytechnic be directed to pursue the matter with the State Government in consultation with Dean Faculty of Engineering and Technology with regard to the enhancement of fee of SFS courses. The concerned teachers be also directed to try to make sincere efforts to generate more funds in the courses being run to become more financial viable. A copy of proceedings of the meeting is placed at **Annexure-2**.

As per decision of Executive Council, the office of Advocate General, Haryana was requested to render Legal Opinion on the following five issues vide letter No. BPSMV/ET/23/5787 dated 19/12/2023 (**Annexure-3**):

1. Whether the University was bound to seek prior approval of the Department of Higher Education, Govt. of Haryana before advertising these posts in February, 2009 as these posts were created by the erstwhile private educational society at the time of introduction of these courses in the year 2001-02 and Section-36 of

In the meantime, eleven (11) more Teachers were also appointed in the Polytechnic in July-August, 2009 under Self-Finances Scheme for these Courses vide Advertisement February 2009. The appointments were approved by the Executive Council vide resolution No. 3 dated 09/07/2009. Out of these 11 teachers, 02 have resigned, 03 teachers for Diploma in Information Technology were relieved from services due to closure of courses. Out of 11 teachers under SFS, 06 teachers (1 senior lecturer & 5 lecturers) are working presently out of which 04 teachers (1 senior lecturer and 3 lecturers) are appointed for Diploma in Computer Engineering and 1 each for Diploma in FT and MLT.

The Audit Branch in the year 2013 issued an audit requisition no. 23 pointed out that these posts of Self-Finance Scheme are not sanctioned by the State Government and there is excess of expenditure over income. Further, the loss under the Self-Finance Scheme is consistently increasing year by year. The Branch requested to re-examine the Self-Financing Scheme being run in BPS Mahila Polytechnic of the University. The Audit Branch pointed out that the University had already in loss of approximately Rs. 1,05,11,883/- in last three years in contravention of the Self-Finance Scheme (**Annexure-3**).

The matter was put up before the Executive Council of the University in its 33<sup>rd</sup> meeting dated 30/05/2013 took up the matter of the appointment under self-finance scheme including appointments for diploma in Computer Engineering, FT and MLT in the Polytechnic along with financial position of self-financing courses and in view of the expenditure in excess of income generated through self-financing courses and in absence of sanction of these posts by the Government of Haryana. The Executive Council vide resolution no. 17 resolved to request the State Government to sanction these posts under self-finance scheme and a letter was sent to Director General, Technical Education, Govt. of Haryana.

Thereafter, the Executive Council again took up the matter and a letter was sent to Director General, Higher Education, Haryana for release of additional funds for making payment of salary to the teachers appointed under Self Financing Scheme including the Petitioners and DG Higher Education vide letter dated 28/05/2015 intimated that

the Department does not release grant for posts under Self-Financing Scheme. In the meantime, as per proposal of the Principal (Polytechnic) for closure of one of the self-financing courses namely Diploma in Information Technology was put up in the Executive Council in its 41<sup>st</sup> meeting held on 20/02/2015 and the Executive Council resolved to constitute a committee for recommending action in respect of concerned staff appointed for these course.

The matter was again taken up in 42<sup>nd</sup> meeting of Executive Council dated 30/03/2015 and the Council vide resolution no. 7 (iv) resolved that three months' notice period for termination of services of staff for Diploma in Information Technology may be issued due to zero admission in the last three years. In pursuance of this resolution, these staff members were served three months' notice for termination of their services and these staff members were relieved on 02/07/2015 by paying their salary admissible to them.

The Executive Council in its 43<sup>rd</sup> meeting held on 25/07/2015 in view of the refusal of the DG Higher Education to release any grant for the appointments under Self-Financing vide letter dated 08/05/2015 and after considering the diminishing graph year after year of the students under SFS courses, vide resolution 29 (6) "resolved to direct the Principal to assess the admission graph as well as the income and expenditure of the courses being run under SFS and in those courses where the number of students may not meet the requirement of salary of the concerned faculty, the services of surplus teachers be terminated with immediate effect by following due procedure of options from the affected teaches be sought either to agree to get as much salary as could be possible in proportion to the availability of income from fee in their respective courses or their service be terminated. The Principal shall inform accordingly to all concerned teaches henceforth. It was also resolved that keeping in view of the anomalies which have surfaced because of the appointments of these teachers against the posts and sanctioned by the State Govt., the responsibility of the erring officers/officials be got fixed by the Principal BPS Mahila Polytechnic.

The then Principal of the Polytechnic communicated the resolution no. 29 of the 43<sup>rd</sup> meeting of the Executive Council to the employees appointed under Self-Financing

Scheme including the petitioners for their comments vide office order MP/1032 dated 04/11/2015. The petitioners collectively vide letter dated 20/11/2015 pointed out that Director Higher Education vide Memo No. 18/157-2013 UNP (1) dated 07/09/2015 has demanded a fresh proposal for creation of posts for the petitioners under grant-in-aid for consideration and the petitioners requested the University to reconsider their case.

The Executive Council in its 45<sup>th</sup> meeting dated 30/12/2015 taking into consideration that the matter is related to services of many people engaged through Self-Financing Scheme in the year 2009 vide resolution no. 9 resolved that the Principal Polytechnic shall prepare and put up the case with full justification along with balance sheet of last five years etc in the next meeting. The Executive Council in its next meeting dated 11/02/2016 vide resolution no. 13 inter-alia resolved to ask the Principal to prepare the balance sheet again and place the item in the next meeting.

The matter was again taken up by the Executive Council in its 49<sup>th</sup> meeting vide resolution no. 16 inter-alia resolved that the matter relating to the creation of posts under grant-in-aid be taken up separately with the State Government. In pursuance of the above resolution of the Executive Council, a proposal for creation of the posts under grant-in-aid for the petitioners was sent to the Government of Haryana by the University.

These six teachers appointed under SFS filed petition vide CWP No. 37737 of 2018 titled Savita Sharma & Ors. Vs. State of Haryana & Ors and connected petitions before Hon'ble High Court at Chandigarh, for payment of their due salary. The Hon'ble Court in its interim order directed the University to pay 50% of the salary to the petitioners as well as to continue to pay admitted salary to the petitioners and also directed the Higher Education, Haryana to take final decision on the proposal sent by the University for sanction of the posts of petitioners under grant-in-aid.

In compliance of the interim order of Hon'ble High Court, the University paid 50% of the arrears of the salary to the petitioners from March, 2018 to December, 2019 as per 6<sup>th</sup> Pay Commission. Further, in compliance of the interim orders of Hon'ble High Court, the Director, Higher Education, Haryana conveyed its decision vide office order

dated 09/01/2020 rejecting the claim of the petitioners to create posts under grant-in-aid.

The matter was again put up before the 64<sup>th</sup> Executive Council in its emergent meeting dated 05.03.2020. The Executive Council resolution No. 1 is reproduced below:

"two Diplomas namely Diploma in Medical Lab Technology and Facion Technology be continued as they are financially viable with ample students strength, whereas Diploma in Computer Science and Engineering be discontinued/terminated from May 2020 as it is not financially viable to run the said Diplomas due to less students strength. Further, as the services of the staff appointed under SFS are co-terminus with the termination/closure of the Course, they may be served a three-month notice before termination of their services as per rules/their appointment letters. Further, the Council resolved to approve the recommendations of the Committee for the payment of arrears of salary as per the 6<sup>th</sup> Pay Commission to be petitioners in terms of their appointment letters till they continue, in compliance of the orders of the Hon'ble High Court in the instant petition in CWP No. 37737 of 2018 titled Savita Sharma and others vs. State of Haryana & others and connected petitions. It was also resolved that the Govt. of Haryana may be approached through F.C. for the required budget for the payment of said salary and arrears as well as arrears for the 7<sup>th</sup> Pay Commission wherever applicable" (Annexure-4).

The petitioners filed fresh petition vide CWP No. 11579 of 2020 titled Savita Sharma and Ors Vs. State of Haryana & Others and other connected petition challenging decision of the Executive Council to terminate their services as per rules/appointment letter and Hon'ble High Court vide Interim order directed to continue the Petitioner till next date of hearing. The matter was listed for arguments on 07.12.2020.

The University released the petitioner's salary up to February, 2021 in compliance to orders of the Hon'ble Court by transferring an amount of Rs. 7713879/- out of the University hostel account as only an amount of Rs. 5353557/- was available under SFS account of the Mahila Polytechnic. The respondent university vide letter no. BPSMV/MP/21/1904 dated 15.09.2021 requested DGHE to release funds amounting to Rs. 1,20,08579/- (Rs. 7713879/- already paid out of hostel fund + Rs. 4294700/- committed expense up to next date of hearing i.e. (22.12. 2021), so that pending salary to the petitioners in compliance to interim orders of Hon'ble Court for payment may be released.

Thereafter, the respondent university paid the salary of March & April 2021 to petitioners amounting of Rs. 858940/- out of its own funds as there were no funds available in the SFS account of the SFS Courses.

Thereafter, the Executive Council in its 69<sup>th</sup> meeting held on 15/11/2021 in view of the direction of Hon'ble the then Education Minister, Govt. of Haryana and other aspects in addition to taking a positive view towards the academic growth of rural girls students, reconsidered its earlier decision and resolved to re-introduction of diploma in Computer Engineering (under SFS) in BPS Mahila Polytechnic w.e.f. Academic Session 2021-22 and sent another proposal to the State Government for converting these 6 self-finance posts into budgeted posts vide letter dated 29/10/2021.

A meeting of the Committee constituted by Hon'ble Vice Chancellor was held on 07.11.2022 and 14.11.2022 to give recommendations regarding further course of action on the viability of the self-financing diplomas run under BPS Mahila Polytechnic. The Principal, Polytechnic produced the Income-Expenditure statement from July 2013 to August, 2022 for the above diploma courses with the deficit amount of Rs. 2,01,03,771.- in CSE and Rs. 62,05,299/- in FT; whereas in MLT diploma course showing the surplus amount of Rs. 93,13,260/-. The total deficit amount was Rs. 1,30,70,810/-, on account of which University could not pay the salary of the staff of these diplomas from last 18 months.

The State Govt. was again requested vide letters dated 05/02/2021, 24/09/2022 and 18.11.2022 that six posts (One Sr. Lecturer and Five lecturers) on which the

Appointees were appointed under SFS may be converted into budget posts for the appointees by reconsidering their office order dated 09.01.2020 in view of the CWP-11579 of 2020, instructions of Hon'ble Education Minister and Section-36 of University Act and the memo dated 21.09.2006 and the Executive Council decision vide resolution no. 3 in its meeting dated 23.06.2008 to fulfill the mandate of clause (3) of Article-15 of the Constitution of India and to fulfill the Vision of our Hon'ble Prime Minister and Hon'ble Chief Minister of Haryana moto, "Beti Bachhao Beti Padhao" in the interest of rural Girls students.

The Department of Higher Education has repeatedly declined to sanction posts under rationalization or convert these posts from Self-Financing Scheme to budgetary posts on the ground that the University has not taken prior permission of the State Government for these posts before filling the same and the State does not provide grant for Self-Finance Course to any of the State Universities vide Order No. 5/19-2015 UNP (1), dated 17/09/2015, Memo No. 18/202-2017 UNP (3), dated 09/05/2018, Speaking, No. 5/67-2019 UNP (1), dated 27/11/2019, No. 18/257-2013 UNP(1), dated 09/01/2020, No. 388133: DHE-190002/22/2021-UNP (4) dated 01/12/2021 and Memo No. 5/42-2020 UNP (I) dated 25/01/2023 (**Annexure-5.**) and instructed the University to pay due salary of these teachers from its internal income. As per instructions of the State Government an inquiry officer has been appointed by the University vide letter No. BPSMV/ET-IV/23/4540 dated 13/10/2023 to fix the responsibility of erring officer/official for making these appointments without prior approval of the State Government.

The courses under Self Financing Scheme have not been able to generate adequate funds to meet salary of teachers appointed for these courses. These teachers were paid salary till December, 2022 by giving loan from the Hostel funds and internal income of the University. There is outstanding salary amount of Rs. 42,94,700/- from January, 2023 to till date (**Annexure-6**). The total financial deficit on account of earlier paid amount and payment from internal sources of the University and outstanding salary come to approximate Rs. 1,83,98,894/-.



The Income and Expenditure of SFS courses from July 2009 to October, 2023 is placed at **(Annexure-7)**. The course-wise-students strength for the Self Financing Courses from 2009-2023 is placed as **(Annexure-8)**.

The matter was placed before the Hon'ble Vice Chancellor who after due consideration has ordered to place the same before the Executive Council to consider on the following issues:

- (i) future course of action for these courses being run under Self-Finance Scheme and the staff appointed under the scheme;
- (ii) to identify the ways and means by which arrears of the salary to the Petitioner may be paid till they continue;

Hence, the item

Resolution No. 24  
EC dated : 08/12/23

24.

To consider & decide the future course of action w.r.t. three diplomas namely Computer Engineering, Medical Lab Technology and Fashion Technology being run under Self Finance Scheme of BPSM Polytechnic, Khanpur Kanan being huge deficit in funds and payment of outstanding salary to faculty appointed for these courses, thereof in view of refusal by the State Government to convert these posts into budgetary posts.

Resolved that the salary be released to the concerned staff on work done basis from the Internal Income of the University. Further resolved that the legal advice be sought from AG, Haryana in the matter. It was also resolved that Principal, Polytechnic be directed to pursue the matter with the State Government in consultation with Dean Faculty of Engineering and Technology with regard to the enhancement of fee of SFS courses. The concerned teachers be also directed to try to make sincere efforts to generate more funds in the courses being run to become more financial viable.

(Action by ET Branch & Principal, Polytechnic)

18

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Bhagat Phool Singh Mahila Vishwavidyalaya,  
Khanpur Kalan (Sonapat), Haryana-131305  
(A State University Established by an Act 31 to 2006)

Ref. No. BPSMV/ET/23/5787

Dated: 19/12/2023

To

Ld. Advocate General  
High Court of Punjab and Haryana  
Sector-1, Chandigarh - 160001

Shri R.D. Sharma  
DAG

Sub: Request to render Ld. Legal Opinion w.r.t. Diploma in Computer Engineering and its Staff in BPS Mahila Polytechnic at Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, Sonipat.

Sir,

It is submitted that the Executive Council of Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, Sonipat (herein referred as the University) in its meeting 08.12.2023 resolved to seek your Ld. legal opinion w.r.t. Diploma in Computer Engineering and its Staff in BPS Mahila Polytechnic (a maintained institutions of the University) vide Resolution No. 24.

A Brief Note of the matter under consideration along with issues on which your Ld. legal opinion is solicited is enclosed herewith. It is needless to mention that fee will be paid as prescribed by the Government of Haryana.

You are requested to render your Ld. legal opinion at the earliest.

J. A. / P. S. Sharma

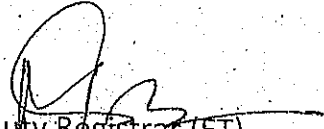
  
Deputy Registrar (ET)

For Registrar

Endst.No. BPSMV/ET/23/5788

Dated: 19/12/2023

A copy of the above is forwarded to the Director, Higher Education Department, Haryana for information.

  
Deputy Registrar (ET)

For Registrar

Entry No.

27174

Date

21/12/23

Page

Advocate General, Haryana

2

In the meantime, the University advertised the posts of Senior Lecturer and Lecturers for diploma in Computer Engineering, Fashion Technology, Architecture Assistantship, Information Technology and Medical Laboratory Technology under self-finance vide advertisement February, 2009 (Annexure-VI) and the Executive Council of the University approved recommendation of the Selection Committee for appointment of 11 Teachers in its meeting dated 09.07.2009 (Annexure-VII). Thereafter, the University offered appointment to these teachers in July-August, 2009 vide appointment letters dated 14.07.2009 (Annexure-VIII). Out of these 11 teachers, 02 have resigned, 03 teachers for Diploma in Information Technology were relieved from services due to closure of courses due to zero admissions during previous three years. Out of 11 teaches under SFS, 06 teachers (1 senior lecturer & 5 lecturers) are working presently out of which 04 teachers (1 senior lecturer and 3 lecturers) are appointed for Diploma in Computer Engineering and 1 each for Diploma in FT and MLT.

The Audit Branch in the year 2013 issued an audit requisition no. 23 pointed out that these posts of Self-Finance Scheme are not sanctioned by the State Government and there is excess of expenditure over income. Further, the loss under the Self-Finance Scheme is consistently increasing year by year. The Branch requested to re-examine the Self-Financing Scheme being run in BPS Mahila Polytechnic of the University. The Audit Branch pointed out that the University had already in loss of approximately Rs. 1,05,11,883/- in last three years in contravention of the Self-Finance Scheme. The State Government has framed University Account Code w.e.f. 01.04.2010 and Chapter-24 of the said Account Code prescribes Self Financing Scheme.

The matter was put up before the Executive Council of the University in its 33<sup>rd</sup> meeting dated 30/05/2013 took up the matter of the appointment under self-finance scheme including appointments for diploma in Computer Engineering, FT and MLT in the Polytechnic along with financial position of self-financing courses and in view of the expenditure in excess of income generated through self-financing courses and in absence of sanction of these posts by the Government of Haryana. The Executive Council vide resolution no. 17 resolved to request the State Government to sanction these posts under self-finance scheme and a letter was sent to Director General, Technical Education, Govt. of Haryana.

Thereafter, the Executive Council again took up the matter and a letter was sent to Director General, Higher Education, Haryana for release of additional funds for making payment of salary to the teachers appointed under Self Financing Scheme including the Petitioners and DG Higher Education vide letter dated 28/05/2015 intimated that the Department does not release grant for posts under Self-Financing Scheme. In the meantime, as per proposal of the Principal (Polytechnic) for closure of one of the self-financing courses namely Diploma in Information Technology was put up in the Executive Council in its 41<sup>st</sup> meeting held on 20/02/2015 and the Executive

## Brief Note on Staff appointed under Self Finance Scheme

The erstwhile private educational society i.e. Kanya Gurukul Khanpur Kalan introduced five diploma courses in Computer Engg., Medical Lab Technology, Fashion Technology, Information Technology and Architecture under SFS (Self Finance Scheme) at BPS Mahila Polytechnic Khanpur Kalan in the year 2001-02 before the establishment of the BPSM University and appointed staff including teachers for the courses. Some of these staff members left the Polytechnic before establishment of the University. The Legislative Assembly of Haryana passed Act No. 31 of 2006 establishing Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan. Clause-I of Section 36 of the University Act is reproduced as under:

**"All the properties, movable or immovable and all the interest of whatsoever nature and kind therein, vested in the institutions of Mahasabha Gurukul Vidyapeeth Haryana, Bhainswal Kalan and Kanya Gurukul, Khanpur Kalan and the courses run thereunder and the posts created, filled before the commencement of this Act, shall vest in the University." (Annexure-I)**

The Finance Commissioner & Principal Secretary to Govt., Haryana, Education Department vide Memo No. 20/1-2006 UNP (1) dated 21.09.2006 informed the Vice Chancellor of the University that the existing educational institutions which were earlier under the control of Mahasabha Gurukul Vidyapeeth, Haryana, Bhainswal Kalan & Kayna Gurukul, Khanpur Kalan, Sonipat will be the part of the University Administration and will be called University/College/School. The Staff (Teaching and Non-Teaching) working in the Educational Institutes on aided posts may be absorbed in the University and remaining staff will continue and final decision would be taken by the University (Annexure-II).

The Executive Council of the University in its 12<sup>th</sup> meeting held on 23.06.2008 vide Resolution No. 3 resolved to absorb the staff working on the grant in aid posts straightway and approved a rationalization policy for the rest of the staff working under SFS for such staff which was on roll of the Institutions of the erstwhile private educational society at the time of its establishment (Annexure-III). The University requested the Department of Higher Education, Govt. of Haryana to sanction 190 budgetary posts for rationalization of the services of 190 employees (teaching/non-teaching) working under SFS (Annexure-IV). The Government sanctioned 190 budgetary posts for rationalization of SFS staff vide Memo dated 27.02.2009 (Annexure-V). Thereafter, the University brought the SFS staff on regular strength of their institution against the budgetary posts sanctioned by the Govt. of Haryana w.e.f 27.02.2009.

4

under grant-in-aid be taken up separately with the State Government. In pursuance of the above resolution of the Executive Council, a proposal for creation of the posts under grant-in-aid for the petitioners was sent to the Government of Haryana by the University.

These six teachers appointed under SFS filed petition vide CWP No. 37737 of 2018 titled Savita Sharma & Ors. Vs. State of Haryana & Ors and connected petitions before Hon'ble High Court at Chandigarh, for payment of their due salary. The Hon'ble Court in its interim order directed the University to pay 50% of the salary to the petitioners as well as to continue to pay admitted salary to the petitioners and also directed the Higher Education, Haryana to take final decision on the proposal sent by the University for sanction of the posts of petitioners under grant-in-aid.

In compliance of the interim order of Hon'ble High Court, the University paid 50% of the arrears of the salary to the petitioners from March, 2018 to December, 2019 as per 6<sup>th</sup> Pay Commission. Further, in compliance of the interim orders of Hon'ble High Court, the Director, Higher Education, Haryana conveyed its decision vide office order dated 09/01/2020 rejecting the claim of the petitioners to create posts under grant-in-aid.

The matter was again put up before the 64<sup>th</sup> Executive Council in its emergent meeting dated 05.03.2020. The Executive Council resolution No. 1 is reproduced below:

"two Diplomas namely Diploma in Medical Lab Technology and Faction Technology be continued as they are financially viable with ample students strength, whereas Diploma in Computer Science and Engineering be discontinued/terminated from May 2020 as it is not financially viable to run the said Diplomas due to less students strength. Further, as the services of the staff appointed under SFS are co-terminus with the termination/closure of the Course, they may be served a three-month notice before termination of their services as per rules/their appointment letters. Further, the Council resolved to approve the recommendations of the Committee for the payment of arrears of salary as per the 6<sup>th</sup> Pay Commission to be petitioners in terms of their appointment letters till they continue, in compliance of the orders of the Hon'ble High Court in the instant petition in CWP No. 37737 of 2018 titled Savita Sharma and others vs. State of Haryana & others and connected petitions. It was also resolved that the Govt. of Haryana may be approached through F.C. for the required budget for the payment of said salary and arrears as well as arrears for the 7<sup>th</sup> Pay Commission wherever applicable".

The petitioners filed fresh petition vide CWP No. 11579 of 2020 titled Savita Sharma and Ors Vs. State of Haryana & Others and other connected petition

3

Council resolved to constitute a committee for recommending action in respect of concerned staff appointed for these course.

The matter was again taken up in 42<sup>nd</sup> meeting of Executive Council dated 30/03/2015 and the Council vide resolution no. 7 (iv) resolved that three months' notice period for termination of services of staff for Diploma in Information Technology may be issued due to zero admission in the last three years. In pursuance of this resolution, these staff members were served three months' notice for termination of their services and these staff members were relieved on 02/07/2015 by paying their salary admissible to them.

The Executive Council in its 43<sup>rd</sup> meeting held on 25/07/2015 in view of the refusal of the DG Higher Education to release any grant for the appointments under Self-Financing vide letter dated 08/05/2015 and after considering the diminishing graph year after year of the students under SFS courses, vide resolution 29 (6) "resolved to direct the Principal to assess the admission graph as well as the income and expenditure of the courses being run under SFS and in those courses where the number of students may not meet the requirement of salary of the concerned faculty, the services of surplus teachers be terminated with immediate effect by following due procedure of options from the affected teaches be sought either to agree to get as much salary as could be possible in proportion to the availability of income from fee in their respective courses or their service be terminated. The Principal shall inform accordingly to all concerned teaches henceforth. It was also resolved that keeping in view of the anomalies which have surfaced because of the appointments of these teachers against the posts and sanctioned by the State Govt., the responsibility of the erring officers/officials be got fixed by the Principal BPS Mahila Polytechnic.

The then Principal of the Polytechnic communicated the resolution no. 29 of the 43<sup>rd</sup> meeting of the Executive Council to the employees appointed under Self-Financing Scheme including the petitioners for their comments vide office order MP/1032 dated 04/11/2015. The petitioners collectively vide letter dated 20/11/2015 pointed out that Director Higher Education vide Memo No. 18/157-2013 UNP (1) dated 07/09/2015 has demanded a fresh proposal for creation of posts for the petitioners under grant-in-aid for consideration and the petitioners requested the University to reconsider their case.

The Executive Council in its 45<sup>th</sup> meeting dated 30/12/2015 taking into consideration that the matter is related to services of many people engaged through Self-Financing Scheme in the year 2009 vide resolution no. 9 resolved that the Principal Polytechnic shall prepare and put up the case with full justification along with balance sheet of last five years etc in the next meeting. The Executive Council in its next meeting dated 11/02/2016 vide resolution no. 13 inter-alia resolved to ask the Principal to prepare the balance sheet again and place the item in the next meeting.

The matter was again taken up by the Executive Council in its 49<sup>th</sup> meeting vide resolution no. 16 inter-alia resolved that the matter relating to the creation of posts

Minister and Hon'ble Chief Minister of Haryana moto, "Beti Bachhao Beti Padhao" in the interest of rural Girls students.

The Department of Higher Education has repeatedly declined to sanction posts under rationalization or convert these posts from Self-Financing Scheme to budgetary posts on the ground that the University has not taken prior permission of the State Government for these posts before filling the same and the State does not provide grant for Self-Finance Course to any of the State Universities vide Order No. 5/19-2015 UNP (1), dated 17/09/2015, Memo No. 18/202-2017 UNP (3), dated 09/05/2018, Speaking, No. 5/67-2019 UNP (1), dated 27/11/2019, No. 18/257-2013UNP(1), dated 09/01/2020, No. 388133: DHE-190002/22/2021-UNP (4) dated 01/12/2021 and Memo No. 5/42-2020 UNP (I) dated 25/01/2023 (Annexure-IX.) and instructed the University to pay due salary of these teachers from its internal income. As per instructions of the State Government an inquiry officer has been appointed by the University vide letter No. BPSMV/ET-IV/23/4540 dated 13/10/2023 to fix the responsibility of erring officer/official for making these appointments without prior approval of the State Government.

The courses under Self Financing Scheme have not been able to generate adequate funds to meet salary of teachers appointed for these courses. These teachers were paid salary till December, 2022 by giving loan from the Hostel funds and internal income of the University. There is outstanding salary amount of Rs. 42,94,700/- from January, 2023 to till date. The total financial deficit on account of earlier paid amount and payment from internal sources of the University and outstanding salary come to approximate Rs. 1,83,98,894/-.

The matter was placed before the Executive Council of the University in its meeting dated 08.12.2023 vide Agenda No. 24 (Annexure X) and the Executive Council resolved to seek opinion from the Advocate General, Haryana in the matter vide Resolution No. 24 (Annexure XI).

In compliance to orders of the Executive Council, Ld. Advocate General, Haryana is requested to kindly render his legal opinion on following issues:

1. Whether the University was bound to seek prior approval of the Department of Higher Education, Govt. of Haryana before advertising these posts in February, 2009 as these posts were created by the erstwhile private educational society at the time of introduction of these courses in the year 2001-02 and Section-36 of the University Act vested the courses and posts created, filled by Kanya Gurukul Khanpur Kalan (erstwhile private educational society) before the establishment of this University in the University.
2. Whether the Department of Higher Education, Govt. of Haryana is under legal obligation to sanction these posts of SFS to budgetary posts under the rationalization policy in view of Section-36 of the University Act, the Finance Commissioner & Principal Secretary memo no. 20/1-2006 UNP (1) dated



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challenging decision of the Executive Council to terminate their services as per rules/appointment letter and Hon'ble High Court vide Interim order directed to continue the Petitioner till next date of hearing. The matter was listed for arguments on 07.12.2020.

The University released the petitioner's salary up to February, 2021 in compliance to orders of the Hon'ble Court by transferring an amount of Rs. 7713879/- out of the University hostel account as only an amount of Rs. 5353557/- was available under SFS account of the Mahila Polytechnic. The respondent university vide letter no. BPSMV/MP/21/1904 dated 15.09.2021 requested DGHE to release funds amounting to Rs. 1,20,08579/- (Rs. 7713879/- already paid out of hostel fund + Rs. 4294700/- committed expense up to next date of hearing i.e. (22.12. 2021), so that pending salary to the petitioners in compliance to interim orders of Hon'ble Court for payment may be released.

Thereafter, the respondent university paid the salary of March & April 2021 to petitioners amounting of Rs. 858940/- out of its own funds as there were no funds available in the SFS account of the SFS Courses.

Thereafter, the Executive Council in its 69<sup>th</sup> meeting held on 15/11/2021 in view of the direction of Hon'ble the then Education Minister, Govt. of Haryana and other aspects in addition to taking a positive view towards the academic growth of rural girls students, reconsidered its earlier decision and resolved to re-introduction of diploma in Computer Engineering (under SFS) in BPS Mahila Polytechnic w.e.f. Academic Session 2021-22 and sent another proposal to the State Government for converting these 6 self-finance posts into budgeted posts vide letter dated 29/10/2021.

A meeting of the Committee constituted by Hon'ble Vice Chancellor was held on 07.11.2022 and 14.11.2022 to give recommendations regarding further course of action on the viability of the self-financing diplomas run under BPS Mahila Polytechnic. The Principal, Polytechnic produced the Income-Expenditure statement from July 2013 to August, 2022 for the above diploma courses with the deficit amount of Rs. 2,01,03,771/- in CSE and Rs. 62,05,299/- in FT; whereas in MLT diploma course showing the surplus amount of Rs. 93,13,260/-. The total deficit amount was Rs. 1,30,70,810/-, on account of which University could not pay the salary of the staff of these diplomas from last 18 months.

The State Govt. was again requested vide letters dated 05/02/2021, 24/09/2022 and 18.11.2022 that six posts (One Sr. Lecturer and Five lecturers) on which the petitioners were appointed under SFS may be converted into budget posts for the appointees by reconsidering their office order dated 09.01.2020 in view of the CWP-11579 of 2020, instructions of Hon'ble Education Minister and Section-36 of University Act and the memo dated 21.09.2006 and the Executive Council decision vide resolution no. 3 in its meeting dated 23.06.2008 to fulfill the mandate of clause (3) of Article-15 of the Constitution of India and to fulfill the Vision of our Hon'ble Prime

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21.09.2006, Rationalization Policy for SFS Staff approved by the University Executive Council Resolution No. 3 in its meeting dated 23.06.2008 and sanction of 190 budgetary posts for rationalization of SFS staff vide memo no. 18/203-2007 UNP (2) dated 27.02.2009.

3. Whether these Teachers are regulated by the Self Financing Scheme incorporated in the University Account Code in Chapter-24.
4. Whether the University can change terms and conditions of appointment of these teachers especially offering them consolidated fixed salary instead of pay scale prescribed in their appointment letters in view of the fact that these courses have failed to generate adequate funds to meet salary expenses of these teachers in the prescribed pay scale.
5. Whether the University should take a policy decision for discontinuation of one of the courses namely Diploma in Computer Engineering in view of the fact that four teachers out of these six teachers are appointed for this course and this course has failed to generate adequate funds to meet the salary of teachers.

21.09.2006, Rationalization Policy for SFS Staff approved by the University Executive Council Resolution No. 3 in its meeting dated 23.06.2008 and sanction of 190 budgetary posts for rationalization of SFS staff vide memo no. 18/203-2007 UNP (2) dated 27.02.2009.

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5. Whether the University should take a policy decision for discontinuation of one of the courses namely Diploma in Computer Engineering in view of the fact that four teachers out of these six teachers are appointed for this course and this course has failed to generate adequate funds to meet the salary of teachers.

LEGAL OPINION

**Subject:** Request to render Ld. Legal Opinion w.r.t. Diploma in Computer Engineering and its Staff in BPS Mahila Polytechnic at Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, Sonipat.

....

I have gone through the communication sent by the University vide reference No. BPSMV/ET/23/5787 dated 19.12.2023 and the other material annexed by the University from Annexure-I to Annexure-XII and the University has sought opinion on the following points:-

1. Whether the University was bound to seek prior approval of the Department of Higher Education, Govt. of Haryana before advertising these posts in February, 2009 as these posts were created by the erstwhile private educational society at the time of introduction of these courses in the year 2001-02 and Section-36 of the University Act vested the courses and posts created, filled by Kanya Gurukul Khanpur Kalan (erstwhile private educational society) before the establishment of this University in the University?
2. Whether the Department of Higher Education, Govt. of Haryana is under legal obligation to sanction these posts of SFS to budgetary posts under the rationalization policy in view of Section-36 of the University Act, the Finance Commissioner & Principal Secretary memo no. 20/1-2006 UNP (1) dated 21.09.2006, Rationalization Policy for SFS Staff approved by the University Executive Council Resolution No. 3 in its meeting dated 23.06.2008 and sanction of 190 budgetary posts for rationalization of SFS staff vide memo no. 18/203-2007 UNP (2) dated 27.02.2009?
3. Whether these Teachers are regulated by the Self Financing Scheme incorporated in the University Account Code in Chapter-24?



4. Whether the University can change terms and conditions of appointment of these teachers especially offering them consolidated fixed salary instead of pay scale prescribed in their appointment letters in view of the fact that these courses have failed to generate adequate funds to meet salary expenses of these teachers in the prescribed pay scale?
5. Whether the University should take a policy decision for discontinuation of one of the courses namely Diploma in Computer Engineering in view of the fact that four teachers out of these six teachers are appointed for this course and this course has failed to generate adequate funds to meet the salary of teachers?

