

**Office of the Registrar
Academic & Council Branch
Jamia Millia Islamia**

Minutes

of ordinary meeting of the Majlis-i-Muntazimah (Executive Council) (EC-III/2018) held on 27.06.2018 at 3.00 p.m. in the Yasser Arafat Hall, Khayaban-e-Ajmal, Administrative Block, Jamia Millia Islamia, New Delhi-110 025.

An ordinary meeting of the Majlis-i-Muntazimah (Executive Council) (EC-III/2018) was held on 27.06.2018 at 3:00 p.m. in Yasser Arafat Hall, Khayaban-e-Ajmal, (Administrative Block), Jamia Millia Islamia, New Delhi-110025.

The following were present in the meeting:

1. Prof. Talat Ahmad : Chairman
Shaikh-ul-Jamia (Vice-Chancellor)
2. Prof. Shahid Ashraf : Member
Naib Shaikh-ul-Jamia (Pro-Vice-Chancellor)
3. Prof. Mohammad Shabbir : Member
Visitor's nominee
4. Prof. Rizwanur Rehman : Member
Visitor's nominee
5. Prof. Ilyas Husain : Member
Dean, F/o Education, JMI
6. Prof. Mehtab Alam : Member
Dean, F/o Engg. & Technology, JMI
7. Prof. Zishan H. Khan : Member
Offg. Dean, Students' Welfare, JMI
8. Prof. M. Ejaz Hussain : Member
Director, CPRS, JMI
9. Prof. S.K. Bhati : Member
DACEE, JMI
10. Ms. Halima Begum Mohd. Ali : Member
D/o Mechanical Engineering, JMI



11. Mr. Syed Mushtaq Afi
University Polytechnic, JMI : Member
12. Mr. A. P. Siddiqui, IPS
Registrar, JMI : Secretary
13. Mr. Sanjay Kumar
Finance Officer, JMI : Special Invitee

Prof. Mazaahir Kidwai and Prof. Habibur Rehman, Visitor's nominees could not attend the meeting.

At the outset, the Registrar on behalf of the Vice-Chancellor (Chairman) welcomed to the following new members to the Executive Council:

1. Prof. Mohammad Shabbir (AMU) Visitor's nominee
2. Prof. Habibur Rehman (AMU), Visitor's nominee
3. Prof. Mazaahir Kidwai (DU) Visitor's nominee
4. Prof. Rizwanur Rehman (JNU), Visitor's nominee
5. Prof. Ilyas Hussain, Dean, Faculty of Education, JMI.
6. Prof. Mehtab Alam, Dean, Faculty of Social Sciences, JMI.
7. Prof. Satish Kumar Bhati, Deptt. of Adult and Continuing Education and Extension, JMI.

Accordingly, the valuable contributions of the following outgoing members to the Majlis-i-Muntazimah (Executive Council) were appreciated:

1. Prof. J.A.K. Tareen, (Visitor's Nominee)
2. Prof. Rehana Khatoon, (Visitor's nominee)
3. Lt. Gen. (Retd.) S.P. Kochhar, (Visitor's nominee)
4. Mr. Mohd. Haleem Khan, (Visitor's nominee)
5. Prof. Saranjit Singh Bhasin, Faculty of Dentistry, JMI.
6. Prof. Sharif Ahmad, Faculty of Natural Sciences, JMI.
7. Prof. S.M. Azizuddin Husain, Deptt. of History & Culture, JMI.

Thereafter, the Majlis-i-Muntazimah (EC) conducted the following business:



EC-2018(III): Reso. No.- 1

Confirmation of the Minutes of previous two meetings of Executive Council held on 24.01.2018 and 14.03.2018

The minutes of the last two meetings of Majlis-i-Muntazimah (Executive Council) held on 24.01.2018 and 14.03.2018 were confirmed.

EC-2018(III): Reso. No.- 2

Reporting items for endorsement/ratification of the actions taken by the Shaikh-ul-Jamia (Vice-Chancellor) in anticipation of approval of the Executive Council.

