

हिमाचल प्रदेश केन्द्रीय विश्वविद्यालय

[केन्द्रीय विश्वविद्यालय अधिनियम 2009 के अधीन स्थापित]

Central University of Himachal Pradesh

[Established under Central Universities Act, 2009]



MINUTES

OF

17TH MEETING OF THE EXECUTIVE COUNCIL

(BY CIRCULATION) DATED 13TH JANUARY, 2015

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17th MEETING (BY CIRCULATION) OF THE EXECUTIVE COUNCIL DATED 13TH JANUARY, 2015

MINUTES

The 17th Meeting of the Executive Council of the Central University of Himachal Pradesh held on 13th January, 2015, by Circulation.

The following agenda item was circulated among all the twenty members (excluding the Vice-Chancellor).

Item No: 17.1 To place before the Executive Council the recommendations of the Departmental Promotion Committee (DPC) Meeting held on 13th January, 2015 for promotion of Section Officer (Rs.9300-34800 + Rs.4600 GP) to the post of Assistant Registrar (Rs.15600-39100 + Rs.5400 GP).

The Central University of Himachal Pradesh came in existence on 20.10.2010. The UGC vide letter No. F63-1/2010(CU) dated 08.11.2010 sanctioned the Non-Teaching Positions and the same were created and notified vide Notification No. Bud.2-2/CUHP/2010-1485-89 dated **07.12.2010**. These positions including the two posts of Assistant Registrar were advertised by the University for recruitment under Direct Recruitment basis vide Employment Notice No. 001/2011 dated 07.01.2011 and 003/2011 dated 17.04.2011. The University could not fill up the ***two posts of Assistant Registrar*** by direct recruitment as the Selection Committee could not find a suitable candidate for the posts under reference. As a result of which, these positions were re-advertised vide advertisement No. 001/2012 dated 13.02.2012. One of the Section

Officers of the University vide his representations dated 02.11.2011, 14.02.2012 & 15.03.2012 represented that as per the guidelines of the MHRD, issued vide letter No.1-32/2006-U.II/U.I(ii) dated 31.12.2008 one position of Assistant Registrar out of the two unfilled will be filled up by promotion and he may be considered for the same and only one position be re-advertised under direct recruitment quota. Subsequently, the said Section Officer approached the High Court of Himachal Pradesh in March, 2013 and a CWP No. 1541/2014 filed against the university.

The Hon'ble High Court of Himachal Pradesh vide order dated 16.12.2014 (copy of the orders placed at ANNEXURE - 17.1A) ordered as under:-

“Petitioner is aggrieved of advertisement/Employment Notice 001/2012 dated 13.02.2012, whereby respondent - University is trying to fill up two posts (unreserved) of Assistant Registrars by way of direct recruitment.

From the communication dated 31.12.2008, it is evident that posts of Assistant Registrars are to be filled up 50% by direct recruitment and 50% by promotion. These are the instructions governing the field. Evidently, present petitioner, who is working as Section Officer, falls in grade lower than that of Assistant Registrar. Also we find from document, Annexure P-3 that even Government of India has clarified that rules for various administrative, establishment and service matters till such time relevant Statutes, Ordinances and Regulations of the University are framed to be followed, would be that of Government of India. The respondent has reiterated such view. In these circumstances, we find the impugned action of the respondent, in filling up two posts of Assistant Registrar by way of direct recruitment to be unsustainable in law.

As such, we allow the present petition with a direction to the respondents-authorities to fill up only one post in terms of advertisement dated 13.02.2012(Annexure P-4). The remaining post shall be filled up by way of promotion, in accordance with instructions/rules, so issued/framed by the Central Government, so made applicable and followed by the respondent-University. Needful be positively done expeditiously, in accordance with law. Interim order stands modified accordingly.

Pending applications(s), if any, also stand disposed off.”

As on date the University has three sanctioned posts of Assistant Registrar. The proposal for DPC is being put up for filling up only one post of Assistant Registrar on Promotion basis in the light of HP High Court Order dated 16.12.2014 which was earlier advertised by the university under direct recruitment quota vide Employment Notice No. 001/2010 dated 13.2.2012.

The operative part of the Court Order provides to consider the candidature of Sh. Hem Raj for promotion to the post of Assistant Registrar for first set of two posts that arose on 13.02.2012.

The Ministry of Human Resource Development vide their letter No.54-1/2015-CU.III dated 07.01.2015 (copy placed at **ANNEXURE – 17.1B**) has further clarified that:-

“Central University, Himachal Pradesh is advised to act strictly for the post covered by the Court Order and leave the remaining post to the regular Vice-Chancellor to fill up”.

Therefore, the DPC is convened strictly in accordance with the Court Order, directions of the MHRD and provision contained under Schedule – II of the Ordinance No. 24 of the University to consider the candidature for promotion to the post of Assistant Registrar out of the first set of two posts that arose on 13.02.2012. The copy of the Notification No. 1-8/CUHP/Estt./2014/102-07 dated 12th January, 2015 vide which DPC was constituted is placed at **ANNEXURE – 17.1C**.

The said DPC met on 13th January, 2015 at 11:00 AM at Central University of Himachal Pradesh, Camp Office, Dharamshala, District – Kangra, Himachal Pradesh – 176 215. The recommendations of the DPC are placed at **ANNEXURE – 17.1D**.

The post of the Assistant Registrar is Group – ‘A’ level post and as per Clause No. 8 of Ordinance No. 24 of the University, the recommendations of the Selection Committee in respect of the posts of Group A will be submitted to the Executive Council and orders of appointments will be issued only after the approval of the Executive Council.

The matter under reference is time bound in nature, since it requires execution of court orders dated 16th December, 2014 in the matter of CWP No. 1541/2014 titled Hem Raj Vs UOI. As per provision contained under Serial No. 10 of Regulation No. 1: Regulations for the Conduct of the Business of the Executive Council, provides as under:

“An emergent item of business for the Executive Council, if any, may at the discretion of the Vice-Chancellor, be disposed off by correspondence or circulation. Such item together with the decision and action taken thereupon shall be reported to the Executive Council at its next regular meeting.”

The Executive Council considered and approved the recommendations of the Departmental Promotion Committee (DPC) Meeting held on 13th January, 2015 for promotion of Section Officer (Rs.9300-34800 + Rs.4600 GP) to the post of Assistant Registrar (Rs.15600-39100 + Rs.5400 GP), by Circulation.

s/d

Brig. Jagdish Chand Rangra, YSM (Retd.)
Ex-Officio-Secretary & Registrar, CUHP

Confirmed

s/d

Prof. Yoginder S. Verma
Chairman & Vice-Chancellor, CUHP