**BRIEF FACTS:**

The University has sent the subjected proposal (not signed by any of the official containing the noting page 1 to 7), in which it has been pointed out that certain courses under the Self Financing Scheme in different streams are required to be closed down; certain number of posts are required to be sanctioned permanently by making budget provision and to grant fixed salary in lieu of pay scale already mentioned in the appointment letters by amending the terms and conditions of the existing staff under self financing courses. The above stated unsigned noting has been corroborated by the Annexure A-I to Annexure A-XII showing the provisions of the University, correspondence between the Financial Commissioner & Principal Secretary to Government of Haryana, Higher Education Department, Haryana and the Vice Chancellor, Bhagat Phool Singh Mahila Vishwavidyalya , Khanpur Kalan (Sonapat) pertaining to the different years starting from the year 2006 to onward and the opinion of this office has been solicited on the points mentioned in the opening of this opinion.

DRET-137  
11/01/24

CA-431  
11/1/24

Reg/08/01/24  
3

OPINION

After going through the unsigned noting and the documents Annexure A-I to Annexure A-XII undersigned is of the opinion that it is not possible to tender the opinion on the different points mentioned at serial No. 1 to 3 as reproduced in the preceding paras, as these are the purely administrative policy decision, exclusively required to be taken as per the regulation of the University with the consultation of the Department of Higher Education as well as of the Finance Department of the Government of Haryana. Hence, this office refrain to tender the opinion.

Apart from above, answer to question No. 4 and 5 again pertains to a policy decision which has to be taken by the University with the consultation of the Department of Higher Education as well as Finance Department as per the provisions/regulations of the University Act under which the Bhagat Phool Singh Mahila Vishwavidyalya, Khanpur Kalan (Sonapat) etc. established.

Accordingly, the file be returned to the University as observed above.

22/12/23

(R.D. Sharma)  
Dy. Advocate General, Haryana  
22.12.2023

85485  
28/12/23

Ld. Advocate General, Haryana

T by Tapesh

24.12.2023

Yashik  
Registrar  
Bhagat Phool Singh Mahila -  
Mahavidyalya, Khanpur Kalan  
(Sonapat) Hry-131305.  
-85-

J.R. (Gay)  
ASST-4  
11/1/24

From

Director Higher Education,  
Haryana, Panchkula.

To

The Vice Chancellor,  
Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan,  
District Sonapat

Memo No. 5/42-2020 UNP(1),  
Dated, Panchkula, the 19.12.2023

Subject:

CWP No. 11579 of 2020 (O&M), CWP No. 37737 of 2018, CWP No.20595 of 2019 and  
CWP No. 18850 of 2020 titled as Savita Sharma and Others Vs State of Haryana  
& Others.

\*\*\*\*\*

Kindly refer to your letter No. BPSMV/ET/23/5636 dated 13.12.2023 on the subject cited  
above.

I have been directed to forward a copy of advice received from the Finance Department in  
the subject cited matter bearing U.O. No. 60/44/2022-3 FDII/28713 dated 09.01.2023 for information and  
necessary action.

It is further, requested that the Government has decided that the concerned University may  
also take an administrative decision with regard to the services of the petitioners in case of its inability to  
meet the expenses from the Self Finance Scheme (SFS) and strict disciplinary action may be initiated  
against the erring officers/ officials of the University under intimation to this office.

Next date of hearing on 20.12.2023.

DA: as above.

*Uma Devi*  
Deputy Director UNP,  
for Director Higher Education,  
Haryana, Panchkula.

Government of Haryana  
Finance Department



हरियाणा सरकार  
वित्त विभाग

**Subject:- CWP No. 11579 of 2020 (O&M), CWP No. 37737 of 2018, CWP No. 20595 of 2019 and CWP No. 18850 of 2020 titled as Savita Sharma and others Vs. State of Haryana & Others.**

\*\*\*\*\*

Finance Department observes that:-

1. The proposal of AD (Higher Education Department) for paying the salary of teaching faculties working under Self Finance Scheme from the Grant-in-aid in the manner prescribed under proposal is not tenable, as it may lead huge financial implication on the State Exchequer and invite unwanted repercussions. Further the similar situated employees working under SFS in different Universities may also raise the similar demand.
2. The speaking order dated 05.02.2021 passed by the Higher Education Department is self explanatory.
3. The BPSM Vishwavidyalaya, Khanpur Kalan (Sonapat) has created that post of Lecturers under Self Finance Scheme at their own level. Which is beyond the provisions of Rule, as circulated by the Finance Department vide letter No. 6/83/2020-3PR(FD)/9724 dated 22.04.2021, which is self explanatory. Hence, strict disciplinary action may be initiated against the erring officers/officials of the University.
4. The University had made recruitment of teaching faculties (now petitioners) at their own level without taking prior approval from the State Government and paid the salaries to the petitioners for six years from its own funds.

Therefore, Administrative Department is advised to take necessary action

accordingly.

(Complex)  
Superintendent FD-II

for Additional Chief Secretary to Government Haryana  
Finance Department

09/01/2023

To

Principal Secretary to Government Haryana.  
Higher Education Department.

13.1.23

(Busy)  
PS

U.O. No. 60/44/2022-3FDII-28713

Dated 09.01.2023



ENT/P/2380  
1/8/23 To

Annexure - 27

1440  
9/8/23

D.R. (ET)  
10.8.2023  
Dy. Secy - B

The Registrar,  
Bhagat Phool Singh Mahila Vishwavidyalaya  
Khanpur Kalan, Sonipat,  
Haryana.

Sub: Reply to the Memorandum/chargesheet issued vide Ref. No.BPSMV/EN-1/23/205 dated 31.03.2023

Madam,

With utmost respect it is very humbly submitted that I joined this esteemed University as an Assistant on 28.06.2007 and with the hard dint of work I rose to the position of Assistant Registrar. I performed my duties assigned from time to time faithfully, sincerely and with utmost devotion and I am never been found wanting in any manner whatsoever so far as my work and conduct is concerned. But as the luck would have it, I have been served with the above mentioned Memorandum/charge-sheet on the ground of alleged acts of omission and commission. The statement of charges read as under:-

"That, Sh. Rajesh Kumar, Assistant Registrar, is hereby charged with the following charges:

1. That you were working as Assistant in the Establishment Branch of the University in year 2007-08. The Executive Council of the University in its 12th meeting dated 23.06.2008 framed a rationalization policy for employees of the erstwhile Private Educational Society who were working under Self-Financing Scheme in various institutions before the establishment of the University and their post in SFS vested in the University under section 36 of the University Act w.e.f. 18.08.2006. The University constituted committee to find out eligibility of such employees and recommend their name for

rationalization for sending a proposal to the Department of Higher Education, Government of Haryana for creation of budgeted posts for these employees under the rationalization policy. The committee checked eligibility on the basis of list provided by the Head of departments/colleges for 176 employees who were working on SFS for rationalization. You put up a proposal for rationalization of 190 posts under the rationalization policy by including post of six lecturers in the Institute of law and eight lecturers in the Institute of Ayurveda to the higher authority concealing the fact that these fourteen lecture have been appointed after establishment of the University and the Lecturers in law have been appointed against advertisement dated 04.05.2007. You concealed the fact that the University had appointed these six lecturers in the Institute of Law along with four lecturers in English, three lecturers in foreign languages, two lecturers in education and the lectures in English, Education and Foreign Languages against advertisement dated 04.05.2007 and the lecturers in English, education and foreign languages have been appointed against the initially sanctioned posts of 40 lectures by the Department of Higher Education, Government of Haryana vide Memo dated 21.09.2006 and similarly lecturers in the institute have been appointed against the initially sanctioned posts. Therefore, you failed to inform the Competent Authority that these fourteen lecturers were not covered under the rationalization policy in the proposal dated

- 3 -

02.07.2008. Therefore, you have concealed substantial fact from the competent authority and put up wrong fact before the higher authorities at the University. Therefore, you have discharged your duty in a gross negligence manner and acted prejudicial to the interest of the University in violation of the rules which amount to misconduct under the service rules.

2. That the University issued an advertisement dated 04.05.2007 in leading national dailies for the post of Professors / Associate Professors / Readers / Assistant Professors / Lecturers in various disciplines including Law, English, Foreign Languages and campus school. During the process of the recruitment against the above advertisement, you joined as Assistant in the Establishment Branch/Registrar Office and looked after the recruitment record of the advertisement till recruitment as custodian of the record till you were either transferred or promoted on 18.02.2010 without properly handing over record to the next dealing official as per record. You have failed to produce any record/proof of handing over the custody of the above record of the establishment branch as there was no assistant at the time of these recruitments after your joining on 28.06.2007 along with one superintendent Sh. K.K. Dhaka. The University had also issued another advertisement dated 20.06.2007 for discipline of law, education and English and the interview for these post took place on 11.07.2007 onwards and appointment to

lecturers in discipline of law against advertisement dated 04.05.2007 and 20.06.2007 have been issued on 26.07.2007 which means that the recruitment record was available till 26.07.2007. You were asked to complete the record relating to appointment made by the university till at time by the Registrar on 08.10.2008. Therefore, you have discharged your duty in a gross negligence manner and acted prejudicial to the interest of the University in violation of the rules which amount to misconduct under the service rules.

4

3. That the State Vigilance Bureau conduct an Enquiry No. 11 dated 15.11.2017 in the matter and the Bureau in its enquiry report that you have wrongly included the above mentioned fourteen lecturers in the proposal dated 02.07.2008 for rationalization and concealed the facts and misguided the Department of Higher Education, Government of Haryana along with Sh. Krishan Kumar Dhaka, the then Superintendent of the Establishment Branch. Therefore, you have concealed substantial facts and misguided the Department of Higher Education, Government of Haryana. Therefore, you have discharged your duty in a gross negligence manner and acted prejudicial to the interest of the University in violation of the rules which amount to misconduct under the service rules.
4. That you are responsible for loss of recruitment record of six lecturers in Institute of Law including the file noting from initiation of proposal for recruitment of lecturers in

- 5 -

the institute of law, English, Foreign Languages and Education against advertisement dated 04.05.2007 till issuance of appointments letters to the lecturers in institute of law except the selection committee proceedings because you have not handed the record to subsequent dealing persons as per record. Therefore, you have discharged your duty in a gross negligence manner and acted prejudicial to the interest of the University in violation of the rules which amount to misconduct under the service rules.

5. That the University appointed Dr. D.R. Yadav, Medico-Legal Advisor to find out missing record as per direction of Hon'ble State Information Commission in RTI Appeal No. 3991 of 2017 wherein the enquiry officer found you responsible for the missing record by handling the record of the University in a very casual manner by committing great negligence towards the duty assigned to you. Therefore, you have discharged your duty in a gross negligence manner and acted prejudicial to the interest of the University in violation of the rules which amount to misconduct under the service rules.

Your above acts of omissions & commissions are of grave negligence in discharge of duty and prejudicial to the interest of the and are unbecoming of a university official/officer and attracts strict disciplinary action against you. Therefore, you are hereby charged under Rule 8 the Maharishi Dayanand University Non-Teaching Employees (Punishment & Appeal)

Rules and the University rules for imposing major penalty under Rule 5.

Sd/-  
Registrar

After going through the chargesheet and the contents thereof, I want to make the following submissions for your kind and sympathetic consideration:-

**Preliminary submission:**

1. At the outset it is submitted that the chargesheet under reply clearly suffers from inordinate delay causing serious prejudice to me in my defense. It would be seen that the chargesheet is in respect of the alleged omission and commission or irregularities alleged to have been committed in **2007 & 2008 and the chargesheet has been issued in the month of January, 2023** in pursuance of the decision of the Executive Council in its 72<sup>nd</sup> meeting held on 07.10.2022 vide resolution No.22 meaning thereby that the **chargesheet has been issued after more than 14 years** of the alleged act of omission and commission/irregularity/alleged irregularity. The matter is quite old and the human memory is not so perfect that one will keep everything in mind for such a long time. Human memory is faded and with the passage of time one does not know as to what happened at that time and in this manner my defense has been seriously prejudiced and I will not be in a position to effectively defend myself in the proceedings because of the inordinate delay in issuance of the chargesheet and thus, the chargesheet on the ground of inordinate delay causing serious prejudice to me, is liable to be dropped on this ground alone.

2. That it is most respectfully submitted that at the relevant time all the constituent Institutions / Colleges including Department of Law were maintaining their establishment / record in their respective institute/ college. The personal files / services books of their respective staff were also maintained by them separately. The appointment letters of the faculty of Law were also issued by the then Registrar, the office copy of the appointment letters bears the initial of Head, Department of Law. Further submitted that even at the time of confirmation of the faculty of law, the note was put up by the Superintendent, Dept. of Law and was dealt by Head Law and the Registrar, thereafter the confirmation letters were issued.

3. The above situation is vindicated from the fact that the Registrar issued a letter No. Reg/22/4598-4602 dated 24.8.2022 to all Heads/ Principals of constituent colleges/institutes to send the record of their establishment to the Centralized Teaching and non-teaching branch meaning thereby that the establishment of the constituent institutes including Department of Law were maintained by the Concerned department / institute till 24.8.2022. That is why now with the passage of time the University is going to maintain the record of all constituent institutes including Department of Law in a centralized establishment branch of the University.

In support of the above, I invite your kind attention to the following judgments:

I. **State of Madhya Pradesh vs. Bani Singh reported in**

1990(2) SLR 798 SC

- 94 -

Head Note C & para 4 of the judgment reads as under:

C. Constitution of India, Articles 226 and 311 -  
Administrative Tribunals Act, 1985, Section 19 -  
Departmental Enquiry - Initiation of departmental  
enquiry after 12 years - No satisfactory explanation for  
such delay - Departmental proceedings rightly quashed.

(Para 4)

4. The appeal against the order dated 16.12.1987 has been filed on the ground that the Tribunal should not have quashed the proceedings merely on the ground of delay and laches and should have allowed the enquiry to go on to decide the matter on merits. We are unable to agree with his contention of the learned counsel. The irregularities which were the subject matter of the enquiry is said to have taken place between the years 1975-1977. It is not the case of the department that they were not aware of the said irregularities if any, and came to know it only in 1987. According to them even in irregularities and the investigations were going on since then. If that is so it is unreasonable to think that they would have taken more than 12 years to initiate the disciplinary proceedings as stated by the Tribunal. There is no satisfactory explanation for the inordinate delay in issuing the charge memo and we are also of the view that it will be unfair to permit the departmental enquiry to be proceeded with at this stage. In any case, there are no



grounds to interfere with the Tribunal's orders and accordingly we dismiss the appeal.

**II. Jagir Singh vs. State of Punjab 1993(1) SLR 1 (Full Bench) P&H**

Head note of the judgment reads as under:

Constitution of India, Articles 21, 226 and 311 - Departmental Enquiry/Speedy trial - Though departmental proceedings initiated against the employee should be finalized expeditiously but delay in completing the departmental enquiry within the fixed time in accordance with the policy decision does not confer any right on the employee for the enforcement of the guidelines - However the employee may, in a fit case, approach the Court for quashing departmental proceedings if the same has been delayed to an unreasonable extent by employer himself - In the instant case keeping in view the inordinate delay in completing the enquiry the proceedings quashed - [CWP. 665 of 1977 decided by DB overruled]

**III. J.S. Sanghera vs. State of Punjab reported in 1994(2) SLR 794 DB P&H**

Head note of the judgment reads as under:-

Constitution of India, Articles 14, 16, 21 and 311 - Speedy trial/Departmental proceedings/Charge-sheet-Issuance of charge-sheet after a delay of 15 years from the date of alleged misconduct - Thought no period is

prescribed for initiating disciplinary proceedings, yet the delay in initiating the disciplinary proceedings must be bona fide - it must be shown that the delay has resulted in prejudice to the aggrieved person - Charge-sheet in the instant case quashed- Jagir Singh vs. State of Punjab, 1993(1) SLR 1 (Full Bench) relied upon.

*There is no period prescribed for initiating disciplinary proceedings, but all the same delay in initiating such a step must be bona fide. It is only in a case that delay which has accrued has caused prejudice to the employee that the Court will intervene but the factum of prejudice would have to be established by the aggrieved party, otherwise charge would not be dropped merely on account of lapse of time. It is in this context that the facts in the present case are to be appreciated to know if by lapse of time the right of the petitioner to defend himself has been prejudiced, and if so, to quash the proceedings. Annexure R/1, calendar of events relied upon by the respondent indicates that it was in November 1981 that a complaint was received regarding the irregularities aforesaid. Report of the Chief Engineer (Vigilance) is dated February 24, 1984, on which the Government took a decision to proceed against four officers, namely Iqbal Singh-XEN, S.P. Nagpal-ARO, P.C. Sharma-S.D.O. and Harbans Singh Gill-Superintending Engineer. The aforesaid persons were charge-sheeted in February, 1989. It was thereafter that the Government decided to proceed against J.S. Sanghera-XEN (the petitioner) and Hardial Singh-XEN.*

Hardial Singh submitted reply to the charge-sheet and the proceedings against him were dropped. Thereafter draft charge-sheet was prepared by the Chief Engineer (Vigilance) on February 1, 1990 for approval of the competent authority. Thereafter three reminders were sent and it was on May 28, 1991, that the sanction was received under Rule 12. Thus, common proceedings were initiated against Iqbal Singh and others, four persons aforesaid. Against the petitioner, the charge-sheet was approved on February 4, 1992. This would show that though inquiry was completed in 1989, it was only after four years thereof that the draft charge-sheet was prepared against the petitioner. Initially action was sought to be taken against Iqbal Singh and others, four persons. From the data available no reasonable explanation appears on the record as to why action against the petitioner by framing charge-sheet could not be taken up promptly. Rather it appears that initially only 4 persons were sought to be proceeded against i.e. Iqbal Singh and others and not the petitioner. Against one of them i.e. Hardayal Singh, Executive Engineer, the proceedings were dropped though he and the petitioner were sailing in the same boat. Since the matter relates to 1976-77 and the petitioner was acting at that time in a supervisory manner, by lapse of time, his defense would be prejudiced and it is not advisable to proceed further with the charge-sheet framed against the petitioner in February 1992- Annexure

- 12-
4. That the matter in question was got inquired into by Professor P.C. Patanjali, former Vice Chancellor regarding inclusion of names of 14 teachers appointed after inception of the University in the rationalization list and also by Dr. D.R. Yadav, Medico Legal Advisor to Govt. of Haryana and Director, PGIMS, Rohtak for missing records. They submitted their respective reports and thereafter, **the matter was sent for obtaining legal opinion from Mr. Justice Rameshwar Malik (Retd.), Former Judge of Punjab & Haryana High Court.** His Lordships submitted his opinion on 07.12.2021, copy of which has been supplied to me vide No.BPSMV/EN-1/23/699 dated 10.11.2023. His Lordship considered the matter from all angles very minutely and submitted his report which reads as under:-

“LEGAL OPINION

**Pertaining to the Report of Enquiry Officer as well as the comments of Shri Rajesh Kumar, Assistant Registrar**

The undersigned joined the legal profession as a counsel in the year 1982 and started practicing before the Hon'ble High Court of Punjab and Haryana at Chandigarh. The undersigned was elevated to the bench of the Hon'ble High Court of Punjab and Haryana in the year 2011. He demitted his office in the year 2017 after which he resumed practice before the Hon'ble Supreme Court of India. The undersigned was designated as a Senior Advocate (Senior Counsel) by the Hon'ble Supreme Court of India in 2018.

In the last week of October 2021, case papers of the captioned matter were received in the office of the undersigned from

Bhagat Phool Singh Mahila Vishwavidyalaya Khanpur Kalan, Sonapat, Haryana ("University"), vide letter dated 18.10.2021 bearing Ref. No. BPSMV/LGR/21/1650, requesting the undersigned to render his legal opinion.

When put into a narrow compass, after a thorough reading of the papers provided by the University, necessary facts of the matter are that one Dr. Pawan Kumar moved an application dated 08.12.2016 under The Right to Information Act, 2005 seeking certain information from the University. In reply thereto, the concerned State Public Information Officer (SPIO) (Estt. Branch) supplied the consolidated information on 25.01.2017. Since the applicant, Dr. Pawan Kumar, was not satisfied with the information that was provided, he filed his first appeal before the First Appellate Authority of the University on 07.02.2017. The First Appellate Authority, vide its order dated 07.02.2017, directed the concerned SPIO to provide the related information within 15 days and the same was supplied to the applicant on 15.03.2017.

Still dissatisfied, Dr. Pawan Kumar filed his second appeal dated 07.04.2017 before the State Information Commissioner, Haryana at Chandigarh. While deciding the said second appeal, vide order dated 23.10.2017, State Information Commissioner directed the public authority of the University to conduct an enquiry regarding missing of record in respect of the RT) application and fix the responsibility of the concerned person.

In compliance of the above said order dated 23.10.2017, when  
-100-  
Shri Sanjeev Joshi. SPIO (Estt.) and Prof. Vimal Joshi, SPIO

41-  
(Law) were to look into the matter, it was at that time that Shri Sanjeev Joshi SPIO (Estt.) pointed out that some record of the University was missing and no one knew who was responsible for the said lapse. A perusal of the record shows that the fact regarding missing of some record was disclosed for the first time only by Shri Sanjeev Joshi on 19.07.2018.

Faced with the above said situation, the University constituted an Enquiry Committee, vide notification dated 18.12.2018, appointing Dr. D.R. Yadav as the Enquiry Officer. Perusal of papers shows the Enquiry Officer sought from the University the name of the official who was deputed at the Office of the Registrar during May, 2007 and June, 2007. The relevant comment of the Assistant (Estt.) recorded on 19.03.2019 are as under:

*In this regard it is stated that there is no such record available in the Establishment Non-Teaching Branch. Henceforth, it is very difficult to inform the names of the employee(s) working in the O/O Registrar during the period under reference.*

Again, the relevant noting dated 11.04.2019 recorded by the Assistant (RTI Cell) reads as under:

*After a detailed discussion between enquiry officer and presenting officer letter has been issued to PA to Registrar requesting therein to intimate the names of officials doing the work of diary of the application form of Advertisement issued during May-2007 and June-2007 (F/A).*

It is stated as a reply which is reproduced as under

On perusal/checking of the record of the office of registrar of the relevant period, it is found that no attendance register of May-2007 is available in the office.

Further, submitted that he has joined the office of registrar on 03-09-2010 as Sr. Scale Stenographer and PA w.e.f. 14.08 2014. The Assistant Registrar (ENT) is requested to provide the details of the Non-Teaching staff posted in the office of Registrar during the said period as per establishment record at the earliest (F/A).

The Assistant Registrar (ENT) replied that:

There is no such record available in the Establishment Non- Teaching Branch. Henceforth, it is very difficult to inform the names of the employee(s) working in the O/O Registrar during the period under reference (NP-7).

In this context, it is stated that it is not possible to complete the inquiry without providing the record of the concerned branches of the university.

In view of the above, if agree to, the file may be submitted to Registrar for kind information and further orders.

Later on, it transpired that entry at Serial No. 235 dated 17.05.2007 was made by Shri Raj Singh, Assistant, presently working at VC Office.

Reading of page 10 of the office file shows that the Enquiry Committee had submitted its report and concluded that the present Assistant Registrar Shri Rajesh Kumar, the then Assistant, was responsible the missing records in question.

Reading of the papers provided by the University further shows that a representation dated 15.01.2019 was made by the complainant. Dr. Pawan Kumar- RTI applicant to the Enquiry Officer, raising an accusing finger towards Prof. Vimal Joshi alleging the conspiracy of destroying official record. This representation also referred to F.I.R. No. 7 dated 19.07.2017 Police Station, Khanpur Kalan under Section 120B, 420, 468, 471 of the Indian Penal Code and Section-13(1)(d) of the Prevention of Corruption Act, 1988 registered against Prof. Vimal Joshi alleging that he secured his appointment to the post of Professor of Law on the basis of forged publications/papers.

Dr. Pawan Kumar wrote another letter dated 18.01.2019 to the Enquiry Officer pointing out that it was established beyond doubt that the relevant record had been destroyed/misplaced by the officials of the Establishment Branch in collusion with Prof. Vimal Joshi as the establishment of the Institute of Law/Department of Law was under supervision of Prof. Vimal Joshi. Still further, Dr. Pawan Kumar vide his letter dated 03.07.2019, informed the Enquiry Officer specifically highlighting very minute details about the office noting recorded by Prof. Vimal Joshi. Bare reading of this letter dated 03.07.2019 goes a long way to show the conduct of Prof. Vimal



Joshi coupled with the motive of his involvement in destroying/misplacing the official record as the above said F.I.R. No.7 dated 19.07.2017 recorded against him on the recommendation of Chief Ministers Flying Squad, had put Prof. Vimal Joshi in the dock, particularly when his anticipatory bail had been rejected by the Ld. Additional Session Judge, Sonipat.

Also, there is a communication dated 06.04.2018 written by Deputy Superintendent of Police, Gohana to the Senior Superintendent of Police, Sonipat regarding above said F.I.R. No.7 dated 19.07.2017 with an additional allegation against Prof. Vimal Joshi that he got anticipatory bail from the Hon'ble High Court of Punjab and Haryana by filing false and forged documents.

It is a matter of record that Prof. Vimal Joshi was the Chairperson of the Department of Laws of the University. He wrote two letter to the Enquiry Officer. One is dated 14.03.2019 whereby he replied to queries of the Enquiry Officer. When the above said information submitted by Prof. Vimal Joshi was not found to be sufficient, the Presenting Officer-cum-Deputy Registrar again wrote to the Head of Department of Laws (Prof. Vimal Joshi) vide letter dated 01.07.2019 for supplying specific information and posed three questions. Prof. Vimal Joshi replied vide his letter dated 04.07.2019. Both these letters dated 14.03.2019 and 04.07.2019 written by Prof. Vimal Joshi as Chairperson of Department of Laws to the Enquiry Officer will show that he gave evasive replies on both these occasions.

Further, another very important office note here is the one dated 01.12.2009. Surprisingly, this office note dated 01.12.2009 pertains to the old personal file of Dr. Pawan Kumar alone. This note reads as under:

*Old personal file in respect of Mr. Pawan Kumar lecturer in law consisting medical certificate, application for the post of lecturer and office copy of appointment letter.*

*May kindly be submitted to HOD Department of Law for custody of the same.*

*Submitted for information and onward transmission please.*

Sd/-                      Sd/-                      Sd/-  
HOD Law      Assistant (Estt.)      Assistant Registrar (Estt.)

It is not discernable from the above said note dated 01.12.2009 as to why only the personal file, including copy of appointment letter of Dr. Pawan Kumar, was sought to be kept in the custody of HOD, Department of Law (Prof. Vimal Joshi). It is also a matter of record that the fact regarding missing of record came to be highlighted/pointed out for the first time by the concerned Assistant on 19.07.2018, when an enquiry was sought to be conducted in compliance of the orders dated 23.10.2017 passed by the State Information Commissioner in the second appeal no. 3991/2017 of Dr. Pawan Kumar.

It is also pertinent to note that the Vice Chancellor, vide a separate enquiry, ordered to enquire into the fact of missing papers from the files of some officials. Accordingly, letter no.

9179-9230 dated 21.11.2017 was issued to all Heads of the Departments including the Chairperson, Department of Laws (Prof. Vimal Joshi). The relevant contents of this letter read as under:-

*the concerned officials shall make counting/scrutiny of all the personal files with proper paging and if any such irregularity is found the same may be referred to the committee constituted by the Vice Chancellor. The dealing assistant of the concerned branch may be directed to keep the personal files and service books of the employees under safe custody and the index of all personal files may also be maintained in the file.*

No report about any missing record is stated to have been made to the said committee by the HOD, Department of Laws (Prof. Vimal Joshi). Further, the appointment letters issued to the lecturers in law were signed by none else but Prof. Vimal Joshi being the head of the Department of Laws. Again, on satisfactory completion of the probation period by the lecturers in law, the case for confirmation of their services was also initiated and processed by Prof. Vimal Joshi himself. Still further, lecturers in law were granted up-gradation twice over and on both the occasions, it was Prof. Vimal Joshi who processed the respective files. Had any papers been missing from any file, including that of Dr. Pawan Kumar, it would not have been possible to process their cases for confirmation of their services as well as their up-gradation. Prof. Vimal Joshi did not point out at any point of time that any such record was

not available or it was found missing despite the fact that it was Prof. Vimal Joshi who was custodian of all the personal files of the lecturers in law,

Thus, a combined reading of the office noting dated 01.12.2009 reproduced hereinabove and the office noting at page 1 and 3 of the office file will leave no room for doubt that during this period of about 9 years, personal file of Dr. Pawan Kumar remained in the custody of none else but HOD, Department of Law (Prof. Vimal Joshi). A man can tell lies but the circumstances will not. From the above, it becomes very clear that Dr. Pawan Kumar was justified in raising an accusing finger, categorically and repeatedly towards Prof. Vimal Joshi for destroying/misplacing official records of the University.

During the course of enquiry. Presenting Officer wrote to Shri Rajesh Kumar, Assistant Registrar vide letter dated 12.05.2019 and all the nine questions put to him were specifically replied by Shri Rajesh Kumar on 27.06.2019. The Presenting Officer, also wrote to the Assistant Registrar (Estt. Non-Teaching Branch) of the University vide letter dated 01.07.2019 posing four questions therein which came to be replied vide letter dated 05.07.2019 and para 3 of this communication is relevant which reads as under:

*There is no proof of assuming charge of Assistant/Suptd. is available in the office record, whereas there is a document available wherein Establishment branch issued a transfer order i/r/o Shri Rajesh Kumar to work for a week in Establishment branch to complete the record and*

*the then Vice-Chancellor has ordered on the order itself that: low are transfers of Personal Staff of V.C. made without the knowledge or consent of V.C. This proves that Shri Rajesh Kumar was working in the office of the Vice-Chancellor as on 08.10.2008 date of office order issued.*

Perusal of the file shows that the Registrar of the University, vide office order dated 08.10.2008, directed Shri Rajesh Kumar, Assistant to work in the Establishment Branch for a week to complete the records relating to appointments made in the industry. However, on the same order and on the same date, strong displeasure was recorded by the Vice Chancellor of the University i.e., "How are the transfers of personal staff of VC made without knowledge or consent of VC?"

Shri Rajesh Kumar made a statement before the Enquiry Officer on 08.07.2019. Question No.2 and its answer which are relevant herein read as under:

*Q.2 You were promoted on 18-02-2010 in the post of Supdt., the proof of handing over the charge of your assistant be given.*

*Ans. Since the day of joining in the University, I had worked in Registrar/VC secretariat and at present I am continuing working in the VC secretariat till date. I have already, replied that due to shortage of staff and as per verbal orders of the authorities, I had dealt with the files related to establishment branch of the University only not the constituent institutions*

joined the university the files related to the establishment branch of the University were dealt with by them. Official order regarding the charge of establishment branch may be provided by the establishment non-teaching branch. The information with regard to handing over/taken over of the charge will only be supplied by me after searching all my personal papers which are kept at my home. The same will surely be supplied to the Enquiry Officer, if available. For the same, I need some time.

In view of the factual background referred to in the foregoing paragraphs, a combined reading of the above said statement made by Shri Rajesh Kumar, his letter dated 05.07.2019 & his reply dated 27.06.2019 as well as the office notings dated 19.03.2019 & 11.04.2019 reproduced hereinabove, makes it crystal clear that there was not even the remotest scope of holding Shri Rajesh Kumar responsible for the missing record. It seems that the Enquiry Officer completely lost sight of the above said glaring facts while arriving at his wholly misconceived conclusion in the enquiry report dated 09.09.2018. Surprisingly, even the specific, categoric and direct allegations levelled by Dr. Pawan Kumar against Prof. Vimal Joshi in his numerous letters/representations have been brushed aside by the Enquiry Officer. Although, the facts were recorded in para 3 and 4 of his enquiry report but no findings thereon were recorded either in favour of or against Prof. Vimal Joshi. It was also not recorded that the allegations levelled by Dr. Pawan Kumar against Prof. Vimal Joshi were either false or

baseless. Further, having a genuine apprehension about the bias attitude of the Enquiry Officer, Shri Rajesh Kumar, vide his letter dated 07.09.2019, addressed to the VC of the University requested for changing the Enquiry Officer. However, the Enquiry Officer submitted his report in haste on 09.09.2019.

Under the peculiar facts and circumstances noticed here above, any person of prudent mind would arrive at the unassailable conclusion that the enquiry was not conducted in a fair and transparent manner, thereby causing a serious prejudice to Shri Rajesh Kumar, without there being any allegation substantiated against him. Such an enquiry report, having been conducted in an unjust and unfair manner, which runs counter to the official record as well, does not deserve to be acted upon.

Before observing anything on the comments of Shri Rajesh Kumar, it is pertinent to refer to an office noting dated 14.10.2019 wherein an Assistant recorded the unfair manner in which the enquiry was being conducted by the Enquiry Officer. The relevant part of this office note reads as under:

*It is also pertinent to mention here that the inquiry of the said case was conducted two or three times in the office of Deputy Registrar in the presence of Deputy Registrar, Shri Rajesh Kumar, Assistant Registrar, Assistant RTI Cell. The Enquiry Officer talked to Shri Rajesh Kumar, Assistant Registrar in a very rude manner and forced him to give his statement according to the views of Enquiry Officer.*

The undersigned has no reason to disbelieve the truthfulness of the contents of the office note reproduced hereinabove. When

the enquiry officer treated Shri Rajesh Kumar in wholly unwarranted and undesirable manner and that too in the presence of Deputy Registrar and Assistant RTI Cell, it can be well imagined as to how seriously the Enquiry Officer was biased against Shri Rajesh Kumar. In such a situation, Shri Rajesh Kumar was fully justified to raise his genuine apprehension in his letter dated 07.09.2019 requesting for changing the Enquiry Officer, as the enquiry report was yet to be submitted.

It is the basic principle of natural justice that one must get a fair opportunity to put up her/his best case in defense. When such an opportunity is denied, natural consequence of that would be an unfair enquiry which would result in injustice to the concerned official who might be completely innocent, as Shri Rajesh Kumar *prima facie* seems to be in the case in hand.