Engagement/ Appointment/ Confirmation of Services/ Resignation.

The Majlis-i-Muntazimah (Executive Council) approved the following appointments, engagements, promotions, confirmation of services and resignation:

- 2.1 Appointment of **Prof. Naved Iqbal** as Dean Students' Welfare vide Office Order dated 29.01.2018 with immediate effect for a period of three years or till further orders whichever is earlier.
- 2.2 Appointment of **Dr. Tokeer Ahmad** on the post of Associate Professor (Non-Plan) in the Department of Chemistry, Faculty of Natural Sciences, JMI on a basic pay to be fixed by the Accounts Office, JMI in the Scale/PB of Rs. 37400-67000 with AGP of Rs. 9000/- plus usual allowances.
- 2.3 Appointment of **Ms. Sudha Chandra** (Retd. General Manager, HRD, India Tourism Development Corporation) as Consultant in the Deptt. of Tourism, Hotel, Hospitality and Heritage Studies on a consolidated remuneration of Rs. 60,000/- per month for a period of six months on the terms and conditions as given in Office order No.Gen. 399/RO/E/2018 dated 24.05.2018.
- 2.4 Appointment of **Ms. Kumkum Chadha** as Consultant-Advisor (Media) in the University Media Cell on a consolidated remuneration of Rs. 60,000/- per month for a period of six months on the terms and conditions as given in Office Order No.Gen. 432/RO/E/2018 dated 20.06.2018.
- 2.5 Confirmation of services of **Dr. Ahmad Faizan Sherwani** as Associate Professor in the Department of Mechanical Engineering, Faculty of Engineering & Technology, JMI. w.e.f. 03.02.2018.
- 2.6 Confirmation of services of **Dr. Abdur Rasheed** as Professor in the Department of Urdu, Faculty of Humanities & Languages, JMI. w.e.f. 21.01.2018.



- 2.7 Confirmation of services of **Dr. Md. Mahtab Alam Rizvi** as Associate Professor in the Nelson Mandela Centre for Peace & Conflict Resolution, MMAJ-Academy of International Studies, JMI. w.e.f. 14.02.2018.
- 2.8 Confirmation of services of **Dr. Mohammad Mahfuzul Haque** as Professor in the Department of Biotechnology, Faculty of Natural Sciences, JMI. w.e.f. 24.03.2018 (A/N).
- 2.9 Confirmation of services of **Dr. Quddus Khan** as Associate Professor (Mathematics) in the Department of Applied Sciences & Humanities. Faculty of Engineering & Technology, JMI. w.e.f. 21.03.2018.
- 2.10 Confirmation of services of **Dr. Mohammad Zahid Ashraf** as Professor in the Department of Biotechnology, Faculty of Natural Sciences, JMI. w.e.f. 03.04.2018 (A/N).
- 2.11 Confirmation of services of **Dr. M. Amarjeet Singh** as Professor in the Centre for North East Studies and Policy Research, JMI. w.e.f. 29.03.2018.
- 2.12 Confirmation of services of **Dr Hina Zia** as Professor in the Department of Architecture, Faculty of Architecture & Ekistics, JMI w.e.f. 29.05.2018.
- 2.13 Engagement of **Mr. Iqbal Ahmad Hakim**, Asst. Registrar (Retd.) as Consultant in the Finance & Accounts Office, JMI on a consolidated honorarium of Rs. 30,000/- p.m. for a period of six months with effect from the date of joining.
- 2.14 Engagement of **Mr. Ayatullah**, Asst. Registrar (Retd.) as Consultant in the Finance & Accounts Office, JMI on a consolidated honorarium of Rs. 30,000/- p.m. for a period of six months with effect from 05.03.2018 to look after the works related to Finance & Accounts Office.
- 2.15 Engagement of **Dr. Ashok Kumar Salhan**, as Consultant in the Department of Applied Science & Humanities, Faculty of Engineering & Technology, JMI on a consolidated monthly consultation fee of Rs. 50,000/- with effect from the date of joining initially for a period of one year or till further orders whichever is earlier.
- 2.16 Extension in the appointment of **Prof. M. Mujtaba Khan** as Officer on Special Duty (OSD) in the Centre for Distance & Open Learning, JMI on a consolidated honorarium of Rs. 60,000/- p.m. for a period of one year on the same terms & conditions.
- 2.17 Extension of Prof. Sharif Ahmad as Dean, Faculty of Natural Sciences for a period of one month w.e.f. 10.3.2018 beyond 3 years' tenure owing to exigencies.
- 2.18 Resignation (technical) tendered by **Dr. Sigamani P** from the post of Assistant Professor, Deptt. of Social Work, JMI w.e.f. 04.07.2016 (i.e. the date of proceeding on E.O.L.).