The undersigned has minutely gone through the repeated applications/ representations submitted by Shri Rajesh Kumar and finally his comments dated 28.07.2021 on the enquiry report submitted by Shri D.R. Yadav. After a careful perusal of the comments made by Shri Rajesh Kumar, it can be safely concluded that all the comments submitted by Shri Rajesh Kumar were well justified and go a long way to establish his complete innocence beyond any doubt. It is so said because when these comments are examined closely, it is found that the same not only appeal to reason but are supported by the official record as well.



It deserves to be highlighted that Shri Rajesh Kumar sought to clarify more than once that right from the date of his joining the University he worked in the Office of Registrar/VC Secretariat. He also clarified that he only dealt with the files relating to the Establishment Branch of the University and not the constituent institutions and that too for a short time. The Enquiry Officer sought to place heavy reliance on the office order dated 08.10.2008 passed by the Registrar directing Shri Rajesh Kumar to work in the Establishment Branch for a week to complete the record relating to the appointments made in the University. However, the Enquiry Officer neither discussed nor discarded but altogether ignored most important observation made by none else but the Vice Chancellor himself on the same day i.e., 08.10.2008 and on the same office order. These glaring facts are not conclusive but only in addition to the comments made by Shri Rajesh Kumar vide his letter dated 28.07.2021.

In view of what has been discussed in the foregoing paragraphs, the undersigned is of the considered opinion that the enquiry report dated 09.09.2019 submitted by Shri D.R. Yadav, Enquiry Officer, is not the result of a fairly conducted enquiry as the basic principles of natural justice have been glaringly violated in denying due opportunity to Shri Rajesh Kumar to defend himself. In this regard, less said the better. Such an enquiry report does not deserve to be acted upon.

The comments furnished by Shri Rajesh Kumar on the enquiry report are very much genuine and well justified. During pendency of the enquiry, the apprehension raised by Shri

Rajesh Kumar on 07.09.2009 requesting for changing the Enquiry Officer came true from the conclusion of enquiry report dated 09.09.2019.

Under these peculiar circumstances, where a period of more than 14 years has already lapsed and dozens of assistants, one after the other, remained posted on the concerned seat, the question arises whether it would be even possible to fix the responsibility of any particular official for missing of the official record.

Further, would it be prudent to waste so much public time and money, particularly when the personal file(s) can be easily reconstructed by directing the concerned lecturers/professors to supply the requisite documents pertaining to their selection and appointment, etc. which they would be having in their possession. This, of course, falls in the exclusive domain and discretion of the University.

Sd/-  
Justice Rameshwar Singh Malik  
Former Judge,  
High Court of Punjab and Haryana"

5. That the above legal opinion submitted by Mr. Justice Rameshwar Malik (Retd.) Former Judge of the Hon'ble High Court of Punjab & Haryana was placed by the Registrar of the University before the Hon'ble Vice Chancellor for consideration and approval and for permission to send a copy of the legal opinion to the State Information Commissioner, Chandigarh in compliance of the order dated 23.10.2017 and further allow to file the case which was accorded and thereafter, the legal

opinion was sent to the SIC vide reference No.DPSMV/LGR/21/F-2311/3230 dated 24.03.2022. In view of the above, it is stated that the University took a conscious decision to accept the legal opinion and close the case then in these circumstances, there is no occasion to issue the chargesheet after more than one year.

6. That in the note dated 02.07.2008, I did not conceal any material fact and rather put up a detailed note with full facts and circumstances. The relevant part of the said note reads as under:

“We may simply implement the approval in respect of the employees at Sr.No.1. However, the Notification/circular, required for this purpose, may be got legally examined to avoid future litigation.

As desired by the Higher Education Commissioner, Haryana, the recommendations under Serial No.2, 3 & 4 above could be implemented only after due approval of the State Govt. To rationalize the staff we need 175 + 1 (J.E., appointed by Mahasabha following due selection procedure, but his service record is still to be scrutinized by the competent committee) posts in various cadres (list placed at F/C). In addition to the above 176 positions, the University has recruited 08 Lecturers in MSM Institute of Ayurveda and 06 Lecturers in Dept. of Laws which need to be sanctioned by the Govt. as both the Institutions are still running under Self Finance Scheme. In total, following posts (presently occupied under Self Finance Scheme) will need the sanction of the Govt. of Haryana:-

S. No.	Nomenclature of post	No. of posts	Remarks.
1.	Professor	04	
2.	Reader	02	
3.	Lecturer	30	
4.	PG Teacher	10	
5.	TG Teacher	14	
6.	Superintendent	01	
7.	Resident Medical Officer	01	
8.	Ayurvedic Medical Officer	03	
9.	Accountant	03	
10.	Head Clerk	01	
11.	Cashier	01	
12.	Clerk	10	
13.	Asstt. Librarian	01	
14.	Librarian School	01	
15.	Up Vaidya	03	
16.	Lab Technician	03	
17.	X-Ray Technician	01	
18.	O.T. Assistant	01	
19.	Store Keeper	01	
20.	Record Keeper	02	
21.	A.N.M.	01	
22.	Trained Dai	01	
23.	Generator Operator	03	
24.	Library Restorer	02	
25.	Library Attendant	02	
26.	Lab Attdt/Attendant/Hostel Attendant	30	
27.	Mali	06	
28.	Water Carrier	02	
29.	Pump Operator	01	
30.	Peon	05	
31.	Security Guard/Chawkidar/ Gate Keeper	13	
32.	Sweeper	12	
	Conductor	02	

	Hostel Warden	10	
	Asstt. Security Officer	02	
	Jr. Engineer (Civil)	01	
	Driver	05	
	Total posts	190	

If agreed to, the above factual position may please be submitted to the Hon'ble Vice-Chancellor for kind consideration and orders, please.

Sd/- 02.07.08  
Asstt. (E)"

That from the above note, it is categorically stated that neither I concealed any material fact from the higher authorities nor misstated or misrepresented any fact rather in the above note I have categorically mentioned that in addition to 176 positions, the University has recruited 08 Lecturers in MSM Institute of Ayurveda and 06 Lecturers in Department of Laws which needs to be sanctioned by the Government and both the Institutions are still running under self financing scheme. Further, in the end of note it was clearly mentioned that, if agreed to, the above position may please be submitted to the Hon'ble Vice-Chancellor for kind consideration and orders, please. It is further submitted that I just, put up the proposal giving all facts and circumstances and complete details without any concealment or any misrepresentation and that was for the kind consideration of the higher authorities. Interestingly, the note was considered by the Superintendent (E) thereafter, Deputy Registrar (Estt.) then Registrar, thereafter Vice Chancellor. But in the present case according to my information, only I along

- 30 -

with one another Sh. K.K. Dhaka has been picked up for action whereas the authorities who considered and ultimately passed the final orders have not been touched and no proceedings have been initiated against them. The issuance of the chargesheet on the selective basis is not permissible in law or have to be dealt with equally and no pick and choose method can be adopted. In the present case, it appears that the chargesheet has been issued on selective basis. It is stated that all those persons who dealt with the matter after putting note by me on 02.07.2008 are equally responsible. The appointments orders have been issued by the then Registrar in pursuance of all the advertisements. The appointments have been made in various departments on the recommendations of the selection committee and in pursuance of the Executive Council's decision in its meeting held on 16.07.2007 and 18.07.2007. It is well settled position in law that even in the disciplinary proceedings/disciplinary action and even in the matter of imposition of punishment there cannot be any discrimination and all have to be treated equally and not on selective basis and the management cannot be permitted to resort to selective treatment. In support of the above, reliance is made upon the following judgments:

**I. Sengara Singh Vs State of Punjab reported in 1983(3)  
SLR 685 (SC)**

Head Note reads as under:

Constitution of India, Articles 14 and 16—Discrimination  
in condoning or overlooking misconduct and withdrawing

criminal case—1100 members of Police force dismissed from service and criminal prosecutions launched for participating in an agitation—Withdrawal of criminal cases and reinstating 1000 employees while rest left to fend for themselves—Nothing to show that they were guilty of more serious misconduct or the degree of indiscipline then compared to those who were reinstated—Amounts to denial of equality guaranteed by Article 14—Reinstatement with continuity in service ordered.

**II. State of U.P. Versus Raj Pal Singh reported in 2002(1)  
SCT 205 (SC)**

Head Note reads as under:

Constitution of India, Articles 14, 136 - Dismissal - Discrimination - Order of dismissal of respondent set aside by High Court - Ground that other employees served with a set of charges out of same incident were only given punishment of stoppage of increment whereas respondent was dismissed - High Court give similar punishment to respondent and directed for payment of 50% of backwages - Order challenged - Held, reasoning given by High Court cannot be faulted when the charges are same and identical in relation relating to same incident - Separate treatment would cause discrimination - Considering the charges backwages awarded are declined. Petition disposed of accordingly. (Para 1)

-32-

III. **Man Singh Versus State of Haryana and Ors. 2008(6)**

**SLR 411 (SC)**

Head Notes read as under:

A. Constitution of India, Articles 14 and 311--Punjab Police Rules, 1934, Rule 16.29--Departmental proceeding--Punishment--Stoppage of increments--Selective treatment--Doctrine of equality--Two Govt. vehicles taken from Chandigarh to Hyderabad for repair--Appellant was Incharge of party--During transit, 'V' driver of vehicle purchased 12 bottles of Liquor--Placed the liquor in dickey without knowledge of appellant--Vehicle searched at border of Andhra Pradesh--Cash under Excise Act registered against 'V'--'V' acquitted in criminal case--Departmental proceedings initiated against appellant and 'V'--'V' exonerated on the basis of acquittal in criminal case--Punishment of stoppage of two annual increments imposed on appellant--Appellant challenged the punishment as selective treatment--Held, appellant deserves to be treated equally in the matter of departmental punishment--Punishment of appellant set aside.

(Para 20)

B. Constitution of India. Article 14--Administrative action--Doctrine of equality--The concept of equality as enshrined in Article 14 of Constitution of India embraces the entire realm of state action--It would



extend to an individual as well not only when he is discriminated against in the matter of exercise of right, but also in the matter of imposing liability upon him. (Para 19)

**IV. TATA ENGINEERING & LOCOMOTIVE CO. LTD. Versus  
JITENDRA PD. SINGH AND ANOTHER 2002 SCC (L&S)  
909**

Head Note reads as under:

Domestic enquiry - Functions of punishing authority - Punishment - Discrimination in - Effect - Three workmen, on almost identical charges, found guilty of misconduct in connection with the same incident - One of them punished with one month's suspension and another reinstated pursuant to court's order - In such circumstances, notwithstanding that they were found guilty in separate proceedings, singling out the third one for punishment of dismissal rightly held by High Court as amounting to denial of justice - Dismissal - Validity - Constitution of India, Arts. 14 and 16 - Classification or under classification or Discrimination - Discrimination. (Para 3 & 2)

**V. Sadhu Ram Versus Punjab State Co-operative Supply  
and Marketing Federation Ltd., Chandigarh 1991(3)  
RSJ 280 (PH)**

Head Note reads as under:

Constitution of India Arts 14/16--Dismissal from Service--  
-Acquittal in Criminal Case--Charges levelled against

other employees also--Absence of any special and particular role assigned to the petitioner--Was a co-accused--Could not be subjected to any punishment when Field Assistant had been reinstated into service--Constitutional guarantee of Articles 14 and 16 is available to the citizens not only in the matter of equal treatment during the course of employment, but at the time of imposing the punishment in disciplinary proceedings also. (Para 5)

**VI. Amarjit Patheja Versus Chandigarh Industrial and General Development Corporation and Another  
1990(3) SLR 57 (PH)**

Head Note reads as under:

Constitution of India, Articles 14 and 311--Discrimination--Stoppage of increments for showing negligence in making payments to a private contractor--Enquiry office finding others as well involved in making the excessive payments--Punishment awarded to Petitioner only--Action of the authorities found to be arbitrary and discriminatory.

**VII. Darshan Singh Versus The State of Punjab and anr.  
1991(4) SLR 102 (PH)**

Head Note C reads as under:

Constitution of India, Article 14--Punjab Police Rules, 1934, Rule 16.2(1)--Dismissal--Non-observance of the provisions of Rule 16.2(1) of the Rule--Both the officials similarly situate--One reinstated--The other dismissed--

Order of dismissal discriminatory and violative of Article 14 of the Constitution of India—Order not sustainable.

**VIII. The Punjab State & Another Versus Balwant Singh,  
Ex-Constable 1989(4) SLR 105 (PH)**

Head Note A reads as under:

Constitution of India, Article 14--Punjab Police Rules, 1934, Rule 16.2--Dismissal/ Discrimination--Petitioner Constable--Taking liquor along with other Constable while on duty--Misbehaving with each other and firing shots--Petitioner along with other Constable who participated in the drinking and firing dismissed--Co-delinquent challenging his dismissal in Civil Suit which was decreed in his favour--Government reinstating him in service--Petitioner similarly situate not being reinstated but dismissed--Petitioner cannot be discriminated against--Petitioner to be treated alike. (Para 6 & 8)

**IX. Swinder Singh Versus The Director, State Transport,  
Punjab Chandigarh and another 1988(7) SLR 112 (PH)**

Head Note reads as under:

A. Constitution of India, Article 14--Punishment-- Discrimination in awarding punishment--Authorities award punishment of dismissal to one employee whereas to other stoppage of two annual increments with cumulative effect--Booth officials contributed equally in their misconduct--Action violative of Article

X. <sup>36</sup> **Dost Mohammad Vs. Union of India and others**  
**1981(3) SLR 274 DB (All)**

Head Note B reads as under:

Constitution of India, Articles 14, 16 and 311—Central Civil Services (Classification, Control and Appeal) Rules, 1965, rule 19(1)—Punishment—Discrimination in awarding of—Two government servants convicted by the Criminal Court for the same offence arising out of the same incident—Not open to the disciplinary authority to allow one to resume duties to remove the petitioner from service on the basis of said conviction.

XI. **Om Parkash Vs. State of Punjab 2003 (2) RSJ 416,**

Head note reads as under: -

Constitution of India, Article 14 - Recovery - Petitioner held responsible for causing loss to the Government as machines which were working under the petitioner's charge were alleged to have earned loss - Petitioner was burdened with 1/3rd share of the amount of loss - Petitioner should have been kept at par with other two JEs who were exonerated - Machinery was old and had outlived its utility - Operational cost was more than that of the cost of out-put - Petitioner cannot be blamed - Impugned order quashed.

7. That the allegations levelled in the chargesheet do not constitute any misconduct. At best it can be a case of an irregularity or an error of judgment in performance of the duties and further it is stated that at best it can be an error of

judgment or a case of mere irregularity without any ill motive or nefarious design. I always acted bona fide and in good faith and further I do not stand to gain anything by misplacing the record or putting an note giving full facts. Putting up a note for consideration of the higher authorities giving all the details itself do not amount to any misconduct particularly in the light of the fact when there is no concealment of any material fact nor any misrepresentation. Further, I do not stand to gain by misplacing the file. I did not commit any misconduct and I have been framed falsely and further every bona fide act or conduct can not be constituted as a misconduct. The definition of misconduct has been the subject matter of interpretation from time to time before the Hon'ble Supreme Court of India and various Hon'ble High Courts and the reference is made to the following judgments:

**I. Nand Kishore Prasad vs. State of Bihar, AIR 1978 SC 1277.**

Para-18 of the judgment, being relevant, is reproduced as under:

"18. Before dealing with the contentions canvassed, we may remind ourselves of the principles, in point, crystallised by judicial decisions. The first of these principles is that disciplinary proceedings before a domestic tribunal are of a quasi-judicial character; therefore, the minimum requirement of the rules of natural justice is that the tribunal should arrive at its conclusion on the basis of some evidence i.e. evidential material which with some

68

degree of definiteness points to the guilt of the delinquent in respect of the charge against him. Suspicion cannot be allowed to take the place of proof even in domestic inquiries. As pointed out by this Court in *Union of India v. H.C. Goel*, AIR 1964 SC 364, "the principle that in punishing the guilty scrupulous care must be taken to see that the innocent are not punished, applies as much to regular criminal trials as to disciplinary enquiries held under the statutory rules."

**II. Inspector Prem Chand vs. Govt. of N.C.T. of Delhi and others, 2007 (3) RSJ 320 SC**

Delhi Police (Punishment and Appeal) Rules, 1980 - Misconduct - Punishment - Charge against appellant that being raiding officer he should have seized the tainted money which was not accepted by accused and was an important piece of evidence - It was necessary for the disciplinary authority to arrive at a finding of fact that the appellant was guilty of an unlawful behaviour in relation to discharge of his duties in service which was willful in character - No such finding was arrived at - An error of judgment, per se held not a misconduct - A negligence simpliciter also would not be a misconduct - In the peculiar facts and circumstances of this case, the appellant cannot be said to have committed any misconduct."

Para-7 being relevant is reproduced as under:-

"Before advertng to the question involved in the matter, we may see what the term 'misconduct' means

**In State of Punjab and others vs. Ram Singh Ex.**

**Constable, 1992(4) SCC 54**, it was stated:

"Misconduct has been defined in Black's Law Dictionary, Sixty Edition at page 999, thus:

'A transgression of some established and definite rule of action, a forbidden act, a dereliction from duty, unlawful behaviour, willful in character, improper or wrong behaviour, its synonyms are misdemeanor, misdeed, misbehaviour, delinquency, impropriety, mismanagement, offence, but not negligence or carelessness.'

Misconduct in office has been defined as:

"Any unlawful behaviour by a public officer in relation to the duties of his office, willful in character. Term embraces acts which the officer holder had no right to perform, acts performed improperly, and failure to act in the fact of an affirmative duty to act."

In P. Ramanatha Aiyar's Law Lexicon, 3rd edition, at page 3027, the term 'misconduct' has been defined as under:

"The term 'misconduct' implies, a wrongful intention and not a mere error of judgment.

- 42 -  
Misconduct is not necessarily the same thing as  
conduct involving moral turpitude.

The word 'misconduct' is a relative term, and has  
to be construed with reference to the subject matter  
and the context wherein the term occurs, having  
regard to the scope of the Act or statute which is  
being construed. Misconduct literally means wrong  
conduct or improper conduct"

**III. Union of India and others vs. Shri J. Ahmed, 1979(1)  
SLR 840 (SC)**

1. Constitution of India, Article 311 - All India  
Services (Death-cum-Retirement Benefits) Rules,  
1958, rule 16(2) - All India Service (Conduct) Rules,  
1954, rule 4 - Words and Phrases - 'Misconduct' -  
Means lack of efficiency, failure to attain the  
highest standard of administrative ability while  
holding a high post - Such lack of personal  
qualities does not amount to misconduct for  
disciplinary proceedings - However constitute  
misconduct element of means res not essential.
2. Constitution of India, Article 311 - All India  
Services (Death-cum-Retirement Benefits) Rules,  
1958, rule 16(2) - Words and Phrases - Misconduct  
- Means that conduct which is blameworthy for the  
Government servant in the context of conduct rules  
and if he conducts himself in a way inconsistent



with the due and faithful discharge of his duty in service.

**IV R.V. Patel vs. A.M. Corporation, 1985 (1) SLR 573 SC**

Head note 'A' reads as under:

"Constitution of India, Article 311 - Misconduct - Particular conduct not specified as misconduct in the certified Standing Order or to the service regulations - Not open to the employer to fish out some conduct and treat the same as misconduct and.

**V Zunjarrao Bhikaji Nagarkar vs. Union of India and others, 2000 (6) SLR 276**

Head note 'B' Reads as under:

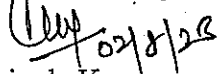
"B. Constitution of India, Articles 136 and 311 - Misconduct - Quasi Judicial Officer - Misconduct - Held, error in interpreting the law cannot be a ground for misconduct unless it is deliberate and actuated by malafides - If every error of law would constitute a misconduct, then it would be difficult to independently function for Quasi Judicial Officers - Moreover, the wrong committed could be corrected in the appeal - It cannot always form a basis for initiating the disciplinary proceedings.

8. That the present chargesheet has been issued under the influence and on the basis of the Memo No.7/58-2016UNP(1) dated 27.04.2022 from Director General Higher Education, Haryana to the Vice-Chancellor Bhagat Phool Singh Mahila

Vishwavidyalya Khanpur Kalan, Sonipat whereby a copy of the report of inquiry No.11 dated 15.12.2017 as received from the Vigilance Department, Haryana vide memo No.63/60/2017-1 Vig.-1 dated 02.02.2022 and requested that the action as per the suggestion/directions given therein against the accused and the action taken report/compliance report be sent to this office copy of which has been forwarded to Chief Secretary to Govt. of Haryana, Vigilance Department, Chandigarh w.r.t. their memo dated 02.02.2022.

In view of facts and situation narrated above, the chargesheet issued to me is liable to be dropped. Therefore, the same may please be dropped.

Yours faithfully

  
Rajesh Kumar  
Assistant Registrar

CPI 8143 DRET-2085  
5/9/2023 Put up case file by Reg/21/08/22  
Annexure-28  
5/9/23

थाना महिला खानपुर कला

जिला सोनीपत

प्रेषक- प्रबंधक अफसर  
महिला थाना खानपुर कला

सेवा मे  
श्रीमान रजिस्ट्रार महोदय  
BPSMV खानपुर कलां

क्रमांक 391 दिनांक 30-8-2023

विषय- REQUEST TO LODGE FIR AND STATUS THEROF

DR (R) Mar  
5/9/23  
Supdt (ENT)

ENT 5/9/2023

श्रीमान जी

आपके कार्यालय से प्राप्त पत्र REF NO BPSMV/1794 दिनांक 21.08.2023 उपरोक्त विषय के संबंध मे निवेदन है कि वर्ष 2007 व 2008 मे ESTABLISH TEACHING BRANCH से पुराना रिकार्ड गुम होने का मामला पाया गया है जो वर्ष 2007 व 2008 मे महिला थाना खानपुर कला नही बना था इसलिए आज इस पत्र के दिये जाने का कोई औचित्य नही है पत्र हजा आपकी सेवा मे वापिस भेजा जा रहा है । रिपोर्ट सेवा मे पेश है।

Saleshi  
प्रबंधक अफसर

थाना महिला खानपुर कला  
दिनांक 30.08.2023



**Bhagat Phool Singh Mahila Vishwavidyalaya**

**Khanpur Kalan (Sonapat), Haryana-131305**

Office No. 01263-283001,283038, www.bpsmv.ac.in

Accredited with 'B++' grade by NAAC

358-SA

21-8-23

ps women Chan-  
b w1 kalon

Ref. No. BPSMV/ 1794

Dated: 21/8/23

To

The SHO,  
Mahila Police Station,  
Khanpur Kalan

**Sub:- Request to Lodge FIR and status thereof.**

Madam,

This is with reference to this office letter No. BPSMV/204 dated 31.01.2023 on the subject cited above vide which it was requested to lodge an FIR for missing of old record of the Establishment Teaching Branch for the year 2007 and 2008 related to the advertisement and selection thereof (copy enclosed).

In view of above, it is requested to apprise the status of FIR so that further action may be taken accordingly.

*M. K. K.*  
21/8/23  
Registrar

— 239 —

**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**

Office No. 01263-283038, www.bpsmv.ac.in

Ref No:-DPSMV/204

Date:- 31-01-2023

To,

SHO,  
Mahila Police Station,  
Khanpur Kalan, Sonipat

**Sub:- Request to lodge an FIR.**

Madam,

It is informed that the Executive Council while considering the agenda item no. 22 resolved that an FIR be lodged for missing of old record of the Establishment Teaching Branch for the year 2007 & 2008 related to the advertisement and selection thereof.

You are therefore, requested to lodge an FIR and investigate the matter under reference.

*M. K. 12*  
28/1/23  
Registrar

g/c

— 139 —

19. To consider and approve the payment amounting to Rs. 1000/- P.M. as Entertainment/Refreshment allowance to the Director and enhancement of Entertainment/Refreshment allowance from Rs. 500/- to Rs. 800/- per month to the Deputy Registrar.

Resolved to approve the above proposal.

20. To consider the amendment in URS Ordinance with regard to enhance of scholarship amount to the University Research Scholars.

Resolved to approve the above proposal.

21. To consider the case for extension in deputation period w.e.f. 02.12.2022 to 01.09.2023 in respect of Sh. Yudhvir Singh, Assistant presently working on deputation at Maharshi Dayanand University, Rohtak.

Resolved to approve the above proposal as a special case and it will not be treated as precedent

22. To consider and decide the action to be taken in the light of the letter received from the Chief Secretary Government of Haryana forwarded by the Director General, Higher Education, Panchkula regarding Enquiry No. 11 dated 15.12.2017 against Sh. Rajesh Kumar, Assistant Registrar and Sh. K.K. Dhaka, Ex- Assistant Registrar.

The House after considering the above matter resolved that an FIR be lodged for missing of records. Further resolved that Charge Sheet be issued to above named persons.

23. To consider and approve the amendments in the following Ordinances on the recommendations of the Academic Council made in its meeting held on 09/06/2022 vide Resolution No. 41 and 42:-

Resolved to approve the recommendations of the Academic Council.

24. To consider & approve the request of Prof. Amrita, Department of English for grant of one year sabbatical leave from the date of proceeding on leave to enable her to write a book on noted Saint-Poet Mira Bai as well as to translate Kavyalankara of the great Classical Sanskrit Critic and Scholar Bhamaha.

After a detailed deliberation it was resolved that a committee be constituted consisting of Prof. Sanket Viji, DAA (Convener) and Prof. Sunita Srivastava (Member, Executive Council) by the House to revisit the existing rules and regulations and make recommendations thereof within one month.

25. To consider and approve the recommendations of the committee constituted by the Vice-Chancellor to determine the status of the BPSITTR.

Resolved to approve the recommendations of the committee to change the status of BPS ITTR to that of a Department of Education under the Faculty of



From



cfms-2941

04/5/22

Reg/04/05/22

DRET-656  
09/05/22

-1- Sudesh  
2/5/22  
Annexure-39 Registrar

Director General, Higher Education,  
Haryana, Panchkula.

DR(ET)

Ullas  
6/5/22

The Vice Chancellor,  
Bhagat Phool Singh Mahila Vishwavidyalaya,  
Khanpur Kalan (Sonapat)

J.P.  
9.5.22  
Jyoti

Memo No. 7/58-2016 UNP (1),  
Dated, Panchkula, the 27/4/2022

ASH-II  
9/5/22

**Subject:-** Enquiry No. 11 dated 15.12.2017 against Pawan Kumar, Assistant Professor, in BPSMV, Sonapat.

Kindly refer to the subject cited above.

I have been directed to forward herewith a copy of report of Inquiry No. 11 dated 15.12.2017 as received from the Vigilance Department, Haryana vide their Memo. No. 63/60/2017-1 Vig.-1, dated 02.02.2022 and requested that the action as per the suggestion/ directions given therein against the accused and the action taken report/compliance report be sent to this office.

Encl: Inquiry report (25)

Superintendent UNP,  
Director Higher Education, Haryana,  
Panchkula.

Endst. No. 7/58-2016 UNP (1), dated, Panchkula, the

A copy is forwarded to Chief Secretary to Govt., Haryana, Vigilance Department, Chandigarh w.r. to their Memo. No. 63/60/2017-1 Vig.1, dated 02.02.2022 for information.

Superintendent UNP,  
Director Higher Education, Haryana,  
Panchkula.

प्रेषक

मुख्य सचिव, हरियाणा सरकार

सेवा में

अतिरिक्त मुख्य सचिव, हरियाणा सरकार  
उच्चतर शिक्षा विभाग।यादि क्रमांक 63/60/2017-1 चौकसी-1  
दिनांक चण्डीगढ़, 02.02.2022

विषय:-

जांच क्रमांक 11 दिनांक 15.12.2017, सोनीपत विरुद्ध डा० पवन कुमार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत व अन्य।

उपरोक्त विषय पर इस विभाग के पत्र क्रमांक 63/69/2017-1 चौकसी-1 दिनांक 5.12.2017 के सन्दर्भ में।

2. विषयोक्त मामले में राज्य चौकसी ब्यूरो, हरियाणा से जांच करवाई गई है। इस विभाग द्वारा जांच रिपोर्ट का परीक्षण किया है तथा परीक्षणोंपरान्त यह विभाग महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा के सुझाव से सहमत है। जांच करने पर पाया है कि श्री कृष्ण कुमार ढाका, तत्कालीन अधीक्षक, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कलां सोनीपत व प्रतिवादी राजेश कुमार, तत्कालीन सहायक हाल सहायक रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कलां, सोनीपत द्वारा रिकार्ड गुम करने व गलत सूचना तैयार करके उच्च अधिकारियों को गुमराह करने बारे आरोपियों के विरुद्ध कड़ी अनुशासनिक (Major Penalty) कार्रवाई की जाये।

3. अन्वेषण अधिकारी की अन्तिम रिपोर्ट तथा महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा की टिप्पणी पत्र क्रमांक 18082, दिनांक 17.11.2021 की एक-एक प्रति आपको तदानुसार कार्रवाई हेतु भेजी जाती है।

अधीक्षक चौकसी-1 शाखा  
कृते: मुख्य सचिव, हरियाणा सरकार

पृष्ठांकन क्रमांक 63/69/2017-1 चौकसी-1

दिनांक 02.02.2022

एक प्रति महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा पंचकूला को उनके पत्र क्रमांक 18082, दिनांक 17.11.2021 के संदर्भ में सूचनार्थ प्रेषित है। उक्त मामले में प्राप्त हुआ समस्त रिकार्ड (5 फाईल) मूल रूप में आपको लौटाया जाता है।

अधीक्षक चौकसी-1 शाखा  
कृते: मुख्य सचिव, हरियाणा सरकार।

संलग्न रिकार्ड

1. शिकायत फाईल पेज 01 से 437 तक।
2. कथन फाईल पेज 01 से 271 तक।
3. पुलिस फाईल पेज 1 से 68 तक।
4. प्रलेख फाईल न० 01 पेज 01 से 201 तक।
5. प्रलेख फाईल न० 02 पेज 01 से 1223 तक।

ACSHHE  
2/2/22

D/NE (ED)  
03/2/22

DD-VMP

ACSHHE  
Diary No 588  
Date 03-2-22

HE &amp; Spl. Secy.

No. 794  
Date 11/2/22

Jan  
11/2/22



प्रश्नक

महानिदेशक,  
राज्य चौकसी ब्यूरो,  
हरियाणा, पंचकूला ।

सेवा में

मुख्य सचिव, हरियाणा सरकार,  
चौकसी विभाग।

क्रमांक

/रा0 चौ0 ब्यू0 (ह0) दिनांक

विषय:-

जांच क्रमांक 11 दिनांक 15.12.2017, सोनीपत।

विरुद्ध:-

- डा0 पवन कुमार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत।
- श्री कृष्ण कुमार ढाका तत्कालीन अधीक्षक कार्यालय रजिस्ट्रार, सहायक रजिस्ट्रार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत। (सेवानिवृत्त)।
- श्री राजेश कुमार, तत्कालीन सहायक, हाल सहायक रजिस्ट्रार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत।

यादी:-

यह जांच आपके कार्यालय के यादी क्रमांक 63/60/2C17-1चौकसी-11 दिनांक 05.12.2017 की अनुपालना में दर्ज रजिस्ट्रार की गई थी। जिसमें डा0 एच0सी0 जोशी0, 62 औमेक्स सिटी, रोहतक की शिकायत के आधार पर उच्चतर शिक्षा विभाग पंचकूला की अनुशंसा पर निम्नलिखित आरोप की पडताल की जानी थी। इस आरोप की पडताल निरीक्षक, फूल सिंह, राज्य चौकसी ब्यूरो, उपकेन्द्र सोनीपत द्वारा पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, रोहतक मण्डल, रोहतक की देखरेख में की गई है। पडताल के दौरान जांच अधिकारी द्वारा प्राप्त किये गये कथनों/प्रलेखों का सम्बन्धित फाइलों में लगा देखा जा सकता है। पडताल फलस्वरूप जांच अधिकारी द्वारा आरोप बारे जो निर्णय लिया गया है, उस बारे टिप्पणी निम्न प्रकार से है:-

आरोप	टिप्पणी आरोप
<p>शिकायतकर्ता श्री डा0 एच0सी0 जोशी0, 62 औमेक्स सिटी, रोहतक ने आरोप लगाया है कि हरियाणा सरकार शिक्षा विभाग के पत्र क्रमांक 20/1-2006 /यू0एन0पी0(1) दिनांक 21.9.2016 अनुसार भगत फूल सिंह महिला विश्वविद्यालय खानपुर कलां सोनीपत अस्तित्व में आने पर विज्ञापन दिनांक 4.5.2007 अनुसार लैक्चरर/रीडर व प्रोफेसर इत्यादि पदों के लिये आवेदन आमंत्रित किये गये थे जिसमें वेतन प्रशासन के साथ समझौता करके निर्धारित करने बारे लिखा था। विज्ञापन अनुसार पदों बरे पदों की स्थिति नियमित या अस्थाई बारे कोई टर्नन नही था। कानून विभाग में लैक्चरर के पदों की भर्ती के लिये दिनांक 13.6.2007 को चयन समिति द्वारा साक्षत्कार लिया गया। इसके बाद विश्वविद्यालय द्वारा जून, 2007 में विभिन्न नियमित पदों की भर्ती के लिये विज्ञापन</p>	<p>जांच अधिकारी द्वारा प्रस्तुत कथनों, प्रलेखों व अन्तिम रिपोर्ट के अवलोकन से पाया गया है कि महासभा गुरुकुल विद्यापीठ हरियाणा भँसवाल कलां व कन्या गुरुकुल खानपुर कलां को भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत के तौर पर स्थापित करने के लिये हरियाणा सरकार द्वारा कानून बनाकर दिनांक 10.11.2006 को अधिसूचना जारी की गई। अधिसूचना की प्रति प्रलेख फाइल न0 2 के पेज न0 737 पर लगी देखी जा सकती है। जिसकी पालना में वित्तियुक्त एवं प्रधान सचिव हरियाणा सरकार, शिक्षा विभाग, चण्डीगढ़ द्वारा अपने पत्र क्रमांक 20/1-2006 यू0एन0पी0(1) दिनांक 21.9.2006 अनुसार पूर्व शिक्षा संस्थाओं में कार्यरत अध्यापन-गैर अध्यापन सभी स्टाफ को विश्वविद्यालय के स्टाफ में परिवर्तन करने का तथा बजट अलाट करने का निर्णय लिया गया तथा महिला विश्वविद्यालय खानपुर कलां के लिये अलग-2 पदों की स्वीकृति प्रदान की गई। पत्र की प्रति प्रलेख फाइल न0 2 के पेज न0 649-857 पर लगी देखी जा सकती है।</p> <p>जांच से पाया है कि महिला विश्वविद्यालय खानपुर कलां, सोनीपत द्वारा विभिन्न अध्यापन व गैर अध्यापन स्टाफ की भर्ती के लिये दिनांक 4.5.2007 को विज्ञापन जारी करना पाया गया है। विज्ञापन अनुसार लैक्चरर/प्रोफेसर/प्रवाचक तथा सहायक प्रोफेसर की भर्तिया निकाली गई जिनमें पदों को कोई संख्या वर्णित नही की गई व वेतन भत्ते नेगोशियेबल बारे लिखा गया। उपरोक्त पदों की भर्ती को स्थाई/अस्थाई की श्रेणी का भी विज्ञापन में कोई उल्लेख नही किया गया। विज्ञापन की प्रति प्रलेख फाइल न0 2 के पेज न0 5 पर लगी देखी जा सकती है। विभिन्न पदों की भर्ती के लिये योग्य उम्मीदवारों द्वारा आवेदन किया गया, जिनका इन्द्राज कुल-सचिव महिला विश्वविद्यालय खानपुर कलां, सोनीपत के रजिस्ट्रार में किया हुआ है। रजिस्ट्रार की फोटो प्रतियाँ प्रलेख फाइल न0 2 के पेज न0 7-223 पर लगी देखी जा सकती है। कानून विभाग में सहायक प्रोफेसर पद के लिये डा0 प्रमोद मलिक, मिस सीमा दहिया, श्री मति राजेश हुड्डा व प्रतिवादी पवन कुमार द्वारा आवेदन करना पाया गया। जिनके दस्तावेजों की प्रतियाँ प्रलेख फाइल न0 2 के 363 से 385 पर लगी देखी जा सकती है।</p> <p>जांच से पाया है कि उपरोक्त विज्ञापन में प्रकाशित विभिन्न पदों के</p>

जारी किया गया। जिसमें कानून विभाग के लैक्चरर के पदों का भी विज्ञापन दिया हुआ था। जून 2007 के विज्ञापित पदों का साक्षात्कार दिनांक 11.7.2007 के चयन समिति द्वारा किया गया जिसमें श्री अनिल कुमार बल्हारा, श्री विनोद कुमार को कानून विभाग में नियमित लैक्चरर पद के लिये चयनित किया गया। लेकिन विज्ञापन दिनांक 4.5.2007 के तहत चयनित किये गये 4 लैक्चरर के पदों के उम्मीदवारों को नियुक्ति पत्र जारी करत हुये नियुक्ति पत्र में रेग्युलर शब्द लिखा गया और वेतन का वर्णन किया गया जबकि विज्ञापन में कोई वर्णन नहीं था। डा० पवन कुमार के नियुक्ति पत्र में पैर से रेग्युलर शब्द लिखा गया जबकि इन चयनित लैक्चरर को रेशनलाईज्ड स्टाफ में शामिल किया हुआ था और इन लैक्चररों का वेतन अनुदान सहायता स्कीम से दिया जा रहा था। जिससे सिद्ध होता है कि उपरोक्त चारों लैक्चरर अस्थाई आधार पर चयनित हुये थे। क्योंकि वर्ष 2010 में शिक्षा विभाग से उपरोक्त पदों की स्वीकृति प्राप्त हुई है। इस प्रकार पवन कुमार की नियुक्ति विश्वविद्यालय के कर्मचारियों/अधिकारियों द्वारा मिलीभगत करके बैंक डोर से की गई है।

लिये उम्मीदवारों द्वारा किये गये आवेदन से सम्बन्धित दस्तावेज की प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 227-477 पर देखी जा सकती है। प्रतिवादी पवन कुमार लैक्चरर, कानून विभाग व अन्य उम्मीदवारों का गठित चयन समिति द्वारा दिनांक 13.6.2007 को हरियाणा निवास, सैक्टर-3, चण्डीगढ़ में साक्षात्कार लिया गया और चयन समिति द्वारा कानून विभाग के लैक्चरर पद के लिये श्रीमति राजेश हुड्डा, श्रीमति सीमा दहिया, प्रतिवादी डा पवन कुमार व प्रमोद मलिक का चयन किया गया। श्रीमति अनुराधा गुप्ता, आई०ए०एस०,उप- कुलपति, अध्यक्ष समिति, प्रो० वी०के० बन्सल, प्रो० ज्ञान चन्द, प्रो० जैसवाल को समिति सदस्य तथा मिस सुमेधा कटारिया, एच०सी०एस०, कुलसचिव को सचिव सदस्य के तौर पर चयन समिति के सदस्य रहे हैं। चयन समिति द्वारा अपनी चयन प्रक्रिया प्रोफोर्मा में उपरोक्त चारों लैक्चररों का चयन करते समय उपरोक्त पद को नियमित नहीं बताया गया है और ना ही वेतन भत्ते बारे कोई वर्णन किया गया है। चयन समिति की प्रक्रिया शीट की प्रति प्रलेख फाईल न० 2 के पेज न० 895 पर लगी देखी जा सकती है।

जाँच से पाया है कि चयन समिति द्वारा उपरोक्त चारों लैक्चररों को चयनित करने के उपरान्त रजिस्ट्रार कार्यालय द्वारा दिनांक 18-6-07 को भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत की कार्यकारिणी परिषद की छठी गोष्ठी में एजेन्डा न० 9 के रूप में रखा गया। गोष्ठी एजेन्डा में पदों की भर्ती के लिये माननीय उच्च न्यायलय पंजाब एवं हरियाणा चण्डीगढ़ द्वारा सिविल याचिका न० 5368 वर्ष 2007 में पारित आदेश दिनांक 3.4.2007 अनुसार याचिकाकर्ताओं की सेवाएं स्टेटस को रखी जायेगी, बारे उल्लेख किया गया और दिनांक 13.6.2007 को नियमित आधार पर उम्मीदवारों के चयन हेतु लिये गये साक्षात्कार के परिणाम को माननीय अदालत के निर्णय के बाद सीलशुदा लिफाफे को खोलकर परिणाम जारी कर दिया जायेगा। माननीय अदालत के आदेशों की प्रतियाँ एवं एजेन्डा की प्रति प्रलेख फाईल न० 1 के पेज न० 99, 160 व 151 पर लगी देखी जा सकती है। उपरोक्त कानून विभाग के चयनित उम्मीदवारों को यू०जी०सी० स्केल 8000-13500 रुपये देने का निर्णय एजेन्डा में लिया गया। इसके बाद उपरोक्त चारों लैक्चररों के चयन मामले को दिनांक 16.7.2007 को कार्यकारिणी परिषद विश्वविद्यालय खानपुर कलां की सातवीं गोष्ठी में एजेन्डा न० 5 के रूप में रखा गया और कार्यकारिणी परिषद द्वारा उपरोक्त चारों लैक्चररों के पदों को स्थाई आधार पर चयन करने की सिफारिश को स्वीकर करते हुये उप-कुलपति को नियुक्ति पत्र जारी करने के लिये अधिकृत किया गया। एजेन्डा की प्रति प्रलेख फाईल न० 1 के पेज न० 155 पर लगी देखी जा सकती है। रजिस्ट्रार कार्यालय द्वारा दिनांक 26.7.2007 को नियुक्ति पत्र जारी करने पाये गये हैं। उपरोक्त नियुक्ति पत्रों की रजिस्ट्रार कार्यालय की कार्यालय प्रतियों में हस्तलिखित रेग्युलर बेसिस शब्द लिखे हुये पाये गये हैं। जिनकी प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 517-531 पर लगी देखी जा सकती है। जाँच से पाया गया है कि नियुक्ति पत्रों की अन्य प्रतियों में टाईपशुदा रेग्युलर बेसिस शब्द लिखे हुये हैं। जिससे प्रतीत होता है कि तत्कालीन रजिस्ट्रार द्वारा नियुक्ति पत्रों को हस्तलिखित शब्द रेग्युलर बेसिस लिखकर अनुमोदन करवाया गया है। उसके बाद नियुक्ति पत्रों की अन्य प्रतियों में टाईपशुदा शब्द लिखकर नियुक्ति पत्र जारी किये गये हैं। नियुक्ति पत्रों की अन्य प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 1201-1211 पर लगी देखी जा सकती है। नियुक्ति पत्रों को प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक, कार्यालय रजिस्ट्रार व शिकायतकर्ता डा० विमल जोशी कानून विभाग अध्यक्ष द्वारा अपने लघु हस्ताक्षरों से तैयार करके सुमेधा कटारिया, एच०सी०एस० तत्कालीन रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत द्वारा जारी करने पाये गये हैं। उपरोक्त चारों लैक्चरर कानून विभाग में कार्यरत हैं।

जाँच से यह भी पाया गया है कि उपरोक्त विज्ञापन दिनांक 4.5.2007 में कानून विभाग के उपरोक्त लैक्चरर के अतिरिक्त अन्य प्रकाशित पदों पर चयनित उम्मीदवारों को भी नियमित आधार पर चयन करके नियुक्ति पत्र जारी किये हैं। इसके अतिरिक्त चयन समिति द्वारा अपनी चयन प्रक्रिया शीट में चयनित उम्मीदवारों को नियमित पदों/यू०जी०सी० पे-स्केल पर चयन करना लिखा हुआ है। चयन प्रक्रिया शीट की प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 479-489 पर लगी देखी जा सकती है।

-137-

रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत द्वारा जून, 2007 में प्रोफेसर, रीडर, लैक्चरर, कानून विभाग व शिक्षा अध्यापक, प्रिंसीपल बहुतकनीकी संस्था में पदों की भर्ती के लिये यू०जी०सी० पे-स्केल व नियमित आधार पर पुनः विज्ञापन जारी करना पाया गया है। इस विज्ञापन में मई, 2007 के पिछले विज्ञापन का कोई वर्णन नहीं है। विज्ञापन की प्रति प्रलेख फाईल

न० 2 के पेज न० 661 पर लगी देखी जा सकती है। इस विज्ञापन में वर्णित पदों को लिये उम्मीदवारों द्वारा आवेदन किये गये दस्तावेजों एवं कार्यालय का डायरी रजिस्टर में उम्मीदवारों के नामों का इन्द्राज किया हुआ है। जिसकी प्रतियाँ प्रलेख फाइल न० 2 के पेज न० 663-707 पर लगी देखी जा सकती है। उपरोक्त विज्ञापित पदों की भर्ती के लिये चयन कमेटी समिति द्वारा दिनांक 10.7.2007, 11.7.2007, 17.7.017, 19.7.2007 व दिनांक 22.7.2007 को उम्मीदवारों का साक्षात्कार लेकर चयन प्रक्रिया शीट पर रैग्युलर शब्द लिखकर चयन करना पाया गया है। जिनकी प्रतियाँ प्रलेख फाइल न० 2 के पेज न० 709-721 पर लगी देखी जा सकती है। चयनित उम्मीदवारों को विश्वविद्यालय प्रशासन द्वारा नियुक्ति पत्र जारी करने पाये हैं। इस विज्ञापन में प्रकाशित पदों की भर्ती में शिकायतकर्ता डा० विमल जोशी का बतौर प्रोफेसर कानून विभाग में प्रतिनियुक्ति के आधार पर व डा० अनिल बलहारा का कानून विभाग में लैक्चरर के पद पर चयन होना पाया गया है। चयन प्रक्रिया शीट दिनांक 11.7.2007 की फोटोप्रतियाँ प्रलेख फाइल न० 2 के पेज न० 711 व 713 पर लगी देखी जा सकती है। शिकायतकर्ता डा० विमल जोशी के बतौर प्रोफेसर कानून विभाग के नियुक्ति पत्र की प्रति प्रलेख फाइल न० 2 के पेज न० 729 पर लगी देखी जा सकती है। श्री अनिल बलहारा को लैक्चरर कानून विभाग के पद पर भर्ती करने पर जारी किये गये नियुक्ति पत्र की प्रति प्रलेख फाइल न० 2 के पेज न० 1099 पर लगी देखी जा सकती है।

जाँच से पार्थ है कि विज्ञापन दिनांक 4.5.2007 व जून, 2007 से सम्बन्धित असल कार्यालय फाइल रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनापत के कार्यालय से गायब होनी पाई गई है। विज्ञापन से सम्बन्धित असल कार्यालय फाइल के अभाव में विज्ञापन दिनांक 4.5.2007 में प्रकाशित पदों की भर्तियों को स्थाई या अस्थाई पदों के स्वरूप को बताया नहीं जा सकता क्योंकि पदों को प्रकाशित करने से पहले विश्वविद्यालय प्रशासन द्वारा पदों की संख्या, सरकार से स्वीकृति व पदों के स्वरूप (स्थाई/अस्थाई) के सम्बन्ध में कार्यालय नोटिंग पर लिये गये निर्णय से पता चल सकता था। विज्ञापन/ भर्ती से सम्बन्धित फाइल रजिस्ट्रार कार्यालय व स्थापना शाखा द्वारा डील की जाती रही है। इनके कार्यालयों में किसी क्लर्क/सहायक या अन्य अधिकारी द्वारा कार्यालय से स्थानांतरण/नई नियुक्ति होने पर किसी फाइल/शीट का कोई चार्ज लेने-देने का रिकार्ड नहीं है। उपरोक्त भर्ती प्रक्रिया के दौरान मुख्यतः प्रतिवादी कृष्ण कुमार ढाका, बतौर अधीक्षक व प्रतिवादी राजेश कुमार क्लर्क/सहायक तैनात रहे हैं। उपरोक्त दोनों के अतिरिक्त श्री ईश्वर सिंह, सहायक, श्री प्रवीण कुमार, सहायक, सभी क्लर्क आउटसोर्स स्कीम के तहत कार्यरत रहे हैं। इस अवधि के दौरान श्री समुन्द्र सिंह, अधीक्षक (सेवानिवृत्त) व श्री बलजीत सिंह मलिक, अधीक्षक (सेवानिवृत्त) की नियुक्ति रही है। इसके बाद श्रीमति मन्जु रानी सहायक के तौर पर दिनांक 21.1.2013 से स्थापना शाखा में कार्यरत चली आ रही है। रजिस्ट्रार कार्यालय द्वारा दिनांक 19.5.2017 को माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ में लम्बित नामले के सम्बन्ध में उपरोक्त विज्ञापन से सम्बन्धित कार्यालय की असल फाइल को अनुपलब्धता की सूचना दी गई। जिसकी प्रति प्रलेख फाइल न० 1 के पेज न० 144 पर लगी देखी जा सकती है। जिसके सम्बन्ध में माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ के आदेश दिनांक 23.10.2017 की अनुपालना में डा० डी० आर० यादव, मैडिको-लीगल- एडवाइजर, हरियाणा सरकार व निदेशक, पी० जी० आई० एम० एस०, रोहतक (सेवानिवृत्त) को एक सदस्यीय जाँच दल का गठन किया गया। पत्र दिनांक 18.12.2018 की प्रति प्रलेख फाइल न० 1 पेज न० 145 पर लगी देखी जा सकती है।

उपरोक्त के अतिरिक्त गठित चयन समितियों द्वारा विज्ञापन दिनांक 4.5.2007 अनुसार चयनित लैक्चररों, प्रोफेसरो व अन्य पदों (स्थाई/अस्थाई का स्वरूप वर्णन किये बिना) को विश्वविद्यालय खानपुर कला की कार्यकारिणी परिषद द्वारा पारित प्रस्ताव/एजेन्डा अनुसार स्थाई नियुक्ति करने एवं यू०जी०सी० पे-स्केल देने की स्वीकृति उपरान्त सभी विवादित पदों पर भर्ती/चयन किये गये उम्मीदवारों को अन्तिम रूप दे दिया गया है। जिस कारण विज्ञापन में वर्णित तथा स्थाई/अस्थाई पदों को वर्णन नहीं किये जाने पर भी अब अस्थाई नहीं माना जा सकता है। इसलिये कार्यकारिणी परिषद द्वारा लिया गया निर्णय ही अन्तिम है। इसके अतिरिक्त विज्ञापन दिनांक 4.5.2007 व 7.6.2007 से सम्बन्धित कार्यालय की असल फाइल के गायब होने के मामले को माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ के आदेश की पालना में डा० डी० आर० यादव, मैडिको-लीगल- एडवाइजर, हरियाणा सरकार व निदेशक, पी० जी० आई० एम० एस०, रोहतक (सेवानिवृत्त) को जाँच हेतु एक सदस्यीय जाँच दल गठित किया गया था। डा० डी० आर० यादव, मैडिको-लीगल-

एडवाइजर, हरियाणा सरकार व निदेशक, पी0 जी0 आई0 एम0 एर10, रोहतक (सेवानिवृत्त) द्वारा गुम हुये रिकार्ड के सम्बन्ध में जांच की गई है। इस जांच रिपोर्ट में राजेश कुमार तत्कालीन सहायक स्थापना शाखा हाल सहायक कुल-सचिव रिकार्ड गुम होने के बारे में जिम्मेवार बताया है। जांच रिपोर्ट की प्रति प्रलेख फाइल 01 के पेज-नं0 177 से 183 पर लगी देखी जा सकती है।

इसके अतिरिक्त जांच से पाया है कि हरियाणा सरकार द्वारा विश्वविद्यालय की स्थापना करने के उपरान्त वितायुक्त एवं प्रधान सचिव, हरियाणा सरकार, शिक्षा विभाग, हरियाणा चण्डीगढ़ के पत्र दिनांक 21.9.2006 अनुसार विश्वविद्यालय के लिये पदों की स्वीकृति दी गई। विश्वविद्यालय के अस्तित्व में आने के बाद पूर्व कार्यरत कर्मचारियों/अधिकारियों के पदों को समायोजित करने के आदेश जारी किये गये। रजिस्ट्रार कार्यालय द्वारा पदों को रेशनेलाईजेशन करने के लिये दिनांक 26.6.2007 को एक कमेटी गठित करने का निर्णय लिया गया। जिसके प्रति प्रलेख फाइल नं0 2 के पेज नं0 541-545 पर लगी देखी जा सकती है। विभिन्न कमेटियों द्वारा विश्वविद्यालय खानपुर कला की कार्यकारिणी परिषद को रेशनेलाईजेशन करने से सम्बन्धित सिफारिश करने पर 10 बिन्दुओं से सम्बन्धित कर्मचारी/अधिकारियों के पदों को समायोजित करने का निर्णय लिया गया। जिसके आधार पर प्रतिवादी राजेश कुमार तत्कालीन सहायक द्वारा दिनांक 02.07.2008 को कुल 176 पदों को रेशनेलाईजेशन करने की नोटिंग तैयार की गई। प्रतिवादी राजेश कुमार, सहायक द्वारा आर्युवेदिक विभाग के 8 लैक्चरर और कानून विभाग के 6 लैक्चरर, जिनको विश्वविद्यालय द्वारा विज्ञापन जारी करके भर्ती किया हुआ था और वे सैल्फ फाईनेन्स स्कीम से वेतन प्राप्त कर रहे थे, उन पदों को भी रेशनेलाईजेशन के लिये उपरोक्त 176 पदों के साथ शामिल करके कुल 190 पदों का प्रस्ताव तैयार करके अधिकारियों को प्रस्तुत किया। आर्युवेदिक विभाग एवं कानून विभाग के उपरोक्त 14 लैक्चररों के पद रेशनेलाईजेशन स्कीम के अंतर्गत उपरोक्त 10 बिन्दुओं के तहत कवर नहीं करते हैं। क्योंकि रेशनेलाईजेशन केवल उन्हीं पदों का किया जाना था जो विश्वविद्यालय के अस्तित्व में आने से पूर्व संस्थाओं में कार्यरत रहे थे। आर्युवेदिक विभाग एवं कानून विभाग के उपरोक्त 14 लैक्चररों के पदों को रेशनेलाईजेशन के लिये प्रतिवादी राजेश कुमार तत्कालीन सहायक द्वारा उपरोक्त प्रस्ताव दिनांक 02.07.2008 में गलत शामिल करके पेश किया गया। जिसकी प्रति प्रलेख फाइल नं0 2 के पेज नं0 569-571 पर लगी देखी जा सकती है। उपरोक्त 14 पदों की भर्ती विश्वविद्यालय द्वारा विज्ञापन जारी करके चयन समिति द्वारा विश्वविद्यालय अस्तित्व में आने के बाद की गई है। इसलिये उपरोक्त 14 पदों को रेशनेलाईजेशन के लिये नहीं भेजा जा सकता था। उपरोक्त पदों के वेतन को सैल्फ फाईनेन्स स्कीम से निकालकर स्वीकृत के अंतर्गत लाने के लिये अधिकारियों को प्रस्ताव भेजना चाहिये था।

उपरोक्त के अतिरिक्त विश्वविद्यालय प्रशासन द्वारा कुल 190 पदों के रेशनेलाईजेशन सम्बन्धी कार्यालय प्रक्रिया अनुसार वितायुक्त एवं प्रधान सचिव, हरियाणा सरकार शिक्षा विभाग द्वारा अपने पत्र क्रमांक 18/203-2007 यूएन0पी0(2) दिनांक 27.2.2009 अनुसार स्वीकृति प्रदान की गई है। पत्र की प्रति प्रलेख फाइल नं0 2 के पेज नं0 639-643 पर लगी देखी जा सकती है।

इसी सम्बन्ध में विश्वविद्यालय प्रशासन द्वारा उपरोक्त आरंभों के सम्बन्ध में अपने स्तर पर एक जांच समिति का गठन किया गया था। जिसके प्रोफेसर पी0सी0 पीताजीलू पूर्व वाईस चांसलर, पी0 प्रीत सिंह पूर्व रजिस्ट्रार एम0डी0यू0 रोहतक व सहायक रजिस्ट्रार सदस्य मनोनीत किये गये थे। जांच समिति द्वारा प्रशासन को अपना रिपोर्ट दिनांक 20.1.2020 को पेश की जिसके अनुसार विश्वविद्यालय के कार्यालय प्रशासन द्वारा स्वीकृत पदों पर चयनित किये गये सहायक प्रोफेसर व अन्य स्टाफ को रेशनेलाईजेशन श्रेणी में डालकर लापरवाही दिखाई गई है। इसी प्रकार चयनित उम्मीदवारों को जांच समिति द्वारा नियमित पे-स्कैल पर चयनित करना अपनी रिपोर्ट में दर्शाया है। इसके अतिरिक्त जांच समिति द्वारा दी गई रिपोर्ट में दर्शाया है कि 14 लैक्चरर (8 आर्युवेद व 6 कानून विभाग) की नियुक्ति बजट पदों के विरुद्ध प्रत्यक्ष भर्ती मोड द्वारा की गई है जिनका नाम विश्वविद्यालय की स्थापना के बाद प्रशासनिक शाखा द्वारा मनमाने ढंग से रेशनेलाईजेशन सूचि में डाला गया है जो बिल्कुल गलत है। प्रोफेसर विमल जोशी और डा0 अनिल बल्हारा एक ही विज्ञापन के तहत नियुक्ति किये गये। डा0 विमल जोशी की नियुक्ति स्वीकृत पद के विरुद्ध दर्शाया है जबकि डा0 अनिल बल्हारा, श्रीमति राजेश हुड्डा, श्रीमति सीमा दहिया, प्रमोद मलिक व प्रतिवादी डा पवन कुमार कानून विभाग के 5 सहायक प्रोफेसर को नियुक्ति को 190 पद जो रेशनेलाईजेशन पदों में सरकार के पत्र दिनांक 27.2.2009 के तहत स्वीकृत किये गये थे के अन्तर्गत दर्शाया है, जहाँ तक इन

अध्यापको की नियुक्ति विज्ञापन दिनांक 4 मई 2007 अनुसार बजट पदों के विरुद्ध प्रत्यक्ष भर्ती मोड द्वारा की गई है। विश्वविद्यालय ने इस संबंध में एक मध्यस्थ और गलत तरीके से काम किया है जो कानूनी रूप से उचित नहीं है जाच की प्रति प्रलेख फाईल 1 के पेज न01 64-176 पर लगी देखी जा सकती है।

इस प्रकार प्रतिवादी राजेश कुमार तत्कालीन सहायक हाल सहायक कुल-सचिव एवं प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक (सेवानिवृत) द्वारा विज्ञापित पदों के 14 लैक्चररों को रेशनलाईजेशन के लिये प्रस्ताव भेजकर शिक्षा विभाग, हरियाणा सरकार को गलत सूचना देकर घोर लापरवाही का सबूत दिया है। इसके अतिरिक्त विश्वविद्यालय द्वारा गठित जाच कमेटी द्वारा प्रतिवादी राजेश कुमार तत्कालीन सहायक स्थापना शाखा को विज्ञापन एवं नियुक्ति से सम्बन्धित असल फाईल/रिकार्ड को गुम करने का जिम्मेवार माना है। प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक वर्ष 2013 में सेवानिवृत हो चुका है। प्रतिवादी राजेश कुमार, तत्कालीन सहायक हाल सहायक रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कला, सोनीपत लोक सेवक होते हुये रिकार्ड को गुम किया गया है तथा रेशनलाईजेशन सूची गलत तैयार करके उच्चाधिकारियों को गुमराह करके सरकार को गलत सूचना दी गई है। लेकिन आरोपियों द्वारा रिकार्ड/विज्ञापन एवं अनुमोदित पदों की स्वीकृति की फाईल गुम करके व वर्णित पदों को रेशनलाईज पदों में मिलाकर किसी से न तो अनुचित लाभ प्राप्त किया जाना पाया गया है और न ही आरोपी कर्मचारियों द्वारा अनुचित लाभ का ईरादा पाया गया है। इसलिए प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक, महिला विश्वविद्यालय खानपुर कला सोनीपत व प्रतिवादी राजेश कुमार, तत्कालीन सहायक हाल सहायक रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कला, सोनीपत के विरुद्ध विभागीय कार्यवाही करने का सुझाव दिया जाता है।

अतः आरोप उपरोक्त सीमा तक सिद्ध रहा।

(रजनीश कुमार)  
उप अधीक्षक (का10),  
कृते : महानिदेशक,  
राज्य चौकसी ब्यूरो, हरियाणा।

संलग्न:-

1. अन्तिम रिपोर्ट की एक प्रति।
2. शिकायत फाईल पेज न0 01 से 437 तक। ✓
3. पुलिस फाईल पेज न0 01 से 68 तक। ✓
4. कथन फाईल पेज न0 01 से 271 तक। ✓
5. प्रलेख फाईल न0 01 पेज न0 01 से 201 तक। ✓
6. प्रलेख फाईल न0 02 पेज न0 01 से 1223 तक। ✓

राज्य चौकसी ब्यूरो

उपकेन्द्र, सोनीपत

## अन्तिम रिपोर्ट

विषय:- जांच क्रमांक नं० 11 दिनांक 15.12.2017 सोनीपत।

- विरुद्ध:-
- 1 डा० पवन कुमार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत।
  - 2 श्री कृष्ण कुमार ढाका तत्कालीन अधीक्षक कार्यालय रजिस्ट्रार, सहायक रजिस्ट्रार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत। (सेवानिवृत्त)
  - 3 श्री राजेश कुमार, तत्कालीन सहायक, हाल सहायक रजिस्ट्रार, भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत।

परिचय:-

यह जांच अतिरिक्त मुख्य सचिव, हरियाणा सरकार, चौकसी विभाग के यादी क्रमांक 63/60/2017-1 चौ०(11) दिनांक 5.12.17 की अनुपालना में महानिदेशक, राज्य चौकसी ब्यूरो, हरियाणा, पंचकुला के पृष्ठ क्रमांक 16038/1-6/रा०चौ०ब्यू० दिनांक 15.12.2017 अनुसार दर्ज रजिस्ट्रार होकर पुलिस अधीक्षक, राज्य चौकसी ब्यूरो, हरियाणा, रोहतक मण्डल, रोहतक के डायरी नं० 3993 दिनांक 19.12.2017 अनुसार पड़ताल हेतु प्राप्त हुई थी। जिसमें डा० एच०सी० जोशी, 62 औमेक्स सिटी, रोहतक की शिकायत के आधार पर उच्चतर शिक्षा विभाग पंचकुला की अनुशंसा पर निम्नलिखित आरोप की पड़ताल की जानी है।

आरोप:-

यह कि हरियाणा सरकार शिक्षा विभाग के पत्र क्रमांक 20/1-2006 /यू०एन०पी०(1) दिनांक 21.9.2016 अनुसार भगत फूल सिंह महिला विश्वविद्यालय खानपुर कलां सोनीपत अस्तित्व में आने पर विज्ञापन दिनांक 4.5.2007 अनुसार लैक्चरार/रीडर व प्रोफेसर इत्यादि पदों के लिये आवेदन आमंत्रित किये गये थे जिसमें वेतन प्रशासन के साथ समझौता करके निर्धारित करने बारे लिखा था। विज्ञापन अनुसार पदों बारे पदों की स्थिति नियमित या अस्थाई बारे कोई वर्णन नहीं था। कानून विभाग में लैक्चरार के पदों की भर्ती के लिये दिनांक 13.6.2007 को चयन समीति द्वारा साक्षत्कार लिया गया। इसके बाद विश्वविद्यालय द्वारा जून, 2007 में विभिन्न नियमित पदों की भर्ती के लिये विज्ञापन जारी किया गया। जिसमें कानून विभाग के लैक्चरार के पदों का भी विज्ञापन दिया हुआ था। जून 2007 के विज्ञापित पदों का साक्षत्कार दिनांक 11.7.2007 को चयन समीति द्वारा किया गया जिसमें श्री अनिल कुमार बल्हारा, श्री विनोद कुमार को कानून-विभाग में नियमित लैक्चरार पद के लिये चयनित किया गया। लेकिन विज्ञापन दिनांक 4.5.2007 के तहत चयनित किये गये 4 लैक्चरार के पदों के उम्मीदवारों को नियुक्ति पत्र जारी करत हुये नियुक्ति पत्र में रैग्युलर शब्द लिखा गया और वेतन का वर्णन किया गया जबकि विज्ञापन में कोई वर्णन नहीं था। डा० पवन कुमार के नियुक्ति पत्र में पैर से रैग्युलर शब्द लिखा गया जबकि इन चयनित लैक्चरार को रेशनलाईज्ड स्टाफ में शामिल किया हुआ था और इन लैक्चरारों का वेतन अनुदान सहायता स्कीम से दिया जा रहा था। जिससे सिद्ध होता है कि उपरोक्त चारों लैक्चरार अस्थाई आधार पर चयनित हुये थे। क्योंकि वर्ष 2010 में शिक्षा विभाग से उपरोक्त पदों की स्वीकृति प्राप्त हुई है। इस प्रकार पवन कुमार की नियुक्ति विश्वविद्यालय के कर्मचारियों/ अधिकारियों द्वारा मिलीभगत करके बैक डोर से की गई है।

जांच:-

उपरोक्त आरोपों की पूर्व पड़ताल तत्कालीन निरीक्षक संजय कुमार, निरीक्षक प्रशान्त, निरीक्षक राजपाल, निरीक्षक कैलाशचन्द, राज्य चौकसी ब्यूरो, उपकेन्द्र सोनीपत व उसके बाद मेरे द्वारा पुलिस अधीक्षक, राज्य चौकसी ब्यूरो हरियाणा, रोहतक मण्डल रोहतक की सीधी देख-रेख में पूर्ण करके अन्तिम रिपोर्ट की दो प्रतियाँ तैयार की गई हैं। पड़ताल के दौरान प्राप्त किये गये कथनों व प्रलेखों को सम्बंधित फाईलो में लगे देखे जा सकते हैं। पड़ताल फलस्वरूप आरोप बारे जो पाया गया है, उस बारे मेरी राय निम्न प्रकार से है:-