- 2.19 Promotion of Dr. Mohammad Ahsanul Hoda Ahsan, Asstt. Professor (Stage 2) to Asstt. Professor (Stage 3) Deptt. of Physics, F/o Natural Sciences, on the Pay Scale of Rs. 15600-39100-AGP 8000 w.e.f. 05.08.2011.

[Action: AR {Estb.}]

Miscellaneous

The following miscellaneous items were also approved by the Majlis-i-Muntazimah (Executive Council):

- 2.20 Protection of last pay drawn by **Prof. (Dr) Nimit Ranjan Chowdhary**, Department of Tourism, Hotel, Hospitality and Heritage Studies, JMI at Indian Institute of Tourism & Travel Management, Nellore at the stage of Rs. 61,260/- per month with A.G.P. Rs.10000/- in the Pay Band of Rs. 37400/-67000/- with AGP Rs. 10000/- on the date of joining at Jamia on 01.08.2017, provisionally under FR-22.
- 2.21 Protection of last pay drawn by **Prof. Ghazanfar Ali**, ex-Director Professor, Academy of Professional Development of Urdu Medium Teachers, JMI, at the stage of Rs. 47,260/- p.m. + AGP Rs.10000/- in the Pay Band of Rs. 37400-67000 (PB-4) as on 01.08.2008 i.e. on the date of joining at Jamia on 30.12.2016 in terms of GoI, DoPT OM No,12/3/2009-Pay I dated 30.03.2010.
- 2.22 Implementation of the **Dynamic Assured Career Progression (DACP) Scheme-2008** as notified by the Ministry of Health & Family Welfare, Govt. of India, vide OM No. 45012/2/2008. CHS.V dated 29.10.2008 in respect of the Faculty of Dentistry, JMI w.e.f. 29.10.2008.
- 2.23 Shifting of nine (9) teaching positions from one department to another department of JMI as per **(Annexure-I)**.
- 2.24 Rectification of the EC Resolution No. 3.11 dated 20.06.2017 in r/o re-designation to the post of Assistant Professor from (TV & Video Production) to (Television Direction & Production)" and from Unit Manager to "Video Editor" as in Agenda and Minutes of the EC as referred to above, both the posts were inadvertently clubbed.
- 2.25 Nomination of following two members of EC to the Majlis-i-Maliyat (Finance Committee) in terms of Statute 24 (1) of JMI Act 1988 as members of Finance Committee, JMI w.e.f. 13.4.2018 for a period of three years or till holding E.C membership, whichever is earlier:
1. Prof. M. Kidwai, University of Delhi.
 2. Prof. Rizwanur Rehman, Jawaharlal Nehru University, Delhi

- 2.26 Nomination of Prof. Hina Zia, Dean, Faculty of Architecture & Ekistics as a member to the Finance Committee for a period of three years or till holding the position of Dean.

[Action: AR (Estb.)]

2.27 Closure of Visitorial Enquiry

The closure of Visitorial Enquiry vide Order Ref. No.6-5/2016-CU-II dated 28.05.2018 of Ministry of Human Resource Development, Govt. of India was reported to the Majlis-i-Muntazimah (Executive Council) for information of the august members. The Ministry of HRD's order as referred to above was placed before the Majlis-i-Muntazimah (Executive Council) which acknowledged the closure report.