राय आरोप :-

इस सम्बन्ध में डॉक्टर पवन कुमार पुत्र श्री प्रेम सिंह हाल निवासी 225-सी0, सेक्टर 4 रोहतक ने अपने कथन का 0 फा0 के पेज न0 - 39, 69-77 व 121-123 पर बतलाया है कि वह वर्तमान में महिला विश्वविद्यालय खानपुर कला के विधि विभाग में असिस्टेंट प्रोफेसर के पद पर कार्यरत हैं। शिकायतकर्ता द्वारा एक आपराधिक साजिश के तहत तथ्यों को तोड़ मोड़कर कर पेश किया गया है और शिकायतकर्ता ने पूर्ण तथ्यों को बताया कम और छुपाया ज्यादा है। शिकायतकर्ता मेरी जानकारी के अनुसार हमारे विभाग के अध्यक्ष डॉ विमल जोशी के स्व0 पिता है और नुझे संदेह है कि शिकायत पर डॉ विमल जोशी ने हस्ताक्षर किए हैं। डॉ विमल जोशी की हैंडराइटिंग का नमूना और उनके पिता श्री एच0 सी0 जोशी की हस्ताक्षर का नमूना बैंक अकाउंट से लेकर हैंडराइटिंग जांच करवाया जाए और महिला विश्वविद्यालय से पूछा जाए कि क्या आज तक एच0सी0 जोशी नामक व्यक्ति ने कोई आर0टी0आई0 एक्ट के तहत कोई जानकारी डा0 पवन कुमार की नियुक्ति के सन्दर्भ में मांगी गई है। शिकायत का पैरा वार्ड जबाब इस प्रकार है। It is a matter of record कि बी0पी0एस0 महिला विश्वविद्यालय को हरियाणा विधान सभा द्वारा वर्ष 2006 में स्थापित किया गया है। Letter Memo No 20/1&2006 UNP (1)] Financial Commissioner & Principal Secretary to Govt. Of Haryana Education Department द्वारा यहाँ पहले से कार्यरत कर्मचारियों के absorption एवं rationalisation हेतु भेजा गया था। शिकायतकर्ता द्वारा वर्णित विज्ञापन महिला विश्वविद्यालय खानपुर कला के द्वारा मई 2007 में प्रमुख समाचार पत्रों जिसमें The Tribune इत्यादि शामिल है में प्रकाशित किया गया था और विज्ञापन के माध्यम से विश्वविद्यालय द्वारा Highly motivated and creative professors/ readers/ assistant professors/ lecturers( fulfilling UGC qualifications) से उनके Resume/CV मांगे थे ताकि वे a) 5 year B.A. LL.B(Hons) programme, b) Be.Ed/M.Ed/M.A. Education; c) Masters in journalism and mass Communication; d) Masters in English lecturers, Language and communication, e) Courses in foreign Languages French, German and Sapanish; f) 4G/PG in various subject like Home Science Sociology के पाठ्यक्रम के स्टूडेंट को पढ़ा सके और उक्त विज्ञापन में अंतिम तिथि 22 मई, 2007 अंकित थी। उक्त विज्ञापन में अंकित था कि Enrolments negotiable, Commensurate with qualifications and experience. परन्तु शिकायतकर्ता ने जानबूझकर छुपाया की विज्ञापन में विद्यालय की एडजेक्टिव काउंसिल ने अंग्रेजी की एम0 ए0 पाठ्यक्रम के लिए 4 लेक्चरार रवि भूषण, श्री हिमांशु परमार, मिस शालिनी एवं मिस गीता फोगाट को अंग्रेजी विभाग में यू0जी0सी0 पे स्केल 8000-13500 में रेगुलर बेसिस पर नियुक्ति का अनुमोदन किया और उक्त सभी को अंग्रेजी विभाग में स्थाई रूप से नियुक्ति पत्र दिया गया है। इसी तरह से विज्ञापन के संदर्भ में स्पेनिश भाषा को पढ़ाने के लिए मिस प्रीति पंत को लेक्चरार के पद पर यू0जी0सी0 पे स्केल में स्थाई तौर पर नियुक्त किया गया और इसी विभाग के अनुराधा चौधरी को रशियन भाषा को पढ़ाने के लिए लेक्चरार के पद पर यू0जी0सी0 पे स्केल में स्थाई तौर पर नियुक्त किया गया। इसी तरह B-Ed/M-Ed/M.A Education के विद्यार्थियों को शिक्षा विभाग में पढ़ाने के लिए श्री सुशील कुमार एवं मिस प्रियंका ढींगरा को स्थाई तौर पर यू0जी0सी0 पे स्केल में नियुक्ति की दी गई है और इसी विज्ञापन के तहत विधि विभाग में सोशलॉजी के लिए श्री आशीष कुमार को स्थाई तौर पर यूजीसी पे स्केल में नियुक्ति दी गई है। मैं भी उक्त विज्ञापन के संदर्भ में बी0ए0- एल0 एल0 बी0 5 साल प्रोग्राम के विद्यार्थियों को पढ़ाने हेतु अपना सी0वी0/रेज्युमं उक्त समय के रजिस्ट्रार को भेजा था और उस विषय में विश्वविद्यालय द्वारा विज्ञापन के संदर्भ में साक्षात्कार हेतु सभी कैंडिडेट को पत्र दिया गया था जिसका एक नमूना एक कैंडिडेट मिस राजेश हुड्डा को इन्टरव्यू के लिए पत्र जिसमें उम्मीदवार को 10:30 बजे सुबह कमेटी रूम हरियाणा निवास, सै-3, चंडीगढ़ बाबत सूचित किया गया था। उच्च पदों के लिए साक्षात्कार विश्वविद्यालय की वाइस चांसलर श्रीमती अनुराधा गुप्ता आई0ए0एस0 की चेयरमैनशिप की अगुवाई में सिलेक्शन कमेटी जिसमें प्रोफेसर वी0के0 बंसल, फोरमर डीन, फैंकल्टी ऑफ लॉ, पंजाब यूनिवर्सिटी 3) प्रोफेसर ज्ञान चंद, रिटायर्ड प्रोफेसर फैंकल्टी आफ लॉ यूनिवर्सिटी आफ दिल्ली 4) प्रोफेसर पी0एस0 जैसवाल, रिटायर्ड प्रोफेसर फैंकल्टी आफ लॉ यूनिवर्सिटी आफ पंजाब, चण्डीगढ़ हाल उम कुलपति, नैशनल लॉ यूनिवर्सिटी, पटियाला व

श्रीमति सुमेधा कटारिया, रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर ने मेरे समेत सभी कैंडिडेट का इंटरव्यू लिया था और उसके बाद सिलेक्शन कमेटी ने निम्नलिखित अनुसार नाम ऑर्डर ऑफ मेरिट रिकमण्ड किये थे।

क्रम	नाम
1	राजेश हुड्डा
2	सीमा वहिया
3	पवन कुमार ( क्रम 5 )
4	प्रमोद मलिक

No other Candidate was suitable

और उक्त recommendations को विश्वविद्यालय की Highest decision making body जिसका नाम Executive Council है के सामने उसकी sixth meeting के Agenda के रूप में पेश किया गया। Executive Council की 6<sup>th</sup> meeting 18<sup>th</sup> June 2007 को Committee Room, Haryana Niwas, Chandigarh में हुई और उक्त मीटिंग के 9<sup>th</sup> Agenda का विषय " Appointment of four lecturers in UGC Scale 8000-13500" है और आगे वर्णित है " The lecturers who had been appointed on contract basis in PSD Law collage before the University come into existence have got " Sataus " Punjab and Haryana High Court. The next meeting is fixed for 17<sup>th</sup> July, 2007. The Court has not barred holding of Interviews for selection of candidates on regular basis but the result of interviews held on 13-6-2007 has been sealed and according to legal opinion the appointment letters should be issued only after the court's decision expected on the issue in next hearing. E.C. may authorise the Vice-Chancellor to issue appointment, if the Court directs as such, in due course of time so that academic work does not suffer when the session starts और Executive Council ने उक्त meeting में Resolution no 9<sup>th</sup> पारित किया। जोकि वर्णित करता है कि " Appointment of four lecturers in Law in UGC Scale of Rs. 8000-13500. The proposal was approved and V.C. was authorized to issue appointment letters on vaction of stay. लेकिन शिकायतकर्ता ने एक आपराधिक साजिश के तहत उक्त इसी एजेंडा एवं रेजोल्यूशन को छुपाया था कि मुझे मुकदमे में डाला जाए क्योंकि उक्त एजेंडा साफ करता है कि हमारी नियुक्ति यानी 25 जुलाई, 2007 जो कि विश्वविद्यालय की स्थापना वर्ष 2006 के बाद हुई है और कुछ प्राध्यापक जो कि विश्वविद्यालय की स्थापना से पहले गुरुकुल महासभा के द्वारा अनुबंध पर नियुक्त किए गए थे और उन्होंने पंजाब एवं हरियाणा हाईकोर्ट से स्थाई नियुक्ति होने तक स्टे आर्डर प्राप्त किया हुआ था और लीगल ओपिनियन के अनुसार स्थाई नियुक्ति आदेश जारी रहने तक नहीं हो सकती किंतु कोर्ट ने स्टे आदेश में विश्वविद्यालय को स्थाई नियुक्ति के लिए इंटरव्यू लेने से मना नहीं किया हुआ है और Executive Council को उक्त एजेंडा से बताया गया कि स्थाई नियुक्ति के लिए इंटरव्यू 13 जून, 2007 को ले लिए गए हैं और साक्षात्कार का परिणाम एक लिफाफे में बंद कर दिया गया है। उसके स्टे आदेश हटने के बाद 4 लेक्चरर को विधि विभाग में यूजीसी पे स्केल 8000-13500 में उप कुलपति नियुक्ति पत्र दे सकती है और Executive Council ने उप कुलपति को नियुक्ति पत्र देने के लिए अधिकृत किया। शिकायतकर्ता ने जानबूझकर यह नहीं बताया कि उप समय में पी0एस0डी0 लॉ संस्था जो कि वर्तमान में विधि विभाग के रूप में जाना जाता है 5 वर्षीय बी0ए0 एल0एल0बी0 का कोर्स वर्ष 1999- 2000 से संचालित कर रहा था और बार काउंसिल ऑफ इंडिया के नियमानुसार केवल चार लेक्चरर उक्त पाठ्यक्रम को चलाने के लिए पर्याप्त नहीं है। शिकायतकर्ता ने यह जानबूझकर नहीं बताया कि उक्त विज्ञापन के संदर्भ में दो व्यक्तियों का नाम पवन कुमार था और ना ही दर्शाया कि सिलेक्शन कमेटी ने पहले सीरियल नंबर अंकित किया है वह दोनों पवन कुमार को distinguish (अन्तर) करने के लिए क्रम 5 मेरे नाम के पीछे लिखा है न कि आगे और क्रम 4 पर कोई भी रिक्त



स्थान नहीं है क्योंकि इस क्रम 0 स 0 4 पर प्रमोद कुमार का नाम अंकित है और ना ही विज्ञापन में कोई रिजर्वेशन का जिक्र है जबकि शिकायतकर्ता ने लगभग 10 साल बाद अपने आप रिजर्वेशन पॉलिसी को विज्ञापन में वर्णित ना होने के बावजूद लागू कर दिया, शिकायतकर्ता ने अपनी शिकायत में यह नहीं बताया कि मैं अपने आप को क्रम 0 स 0 3 पर अंकित करने का प्रयास क्यों करूंगा। जब कि मेरा नाम पहले ही सिलेक्शन कमेटी द्वारा क्रम संख्या तीन पर अंकित किया है और क्रम संख्या 4 पर प्रमोद कुमार का नाम अंकित है। PSD Institute of law presently known as department of laws गुरुकुल महासभा द्वारा वर्ष 1999 -2000 में स्थापित किया गया था और वर्ष 2007 में यहां पाँचो वर्ष की छात्राएं शिक्षा ग्रहण कर रही थी। बार काउंसिल ऑफ इंडिया के नियम अनुसार विश्वविद्यालय के लिए आवश्यक था कि यहां चार लेक्चरर के अलावा एक प्रोफेसर एवं 2 रीडर और कम से कम 3 लेक्चरर का होना जरूरी था और इसी जरूरत को पूरी करने हेतु विश्वविद्यालय ने 13 जून, 2007 में दोबारा एक विज्ञापन दिया। जिसका साक्षात्कार 11 जुलाई, 2007 को चण्डीगढ में हुआ। उसी सिलेक्शन कमेटी जिसने 13 जून, 2007 को मई 2007 के विज्ञापन के सन्दर्भ में साक्षात्कार लिया था, दोबारा साक्षात्कार लिया, जिसमें 3 लेक्चरर लॉ को अनुमोदन किया गया और डा० विमल जोशी को प्रोफेसर के लिए अनुमोदित किया उसके पश्चात उक्त recommendation के लिये यूनिवर्सिटी की Executive Council की सातवीं मीटिंग दिनांक 16 जुलाई, 2007 का ऐजेन्डा तैयार किया गया और AGENDA 5 जिसका शीर्षक " Approval of appointment of Professor/Reader/ Lecturers in Law" था और जिसमें आगे वर्णित है कि " The selection committee has recommended candidates for appointment of Professor/Reader/Lecturers in Law in UGC Scale on regular basis. The V.C. may be authorized to issue appointments on vacation of stay by the Punjab & Haryana High Court." और Executive Council ने resolution 5 में अंकित किया है कि "Approval of appointment of Professor/Reader/Lecturers in Law Approved" और श्री आशीष कुमार की नियुक्ति मई 2007 के विज्ञापन के सन्दर्भ में की गई है न कि जून, 2007 के विज्ञापन पर। अतः यह दर्शाता है कि कोर्ट का स्टे आदेश होने की वजह से जो साक्षात्कार 13 जून, 2007 और 11 जुलाई, 2007 को हुये उनका परिणाम बन्द लिफाफे में रखा गया और Executive Council ने अपनी छठी व सातवीं मीटिंग में दोनो परिणामो को घोषित करने के लिये उप कुलपति को अधिकृत किया और उक्त Executive Council की मीटिंग में जिसमें मेरे व अन्य चयनित उम्मीदवार की नियुक्ति के उप कुलपति को अधिकृत किया गया था उसमें निम्नलिखित अधिकारियो ने भाग लिया था।

- 1 Mrs Anuradha Gupta, I.A.S., Vice- Chancellor.
- 2 Sh. Ankur Gupta, I.A.S., Special Secretary to Govt. Haryana, Health Department.
- 3 Sh. Anil Malik, I.A.S., Director, Higher Education, Haryana.
- 4 Mrs. Neerja Shekhar, I.A.S., Deputy Commissioner, Panchkula.
- 5 Sh. D.P.S. Nagal, Deputy Commissioner, Sonipat.
- 6 Sh. M.P Gupta, Director Technical Education, Haryana.
- 7 Ms. Sumedha Kataria, Registrar, B.P.S. Mahila Vishvidhalya, Khanpur.

और मुझे एवं अन्य लेक्चरर लॉ को नियुक्ति पत्र दिनांक 26-7-2007 को श्रीमति सुमेधा कटारिया, रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खनपुर, द्वारा सभी चयनित उम्मीदवार- मिस राजेश हुड्डा, सीमा दहिया, प्रमोद मलिक व श्री अनिल बलहारा की उपस्थिती में दिये गये। मैं अपना और मेरे साथ नियुक्त हुये तीन अन्य लेक्चरर- मिस राजेश हुड्डा, सीमा दहिया व श्री प्रमोद मलिक के अपॉइंटमेंट लेटर पर रजिस्ट्रार मिस सुमेधा कटारिया के हस्ताक्षर हैं और उनके हस्ताक्षर के नीचे शिकायतकर्ता एवं विधि विभाग के प्रोफेसर एवं विभागाध्यक्ष के लघु हस्ताक्षर भी है। Executive Council की छठी मीटिंग का ऐजेन्डा एवं रेज्युलेशन यह

दर्शाता है कि हमारी नियुक्तियां यू0जी0सी0 स्केल में रेगुलर बेसिस पर Approve की गई थी और हमें नियुक्ति पत्र भी रेगुलर बेसिस दिनांक 26.7.2007 के ही दिए गए हैं। अगर विश्वविद्यालय के रिकॉर्ड में कोई छेड़छाड़ की गई है तो वह भी शिकायतकर्ता श्री विमल जोशी की ही कोई साजिश हो सकती है क्योंकि विधि विभाग का सारा रिकॉर्ड हमारी पर्सनल फाइल एवं सर्विस बुको की कस्टडी उनके सुपरविजन में रही है। मैंने उक्त पत्र पर 26.7.2016 को जॉइन करने हेतु ज्वार्निंग पत्र दिया था। मुझे नियुक्ति से पहले माह से ही यू0जी0सी0 पे स्केल 8000-13500 छठे वेतन आयोग की शर्त अनुसार वेतन मिलता रहा है। इस वेतन का सॉर्स का मुझे मालूम नहीं है, मेरी जानकारी के अनुसार मई 2007 के विज्ञापन के सन्दर्भ में विश्वविद्यालय में अनेको नियुक्तियों रेगुलर बेसिस पर हुई है। उन सभी को सैलरी विश्वविद्यालय द्वारा राज्य सरकार द्वारा दी गई सहायता से प्रदान की गई है। मुझे एवं मेरे साथ में नियुक्त लेक्चरर को विश्वविद्यालय ने कोई रेशनेलाईजेशन पत्र आज तक जारी नहीं किया, जबकि दिनांक 26.07.2009 को शिकायतकर्ता डा0विमल जोशी द्वारा मुझे मेरी सॉर्स के कॉर्म होने बाबत एक पत्र जारी किया गया है। अतः उपर दिए गए ब्यान एवं साक्ष्य दर्शाते हैं कि शिकायतकर्ता ने एक साजिश के तहत शिकायत मुझे आपराधिक मामले में फंसाने के लिए की गई है क्योंकि मैंने शिकायतकर्ता की पुत्र वधू श्रीमती सुषमा जोशी जो कि विश्वविद्यालय के इंस्टीट्यूट ऑफ हायर लर्निंग में एसोसिएट प्रोफेसर के पद पर कार्यरत है के खिलाफ विश्वविद्यालय के टीचर एसोसिएशन के प्रेसिडेंट पोस्ट के लिए इलेक्शन कंटेस्ट किया था जो कि मार्च 2010 में संपन्न हुआ था। उस इलेक्शन में शिकायतकर्ता की पुत्र वधू बुरी तरह असफल रही थी और उसके बाद उनकी पुत्र वधू मेरे सहयोगी प्रोफेसर संदीप बेनीवाल के विरुद्ध एक शिकायत सेक्सुअल हैरासमेंट के बारे में राष्ट्रीय महिला आयोग को दी थी। उसके पश्चात शिकायतकर्ता की पुत्र वधू ने अनेको शिकायतें मेरे विरुद्ध विश्वविद्यालय को दी गईं। जिनमें कोई सच्चाई नहीं पाई गई। मेरे सहयोगी डॉ संदीप बेनीवाल के पिताजी श्री सुल्तान सिंह की शिकायत पर C.M. Flying Squad की Preliminary Investigation के पश्चात महिला थाना, खानपुर कला में शिकायतकर्ता के खिलाफ आई0पी0सी0 की धारा 420,468,471 व 120 बी व पी0सी0 एक्ट की धारा 13(1) डी के तहत एक अभियोग नं0 07 दिनांक 19.7.2016 दर्ज हुआ है। उक्त एफ0 आई0 आर0 के बाद शिकायतकर्ता ने एक शिकायत डी0जी0, विजिलेंस को डॉक्टर संदीप बेनीवाल की चौधरी रणबीर सिंह यूनिवर्सिटी जीद में शिक्षा विभाग में प्रोफेसर ऑफ एजुकेशन पद पर नियुक्ति के खिलाफ की थी। शिकायत पञ्चताल में झूठी एवं आपसी रंजिश का परिणाम पाई गई थी। उक्त नियुक्ति से पहले मैं Institute of Law, कुरुक्षेत्र, यूनिवर्सिटी में स्थाई तौर पर कार्यरत था। उक्त शिकायत में शिकायतकर्ता द्वारा यह ही बताया है कि विज्ञापन दिनांक 4 मई, 2007 जारी करने से पहले विश्वविद्यालय को वित्तियुक्त एवं प्रधान सचिव हरियाणा सरकार, शिक्षा विभाग चण्डीगढ़ के पत्र क्रमांक नं0 20/1-2006 यूएनपी (1) दिनांक 21.9.2006 द्वारा वित्तिय सहायता के अलावा टीचिंग स्टाफ भर्ती के लिये प्रोफेसर के 10 पद रीडर के 20 पद एवं लेक्चरर के लिये 40 पद स्वीकृत करने की सूचना दी थी। विश्वविद्यालय ने विज्ञापन दिनांक 4.5.2007 के द्वारा विभिन्न विषयों के विद्यार्थियों को पढ़ाने हेतु विज्ञापन मांगे और उक्त विज्ञापन के सम्बन्ध में 4 लेक्चरर अंग्रेजी का चयन/साक्षत्कार दिनांक 29/30.5.2007 को हुआ जिसे श्री रवि भूषण, श्री हिमान्यु परमार, डा शालिनी, व गीता फौगाट का चयन किया गया। उक्त विज्ञापन दिनांक 4 मई 2007 के तहत ही चयनित 4 लेक्चरर इन लॉ पदों को विश्वविद्यालय की स्थापना शाखा में कार्यरत कर्मचारियों द्वारा रेशनेलाईजेशन लेटर के तहत 2 जुलाई, 2008 हरियाणा सरकार को सूचित किया गया कि the university has recruited 08 lecturers in MSM Institute of Ayurveda and 06 lecturers in Department of Laws which need to be sanctioned by the Govt. as both the institutuion are still running under Self Finance Scheme और विश्वविद्यालय ने एक पत्र के चेयरपर्सन डॉ विमल जोशी को लिखा जिस ने बताया कि रेशनेलाईजेशन के तहत 190 पदों में शामिल किया गया और डॉक्टर विमल जोशी ने एक साजिश के तहत उक्त पत्र को हमें जारी नहीं किया और ना ही विश्वविद्यालय ने आज तक हमें कोई पत्र रेशनेलाईजेशन हेतु जारी नहीं किया है जबकि अन्य सभी कर्मचारियों

को जिनको रेशनेलाईजेशन किया गया सभी को रेशनेलाईजेशन लेटर जारी किए गए है। जब हमें वर्ष 2016 में तथ्यों का पता चला तो हमने हमारी पोस्ट को बजटिड पोस्ट में शामिल न करके रेशनेलाईजेशन के तहत कवर करने के विरुद्ध एक पत्र डायरी नंबर 2748 दिनांक 24 अगस्त 2016 को तत्कालीन रजिस्ट्रार, प्रोफेसर कविता चौधरी को उक्त गलती को सुधारने हेतु एवं दोषी कर्मचारियों के विरुद्ध कार्रवाई करने हेतु दिया मैंने विश्वविद्यालय में रेशनेलाईजेशन कमेटी में कार्य किया है और किसी भी कमेटी ने हमारे रेशनेलाईजेशन हेतु कोई भी अनुमोदन नहीं किया है और डा० विमल जोशी भी बहुत सारी रेशनेलाईजेशन कमेटी के सदस्य और एक के अध्यक्ष रहे हैं और अगर उन्होंने हमारे रेशनेलाईजेशन का अनुमोदन किया है तो उनके विरुद्ध कार्रवाई की जाए। डा० विमल जोशी के खिलाफ एफ०आई०आर० न० 7 दिनांक 19.7.2016 महिला थाना खानपुर कलां की ट्रायल एडिशनल जज सोनीपत के कोर्ट में चल रहा है। केस के संदर्भ में अभी 12 सितंबर 2018 को एस०एच०ओ०, महिला थाना, खानपुर कलां ने कोर्ट में सी०आर०पी०सी० की धारा 173 (8) के तहत एक रिपोर्ट जमा की है जिसकी जांच तत्कालीन डी०एस०पी० गोहाना श्री राजीव देशवाल ने प्रवर पुलिस अधीक्षक महोदय सोनीपत को पत्र क्रमांक 1198 /डीएसपी/ 4 दिनांक 6 अप्रैल 2018 को सौंपी थी। डा० विमल जोशी ने माननीय पंजाब एवं हरियाणा उच्च न्यायालय में सी०आर०एम० 33322 आफ 2016 के साथ जो झूठे प्रमाण पत्र लगाया गया है। एस०एच०ओ०, महिला थाना, खानपुर कलां द्वारा एडिशनल सेशन जज, सोनीपत के कोर्ट में रिपोर्ट धारा 173 (8) की एक प्रति दर्शाता है कि डॉ जोशी ने दो व्यक्तियों श्रीमती अजिता सिंह सहायक रजिस्ट्रार, डॉ राम मनोहर लोहिया, विश्वविद्यालय लखनऊ और डा० ऐ० के० पन्त, हेड ऑफ डिपार्टमेंट ऑफ लॉ, कुमाऊं यूनिवर्सिटी, अल्मोड़ा के नकली सिग्नेचर करके नकली प्रमाण पत्र माननीय उच्च न्यायालय में पेश कर अपनी अग्रिम जमानत प्राप्त की। इसके अतिरिक्त श्री राकेश कादयान जे०एम०आई०सी० की कोर्ट ने डॉ विमल जोशी एवं अन्य कुछ कर्मचारियों/अधिकारियों महिला विश्वविद्यालय खानपुर कलां में वर्ष 2007 से 2010 के बीच कार्यरत को प्रथम दृष्टि में डॉक्टर संदीप बेरवाल के खिलाफ क्रिमिनल Conspiracy & Criminal Defamation का दोषी मानते हुए उनके खिलाफ दिनांक 25 सितंबर 2018 को आदेश जारी करते हुए धारा 500 एवं 120 बी भा०द०स० के तहत ट्रायल फेस करने का आदेश जारी किया है। राज्य सूचना आयोग के आदेश के बावजूद पूरी जानकारी ना देने के कारण राज्य सूचना आयोग चण्डीगढ़ ने दिनांक 23 अक्टूबर 2017 को विश्वविद्यालय के अधिकारियों को रिकॉर्ड के विषय में जांच गठित करने के बाद के गुम होने के लिए दोषी अधिकारी के खिलाफ जारी करने का आदेश दिया था। परंतु आज तक अधिकारियों ने कोई जांच करवाने हेतु विश्वविद्यालय के वाइस चांसलर को पत्र नहीं लिखा है।

इस सम्बन्ध में डॉक्टर विमल जोशी पुत्र स्वर्गीय डॉक्टर एच० सी० जोशी निवासी विला नंबर 62, ओमेक्स सिटी रोहतक ने अपने कथन का० फा० के पेज न० 141-143 व 209-271 पर बतलाया है कि उसके पिता स्वर्गीय डॉक्टर एच०सी० जोशी ने डॉक्टर पवन कुमार सहायक प्रोफेसर विधि विभाग, महिला विश्वविद्यालय खानपुर कलां की नियुक्ति के खिलाफ शिकायत महामहिम राज्यपाल, हरियाणा को संबोधित करते हुए की थी, जिसकी प्रतिलिपि शिक्षा मंत्री, हरियाणा, प्रधान सचिव, शिक्षा विभाग, हरियाणा, उच्चतर शिक्षा निदेशक, हरियाणा व कुलपति, महिला विश्वविद्यालय खानपुर को की थी। दिनांक 18 फरवरी, 2017 को मेरे पिता स्वर्गीय डॉक्टर एच०सी० जोशी का मात अस्पताल रोहतक में गुर्दे नाकाम होने और सेपितिसिमिया के चलते निधन हो गया था। मैं डा० विमल जोशी अपने पिता का एकमात्र पुत्र होने के कारण उनका विधिक प्रतिनिधि हूँ। मेरे पिता द्वारा की गई शिकायत का उनका वारिस होने के कारण हर तरह से प्रतिनिधित्व करूंगा। भगत फूल सिंह महिला विश्वविद्यालय हरियाणा की विधानसभा द्वारा भगत फूल सिंह महिला विश्वविद्यालय अधिनियम 2005 के तहत 18 अगस्त 2006 को स्थापना की गई। इस विश्वविद्यालय की स्थापना होने के साथ-साथ शिक्षा विभाग के प्रधान सचिव एवं वित्तायुक्त ने एक पत्र कुलपति को जारी किया। मिमो नंबर 20/1-2006 यू०एन०पी०(1) दिनांक 21.9.2006 में कहा गया था कि विश्वविद्यालय की स्थापना अध्यादेश नंबर 4/2006 दिनांक 18.08.2006 के द्वारा हो चुकी है। सारे के सारे संस्थान जो अब तक महिला गुरुकुल, खानपुर कलां और भैसवाल कलां के अंतर्गत थे वह सब इस विश्वविद्यालय के भाग होंगे और सारे कर्मचारी

(शिक्षक और गैर शिक्षक) जो महासभा द्वारा संचालित किसी संस्था में अनुदानित एवं स्वीकृतपद पर काम कर रहे थे उनको सीधे तौर पर विश्वविद्यालय की सेवा में ले लिया जाएगा और बाकी कर्मचारी भी चलते रहेंगे और विश्वविद्यालयों के बारे में खुद निर्णय लेगा, इस पत्र के अनुसार समावेश एवं समायोजन केवल उन्हीं कर्मचारियों का होगा जो विश्वविद्यालय बनने से पहले गुरुकुल में काम कर रहे थे यानी 18 अगस्त, 2006 से पहले से। वर्ष 2007 में विश्वविद्यालय ने एक विज्ञापन दिनांक 4.5.2007 को प्रकाशित करवाया जिसके द्वारा विश्वविद्यालय में लेक्चरर, रीडर और प्रोफेसर के पद बिना यह बताइए ये रेग्युलर है या कांटेक्ट विज्ञापित कर दिए और इस विज्ञापन में वेतन भी निगोशियेबल कहा गया था ना कि रेग्युलर वेतन मान। यहां पर यह महत्वपूर्ण है कि विश्वविद्यालय बनने से पहले के शिक्षक लॉ कॉलेज में कार्यरत थे, उन्होंने पंजाब एवं हरियाणा हाईकोर्ट में केस दायर कर दिया था। जिसमें न्यायालय ने कहा था कि इनको तब तक नहीं हटाया जाएगा जब तक कि रेग्युलर शिक्षकों की भर्ती नहीं हो जाती। CWP No 5048 of 2007, CWP No 5368 of 2007। जो पद तारीख 4.5.2007 को विज्ञापित करे गए थे उनका साक्षात्कार 13.6.2007 को हुआ था यहां पर महत्वपूर्ण है कि यद्यपि वह व्यक्ति जिसके विरुद्ध शिकायत है का नाम 4 न0 पर है परन्तु उसे नाम के आगे क्रम संख्या 5 लिखा हुआ है इसका मतलब उसको पाँचवे नम्बर पर रखा गया था और प्रमोद कुमार नंबर 3 पर हैं और 4 न0 खाली है। नम्बर 5 स्थान राज्य सरकार के रोस्टर के अनुसार के लिए अनुसूचित जाति के लिये सुरक्षित है और यह व्यक्ति अपना राजनैतिक प्रभाव उस समय का दुरुपयोग करके अपना सिलेक्शन करवा गया है। विश्वविद्यालय में फिर से लेक्चरर रीडर और प्रोफेसर के पद विज्ञापित करें जून, 2007 में जिसमें योग्यता शर्तें और वेतनमान विश्वविद्यालय अनुदान आयोग/राज्य सरकार द्वारा निर्धारित दिया गया था और विज्ञापन में रेग्युलर शब्द का भी प्रयोग किया गया था। दूसरे विज्ञापन के जवाब में 11.7.2007 को साक्षात्कार हुआ और श्री अनिल बल्हारा सामान्य एवं श्री विनोद कुमार (अनुसूचित जाति) का चुनाव हुआ और दिनांक 22.7.2007 को श्री आशीष कुमार समाजशास्त्र विषय में चुनाव हुआ। उन लोगों का क्लेम जिनका चयन पिछले साक्षात्कार में हुआ था (कांटेक्टुअल) को इस चयन समिति ने सुना तक नहीं अर्थात् उन्होंने इनको रेग्युलर चयन के लायक नहीं समझा। यहां पर यह भी महत्वपूर्ण है कि इन चारों को जो चयन पत्र दिया गया था उसमें रेग्युलर शब्द बाद में काली स्याही के पेन से लिखा गया था इसका मतलब उन्होंने अपने चयन पत्र में रेग्युलर शब्द अपना राजनैतिक प्रभाव उपयोग करके बाद में डलवाया चयन पत्र प्राप्ति के हस्ताक्षर इनके द्वारा कटिंग वाले पत्र की कार्यालय प्रति में है। इसके पश्चात् सन् 2008 में पुनः 3 लेक्चररों का चयन किया गया जिसमें एक सामान्य और दो आरक्षित पद थे और वह पद हरियाणा सरकार के द्वारा स्वीकृत थे मीमो नंबर 18/328-2007 यू0एन0पी0 26.6.2008। सन् 2010 तक डॉक्टर पवन कुमार और अन्य का वेतन विधि विभाग के बैंक खाते जिसमें कि विद्यार्थियों की फीस जमा होती थी से दिया जाता रहा जबकि हरियाणा सरकार 2006 से बराबर अनुदान राशि भेज रही थी। सन् 2010 में विश्वविद्यालय से जब यह कहा गया कि वेतन अधिक है और फीस की मात्रा कम है तो विश्वविद्यालय ने विधि विभाग का वेतन भी अनुदान राशि जो सरकार से प्राप्त होती है से देने का निश्चय किया गया। जब यह वेतन के भुगतान हेतु वित्त विभाग में भेजा गया तो वित्त अधिकारी ने पूछा कि कौन-कौन से पद सरकार से वित्तानुपोषित हैं, विभाग ने विश्वविद्यालय से पत्रांक न0 लॉ/10/201 दिनांक 31.1.2010 द्वारा जिसकी जानकारी मांगी इसके उत्तर में विश्वविद्यालय पत्रांक न0 बी0पी0एस0 एम0वी0/ई0टी0 /10/1288 दिनांक 2.4.2010 में बताया कि सरकार द्वारा रेशनेलाइजेशन में दिनांक 27.2.2009 से स्वीकृत होकर आए हैं। रेशनेलाइजेशन केवल उन्हीं का किया गया था जो इस संस्थान में विश्वविद्यालय बनने से पहले अर्थात् 18.8.2006 पहले से कार्य कर रहे थे परन्तु डा0 पवन कुमार ने तो विश्वविद्यालय 27.7.2007 को ज्वाइन किया था। यहां पर यह बात बड़ी महत्वपूर्ण है और यहां से सारी गडबडी प्रारंभ होती है जहां पर उस समय की कुल-सचिव ने एक नोटिंग तत्कालीन सचिव अनुराधा गुप्ता आई0 ए0 एस0 को लिखा जिसमें दूसरे पेज में यह लिखा कि विश्वविद्यालय ने 6 लेक्चरर विधि विभाग में भर्ती कर दिए हैं जो कि अभी सेल्फफाइनेंस में है और हम इन्हें भी सरकार से मन्जूर करवा लेना चाहिए, यह चीजें 20.7.2008 को लिखी गईं और कुलपति ने इसे 1 सप्ताह बाद ही मन्जूर कर दिया। परन्तु यह बात अति महत्वपूर्ण है कि दिनांक 26.6.2008 को सरकार ने