[Action: AR(Estb.)]

- 2.28 Recommendations of the Selection Committee meetings held on May 21, 22 & 23, 2018 for promotion and direct recruitment of faculty members under CAS as per the details given below:

A. Details of direct recruitment

S.No.	Name of the Deptt./Faculty Name of the faculty member(s)	Name of the recommended candidate(s) Mr./Ms./Dr.	Date of Selection Committee
1. (i)	<u>Faculty of Natural Sciences</u> <u>Department of Physics</u> One Professor	<u>Selected</u> Syed Arshad Hussain	21.05.2018
		<u>Selected</u> Mohd. Shahid Khan	21.05.2018
1. (i)	<u>Faculty of Natural Sciences</u> <u>Department of Geography</u> One Associate Professor	<u>Selected</u> Lubna Siddiqui <u>On Panel</u> Taruna Bansal	22.05.2018
		<u>Selected</u> 1. Hasan Raja Naqvi 2. Adnan Shakeel	22.05.2018
1. (i)	<u>Centre for the Study of Social Exclusion and Inclusive Policy (temporary till project last) attached with Faculty of Humanities & Languages</u> One Assistant Professor	<u>Selected</u> Hem S Borker <u>On Panel</u> Roluah Puia	23.05.2018

B. Details of promotion cases

S. No.	Name of the Deptt./Faculty	Name of the Candidate Mr./Ms./Dr.	Date of Selection Committee	Effective date of eligibility
1.	Faculty of Natural Sciences, Department of Chemistry, JMI Promotion case from Assistant Professor (Stage-3) to Associate Professor (Stage-4) under UGC-CAS-2010	i) Saif Ali Choudhary - Promoted	21.05.2018	09-12-2016
		ii) Saiqa Ikram Promoted	21.05.2018	22-02-2018
2.	Department of Physics Promotion case from Associate Professor (Stage-4) to Professor (Stage-5) under UGC-CAS-2010	i. Dr. Azher Majid Siddiqui - Promoted	21.05.2018	27.11.2017
		ii. Dr. Mohammed Ahsanul Hoda Ahsan - Promoted	21.05.2018	05.08.2014

Scale of Pay: (i) Assistant Professor Rs. 15600-39100 with AGP 6000, (ii) Assistant Professor (Stage-3) to Associate Professor (Stage-4) Rs. 37400-67000 with AGP 9000, (iii) Associate Professor Rs. 37400-67000 with AGP 9000 and (iv) Professor Rs. 37400-67000 with AGP 10000 (Pre-revised)

2.29. Promotions of the faculty members vide Office Order No.SC/RPS/RO/JMI/2018 dated 12.06.2018 on recommendation of the Evaluation-cum-Screening Committee, in accordance with the provision of UGC-CAS-2010. (Annexure-II)

2.30 Recommendations of the Selection Committee meeting held on 15.3.2018 for direct recruitment under Faculty of Faculty of Humanities & Languages, JMI.

S.No.	Name of the Post (s)	Name of the recommended candidate	Date of selection committee
1.	Department of Persian One Assistant Professor (Non-Plan) (Pay scale 15600-39100,AGP:6000)	Selected <u>Zohra Khatoon</u> <u>On panel</u> 1. Syed Sajid Mobin 2. Zayaur Rahman	15.03.2018

2.31 Selection on various non teaching posts.

Selections to the posts of Office Assistant, Personal Assistant, UDC, Store Keeper (Electrical) and Store Keeper (Civil), Technical Assistant (CPRS), Technician (Civil), Technician (Mech.), Driver, Electrician, Pump Operator, Painter, Wireman, Beldar and Chair Caner (Blind) were made on the basis of merits in the written tests as well as skill tests conducted for the purpose. (Annexure-III)