इसके लिए चार लेक्चरर और दो रीडर के पद क्यों Sanction करे जो विश्वविद्यालय की दिनांक 17.2.2007 की मांग पर दिए गए थे। दिनांक 22.7.2008 को पत्र नंबर बी0पी0एस0एम0बी0/रजिस्ट्रार/08/3410 रजिस्ट्रार द्वारा उच्च शिक्षा आयुक्त को लिखा गया कि पुराने स्टाफ के रेशनेलाइजेशन के लिए प्रस्ताव कार्यकारी परिषद में रखा गया (12वीं मीटिंग 23.6.2008) और उसमें निश्चित में निर्देशों को भी पत्र में दिया गया जिसमें इन 6 लोगों के रेशनलाइजेशन के बारे में कुछ नहीं लिखा गया और सरकार से कह गया कि हमें निम्न पद रेशनलाइजेशन के तहत चाहिए जिनमें इनके पद भी सरकार से गलत ब्यानी कर मांग लिए गए। सरकार ने 27.2.2009 को मीमो नंबर 18203/2007 य0एन0पी0 उपर दिये पत्र के अनुसार विश्वविद्यालय बनने से पहले काम कर रहे लोगों को लिए दिए 190 पद स्वीकृत कर दिए ध्यान देने की बात है कि यह पद 18.08.2006 से पहले काम करे अधिकारियों/ कर्मचारियों के लिए थे इनके बिन 27.07.2007 को लगे कर्मचारी एडजस्ट कर सरकार और करदाताओं के पैसे का गलत उपयोग किया। भगत फूल सिंह महिला विश्वविद्यालय अधिनियम 2006 पृष्ठ संख्या 10 धारा 14 साफ-साफ कहती है कि विश्वविद्यालय बिना सरकार की पूर्व अनुमति के किसी भी शिक्षण और गैरशिक्षण पद को ना तो सजून कर सकती है ना समाप्त कर सकती है ना ही उसका वेतनमान बदल सकती है। इन बातों को ध्यान से देखें तो सबसे पहले जो बात उस समय की रजिस्ट्रार ने पत्रांक में लिखी है। विश्वविद्यालय ने 6 पद बिना अनुमति के भर लिये है जो संस्वीकृत भी नहीं थे क्या इसमें सम्मिलित किसी भी विश्वविद्यालय के अधिनियम की धारा 14 के विरुद्ध नहीं थे क्या इसमें किसी भी अधिकारी ने इस बारे में उच्च अधिकारियों को नहीं बताया यह सब बातें बड़े घोटाले की तरफ खुला इशारा करती हैं और पैसे के लेन देन की तरफ ये खुला ही इशारा है। इसका उदाहरण हम वेतन से देख सकते हैं जैसे कि भी समय कांटेक्ट टीचर को रु 25000/- मिलते हैं तो रेगुलर को लगभग लगभग एक लाख तथा अन्य सुविधाएं। इस सारे वेतन विसंगति को हन प्रारंभ से देखे तो अब तक लाखों रुपया वेतन के रूप में गलत दिया गया है क्योंकि जो वेतन इन्हे मिल रहा है वह रेगुलर का है ना कि कान्ट्रेच्चअल का। सारे मामले में प्रारंभ से ही गलत बातें हो रही हैं विश्वविद्यालय अधिनियम की धारा 14 का भंग करा गया है, माननीय उच्च न्यायालय के आदेशों का उल्लंघन किया गया है और गलत लगे व्यक्तियों को उस समय के राजनीतिक प्रभाव एवं पैसे लेने देन के द्वारा गलत ढंग से पद संस्वीकृत करवाकर उस स्कीम के अंतर्गत नियुक्ति करवायी गई है। जिसके अंतर्गत 18.8.2006 से पहले लगे कर्मचारियों का रेशनेलाइजेशन होना था। उपरोक्त तथ्यों से ये पूर्णतया सिद्ध हो रहा है कि डा0 पवन कुमार की नियुक्ति कान्ट्रेच्चअल के पद के रूप में हुई थी और इन्होंने अपना उस समय का राजनैतिक प्रभाव और पैसे का लेने देन कर अपनी नियुक्ति रेगुलर करवा ली थी, जिसके लिये इनके द्वारा सैट किये विश्वविद्यालय अधिकारियों ने गलत ब्यानी कर पूर्ण रूप से अवैध पदों का निर्माण करवा कर इन्हे उसमें समायोजित कर बड़े घोटाले का जन्म दिया है। दिनांक 18 अगस्त 2006 को हरियाणा सरकार ने भगत फूल सिंह महिला विश्वविद्यालय खानपुर कला सोनीपत की स्थापना की थी इससे पहले यहां पर गुरुकुल महासभा के द्वारा डिग्री कॉलेज शिक्षा कॉलेज आयुर्वेदिक कॉलेज और ला कालेज और अन्य संस्थाओं का संचालन हो रहा था विश्वविद्यालय की स्थापना के बाद 4 मई 2007 को एक विज्ञापन जारी किया गया इसमें कई पदों दोनों शैक्षिक और गैर शिक्षक पदों के लिए आवेदन मांगे गए थे इस विज्ञापन के अनुसार वेतन अनुभव के अनुसार दिया जाना था और यूजीसी और राज्य सरकार के द्वारा निर्धारित वेतनमानों का विज्ञापन में कोई भी वर्णन नहीं था लेकिन यह कहा गया था कि अधिक योग्यता वाले को अधिक वेतन दिया जाएगा और सेवानिवृत्ति व्यक्ति को हम प्राथमिकता देंगे विज्ञापनों में किन विषयों में शिक्षक चाहिए कितने पद हैं कितने पद आरक्षित हैं और सरकार से अनुमोदित है या नहीं इसका भी कोई विवरण नहीं था इसमें विश्वविद्यालय की कुलपति डॉ. अनुराधा गुप्ता कुलसचिव डॉ. सुमेधा कटारिया थी और श्री कृष्ण कुमार ढाका तथा श्री राजेश नरवाल आदि स्थापना शाखा में कार्यरत थे। उस विज्ञापन के प्रकाशित होने से पहले विश्वविद्यालय की ई0सी0 जो कि सबसे हाई अथॉरिटी होती है और जिसके निर्णय से कुलपति भी बाध्य होती है ने अप्रैल 2007 में यह निर्णय लिया था कि अभी विश्वविद्यालय में स्थाई शिक्षकों की भर्ती की आवश्यकत नहीं है और अस्थाई शिक्षकों की भर्ती कर ली जाए गुरुकुल के समय के जो शिक्षक ला कालेज में कार्य कर रहे थे उन्होंने हाईकोर्ट में केस दायर कर रखा

था सीडब्ल्यूपी नंबर 5048 ऑफ 2007 और कोर्ट ने उन्हें हटाने पर लगा रखा था और यह शिक्षक सेल्फ फाईनेंस स्कीम के अंदर लगा रखे थे इस विज्ञापन के प्रारूप जो अस्थाई शिक्षकों और कर्मचारियों को था बहुत ही कम लोगों ने आवेदन किया था जिला में केवल 15 लोगों ने आवेदन किया और किसी भी व्यक्ति ने आवेदन नहीं किया जो पहले से ही स्थाई पद पर कार्य कर रहा हो इस विज्ञापन में लों के लिए इंटरव्यू दिनांक 13 जून 2007 को किए गए और 4 लोगों का चयन किया गया राजेश हुडा सीमा दहिया, पवन कुमार व प्रमोद कुमार और सिलेक्शन कमेटी ने भी नियमित और यूजीसी वेतनमान का कोई भी जिक्र अपने निर्णय में नहीं करा जबकि अन्य सभी सिलेक्शनो में ये किया गया था। यहां पर यह बात भी ध्यान में रखने की है कि इनके चयन में कुमेधा कटारिया जो उस समय कुलसचिव थी भी शामिल थी। इस विज्ञापन के द्वारा अन्य कई कर्मचारियों का भी चयन किया गया पर उन सभी का चयन स्थाई और कंसोलिडेटेड वेतन पर किया गया था और रशियन भाषा का विज्ञापन में कोई जिक्र भी नहीं होने के बाद भी कुमारी अनुराधा का चयन किया गया और उसको योग्यता पूरी होने तक स्थाई और योग्यता पूरी करने पर अपने आप स्थाई हो जाने का नियुक्ति पत्र जारी किया गया था वह कई वर्षों तक नौकरो करने के बाद अब जा चुकी है इन चारों के चयन के बाद जून 2007 में विश्वविद्यालय ने फिर से एक विज्ञापन शिक्षकों की नियुक्ति के लिए प्रकाशित करवाया इस विज्ञापन में शिक्षकों के विषय, वेतन मान व और पदों के नियमित होने के बारे में साफ-साफ वर्णन किया गया था और डॉक्टर राजेश गुप्ता डॉ सीमा डॉक्टर पवन कुमार और डॉ प्रमोद कुमार ने भी मई 2007 के विज्ञापन पर चयनित होने के बावजूद भी इसमें आवेदन किया क्योंकि उनको पता था कि मई 2007 के पद अस्थाई थे और जून 2007 के विज्ञापन में इन चारों का चयन नहीं हुआ यानि की विश्वविद्यालय इन चारों को स्थाई नियुक्ति देना ही नहीं चाहता था। इन चारों की नियुक्ति अब इसी के सामने अनुमोदित होने को रखी गई थी उस समय हाईकोर्ट के स्टे के कारण किसी ने कोर्ट के स्टे हटने पर इन्हें नियुक्ति देने के लिए अनुमोदन दे दिया। इसके बाद भी तारीख में कोर्ट ने आदेश दिया कि कोर्ट आए हुए महासभा के शिक्षक तथा नियमित नियुक्ति होने के बाद पद पर बने रहने का कोई अधिकार नहीं होगा और इस आदेश के बाद उन्होंने उस समय के अधिकारियों और कर्मचारियों से मिलीभगत करके अपने को अस्थाई नियुक्ति के विज्ञापन के बावजूद स्थाई नियुक्ति के नियुक्ति पत्र जारी करवा लिया इस कार्य को जल्दबाजी में करने के कारण नियुक्ति पत्र में रेगुलर शब्द टाइप होना रह गया नियुक्ति पत्र जारी होने के बाद इसमें पेन से रेगुलर शब्द डाला गया था और सात आठ दिन बाद फिर से दूसरा नियुक्ति पत्र पिछली तारीख में जारी कर दिया गया इन चारों के नियुक्ति पत्र पर अलग-अलग हस्ताक्षर हैं और एक नियुक्ति पत्र में तो किसी के हस्ताक्षर नहीं हैं और इनके जॉइनिंग पत्र में भी पुराने अर्थात बगैर रेगुलर शब्द वाले नियुक्ति पत्र का संदर्भ है। सन 2010 में जब नया वेतनमान लागू होने वाला था तो विश्वविद्यालय में ये बात उठी कि छठे वेतनमान में इन चारों को वेतन कैसे दिया जायेगा क्योंकि जिस सेल्फ फाईनेंस फंड जो विद्यार्थियों की फीस से बना फंड था उसमें नया वेतनमान में वेतन देने लायक पैसा नहीं है। तो विश्वविद्यालय में इनको भी विश्वविद्यालय फंड से वेतन देने का निर्णय लिया। तब आडिट को सन्तुष्ट करने के लिये इन को सन् 2009 में रेशनेलाईजेशन के लिये आये 190 पदों में इन्हे एडजस्ट दिखा दिया गया। ये 190 पद उनके लिये आये थे जो विश्वविद्यालय बनने से पहले महासभा में नियुक्ति में थे और उनके पद सेल्फ फाईनेंस में थे। सन् 2009 और उसके बाद तक अर्थात् 2010 के बाद तक बलबीर कौर विश्वविद्यालय कुलसचिव थी और इन चारों के उससे बहुत अच्छे संबंध थे और वह गिफ्ट लेने के लिए बहुत प्रसिद्ध थी और इस मामले में उसकी भी पूरी मिलीभगत थी। इन चारों की पदोन्नति अब होनी है और यह चारों विश्वविद्यालय पर बगैर चौकसी ब्यूरो वलीयरनेस लिये पदोन्नति करने का दबाव बना रहे हैं। जोकि हरियाणा सरकार के आदेश के अनुसार मान्य नहीं है पर यह मिलीभगत कर विश्वविद्यालय अधिकारीयो से पदोन्नति करवा सकते हैं। अतः कृपया विश्वविद्यालय में इनकी पदोन्नति पर रोक लगवाये। अन्यथा सरकार के खजाने में लाखों रुपए का नुकसान हो जाएगा। ये चारो एक कमेटी का जिक्र करके शायद आपको भी गुमराह करने की कोशिश कर रहे हैं पर मैं यह साफ करना चाहता हूँ कि विश्वविद्यालय ने कोई भी कमेटी इस विज्ञापन और इन नियुक्तियों पर नहीं बनाई है और जिस कमेटी का जिक्र येकर रहे हैं वह रेशनेलाईजेशन के संबंध में है और

उसकी भी रिपोर्ट अभी तक अनुमोदित नहीं हुई है और फाइनेंसियल मैटर होने के कारण जब तक मुख्यमंत्री कार्यालय से अनुमोदन नहीं आ जाता तब तक इस रिपोर्ट की कोई वैधता नहीं है। यहां पर मैं एक एग्जांपल देना चाहता हूँ इन चारों में से एक डॉक्टर राजेश हुड्डा यहां महासभा के समय से इस कॉलेज में काम कर रही है उनकी सबसे पहली नियुक्ति 28 मार्च 2003 के विज्ञापन के द्वारा हुई थी इसमें भी शब्द सैलरी नेगोशियेबल था और उनको रु 6000 प्रति माह पर कांटेक्ट में नियुक्ति दी गई थी फिर दूसरी बार इसको 26 जून 2004 के विज्ञापन जिस में भी शब्द सैलरी नेगोशियेबल था में भी रुपए 7000 प्रति माह पर कांटेक्ट में लगाया गया था इनको फिर से 27 मई 2006 के विज्ञापन जिसमें भी शब्द सैलरी नेगोशियेबल था उसने भी इन्हें रुपए 8000 प्रति माह पर कांटेक्ट में लगाया था और 4 मई 2007 के विज्ञापन जिसमें भी शब्द सैलरी नेगोशियेबल था उसके बाद मिलीभगत करके उन्होंने स्थाई नियुक्ति का नियुक्ति पत्र जारी करवा लिया जबकि इन्वॉयस जून 2007 के स्थाई पदों के विज्ञापन में चयन नहीं किया गया था उपरोक्त सभी बातों को ध्यान में रखते हुए निवेदन है कि विश्वविद्यालय को तुरंत इन चारों की पदोन्नति रोकने के निर्देश जारी किए जाएं क्योंकि यह चारों विश्वविद्यालय में इसके लिए दबाव बना रहे हैं और इस मामले में इन चारों और मामलों में संलिप्त सभी विश्वविद्यालय में नियुक्त उस समय के अधिकारियों / कर्मचारियों के विरुद्ध अपीसी एक्ट सेक्शन 12 एंड 13 और आईपीसी सेक्शन 420, 469, 471 120 बी के तहत मुकदमा दर्ज किया जाये।

इस सम्बन्ध में श्री रमेश चंद्र पुत्र श्री धनपत सिंह वासी मकान नंबर- 825, खानपुर कला, सोनीपत ने अपने कथन का 0 फा 0 के पेज न 0 155 पर बतलाया कि वह भगत फूल सिंह महिला विश्वविद्यालय में आईटीटीआर संस्था में क्लर्क के तौर पर काम करता है। इससे पूर्व वह रजिस्ट्रार कार्यालय में वर्ष 2006 से सितंबर 2007 तक क्लर्क के तौर पर कार्य किया था। वर्ष 2007 में कुछ प्रोफेसर/लैक्चरर तथा नॉन टीचिंग स्टाफ के लिए विश्वविद्यालय की स्थापना होने के बाद अलग-अलग पदों पर भर्ती के लिए दिनांक 2.5.2007 को डीपीआर 0 को अखबार में विज्ञापन निकलवाने के लिए पत्र लिखा गया। उस समय वह केवल टाइप करता था। उस समय कृष्ण कुमार ढाका, अधीक्षक स्थापना शाखा कार्य करते थे। उसके बाद इसकी बदली हो गई इसके अतिरिक्त उसको कोई और ज्ञान नहीं है।

इस सम्बन्ध में श्री राजेश कुमार पुत्र श्री रामेश्वर दास वासी मकान नंबर 634, सेक्टर -7, गौहाना, सोनीपत ने अपने कथन का 0 फा 0 के पेज 157 पर बतलाया कि वह सहायक, कुल-सचिव, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत के तौर पर अगस्त 2015 से कार्यरत है इससे पूर्व उसने महिला विश्वविद्यालय में दिनांक 28.6.2007 को सहायक के तौर पर रजिस्ट्रार के कार्यालय में पदभार ग्रहण किया था। उससे पूर्व श्री रमेश क्लर्क व श्री कृष्ण कुमार ढाका, अधीक्षक कार्यालय द्वारा नियुक्ति से संबंधित फाईले डील की गई है। उसके द्वारा कोई फाईल डील नहीं की गई है। उपरोक्त के अतिरिक्त दिनांक 2.07.2008 को उसके द्वारा विश्वविद्यालय में 176 पदों पर कर्मचारी पहले से कार्यरत थे। जिनकी स्वीकृति सरकार से समायोजित/नियमित करवाने के लिए सरकार को लिखा जाना था तथा 8 लैक्चरर आयुर्वेदिक विभाग के 6 लैक्चरर विधि विभाग के विश्वविद्यालय में कार्यरत होने के बावजूद उनके वेतन भत्ते विश्वविद्यालय द्वारा सेल्फ फाइनेंस स्कीम से दिए जा रहे थे। उपरोक्त 176 पदों के अतिरिक्त 14 लैक्चरर के पदों को भी सरकारी अनुदान प्राप्त करने के लिए मेरे द्वारा नोटिंग कार्यालय पर प्रस्ताव अधिकारियों के माध्यम से लिखा गया था। जिनकी (190 पदों) की स्वीकृति सरकार से प्राप्त हो चुकी है।

इस सम्बन्ध में श्री दीपक पुत्र श्री ओमप्रकाश वासी मोहल्ला छावनी, झज्जर ने अपने कथन का 0 फा 0 के पेज न 0 159 पर बतलाया कि वह रजिस्ट्रार कार्यालय की आरटीआई शाखा में कार्यरत है। विज्ञापन दिनांक 2.5.2007 व 13.6.2007 से संबंधित कार्यालय की असल रिकॉर्ड फाईल व अन्य रिकॉर्ड की प्रतियां कार्यालय में उपलब्ध ना होने पर राज्य सूचना आयुक्त, हरियाणा, चंडीगढ़ द्वारा दिनांक 23-10-17 को

उपरोक्त रिकॉर्ड गुम होने के संबंध में एक सदस्य कमेटी डी०आर० यादव, निदेशक, पी०जी०आई०एम०एस०, रोहतक (सेवानिवृत्त) को नियुक्त किया हुआ है। जिसके द्वारा यह जांच विचाराधीन है।

इसी संबंध में श्रीमती मंजू रानी पत्नी श्री संदीप कुमार वासी मकान नंबर 572, सेक्टर -7, गोहाना, सोनीपत हाल सहायक, कार्यालय स्थापना शाखा, टीचिंग भगत फूल सिंह महिला विश्वविद्यालय, खानपुर, सोनीपत में अपने कथन का० फा० के पेज नंबर 161 पर बतलाया कि वह दिनांक 21.1.2013 से स्थापना शाखा में सहायक के तौर पर काम करती है। उसके पास टीचिंग स्टाफ से संबंधित कार्यालय फाइलों डीलिंग है। डॉक्टर पवन कुमार विधि विभाग की नियुक्ति से संबंधित फाइलें चयन प्रक्रिया- विज्ञापन, साक्षात्कार, चयन कमेटी: इत्यादि शाखा में मौजूद नहीं है केवल चयन कार्यवाही प्रक्रिया (प्रोसीडिंग फाइल) है। लेकिन उनके पत्र क्रमांक 265 दिनांक 1.2.18 अनुसार विधि विभाग में सहायक प्रोफेसर के पद पर डॉ पवन कुमार के चयन से संबंधित दस्तावेजों की फोटो प्रतियां विश्वविद्यालय के रजिस्ट्रार कार्यालय की अलग-अलग शाखाओं के रिकॉर्ड से एकत्रित करके आप के कार्यालय को उपलब्ध करवाई गई थी। विज्ञापन दिनांक 4.5.2007 व 13.6.2007 से संबंधित कार्यालय की असल फाइल रिकॉर्ड में उपलब्ध नहीं है। कार्यालय की चयन प्रक्रिया (प्रोसीडिंग फाइल) अनुसार विज्ञापन दिनांक 2.5.2007 की प्रक्रिया अनुसार डॉ पवन कुमार के अतिरिक्त चयन कमेटी द्वारा अंग्रेजी के लेक्चरर 4 पदों पर विदेशी भाषा के पद पर प्रीति पंत लेक्चरर, दीपांशु विनीता श्रीवास्तव, व स्पेनिश भाषा के लिए अनुराधा चौधरी तथा शिक्षा विभाग में 2 लेक्चरर का चयन यू०जी०सी० स्केल पर किया गया। जिसके अनुसार यह पद आज भी नियमित है। उपरोक्त सभी प्रोफेसर/लेक्चरर की नियुक्ति विज्ञापन दिनांक 2.5.07 के संदर्भ में ही हुई है। विज्ञापन से संबंधित कार्यालय फाइल के उपलब्ध ना होने पर रजिस्ट्रार श्रीमती रिंतु बजाज द्वारा दिनांक 19.05.2007 के डी०एच०ई० पंचकूला द्वारा गठित जांच कमेटी को प्रस्तुत किया गया है।

इसी सम्बन्ध में श्रीमती सविता, कानून विभाग, बी०पी०एस० महिला विश्वविद्यालय, खानपुर कलां, सोनीपत में अपने कथन का० फा० के पेज नंबर 163 पर बतलाया कि वह कानून विभाग की स्थापना शाखा में वर्ष 2005 से लिपिक पद पर तैनात है, तथा अधिकारी /कर्मचारियों के वेतन तथा सेवा पुस्तिका से संबंधित पत्राचार कार्य देखती है। कार्यालय रिकॉर्ड अनुसार लेक्चरर डा० पवन कुमार, अनिल बल्हारा में अन्य लेक्चरर का वेतन बिल माह जुलाई, 2007 व अगस्त 2007 एस० एफ० एस० (सैल्फ फाईनेन्स स्कीम) अनुसार बना कर वेतन का भुगतान किया हुआ है।

इसी सम्बन्ध में श्री कृष्ण कुमार ढाका पुत्र श्री रामू वासी मकान नंबर- 1737, सेक्टर- 2, रोहतक ने अपने कथन का० फा० के पेज नंबर 165 पर बतलाया कि वह बी०पी०एस० महिला विश्वविद्यालय से सहायक कुल-सचिव पद से वर्ष 2013 के दौरान सेवानिवृत्त हुआ है। इससे पूर्व दिनांक 1.6.2007 को उसने बतौर अधीक्षक, एम०डी०यू०, रोहतक से प्रतिनियुक्ति पर कार्यभार ग्रहण किया था। मेरी नियुक्ति से पूर्व रजिस्ट्रार कार्यालय /स्थापना शाखा द्वारा मई 2007 में अलग-अलग पदों के लिए विज्ञापन जारी किया हुआ था। यह विज्ञापन लेक्चरर, सहायक प्रोफेसर वगैरह काफी पदों की भर्ती बारे जारी किया हुआ था। इस भर्ती की श्रेणी कैसी थी अर्थात् नियमित था या अनियमित का आंकलन अब मेरे द्वारा रिकॉर्ड की अनुपस्थिति/अनुपलब्धता के कारण नहीं किया जा सकता। चयन कमेटी द्वारा अन्य पदों पर चयन करने उपरांत चयन प्रक्रिया पर डॉक्टर श्रीमती राजेश हुड्डा, श्रीमती सीमा दहिया, श्री प्रमोद मलिक को कार्यालय से नियुक्ति पत्र जारी किए गए जिस पर मेरे व अध्यक्ष डॉ विमल जोशी व तत्कालीन कुल-सचिव सुमेधा कटारिया एच०सी०एस० द्वारा हस्ताक्षर से जारी किए हुए हैं। रिकॉर्ड कार्यालय के अभाव में यह भी बताने में असमर्थ हूँ कि उपरोक्त सहायक प्रोफेसर की नियुक्ति हरियाणा सरकार द्वारा स्वीकृत पदों पर हुई थी या विश्वविद्यालय प्रशासन द्वारा अपने स्तर पर विज्ञापित किया है।

इसी सम्बन्ध में श्रीमति/डा० राजेश हुड्डा, सहायक प्रोफेसर, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत ने अपने कथन का० फा० के पेज नं० 167 पर बतलाया कि In reference to the subject cited above I, Dr, Rajesh Hooda D/o Sh. Dharampal presently working as



Asstt. Prof. in Law in Department of Law BPSMV- Khanpur Kalan states that I was initially appointed/worked on contractual basis for two years from July 2005 to July 2007; on the establishment of the University, University advt. various posts including the post of Asstt. Prof. of Laws in May, 2007 and I applied for the post of Asstt. Prof in Law. I alongwith other candidates namely Dr. Seema Dahiya, Dr. Pawan Kumar and Dr. Parmod Malik got selected for the posts of Asstt. Prof. by the selection committee. After selection, the university gave us appointment letters for the above posts in the UGC Pay Scale of Rs. 8000-13500 on 26-07-2007 and I joined on the the above said post and still continueing. As per appointment letter, the selection was made on regular basis. The appointment letter is initiated by Prof. Vimal Joshi.

इसी विषय के सम्बन्ध में डा० प्रमोद कुमार व डा० सीमा दहिया द्वारा श्रीमति/डा० राजेश हुड्डा के दिये गये ब्यान से सहमत होते हुये बताया है कि they are also selected as fresh in the same selection process in the UGC pay scale of Rs. 8000-13500.

इसी सम्बन्ध में श्री अनिल बल्हारा, सहायक प्रोफेसर, कानून विभाग, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत ने अपने कथन का० फा० के पेज न० 169 पर बतलाया कि reference to an ongoing vigilance inquiry against Dr Pawan Kumar (Asst Prof, Dept of Laws, BPS Women University, Khanpur-Kalan, Sonapat) on a complaint of Dr vimal Joshi. The following disclosure/information may lead to bonafide assistance of the I.O. to investigate the matter from all aspects. It has come to my knowledge that the previous authorities of the concerned university had grossly usurped & violated the BPSMV Act 2006, financial rules & administrative irregularities. The university had kept recruiting teachers ( Prof, Readers, Lecturers) in various Dept/ colleges/Institutes since April 2007 to 2012 (5 years) without taking care of set procedure ( like before advertising new post, analyzing leftover post from central pool sanctioned by FD. The University had just awaken in 2012, then allotted posts to various dept/Institutes/Colleges (as per Sr. No 7 of 28th meeting of EC held on 15.06.2012) even without caring whether the concerned dept is not approved by the FD under budgeted scheme & similar acts were repeated in some more dept/Institutes. During this chaotic act, the university had changed the appointment mode of 14 faculty members (directly recruited mode) to rationalization mode illegally as in Dept of Laws (06 lecturers) & Institute of Ayurveda (8 Lecturers) in 2007 as per copy enclosed. To save their skin, the university adjusted these faculty members (14 lecturers) under rationalization scheme (190 post) approved by the State Govt, actually it was meant for already working staff before establishment of the university. The university had submitted wrong data/information to DHE/FD/State Govt. about these 14 posts & adjusted these under rationalization scheme rather than surrendering theses 14 posts back to FD/state govt. The School of Engineering Sciences (SES) was set up under SFS mode (PPP) vide 10th EC meeting held on 26 Mar 2008) but 15 budgeted post were wrongly diverted by the university from central pool ( 40 lecturers budgeted posts were sanctioned by FD in 2006) in 2012 for those who were recruited in 2008 & onwards. The similar illegality was committed in other Institutes/colleges/Depts. The ET branch/University may have committed various criminal offences regarding this matter as follows: a. The intentionally omitting to produce a document to a public servant/ authority ( DHE, Panchkula, Bureau of Vigilance, Haryana) by a person (ET branch) legally bound to produce such document is a criminal offence & non-cognizable u/ Sec- 175 IPC. b. Giving false information to a public servant (DHE, Panchkula, Bureau of Vigilance, Haryana) in order

to cause legal injury attracts Sec 182, 177 IPC (non-Cognizable). c. Public servant framing an incorrect record ( as ET branch changed my appointment (including 13 others teachers) condition from direct regular mode to rationalized mode in 2010' with a intention to divert few sanctioned post to School of engineering & Sciences (SES) which was running on Self financing scheme- committed financial fraud too with State Govt) /writing with intent to save person ( university official, ET branch) from punishment ( by not producing correct record like Appendix A) attracts Sec 218 IPC . d. The university should have sought approval from FD/State Govt (for changing the status from SFS (self financing scheme) to budget and as well as sanctioned post for School of Engineering & Science). e. Then authorities of university recruited some employees (including teachers) through rationalization scheme (purely contractual employees of erstwhile Institution were appointed as regular employees-the biggest job fraud may be in last ten years in Haryana & amounts to backdoor entry. This issue has not been raised surprisingly at any platform so far. I am also one of those 14 rationalized staff, though, rationalization has no adverse impact on me but still why did they change it at all. It is pertinent to mention here that the University is silent on this issue despite various. I represented for last three years. Moreover, I have been serving as a commissioned officer. as Major in the Territorial Army since 29 June 2004 in 112 Infantry BN (TA) Dogra, C/o 56 APO & likely to join unit by 1st August 19.

इसी सम्बन्ध में श्री प्रवीण कुमार, सहायक, नॉन टीचिंग ब्रान्च, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत ने अपने कथन का 0 फा0 के पेज न0 207 पर बतलाया कि वह उपरोक्त कार्यालय में बतौर सहायक जुलाई 2017 से कार्यरत है। इससे पूर्व मैं टीचिंग ब्रांच स्थापना शाखा में सितंबर 2010 से जून 2017 तक कार्यरत रहा। उस समय इस शाखा में मुझसे पहले श्री ईश्वर सिंह सहायक कार्यरत थे मैं बदल कर दूसरी शाखा में चला गया मेरे समय श्री समुंदर सिंह अधीक्षक (सेवानिवृत्त) 2010 से 2016 के बीच कुछ समय को छोड़कर तैनात रहे। इनके अतिरिक्त श्री बलजीत सिंह मलिक, अधीक्षक भी इस ब्रांच में रहे। उपरोक्त मेरी तैनाती के दौरान लगभग सभी क्लर्क आउट सोर्स के तहत लगे हुए थे। मुझे मई-जून 2007 के विज्ञापन भर्ती से संबंधित फाइल मेरे द्वारा जहां तक मुझे याद है डील नहीं की गई रेशनेलाईजेशन से संबंधित फाइल मेरे से पूर्व नियुक्त सहायको ने डील किया है।

इसी सम्बन्ध में भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कलां, सोनीपत की तत्कालीन रजिस्ट्रार, सुश्री सुमेधा कटारिया आई0ए0एस0 मुख्य प्रशासक, मन्डी बोर्ड पंचकुला को जांच में शामिल किया गया जिसने अपने पत्र क्रमांक पी0एस0/सी0ए0 न0 2332 दिनांक 18.9.2020 अनुसार बतलाया कि यह चिंता का विषय था कि भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत विभिन्न प्रकार के कार्यक्रमों के साथ नवसृजित होने के नाते प्रारंभिक सेटअप के दौरान अच्छी तरह से उत्तीर्ण और अनुभवी संकाय को आकर्षित करने में सक्षम नहीं है। UGC द्वारा निर्धारित सामान्य वेतनमान को उच्च शुरुआत देने के लिए "निगोशिऐबल" शब्द का इस्तेमाल किया गया था। इस शब्द "निगोशिऐबल" का उपयोग करने के पीछे तर्क यह था कि ग्रामीण और दूरस्थ स्थान पर स्थित महिला विश्वविद्यालय में प्रतिभाशाली और योग्य शिक्षकों को प्रेरित करना, जहां 2007 में भी बुनियादी सुविधाएं उपलब्ध नहीं थीं। भगत फूल सिंह, महिला विश्वविद्यालय, खानपुर कलां, सोनीपत में अंग्रेजी, विदेशी भाषा, शिक्षा व कानून विभाग में सहायक प्रोफेसर की पदों पर नियमित पे स्केल के आधार पर नियुक्ति की गई थी और उन सहायक प्रोफेसरो का साक्षात्कार दिनांक 13.6.2007 को लिया गया था। चयन कमेटी की सिफारिश पर विश्वविद्यालय की कार्यकारिणी परिषद द्वारा उन सहायक प्रोफेसर के चयन को छठी एवं सातवी मीटिंग में नियमित पे -स्केल के आधार पर अनुमोदित किया गया था। उन सभी चयनित सहायक प्रोफेसरो के नियुक्ति पत्रों पर मेरे हस्ताक्षर हैं। पत्र की प्रति प्रलेख फाईल 1 के पेज न0 162 पर लगी देखी जा सकती है।

निष्कर्ष आरोप:-

जॉच के दौरान प्राप्त किये गये कथनो, प्रलेखो एवं की गई पडताल से पाया गया है के महासभा गुरुकुल विद्यापीठ हरियाणा भैसवाल कला व कन्या गुरुकुल खानपुर कला को भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत के तौर पर स्थापित करने के लिये हरियाणा सरकार द्वारा कानून बनाकर दिनांक 10.11.2006 को अधिसूचना जारी की गई। अधिसूचना की प्रति प्रलेख फाईल न० 2 के पेज न० 737 पर लगी देखी जा सकती है। जिसकी पालना में वित्तियुक्त एवं प्रधान सचिव हरियाणा सरकार, शिक्षा विभाग, चण्डीगढ द्वारा अपने पत्र क्रमांक 20/1-2006 यू०एन०पी०(1) दिनांक 21.9.2006 अनुसार पूर्व शिक्षा संस्थाओ में कार्यरत अध्यापन-गैर अध्यापन सभी स्टाफ को विश्वविद्यालय के स्टाफ में परिवर्तन करने का तथा बजट अलाट करने का निर्णय लिया गया तथा महिला विश्वविद्यालय खानपुर कला के लिये अलग-2 पदो की स्वीकृति प्रदान की गई। पत्र की प्रति प्रलेख फाईल न० 2 के पेज न० 649-657 पर लगी देखी जा सकती है।

जॉच से पाया है कि महिला विश्वविद्यालय खानपुर कला, सोनीपत द्वारा विभिन्न अध्यापन व गैर अध्यापन स्टाफ की भर्ती के लिये दिनांक 4.5.2007 को विज्ञापन जारी करना पाया गया है। विज्ञापन अनुसार लैक्चरार/प्रोफेसर/प्रवीचक तथा सहायक प्रोफेसर की भर्तिया निकाली गई जिनमें पदो की कोई संख्या वर्णित नही की गई व वेतन भत्ते नेगोशियेबल बारे लिखा गया। उपरोक्त पदो की भर्ती को स्थाई/अस्थायी की श्रेणी का भी विज्ञापन में कोई उल्लेख नही किया गया। विज्ञापन की प्रति प्रलेख फाईल न० 2 के पेज न० 5 पर लगी देखी जा सकती है। विभिन्न पदो की भर्ती के लिये योग्य उम्मीदवारो द्वारा आवेदन किया गया, जिनका इन्द्राज कुल-सचिव महिला विश्वविद्यालय खानपुर कला, सोनीपत के रजिस्टर में किया हुआ है। रजिस्टर की फोटो प्रतियो प्रलेख फाईल न० 2 के पेज न० 7-223 पर लगी देखी जा सकती है। कानून विभाग में सहायक प्रोफेसर पद के लिये डा० प्रमोद मलिक, मिस सीमा दहिया, श्री मति राजेश हुड्डा व प्रतिवादी पवन कुमार द्वारा आवेदन करना पाया गया। जिनके दस्तावेजो की प्रतियो प्रलेख फाईल न० 2 के 363 से 385 पर लगी देखी जा सकती है।

जॉच से पाया है कि उपरोक्त विज्ञापन में प्रकाशित विभिन्न पदो के लिये उम्मीदवारो द्वारा किये गये आवेदन से सम्बन्धित दस्तावेज की प्रतियो प्रलेख फाईल न० 2 के पेज न० 227-477 पर देखी जा सकती है। प्रतिवादी पवन कुमार लैक्चरार, कानून विभाग व अन्य उम्मीदवारो का गठित चयन समिति द्वारा दिनांक 13.6.2007 को हरियाणा निवास, सैक्टर-3, चण्डीगढ में साक्षात्कार लिया गया और चयन समिति द्वारा कानून विभाग के लैक्चरार पद के लिये श्रीमति राजेश हुड्डा, श्रीमति सीमा दहिया, प्रतिवादी डा पवन कुमार व प्रमोद मलिक का चयन किया गया। श्रीमति अनुराधा गुप्ता, आई०ए०एस०, उप- कुलपति, अध्यक्ष समिति, प्रो० वी०के० बन्सल, प्रो० ज्ञान चन्द, प्रो० जैसवाल को समिति सदस्य तथा मिस सुमेधा कटारिया, एच०सी०एस०, कुलसचिव को सचिव सदस्य के तौर पर चयन समिति के सदस्य रहे है। चयन समिति द्वारा अपनी चयन प्रक्रिया प्रोफोर्म में उपरोक्त चारो लैक्चरारों का चयन करते समय उपरोक्त पद को नियमित नही बताया गया है और न ही वेतन भत्ते बारे कोई वर्णन किया गया है। चयन समिति की प्रक्रिया शीट की प्रति प्रलेख फाईल न० 2 के पेज न० 895 पर लगी देखी जा सकती है।

जॉच से पाया है कि चयन समिति द्वारा उपरोक्त चारो लैक्चरारो को चयनित करने के उपरान्त रजिस्ट्रार कार्यालय द्वारा दिनांक 18-6-07 को भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत की कार्यकारिणी परिषद की छठी गोष्ठी में एजेन्डा न० 9 के रूप में रखा गया। गोष्ठी एजेन्डा में पदो की भर्ती के लिये माननीय उच्च न्यायलय पंजाब एवं हरियाणा चण्डीगढ द्वारा सिविल याचिका न० 5368 वर्ष 2007 में पारित आदेश दिनांक 3.4.2007 अनुसार याचिकाकर्ताओ की सेवाएं स्टेटस को रखी जायेगी, बारे उल्लेख किया गया और दिनांक 13.6.2007 को नियमित आधार पर उम्मीदवारो के चयन हेतु लिख गये साक्षात्कार के परिणाम को माननीय अदालत के निर्णय के बाद सीलशुदा लिफाफे को खोलकर परिणाम जारी कर दिया जायेगा। माननीय अदालत के आदेशो की प्रतियो एवं एजेन्डा की प्रति प्रलेख फाईल न० 1 के पेज

न० 99, 160 व 151 पर लगी देखी जा सकती है। उपरोक्त कानून विभाग के चयनित उम्मीदवारों को यू०जी०सी० स्केल 8000-13500 रुपये देने का निर्णय एजेन्डा में लिया गया। इसके बाद उपरोक्त चारों लैक्चररों के चयन मामले को दिनांक 16.7.2007 को कार्यकारिणी परिषद विश्वविद्यालय खानपुर कला की सातवीं गोष्ठी में एजेन्डा न० 5 के रूप में रखा गया और कार्यकारिणी परिषद द्वारा उपरोक्त चारों लैक्चररों के पत्रों का समझ आधार पर चयन करने की सिफारिश को स्वीकर करते हुये उप-कूलपति को नियुक्ति पत्र जारी करने के लिये अधिकृत किया गया। एजेन्डा की प्रति प्रलेख फाईल न० 1 के पेज न० 155 पर लगी देखी जा सकती है। रजिस्ट्रार कार्यालय द्वारा दिनांक 26.7.2007 को नियुक्ति पत्र जारी करने पाये गये हैं। उपरोक्त नियुक्ति पत्रों की रजिस्ट्रार कार्यालय की कार्यालय प्रतियों में हस्तलिखित रेग्युलर बेसिस शब्द लिखे हुये पाये गये हैं। जिनकी प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 517-531 पर लगी देखी जा सकती है। जाँच से पाया गया है कि नियुक्ति पत्रों की अन्य प्रतियों में टाईपशुदा रेग्युलर बेसिस शब्द लिखे हुये हैं। जिससे प्रतीत होता है कि तत्कालीन रजिस्ट्रार द्वारा नियुक्ति पत्रों को हस्तलिखित शब्द रेग्युलर बेसिस लिखकर अनुमोदन करवाया गया है। उसके बाद नियुक्ति पत्रों की अन्य प्रतियों में टाईपशुदा शब्द लिखकर नियुक्ति पत्र जारी किये गये हैं। नियुक्ति पत्रों की अन्य प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 1201-1211 पर लगी देखी जा सकती है। नियुक्ति पत्रों को प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक, कार्यालय रजिस्ट्रार व शिकायतकर्ता डा० विमल जोशी कानून विभाग अध्यक्ष द्वारा अपने लघु हस्ताक्षरों से तैयार करके सुमेधा कटारिया, एच०सी०एस० तत्कालीन रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत द्वारा जारी करने पाये गये हैं। उपरोक्त चारों लैक्चरर कानून विभाग में कार्यरत हैं।

जाँच से यह भी पाया गया है कि उपरोक्त विज्ञापन दिनांक 4.5.2007 में कानून विभाग के उपरोक्त लैक्चरर के अतिरिक्त अन्य प्रकाशित पदों पर चयनित उम्मीदवारों को भी नियमित आधार पर चयन करके नियुक्ति पत्र जारी किये हैं। इसके अतिरिक्त चयन समिति द्वारा अपनी चयन प्रक्रिया शीट में चयनित उम्मीदवारों को नियमित पदों/यू०जी०सी० पे-स्केल पर चयन करना लिखा हुआ है। चयन प्रक्रिया शीट की प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 479-489 पर लगी देखी जा सकती हैं।

रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत द्वारा जून, 2007 में प्रोफेसर, रीडर, लैक्चरर, कानून विभाग व शिक्षा अध्यापक, प्रिंसिपल बहुतकनीकी संस्था में पदों की भर्ती के लिये यू०जी०सी० पे-स्केल व नियमित आधार पर पुनः विज्ञापन जारी करना पाया गया है। इस विज्ञापन में मई, 2007 के पिछले विज्ञापन का कोई वर्णन नहीं है। विज्ञापन की प्रति प्रलेख फाईल न० 2 के पेज न० 661 पर लगी देखी जा सकती है। इस विज्ञापन में वर्णित पदों के लिये उम्मीदवारों द्वारा आवेदन किये गये दस्तावेजों एवं कार्यालय का डायरी रजिस्टर में उम्मीदवारों के नामों का इन्द्राज किया हुआ है। जिसकी प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 663-707 पर लगी देखी जा सकती हैं। उपरोक्त विज्ञापित पदों की भर्ती के लिये चयन कमेटी समिति द्वारा दिनांक 10.7.2007, 11.7.2007, 17.7.017, 19.7.2007 व दिनांक 22.7.2007 को उम्मीदवारों का साक्षात्कार लेकर चयन प्रक्रिया शीट पर रेग्युलर शब्द लिखकर चयन करना पाया गया है। जिनकी प्रतियाँ प्रलेख फाईल न० 2 के पेज न० 709-721 पर लगी देखी जा सकती हैं। चयनित उम्मीदवारों का विश्वविद्यालय प्रशासन द्वारा नियुक्ति पत्र जारी करने पाये हैं। इस विज्ञापन में प्रकाशित पदों की भर्ती में शिकायतकर्ता डा० विमल जोशी का बतौर प्रोफेसर कानून विभाग में प्रतिनियुक्ति के आधार पर व डा० अनिल बलहारा का कानून विभाग में लैक्चरर के पद पर चयन होना पाया गया है। चयन प्रक्रिया शीट दिनांक 11.7.2007 की फोटोप्रतियाँ प्रलेख फाईल न० 2 के पेज न० 711 व 713 पर लगी देखी जा सकती हैं। शिकायतकर्ता डा० विमल जोशी के बतौर प्रोफेसर कानून विभाग के नियुक्ति पत्र की प्रति प्रलेख फाईल न० 2 के पेज न० 729 पर लगी देखी जा सकती है। श्री अनिल बलहारा को लैक्चरर कानून विभाग के पद पर भर्ती करने पर जारी किये गये नियुक्ति पत्र की प्रति प्रलेख फाईल न० 2 के पेज न० 1099 पर लगी देखी जा सकती है।

जाँच से पाया है कि विज्ञापन दिनांक 4.5.2007 व जून, 2007 से सम्बन्धित असल कार्यालय फाईल रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय, खानपुर कला, सोनीपत के कार्यालय से मायब होनी

पाई गई है। विज्ञापन से सम्बन्धित असल कार्यालय फाईल के अभाव में विज्ञापन दिनोंक 4.5.2007 में प्रकाशित पदों की भर्तियों को स्थाई या अस्थायी पदों के स्वरूप को बताया नहीं जा सकता क्योंकि पदों को प्रकाशित करने से पहले विश्वविद्यालय प्रशासन द्वारा पदों की संख्या, सरकार से स्वीकृति व पदों के स्वरूप (स्थायी/अस्थायी) के सम्बन्ध में कार्यालय नोटिंग पर लिये गये निर्णय से पता चल सकता था। विज्ञापन/ भर्ती से सम्बन्धित फाईल रजिस्ट्रार कार्यालय व स्थापना शाखा द्वारा डील की जाती रही है। इनके कार्यालयों में किसी क्लर्क/सहायक या अन्य अधिकारी द्वारा कार्यालय से स्थानांतरण/नई नियुक्ति होने पर किसी फाईल/सीट का कोई चार्ज लेने-देने का रिकार्ड नहीं है। उपरोक्त भर्ती प्रक्रिया के दौरान मुख्यतः प्रतिवादी कृष्ण कुमार ढाका, बतौर अधीक्षक व प्रतिवादी राजेश कुमार क्लर्क/सहायक तैनात रहे हैं। उपरोक्त दोनों के अतिरिक्त श्री ईश्वर सिंह, सहायक, श्री प्रवीण कुमार, सहायक, सभी क्लर्क आउटसोर्स स्कीम के तहत कार्यरत रहे हैं। इस अवधि के दौरान श्री समुन्द्र सिंह, अधीक्षक (सेवानिवृत्त) व श्री बलजीत सिंह मलिक, अधीक्षक (सेवानिवृत्त) की नियुक्ति रही है। इसके बाद श्रीमति मन्जु सानी सहायक के तौर पर दिनोंक 21.1.2013 से स्थापना शाखा में कार्यरत चली आ रही है। रजिस्ट्रार कार्यालय द्वारा दिनोंक 19.5.2017 को माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ में लम्बित मामले के सम्बन्ध में उपरोक्त विज्ञापन से सम्बन्धित कार्यालय की असल फाईल को अनुपलब्धता की सूचना दी गई। जिसकी प्रति प्रलेख फाईल न० 1 के पेज न० 144 पर लगी देखी जा सकती है। जिसके सम्बन्ध में माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ के आदेश दिनोंक 23.10.2017 की अनुपालना में डा० डी० आर० यादव, मैडिको-लीगल- एडवाइजर, हरियाणा सरकार व निदेशक, पी० जी० आई० एम० एस०, रोहतक (सेवानिवृत्त) को एक सदस्यीय जाँच दल का गठन किया गया। पत्र दिनोंक 18.12.2018 को प्रति प्रलेख फाईल न० 1 पेज न० 145 पर लगी देखी जा सकती है।

उपरोक्त के अतिरिक्त गठित चयन समितियों द्वारा विज्ञापन दिनोंक 4.5.2007 अनुसार चयनित लैक्चरारों, प्रोफेसरों व अन्य पदों (स्थायी/अस्थायी का स्वरूप वर्णन किये बिना) को विश्वविद्यालय खानपुर कला की कार्यकारिणी परिषद द्वारा पारित प्रस्ताव/एजेन्डा अनुसार स्थाई नियुक्ति करने एवं यू०जी०सी० पे-स्केल देने की स्वीकृति उपरान्त सभी विवादित पदों पर भर्ती/चयन किये गये उम्मीदवारों को अन्तिम रूप दे दिया गया है। जिस कारण विज्ञापन में वेतन भत्ते तथा स्थाई/अस्थायी पदों को वर्णन नहीं किये जाने पर भी अब अस्थायी नहीं माना जा सकता है। इसलिये कार्यकारिणी परिषद द्वारा लिया गया निर्णय ही अन्तिम है। इसके अतिरिक्त विज्ञापन दिनोंक 4.5.2007 व 7.5.2007 से सम्बन्धित कार्यालय की असल फाईल के गायब होने के मामले को माननीय राज्य सूचना आयोग, हरियाणा, चण्डीगढ़ के आदेश की पालना में डा० डी० आर० यादव, मैडिको-लीगल- एडवाइजर, हरियाणा सरकार व निदेशक, पी० जी० आई० एम० एस०, रोहतक (सेवानिवृत्त) को जाँच हेतु एक सदस्यीय जाँच दल गठित किया गया था। डा० डी० आर० यादव, मैडिको-लीगल- एडवाइजर, हरियाणा सरकार व निदेशक, पी० जी० आई० एम० एस०, रोहतक (सेवानिवृत्त) द्वारा गुम हुये रिकार्ड के सम्बन्ध में जाँच की गई है। इस जाँच रिपोर्ट में राजेश कुमार तत्कालीन सहायक स्थापना शाखा हाल सहायक कुल-सचिव रिकार्ड गुम होने के बारे जिम्मेवार बताया है। जाँच रिपोर्ट की प्रति प्रलेख फाईल 01 के पेज-न० 177 से 183 पर लगी देखी जा सकती है।

इसके अतिरिक्त जाँच से पाया है कि हरियाणा सरकार द्वारा विश्वविद्यालय की स्थापना करने के उपरान्त वितायुक्त एवं प्रधान सचिव, हरियाणा सरकार, शिक्षा विभाग, हरियाणा चण्डीगढ़ के पत्र दिनोंक 21.9.2006 अनुसार विश्वविद्यालय के लिये पदों की स्वीकृति दी गई। विश्वविद्यालय के अस्तित्व में आने के बाद पूर्व कार्यरत कर्मचारियों/अधिकारियों के पदों को समायोजित करने के आदेश जारी किये गये। रजिस्ट्रार कार्यालय द्वारा पदों को रेशनेलाईजेशन करने के लिये दिनोंक 26.6.2007 को एक कमेटी गठित करने का निर्णय लिया गया। जिसकी प्रति प्रलेख फाईल न० 2 के पेज न० 541-545 पर लगी देखी जा सकती है। विभिन्न कमेटियों द्वारा विश्वविद्यालय खानपुर कला की कार्यकारिणी परिषद को रेशनेलाईजेशन करने से सम्बन्धित सिफारिश करने पर 10 बिन्दुओं से सम्बन्धित कर्मचारी/अधिकारियों के पदों को समायोजित करने का निर्णय लिया गया। जिसके आधार पर प्रतिवादी राजेश कुमार तत्कालीन सहायक द्वारा दिनोंक 02.07.2008 को कुल 176 पदों को

रेशनेलाईजेशन करने की नोटिंग तैयार की गई। प्रतिवादी राजेश कुमार, सहायक द्वारा आर्युवेदिक विभाग के 8 लैक्चरार और कानून विभाग के 6 लैक्चरार, जिनको विश्वविद्यालय द्वारा विज्ञापन जारी करके भर्ती किया हुआ था और वे सैल्फ फाईनेन्स स्कीम से वेतन प्राप्त कर रहे थे, उन पदों को भी रेशनेलाईजेशन के लिये उपरोक्त 176 पदों के साथ शामिल करके कुल 190 पदों का प्रस्ताव तैयार करके अधिकारियों को प्रस्तुत किया। आर्युवेदिक विभाग एवं कानून विभाग के उपरोक्त 14 लैक्चरारों के पद रेशनेलाईजेशन स्कीम के अंतर्गत उपरोक्त 10 बिन्दुओं के तहत कवर नहीं करते हैं। क्योंकि रेशनेलाईजेशन केवल उन्हीं पदों का किया जाना था जो विश्वविद्यालय के अस्तित्व में आने से पूर्व संस्थाओं में कार्यरत रहे थे। आर्युवेदिक विभाग एवं कानून विभाग के उपरोक्त 14 लैक्चरारों के पदों को रेशनेलाईजेशन के लिये प्रतिवादी राजेश कुमार तत्कालीन सहायक द्वारा तैयार प्रस्ताव दिनांक 02.07.2008 में गलत शामिल करके पेश किया गया। जिसकी प्रति प्रलेख फाईल नं० 2 के पेज नं० 569-571 पर लगी देखी जा सकती है। उपरोक्त 14 पदों की भर्ती विश्वविद्यालय द्वारा विज्ञापन जारी करके चयन समिति द्वारा विश्वविद्यालय अस्तित्व में आने के बाद की गई है। इसलिए उपरोक्त 14 पदों को रेशनेलाईजेशन के लिये नहीं भेजा जा सकता था। उपरोक्त पदों के वेतन को सैल्फ फाईनेन्स स्कीम से निदानकर के अलग करने के लिये अधिकारियों को प्रस्ताव भेजना चाहिये था।

उपरोक्त के अतिरिक्त विश्वविद्यालय प्रशासन द्वारा कुल 190 पदों के रेशनेलाईजेशन सम्बन्धी कार्यालय प्रक्रिया अनुसार वित्तियुक्त एवं प्रधान सचिव, हरियाणा सरकार शिक्षा विभाग द्वारा अपने पत्र क्रमांक 18/203-2007 यू0एन0पी0(2) दिनांक 27.2.2009 अनुसार स्वीकृति प्रदान की गई है। पत्र की प्रति प्रलेख फाईल नं० 2 के पेज नं० 639-643 पर लगी देखी जा सकती है।

इसी सम्बन्ध में विश्वविद्यालय प्रशासन द्वारा उपरोक्त आरोपों के सम्बन्ध में अपने स्तर पर एक जांच समिति का गठन किया गया था। जिसके प्रोफेसर पी0सी0 पंताजली पूर्व वाईस चांसलर, प्रो० प्रीत सिंह पूर्व रजिस्ट्रार एम0डी0यू0 रोहतक व सहायक रजिस्ट्रार सदस्य मनोनीत किये गये थे। जांच समिति द्वारा प्रशासन को अपनी रिपोर्ट दिनांक 20.1.2020 को पेश की जिसके अनुसार विश्वविद्यालय के कार्यालय प्रशासन द्वारा स्वीकृत पदों पर चयनित किये गये सहायक प्रोफेसर व अन्य स्टाफ के रेशनेलाईजेशन श्रेणी में डालकर लापरवाही दिखाई गई है। इसी प्रकार चयनित उम्मीदवारों को जांच समिति द्वारा नियमित पे-स्केल पर चयनित करना अपनी रिपोर्ट में दर्शाया है। इसके अतिरिक्त जांच समिति द्वारा दी गई रिपोर्ट में दर्शाया है कि 14 लैक्चरार ( 8 आर्युवेद व 6 कानून विभाग) की नियुक्ति बजट पदों के विरुद्ध प्रत्यक्ष भर्ती मोड द्वारा की गई है जिनका नाम विश्वविद्यालय की स्थापना के बाद प्रशासनिक शाखा द्वारा मनमाने ढंग से रेशनेलाईजेशन सूची में डाला गया है जो बिल्कुल गलत है। प्रोफेसर विमल जोशी और डा० अनिल बल्हारा एक ही विज्ञापन के तहत नियुक्ति किये गये। डा० विमल जोशी की नियुक्ति स्वीकृत पद के विरुद्ध दर्शाया है जबकि डा० अनिल बल्हारा, श्रीमति राजेश हुड्डा, श्रीमति सीमा दहिया, प्रमोद मलिक व प्रतिवादी डा पवन कुमार कानून विभाग के 5 सहायक प्रोफेसर की नियुक्ति को 190 पद जो रेशनेलाईजेशन पदों में सरकार के पत्र दिनांक 27.2.2009 के तहत स्वीकृत किये गये थे के अन्तर्गत दर्शाया है, जहाँ तक इन अध्यापकों नियुक्ति विज्ञापन दिनांक 4 मई 2007 अनुसार बजट पदों के विरुद्ध प्रत्यक्ष भर्ती मोड द्वारा की गई है। विश्वविद्यालय ने इस संबंध में एक मध्यस्थ और गलत तरीके से काम किया है जो कानूनी रूप से उचित नहीं है जांच की प्रति प्रलेख फाईल 1 के पेज नं० 134-176 पर लगी देखी जा सकती है।

इस प्रकार प्रतिवादी राजेश कुमार तत्कालीन सहायक हाल सहायक कुल-सचिव एवं प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक (सेवानिवृत्त) द्वारा आर्युवेदिक विभाग के 8 लैक्चरार और कानून विभाग के 6 लैक्चरार, जिनको विश्वविद्यालय द्वारा विज्ञापन जारी करके भर्ती किया हुआ था और वे सैल्फ फाईनेन्स स्कीम से वेतन प्राप्त कर रहे थे, उन पदों को भी रेशनेलाईजेशन के लिए बदनियति उच्चाधिकारियों को गुमराह करके प्रशासन शिक्षा विभाग, हरियाणा सरकार को भेजकर गलत सूचना देकर मंजूर करवाया गया। इसके अतिरिक्त विश्वविद्यालय द्वारा गठित जांच कमेटी द्वारा प्रतिवादी राजेश कुमार तत्कालीन सहायक प्रशासन शाखा को विज्ञापन एवं नियुक्ति से सम्बन्धित असल फाईल/रिकार्ड को गुम करने का जिम्मेवार माना है। प्रतिवादी कृष्ण

-25-

18

कुमार ढाका, तत्कालीन अधीक्षक वर्ष 2013 में सेवानिवृत्त हो चुका है। प्रतिवादी राजेश कुमार, तत्कालीन सहायक हाल सहायक रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कला, सोनीपत जोड़ लेवक होते हुये बदनियति से रिकार्ड को गुम किया गया है तथा बदनियति से रेशनेलाईजेशन सूचि गलत तैयार करके उच्चाधिकारियों को गुमरह करके सरकार को गलत सूचना दी गई है। इसलिये प्रतिवादी कृष्ण कुमार ढाका, तत्कालीन अधीक्षक, महिला विश्वविद्यालय खानपुर कला सोनीपत व प्रतिवादी राजेश कुमार, तत्कालीन सहायक हाल सहायक रजिस्ट्रार, भगत फूल सिंह महिला विश्वविद्यालय खानपुर कला, सोनीपत के विरुद्ध भा0द0स0 अ धारा 167, 201 409, 418, 424, 465, 466 व 120बी0 के तहत आपराधिक मामला दर्ज किये जाने का सुझाव दिया जाता है। इसके अतिरिक्त अभियोग की तफतीश के दौरान अगर किसी अन्य अधिकारी / कर्मचारी की सलिपता पाई जाती है तो उसे भी तफतीश के दौरान देख लिये जाने का सुझाव दिया जाता है।

अतः आरोप सिद्ध रहा।

(फूल कुमार)

जॉच अधिकारी / निरीक्षक,

राज्य चौकसी ब्यूरो,

उपकेन्द्र, सोनीपत।

सलग्न:- अन्तिम रिपोर्ट-2 प्रतियों

1. शिकायत फाईल पेज 1 से 437 तक।
2. कथन फाईल पेज 1 से 271 तक।
3. पुलिस फाईल पेज 1 से 68 तक।
4. प्रलेख फाईल 1 पेज 1 से 201
5. प्रलेख फाईल 2 पेज 1 से 1223 तक।

-158-

STATEMENT OF ALLEGATIONS AGAINST SH. RAJESH KUMAR, ASSISTANT REGISTRAR, BPSMV, KHANPUR KALAN.

That, Sh. Rajesh Kumar, Assistant Registrar, is hereby accused with the following accusations:-

1. That you were working as Assistant in the Establishment Branch of the University in year 2007-08. The Executive Council of the University in its 12<sup>th</sup> meeting dated 23.06.2008 framed a rationalization policy for employees of the erstwhile Private Educational Society who were working under Self-Financing Scheme in various institutions before the establishment of the University and their post in SFS vested in the University under section 36 of the University Act w.e.f. 18.08.2006. The University constituted a committee to find out eligibility of such employees and recommended their name for rationalization for sending a proposal to the Department of Higher Education, Government of Haryana for creation of budgeted posts for these employees under the rationalization policy. The committee checked eligibility on the basis of list provided by the Head of departments/colleges for 176 employees who were working on SFS for rationalization. You put up a proposal for rationalization of 190 posts under the rationalization policy by including post of six lecturers in the Institute of law and eight lecturers in the Institute of Ayurveda to the higher authority concealing the fact that these fourteen lectures have been appointed after establishment of the University and the Lecturers in law have been appointed against advertisement dated 04.05.2007. You concealed the fact that the University had appointed these six lecturers in the Institute of Law along with four lecturers in English, three lecturers in foreign languages, two lecturers in education and the lectures in English, Education and Foreign Languages against advertisement dated 04.05.2007 and the lecturers in English, education and foreign languages have been appointed against the initially sanctioned posts of 40 lectures by the Department of Higher Education, Government of Haryana vide Memo



dated 21.09.2006 and similarly lecturers in the various institutes have been appointed against the initially sanctioned posts. Therefore, you failed to inform the Competent Authority that these fourteen lecturers were not covered under the rationalization policy in the proposal dated 02.07.2008. Therefore, you concealed substantial fact from the competent authority and put up wrong fact before the higher authorities at the University. Therefore, you discharged your duty in a gross negligent manner and acted prejudicial to the interest of the University in violation of the rules which amounts to misconduct under the service rules.

2. That the University issued an advertisement dated 04.05.2007 in leading national dailies for the post of Professors/Associate Professors/Readers/Assistant Professors/Lecturers in various disciplines including Law, English, Foreign Languages and campus school. During the process of the recruitment against the above advertisement, you joined as Assistant in the Establishment Branch/Registrar Office and looked after the recruitment record of the advertisement till recruitment as custodian of the record till you were either transferred or promoted on 18.02.2010 without properly handing over record to the next dealing official as per record. You have failed to produce any record/proof of handing over the custody of the above record of the establishment branch as there was no assistant at the time of these recruitments after his joining on 28.06.2007 along with one superintendent Sh. K.K. Dhaka. The University had also issued another advertisement dated 20.06.2007 for discipline of law, education and English and the interview for these posts took place on 11.07.2007 onwards and appointment to lecturers in discipline of law against advertisement dated 04.05.2007 and 20.06.2007 have been issued on 26.07.2007 which means that the recruitment record was available till 26.07.2007. You were asked to complete the record relating to appointment made by the university till that time by the Registrar on 08.10.2008. Therefore, you have discharged your duty in a gross negligent manner and acted prejudicial to the interest of

the University in violation of the rules which amounts to misconduct under the service rules.

3. That the State Vigilance Bureau conducted an Enquiry No. 11 dated 15.11.2017 in the matter and the Bureau in its enquiry report found that you have wrongly included the above mentioned fourteen lecturers in the proposal dated 02.07.2008 for rationalization and concealed the facts and misguided the Department of Higher Education, Government of Haryana along with Sh. Krishan Kumar Dhaka, the then Superintendent of the Establishment Branch. Therefore, you have concealed substantial facts and misguided the Department of Higher Education, Government of Haryana. Therefore, you discharged your duty in a gross negligent manner and acted prejudicial to the interest of the University in violation of the rules which amounts to misconduct under the service rules.
4. That you are responsible for loss of recruitment record of six lecturers in Institute of Law including the file noting from initiation of proposal for recruitment of lecturers in the institute of law, English, Foreign Languages and Education against advertisement dated 04.05.2007 till issuance of appointments letters to the lecturers in institute of law except the selection committee proceedings because you have not handed over the record to subsequent dealing persons as per record. Therefore, you have discharged your duty in a gross negligent manner and acted prejudicial to the interest of the University in violation of the rules which amounts to misconduct under the service rules.
5. That the University appointed Dr. D.R. Yadav, Medico-Legal Advisor to find out missing record as per direction of Hon'ble State Information Commission in RTI Appeal No. 3991 of 2017 wherein the enquiry officer found you responsible for the missing of record by handling the record of the University in a very casual manner by committing great negligence towards the duty assigned to you. Therefore, you have discharged your duty in a gross negligent manner and acted prejudicial to the interest of

-238-

the University in violation of the rules which amounts to misconduct under the service rules.

6. That the Chief Secretary Government of Haryana had directed the Additional Chief Secretary, Department of Higher Education, Government of Haryana to take action by imposing major penalty under the University Rules for the above acts and omissions vide letter dated 02.02.2022 in view of the enquiry report and the Director General of Haryana has urged to take action against you as suggested by the State Vigilance Bureau.

His above acts of omissions & commissions are of grave negligence in discharge of duty and prejudicial to the interest of the University and are unbecoming of a university official/officer and attracts strict disciplinary action against you as recommended by the State Vigilance Bureau. Therefore, you are accused for violation of the service rules prescribed for non-teaching staff of the University.

M. K. K.  
28/01/23  
Registrar

-169-

or revoked by the authority which made or deemed to have made the order or by any other authority to which that authority is subordinate.

PENALTIES:

5. The following penalties may, for good and sufficient reasons, and as hereinafter provided be imposed on a University employee:

Minor Penalties

- i) Warning with a copy on ACR file;
- ii) Censure;
- iii) Withholding of grade increment, without cumulative effect;
- iv) Withholding of promotion;
- v) Recovery from pay of the whole or part of any pecuniary loss caused to the University by negligence or breach of orders.

Major Penalties

- vi) Withholding of grade increment(s) with cumulative effect;
- vii) Reduction to a lower stage in the time scale of pay with further directions that as to whether or not the University employee will earn grade increments beyond that lower stage after such reduction;
- viii) Reduction to lower time-scale, grade, post or service shall be a demotion which shall essentially carry with it a bar for future promotion of the University employee to the time-scale of pay, grade, post or service from which he has been so reduced, with or without mention of any specific conditions in the order imposing this penalty

- ix) Compulsory retirement;
- x) Removal from service which shall not be a disqualification for future employment under the University;
- xi) Dismissal from service, which shall ordinarily be a disqualification for future employment under any public interest.

**Explanation:** The following shall not amount to a penalty within the meaning of this rule:

- i) Withholding grade increment(s) of an employee for failure to pass departmental examination or non fulfillment of any such condition in accordance with the rules of orders governing the service or post or the terms of his appointment;
- ii) Stoppage of an employee at the efficiency bar in the time scale on grounds of his unfitness to cross the bar.
- iii) non-promotion of an employee whether in a substantive or officiating capacity, after consideration of his case to a service, grade or post for promotion to which he may be otherwise eligible;
- iv) reversion to a lower service, grade or post of an employee officiating in a higher service, grade or post on the ground that he is considered after trial to be unsuitable for such higher service, grade or post or on administrative grounds unconnected with this conduct.
- v) reversion to his permanent service, grade or post of an employee appointed on probation to another grade or post during or at the end of the period of probation in accordance with the term of his appointment or the rules and orders governing probation;
- vi) suspension pending enquiry;
- vii) termination of the service;

- a) of an employee appointed in probation, during or at the end of the period of probation, in accordance with the term of his appointment or the rules and orders governing probation;
  - b) of a person engaged under a contract: in accordance with terms of the contract;
  - c) of a temporary employee appointed otherwise than under a contract: on the expiration of the period of appointment or on abolition of the post before the due time in accordance with the term of appointment.
  - d) of a temporary employee engaged on a tenure posts or offered term appointment: at the expiration of the tenure or term of appointment as specified in the order of appointment or earlier if the arrangement under which such appointment has been made is abolished.
- viii) Compulsory retirement of a University employee in accordance with the provisions relating to superannuation or retirement.

PUNISHING AUTHORITY:

- 6.1 Except, where otherwise laid down in the statutes and the ordinances of the University, the authority competent to appoint shall also be competent to impose any of the penalties specified in Rule 5 upon the persons to whom these rules apply.
- 6.2 Notwithstanding generality of provision contained in sub-rule (1) above, the Vice-Chancellor shall be competent to impose any of the minor penalties specified in clauses (i) to (v) of Rule 5, except the officers of the University as defined under Section 8 of the Act.

AUTHORITY TO INSTITUTE PROCEEDINGS:

- 7.1 Except where otherwise provided under these rules, the Executive Council or any other authority empowered by it, by a general or special order, may
  - (a) institute disciplinary proceedings against any University employee;

(b) direct a punishing authority to institute disciplinary proceedings against any University employee on whom that punishing authority is competent to impose under these rules any of the penalties specified in Rule 5.

7.2 A punishing authority competent under these rules to impose any of the penalties specified in clause (i) to (v) of Rule 5 may institute disciplinary proceedings against a University employee for the imposition of any of the penalties specified in clauses (vi) to (xi) of Rule 5 notwithstanding the fact that such punishing authority is not competent under these rules to impose any of the latter penalties.

#### PART IV

#### PROCEDURE FOR IMPOSING MAJOR PENALTY:

- 8.1 No order imposing any of the major penalties specified in clauses (vi) to (xi) of Rule 5 shall be made against a person to whom these rules are applicable unless he has been given a full and reasonable opportunity of being heard, showing cause and of defending himself against the action proposed to be taken against him.
- 8.2 Whenever the punishing authority is of the opinion that there are grounds for inquiring into truth of any imputation of misconduct or misbehaviour against a University employee, it may itself inquire into or appoint an authority to inquire into the truth thereof to its satisfaction.
- 8.3 Where it is proposed to hold an inquiry against a University employee under these rules, the punishing authority may draw up or cause to be drawn up-
- (i) grounds on which it is proposed to take such action shall be reduced in writing into definite and distinct articles of charges;

- 2 -
- ii) a statement of allegations on which each charge is based and of any other circumstances which it is proposed to take up into consideration before passing orders in the case;
- iii) a statement of all relevant facts including any admission or confession having been made by the University employee;
- iv) a list of documents on the basis of which and a list of witnesses by whom, the articles of charge are proposed to be sustained.

8.4 The punishing authority shall deliver or cause to be delivered to the employee, a copy of the articles of charge, the statement of allegations and list of documents and witnesses, in support of each article of charge and require him to submit, within a reasonable time, ordinarily not exceeding two weeks, to state in writing, whether he admits the truth of all or any of the allegations, what explanation or defence, if any, he has to offer and whether he desires to be heard in person.

8.5 If on receipt of written statement of defence, the punishing authority is of the opinion that imposition of one of the minor penalties specified in clauses (i) to (v) of Rule 5 on the University employee would suffice and for that reason the punishing authority does not consider it fit and necessary to inquire into articles of charges any further for imposing one of the major penalties specified in clauses (vi) to (xi) of Rule 5, it shall make an order imposing any of the minor penalties specified in clause (i) to (v) of Rule 5.

8.6 (a) If the punishing authority is not satisfied with the explanation given by the person charged or if the employee desires to be heard in person, an inquiry officer shall be appointed to hold a regular enquiry;

(b) The competent authority may appoint a university employee or a legal practitioner to be known as the 'Presenting Officer' to



- 3 -

present on his behalf the case and lead evidence before the inquiry officer in support of statement of allegations/articles of charge (s);

- © The employee against whom a charge is being enquired into, shall be allowed to obtain the assistance of an in-service or retired University employee, if he so desires in order to lead his defence before the enquiry officer.
- (d) In case a counsel is engaged by the competent authority to present his case before the Enquiry Officer, the charged employee shall also be entitled to engage the services of a counsel to represent his case in defence.
- (e) The charged employee shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the Enquiry Officer may, for reasons to be recorded in writing, refuse to call any such particular witness.
- 8.7 If any question arises whether it is reasonably practicable to give to any person an opportunity to defend himself under rule 8.3, the decision thereon of the punishing authority shall be final.
- 8.8 All notices from the Enquiry Officer shall, unless personally served, be deemed to have been served when sent by registered post to the employee at his last known address.
- 8.9 If the charged employee to whom a copy of article of charges has been delivered does not submit his written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiry officer or otherwise fails or refuses to comply with the provisions of this rule, the inquiry officer shall proceed to hold the inquiry ex parte.

- 4 -

- 8.10 The charged employee shall appear in person before the Inquiry Officer on such date and time and at such venue as the Inquiry Officer may, by a notice in writing, specify in this behalf.
- 8.11. On the date fixed for the purpose, oral and documentary evidence on the basis of which charges are proposed to be proved shall be produced by or on behalf of the competent authority before the Inquiry Officer. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross examined by or on behalf of the charged employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross examined, but not on any new matter, without the leave of the Inquiry Officer. The Inquiry Officer may also put such questions to the witnesses as he thinks fit and proper for a fair investigation.
- 8.12 Before the close of the case, on behalf of the competent authority, the Inquiry Officer, may in his discretion allow the Presenting Officer to produce evidence not included in the list given to the charged employee or may himself call for new evidence or recall or re-examine any witnesses and in such case the charged employee shall be entitled to seek, if he so demands, an adjournment for three clear days before the production of such new evidence. The Inquiry Officer shall give to the charged employee an opportunity of inspecting such additional documents submitted/called in evidence before they are taken on the record.
- 8.13 When the charged employee has not admitted in his written statement any of the charges or has not submitted any written statement in his defence, the Inquiry Officer shall ask him to State as to whether he pleads guilty or has any defence to make. If the charged employee pleads guilty to all or any of the charges, the Inquiry Officer shall record his plea, sign the record and obtain the signature of the employee thereon.

- 169 -

8.14 The inquiring authority shall return a finding of guilt in respect of those of articles of charges to which the university employee pleads guilty.

8.15 The Inquiry Officer, shall if the employee fails to appear before him within the specified time, or having reported refuses or omits to plead, require the presenting officer to produce the evidence on the basis of which he proposes to prove the charges and shall adjourn the case and afford to the charged employee another but final opportunity:

- i) To inspect the documents filed with the statement of allegations;
- ii) To submit a list of witnesses to be examined and to obtain/see a list of documents which are in the custody of the University, indicating relevancy of the documents required by him.
- iii) apply orally or in writing for the supply of copies of the statements, if any, recorded of witnesses mentioned in the list referred to above, in which case the inquiring authority shall furnish to him such copies as early as possible but, in any case, before the commencement of examination of the witnesses on behalf of the punishing authority.

8.16 The Inquiry Officer shall, on receipt of the notice form the charged employee for the discovery or production of documents forwarded the same to the authority in whose custody or /possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition.

Provided that the Inquiry Officer may for reasons to be recorded in writing, refuse to requisition such of the documents as are in his opinion are not relevant to the case.

8.17 On receipt of the requisition referred to in Rule 8.15 (ii & iii), the authority having the custody of possession or the requisitioned documents shall produce the same before the Enquiry Officer, unless the Inquiry Officer, unless the Inquiry Officer is

satisfied on written requisition by the authority having the custody or possession of the requisitioned documents that such documents are of a confidential nature and should not be produced.

8.18 When the case for the competent authority is closed, the charged employee shall be required to submit evidence in his defence orally, or in writing as he may prefer. If the defence is made orally, it shall be recorded by the Inquiry Officer and charged employee shall be required to sign the record.

8.19 The evidence/witness on behalf of the charged employee shall than be produced. The employee may examine such evidence/witness himself behalf he so prefers. The witnesses produced by the employee shall than be examined and shall be liable to cross-examination, re-examination and examination by the Inquiry Officer.

The Inquiry Officer, may for the reasons to be recorded in writing, refuse to call any witnesses cited by the employee.

8.20 The Inquiry Officer, may, after the charged employee closes his case and if the employee has not examined the evidence/witness himself, shall generally question him on the circumstances, appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.

8.21 The Inquiry Officer may after the completion of the production of evidence, hear the presenting officer, if any, appointed and the employee, or permit them to file written briefs of their respective cases, if they so desire.

8.22 When the statement of allegation against the charged employee shows that his general behaviour has been such as to be unbecoming of his position, or that he has failed to reach or to maintain a reasonable standard of efficiency, he may be charged accordingly, and a finding on such a charge may be a valid ground for the infliction of any of the punishments prescribed under Rule 5 which may

- 7 -

be considered suitable in the circumstances of the case.

8.23 It shall not be necessary to frame any additional charges when it is proposed to take action in respect of any statement of allegations made by the person charged during the course of his deposition in defence.

8.24 These provisions shall not apply where a person is removed or reduced in rank on the grounds of conduct which had led to his conviction on a criminal charges, or where an authority empowered to remove him or reduce him in rank is satisfied that, for some reason, to be recorded in writing it is not reasonably practicable to give him an opportunity of showing cause against action proposed to be taken against him or if it is considered expedient not to give that person an opportunity.

8.25 Whenever an Inquiry Officer, after having heard and recorded the whole or any part of the evidence, is unable to proceed with the inquiry for any reason whatsoever, and is succeeded by another Inquiry Officer, the Inquiry Officer so succeeding, may act on the evidence already recorded by his predecessor. If the predecessor Inquiry Officer has partly recorded and partly recorded by himself. The evidence on any charge, the successor Inquiry Officer may accept and act on the same and proceed further with the process from that stage onward.

Provided that if the succeeding Inquiry Officer is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, he may recall, examine, cross-examine and re-examine any such witness as hereinbefore provided.

8.26 After conclusion of the inquiry, a report shall be prepared by the Inquiry Officer which shall contain -

- 8 -
- (a) the articles of charges and the statement of the imputations of misconduct or misbehaviour;
  - (b) the defence of the charged employee in respect of each article of charges;
  - (c) an assessment of the evidence adduced and examined in respect of each article of charges;
  - (d) the findings on each article of charges and detailed reasons therefor.

8.27 If, in the opinion of the Inquiry Officer, the proceedings of the inquiry establish any article of charges is different from the original articles of the charges, he may record his findings on such particular article of charges.

Provided that findings on such article of charges shall not be recorded unless the charged employee has either admitted the facts on which such article of charges is based or has had been afforded a reasonable opportunity of defending himself against the same.

8.28 The Inquiry Officer, where he is not himself the punishing authority, shall forward to the punishing authority the records of inquiry which shall include -

- i) the inquiry report;
- ii) the written statement of defence, if any, submitted by the charged employee;
- iii) the oral and documentary evidence produced during the course of the inquiry;
- iv) written briefs, if any, filed by the Presenting Officer and/or the charged employee during the course of inquiry;

-9-

- v) the orders, if any, made by the punishing authority with regard to the inquiry.

ACTION ON THE ENQUIRY REPORT:

- 9.1 The punishing authority, if it is not itself the inquiring authority may, for reasons to be recorded, in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold further inquiry according to the provisions contained in rule 8, as far as may be.
- 9.2 After inquiry against a university employee has been completed, and after the punishing authority has arrived at a tentative conclusion in regard to the penalty to be imposed, the employee shall, if the penalty to be imposed is a major penalty provided in sub-clause (vi) to (xi) of Rule 5, be supplied with a copy of the report of the Inquiry Officer and be called upon to show cause, within reasonable time, not ordinarily exceeding one month asking him to show cause as to why the inquiry report be not accepted against the particular penalty proposed to be inflicted upon him. Any representation submitted by him in this behalf shall be taken into consideration before further orders are passed.
- 9.3 If the punishing authority disagrees with any part or whole of the findings of the Inquiry Officer, the point or points of such disagreement, together with a copy of the report of the Inquiry Officer and brief statement of the grounds of such disagreement shall also be supplied to the employee calling upon him to show cause, within a reasonable time, not ordinarily exceeding one month, irrespective of whether the report is in favour or against the University employee, as

-10-

to why a particular penalty proposed be not inflicted upon him.

9.4 The disciplinary authority shall consider the representation, if any, submitted by the university employee in this behalf before proceeding further in the manner specified in sub-rules (5) & (6) of this rule.

9.5 If disciplinary authority having regard to its findings of the inquiry on all or any of the articles of charges is of the opinion that any of the penalties specified in clauses (i) to (v) of Rule 5 should be imposed on the university employee, it shall notwithstanding anything contained in Rule 10, make an order imposing such penalty.

9.6 If the punishing authority having regard to the findings of the inquiry on all or any of the articles of charges and on the basis of the evidence adduced during the inquiry, is of opinion that any of the penalties specified in clauses (vi) to (xi) of Rule 5 should be imposed on the employee, it shall make an order imposing such penalty and it shall not be necessary to give the employee any opportunity of making representation on the penalty proposed to be imposed.

PROCEDURE FOR IMPOSING MINOR PENALTIES:

10.1 Subject to rule 8.4 and 9.2, no order imposing on an employee any of the penalties specified in clause (i) to (v) of Rule 5 shall be made except after -

- (a) informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to take against the proposal;





**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**  
**(A state University established by an Act 31 to 2006)**  
**('B++' Grade University Accredited by NAAC)**

Minutes of the meeting of the Committee constituted by the Vice-Chancellor to consider the request of Prof. Sanjai Bhatt, Former Professor and Head, Social Work, Delhi School of Social Work, University of Delhi for engagement of Adjunct Faculty in the Department of Social Work held on 28.02.2024 at 11:00 a.m in the Conference Hall, Administrative Block, BPSMV, Khanpur Kalan:-

The following were present:

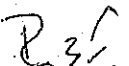
- |                                                            |                                             |
|------------------------------------------------------------|---------------------------------------------|
| 1. Prof. Sudesh, Vice-Chancellor                           | Chairperson                                 |
| 2. Prof. Sanket Vij,<br>Dean, Academic Affairs             | Member                                      |
| 3. Prof. Ravi Bhushan,<br>Dean, Faculty of Social Sciences | Member                                      |
| 4. Dr. Manju Panwar,<br>Chairperson, Dept. of Social Work  | Member                                      |
| 5. Prof. Sanjay Roy,<br>Department of Social Work, DU.     | Outside Subject Expert<br>(Attended Online) |
| 6. Dr. Neelam Malik, Registrar                             | Secretary                                   |


Keeping in view the qualifications and vast experience, the Committee recommended that Prof. Sanjai Bhatt, Former Professor and Head, Social Work, Delhi School of Social Work, University of Delhi may be engaged as Adjunct Faculty in the Department of Social Work initially for a period of six months on usual terms and conditions of appointment of Adjunct Faculty duly approved by the Executive Council vide Resolution No. 22 held on 02.12.2022.

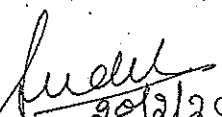
  
 (Dr. Neelam Malik)

(online)  
 (Prof. Sanjay Roy)

  
 (Dr. Manju Panwar)

  
 (Prof. Ravi Bhushan)

  
 (Prof. Sanket Vij)

  
 (Prof. Sudesh) 28/2/24

From

Director General Higher Education,  
Haryana, Panchkula.

To

✓ The Registrar,  
Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan,  
District Sonapat

Memo No: 18/34 -2024 UNP (1)

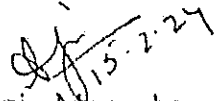
Dated, Panchkula, the 15/02/2024

Subject: - Regarding one post of University Librarian (post code-169 UR Category)  
vide Advt. No. 01/2023 to 69/2023 for the post of Librarian in Bhagat  
Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, Sonapat.

\*\*\*\*\*

Kindly refer to your letter no. BPSMV/ET-II/24/1117 dated 13.02.2024 on  
the subject cited above.

I have been directed to inform you that as per available record, as  
conveyed by branch that as per letter no. F/1-9/96(PS) dated 08.06.1998 librarians  
should be treated as academic and non vocational staff. Further, it is mentioned that the  
necessary amendment with respect to categorization of the said post by university may  
be undertaken. The record hereby checked as per available record. This is for you kind  
information and further necessary action in the subject cited above.

  
Dr. Anju Manocha,  
Joint Director cum Observer,  
O/o Director General Higher Education  
Haryana, Panchkula

Ref. No. GUG/VC/2024/28

Dated 28/02/24


To

The Registrar  
B.P.S Mahila Vishwavidalaya  
Khanpur Kalan ( Sonipat)

Sub:- Regarding one post of University Librarian ( post code-169 UR Category)  
vide Advt. No. 01/2023 to 69/2023 for the post of Librarian in Bhagat Phool  
Singh Mahila Vishwavidalaya Khanpur Kalan ( Sonipat)

Kindly refer to your office letter No. BPSMVET-II/24/1239 dated  
21/02/2024 on the subject cited above.

It is to inform you that the available record pertaining to the above referred  
post has been checked as per the documents presented for checking the same. This  
is for your kind information and further necessary action in the subject cited above.

  
Vice-Chancellor-cum-Observer  
Gurugram University, Gurugram

## Faculty of Social Sciences

Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan, Sonapat, Haryana

Subject: Establishment of the Department of Psychology.

Consequent to the communication received from the Department of Higher Education, Government of Haryana and discussion with the Honourable Vice Chancellor, the proposal for establishment of the Department of Psychology at BPSMV is made as follows:

### The Proposal

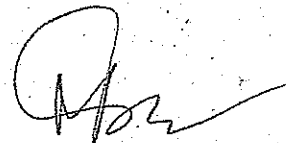
#### Objectives

The proposed 'Department of Psychology' is being instituted with the following objectives:

- ✦ to offer Graduation, Post-Graduation and Doctoral programmes to the prospective students
- ✦ to offer consultancy services to the students, staff and people from neighboring adopted villages situated in the vicinity of BPSMV
- ✦ to offer counseling (both career and life) services to the school and university students
- ✦ to support and strengthen ongoing social sciences academic programmes through interdisciplinary approach
- ✦ to facilitate better career opportunities in both clinical and theoretical psychology for the female students of BPSMV

#### Rationale

- ✦ The rationale for establishing the Department of Psychology at BPSMV lies in the genesis of the University itself. Today's BPSMV is the manifestation of the seminal idea conceived by Bhagat Phool Singh ji on empowerment of women and girls through education. The empowerment desired was not only physical, economical and social in nature but psychological as well. The erstwhile Gurukul founded by Bhagat ji and carried further by Behan Subhashini Devi ji trained its students to be psychologically empowered and emancipated. In fact psychological emancipation and empowerment preceded their all other forms of empowerment. The context of modernity demands our students to be in tune with the newer dimensions of progress and growth in terms of career. BPSMV intends its students to be guided by a judicious mix of tradition and modernity. The University wants to produce students modern in thoughts and actions but rooted in Indian traditions and value system. We believe that the intended objective would be better accomplished with the help of exposure of our students to psychological dimensions of human behavior and



experiences. Hence the proposed Department of Psychology would prove to be a milestone in achieving the stated objectives of BPSMV.

- ✦ Since BPSMV offers academic programmes in majority of social sciences subjects at graduation and school level, the proposed Department of Psychology would strengthen better understanding of social sciences and humanities and also will broaden the job prospects of potential students.
- ✦ There has been a constant demand from the general public and students' community for introduction of psychology as the subject of study at BPSMV.
- ✦ Since the affiliated colleges of BPSMV offer psychology as one of the subjects, it is incumbent on part of the University to have a Department of Psychology under the aegis of its faculty of social sciences.

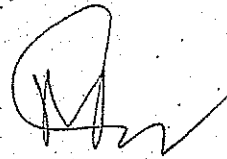
#### Teaching Staff Required

- ✦ Professor 01
- ✦ Associate Professor 02
- ✦ Assistant Professor 04

#### Infrastructure and Support Staff Required

The Department of Psychology shall require the following to start its operations:

✦ Classrooms	02
✦ Laboratory	01
✦ Office Assistant cum Typist	01
✦ Peon	01
✦ Computer Set	01
✦ Printer	01
✦ Office Tables	03
✦ Executive Chairs	02
✦ Office Chairs	10
✦ Sofa Set	01
✦ center Tea Table	01
✦ Book Racks	02
✦ Incumbency Board	01



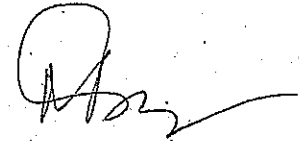
### Financial Implications

The tentative financial implications in terms of expenditure listed below shall be borne out of the budget allocated by the University and sanctioned by the State Government. The details shall be furnished by the University's Establishment Teaching branch.

Sr. No.	Name of the Department/ Institute	Name of Post	No. of Posts	Pay Scale/ Pay level of Post	Total Annual Financial implication
1	Psychology	Professor	01	144200- 218200/- Level- 14	223068 x 12 = 2676816
		Associate Professor	02	131400- 217100/- Level- 13A	203356 x12 x2 = 4880544/-
		Assistant Professor	04	57700- 182400/- Level- 10	89858 x12 x4 = 4313184/-
			GRAND TOTAL		11870544/-

### Conclusion

The Honourable Vice Chancellor is requested to consider the aforesaid proposal and approve (if deemed to be appropriate) the same for further action on the plan stated.



Annexure - 36

**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**  
Office No. 01263-282333, [www.bpsmv.ac.in](http://www.bpsmv.ac.in)

Ref. No. BPSMV/ET-I/24/ 1102

Dated:- 12/2/24

To,

The Additional Chief Secretary,  
Department of Higher Education,  
Haryana Civil Secretariat, Room No. 46, 9<sup>th</sup> Floor,  
Sector-1, Chandigarh (Haryana)

**Sub:- Regarding permission for starting Department of Psychology and creation of new teaching posts thereof.**

Sir,

This is with reference to instructions received from your good self during the discussion with the Vice-Chancellor, BPSMV in the meeting held on 08.02.2024, desired to establish the Department of Psychology in the University and directed the University to submit the proposal for the same at the earliest. The detailed proposal for the same is enclosed for your kind consideration.

In view of the same, I am directed to provide the annual financial liability of teaching posts required for establishing the Department of Psychology and the same is as under:


Sr. No.	Name of the Department/ Institute	Name of Post	No. of Posts	Pay Scale/ Pay level of Post	Total Annual Financial implication
1	Psychology	Professor	01	144200-218200/- Level-14	223068 x 12 = 2676816
		Associate Professor	02	131400-217100/- Level-13A	203356 x12 x2 = 4880544/-
		Assistant Professor	04	57700-182400/- Level-10	89858 x12 x4 = 4313184/-
				GRAND TOTAL	11870544/-

It is very kindly requested to arrange to convey the sanction of State Govt. for creation of the aforesaid posts alongwith the permission to establish the Department of Psychology.

It may kindly be treated most urgent.

Yours sincerely,

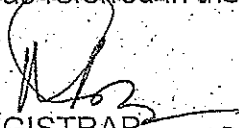
AS ABOVE  
DA/3 Pages

  
Registrar  
12/2/24

Endst. No. BPSMV/ET-1/24/ 1103

Dated:- 12/2/24

A copy of above is forwarded to the Director General, Higher Education, Haryana Shiksha Sadan, Ground Floor, Sector-5, Panchkula (HARYANA) for information and necessary action with the request to kindly arrange to convey the approval of the State Government for the purpose as referred in the letter.

  
REGISTRAR  
12/2/24





**Bhagat Phool Singh Mahila Vishwavidyalaya**  
**Khanpur Kalan (Sonapat), Haryana-131305**

(A State University established by an Act of Haryana Legislature & recognised  
 by UGC under section 2 (f) and 12 B of the UGC act, 1956)  
 ('B++' Grade, NAAC Accredited)

**Proceedings of the Screening/selection committee meeting held on**  
**01.03.2024 at 11:00AM for the selection of Technical Advisor (Civil**  
**Engineering) on contractual basis.**

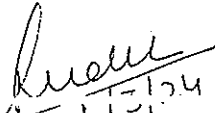
The following members were present:


- |    |                                                          |                                   |
|----|----------------------------------------------------------|-----------------------------------|
| 1. | Vice- Chancellor, BPSMV Khanpur Kalan                    | Convener                          |
| 2. | Prof. Ashok Verma, Dept. of English, BPSMV, KK           | Member                            |
| 3. | Sh. Vikas Dahiya, Executive Engineer, BPSMV, KK          | Member                            |
| 4. | Sh. Ashok Malik, S.E. Lala Lajpat Rai University, Hissar | Member ( <i>attended online</i> ) |
| 5. | Registrar                                                | Member Secretary                  |

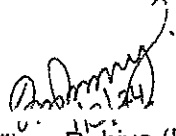
The committee has interviewed the following candidate for the said post as  
 per the eligibility conditions published in the advertisement:

- 1 Sh. Arun Kumar Goel S/o Late Sh. D.R Goel
- 2 Sh. Anil Kharb S/o Sh. Inder Singh Kharb
- 3 Sh. Rajpal Rathee S/o Sh. Hazari Ram

After interviewing the above candidate, the committee recommends that  
 seq. No: Sh. Arun Kumar Goel s/o late may be engaged / appointed as Technical  
Sh. D.R. Goel.  
 Advisor (Civil Engineering) on contractual basis. The salary / remuneration shall be  
 paid as per rules. The contractual period shall be for one year in first instance *on visit basis*

  
 (Vice- Chancellor)  
 Convener

  
 (Prof. Ashok Verma)  
 Member

  
 Sh. Vikas Dahiya (Executive Engineer)  
 Member

Sh. Ashok Malik, S.E  
 Member

  
 (Registrar)  
 Member Secretary

Bhagat Phool Singh Mahila Vishwavidyalaya, Khanpur Kalan (Sonapat)

PROCEEDINGS OF THE SELECTION COMMITTEE MEETING HELD ON 04.03.2024  
FOR THE SELECTION OF ASSISTANT REGISTRAR ON DEPUTATION BASIS.

Following were present:


1. Prof. Sudesh, Vice-Chancellor, BPSMV
2. Prof. Ravi Bhushan, Dean, FSS, BPSMV
3. Dr. Neelam Malik, Registrar, BPSMV

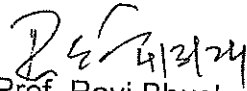
Chairperson  
Member  
Member Secretary

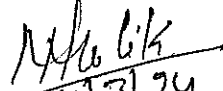
Proceeding of the meeting:

The committee has interviewed *Sh. Pardeep Kumar S/o Sh. Jagdev Singh Dhull* for the said post as per the eligibility conditions published in the advertisement.

After interviewing the above candidate, the committee recommends that *Sh. Pardeep Kumar S/o Sh. Jagdev Singh Dhull* may be appointed as Assistant Registrar on deputation basis subject to issuance of certificate from his parent department mentioning that there is no vigilance/ disciplinary proceeding pending or contemplated against him. The salary shall be paid as per rules. The deputation period shall be for one year in first instance.

  
4/3/24  
(Prof. Sudesh)  
Chairperson

  
4/3/24  
(Prof. Ravi Bhushan)  
Member

  
4/3/24  
(Dr. Neelam Malik)  
Member Secretary

Chapter - 29

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**VICE-CHANCELLOR'S DISCRETIONARY FUND**

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- 29.1 The Fund shall be called the "Maharshi Dayanand University Vice-Chancellor's Discretionary fund".
- 29.2 The Fund shall comprise of the allocation made annually by the Maharshi Dayanand University, Rohtak out of its funds.
- 29.3 [The Vice-Chancellor at his discretion may sanction expenditure out of this fund for the benefit of students and employees of the University upto a limit of Rs. 15,000/- in each case.]

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1. Amended vide E.C. Reso. No. 49 dt. 30.05.1994.

V.C. Office

## MAHARSHI DAYANAND UNIVERSITY ROHTAK

Copy of extract of Item No. 53 of Executive Council's meeting  
to be held on 16-9-21.

## 53. Amendment to Clause - 29.3 of Vice-Chancellor's Discretionary Fund

To consider the proposal that Clause - 29.3 of Vice-Chancellor's Discretionary Fund appearing in Chapter-29 of University Calendar Volume-IV may be amended as under:

<u>Existing</u>	<u>Proposed</u>
29.3 The Vice-Chancellor at his discretion may sanction expenditure out of this fund for the benefit of students and employees of the University upto a limit of Rs. 15,000/- in each case.	29.3 The Vice-Chancellor at his discretion may sanction expenditure out of this fund for the benefit of students and employees of the University upto a limit of <u>Rs. 1,00,000/-</u> in each case.

## NOTE:

The Vice-Chancellor's Discretionary Fund rules were amended by the Executive Council since long. Thereafter, the inflation has gone up many times and the amount is not beneficial for students and employees of the university. The case for enhancement of Vice-Chancellor's Discretionary Fund was sent to the Accounts Branch for examination. The Accounts Branch has proposed that relevant rule is required to be amended.

The above matter was considered by the Vice-Chancellor who has ordered to refer the same to the Executive Council.



CBSE/Aff/P-3

Phone: 22426938

Gram: CENBOSEC, DELHI

## Central Board of Secondary Education

Shiksha Kendra, 2, Community Centre, Preet Vihar, Vikas Marg, Delhi-110 092.

(AFFILIATION BRANCH)

REGD.

No. CBSE/Aff./520001/2010 / 49957-60

Dated: 25/02/2010 ✓

The Distt. Education Officer  
Sonapat  
Haryana-131305.

11/3

**Sub: Fresh Regular Affiliation up to Secondary level to University Campus School, BPS Mahila Vishwavidyalaya, Khanpur Kalan, Distt. Sonapat, Haryana-131305.**

Sir/Madam,

With reference to your application dated 22/01/2010, I am directed to convey the sanction for **Fresh regular Affiliation** to the above said school for Secondary School Examination (Classes IX) w.e.f. **01/04/2010** onwards

**The above sanction is subject to the fulfilment of the following conditions:**

1. The school will follow the national syllabus for the middle classes.
2. The school will follow syllabi and courses as per scheme of studies prescribed by the Board for Secondary School Examination and changes made therein from time to time.
3. The school shall appoint only qualified and eligible staff.
4. The school will help the Board in the smooth conduct of the examination by providing the necessary accommodations i.e. Rooms, Halls, etc. available in the school premises and furniture at its disposal for holding its examinations free of charges if required.
5. The school will spare sufficient teachers, for invigilation purpose at the examinations of the Board, as may be required
6. The school will spare its teachers for evaluation of answer-books for the Board's examinations, if required.
7. The school will provide Laboratories, Library and other facilities as per norms of the Board.
8. The school will abide itself by the conditions of affiliation already prescribed or May be prescribed by the Board from time to time.
9. Service agreement be executed with the staff as per norms generally accepted by the State Government concerned.

Contd—2

-2-

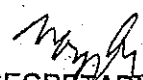
10. Service conditions pay and allowance and other benefits to the employees of the school shall be in no way less than that of corresponding employees working in Government Schools of the State in which the school is located. An undertaking to this effect be sent to C.B.S.E.
11. The school and its records shall be opened for inspection by an officer/official of the Board or an authorized representative of the Board/State Educational Department at any time and the school shall furnish information as may be asked for by the Board/State Government from time to time.
12. The rate of tuition fee and other fees charged should be commensurate with the facilities provided.
13. The admission to the school shall be opened to all without any discrimination on the ground of religion, cast or race, place of birth or any of them.
14. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
15. The School will not sponsor candidates for Board's examination of any other School/Branch, which is not affiliated.
16. The school will create Reserve Fund as per the requirement of the Affiliation Bye Laws/Rules of the Directorate of Education, Delhi in the joint names.
17. The school should not start Class XI/XII without written approval of the Board. The Board shall not be responsible for any consequences in case class XI/XII is started without following the Affiliation Bye Laws and obtaining the prior approval of the Board.
18. The affiliation Code Number allotted to your school is **520001**. This may please be noted and quoted on every correspondence with the Board.
19. It will remit Annual Fee Rs. **1500/-** regularly ( In case of overseas Kendriya Vidyalayas @ Rs. 3500/- p.a. )KV/JNV/CTSA/Govt./Govt. Aided school are granted regular affiliation and these schools have been advised to remit prescribed annual fee alongwith examination fee at respective Regional Office of CBSE by D.D. in favour of Secretary, CBSE, payable at respective city of the Regional Office. This may complied in future.
20. Annual fee has been received upto 31/03/2012.

Yours faithfully,

(JOSEPH EMMANUEL)  
DEPUTY SECRETARY (AFF.)

Copy to:-

- ✓ 1 The Principal, University Campus School, BPS Mahila Vishwavidyalaya, Khanpur Kalan, Distt. Sonapat, Haryana-131305.
2. The Regional Office, C.B.S.E., Sector-5, Panchkula-134109.
3. The Joint Secretary, Co-ordination, CBSE, Delhi.

  
DEPUTY SECRETARY (AFF.)