[Action: AR(RPS)]

2.32 Endorsement of additional faculty positions in School of Education/Faculty of Education in Central Universities.

The UGC vide its letter F.No.15.5/2012 (CU) Vol. IV dated 30.01.2018 has conveyed its approval for creation of 16 (sixteen) teaching positions in the Department of Teachers Training and Non-Formal Education and Department of Educational Studies, JMI in order to maintain the requirements as per the NCTE Regulations-2014 i.e. introduction of two years B.Ed./M.Ed. Courses in the Faculty. (Annexure-IV)

[Action: AR(RPS)]

2.33 Adoption of K.V.S guidelines for grant of Sr Scale/Selection Scale to Jamia School Teachers.

On recommendation of the Committee constituted by the Board of Management (School), the benefits of senior scale/Selection Scale under financial upgradation were extended to the Jamia school teachers on completion of 12/24 years of services from the date of their entitlement as the case may be at par with BHU/AMU and as per K.V.S guidelines, referred by the Ministry of HRD vide its letter dated 13/4/2016 for adoption

[Action: AR(School)]

EC-2018(III): Reso. No.- 3

Modification of Annexure-I-A of Ordinance V (Academic) - Admission and Enrollment of Students.

The Majlis-i-Muntazimah (Executive Council) approved the Modification of Annexure-I-A of Ordinance V (Academic) under the heading "Admission and Enrollment of Students" and replacement of the same with the Annexure-VI i.e. list of the newly recognized courses of Madarsas/ Institutions contained in Prospectus 2018-19 and so on.

[Action: AR(Legal)]



EC-2018(III): Reso. No. -4**Selection Committee meeting held on June 12, 2018.**

The Majlis-i-Muntazimah (Executive Council) approved the following recommendations of the Selection Committee held on June 12, 2018 with respect to promotion from Associate Professor (Stage-4) to Professor (Stage-5) under UGC-CAS-2010 in the Department of Electronic & Communication Engineering, Faculty of Engineering & Technology, JMI:

S. No.	Name of the Deptt./Faculty	Name of the candidate/Mr/Ms/Dr	Date and time of Selection Committee	Effective date of eligibility
1.	Faculty of Engineering & Technology, Department of Electronic & Communication Engineering, JMI Promotion case from Associate Professor (Stage-4) to Professor (Stage-5) under UGC-CAS-2010	i) Anwar Ahmad-Promoted ii) Dinesh Prasad-Promoted iii) Neelofar Afzal-Promoted iv) Sajad Ahmad Lone-Promoted	12.06.2018 at 10.00 AM	11.02.2018 15.02.2018 15.02.2018 15.02.2018

[Action: AR (RPS)]

EC-2018(III): Reso. No.-5**Approval to the Minutes of the Finance Committee.**

The Majlis-i-Muntazimah (Executive Council) approved the Minutes of the meetings of the Finance Committee held on 13.11.2017 and 16.02.2018. (Annexure-VII)

[Action: Finance Officer]

EC-2018(III): Reso. No. -6**Approval to the recommendations of the Standing Committee for Act, Statutes and Ordinances meeting held on 16.05.2018.**

The Majlis-i-Muntazimah (Executive Council) approved the following recommendations of the Standing Committee for Act, Statutes and Ordinances meeting held on 16.05.2018:

- 6.1 Deletion of Ordinance 8 (VIII) [Academic] captioned "The Degree of Master of Philosophy (M.Phil.)" in view of the enforcement of Ordinance 9 (IX) [Academic] captioned "The Degree of Master of Philosophy (M.Phil.)/Ph.D." as the provisions contained in Ordinance 8 (VIII) have become redundant.
- 6.2 Examination Bye-laws of JMIBSE (Jamia Millia Islamia Board of Secondary Education). (Annexure-VIII)



- 6.3 Amendments in Para 9 & Para 10 of Ordinance 15-A and Ordinance 15-B.
(Annexure-IX)
- 6.4 Amendment in Regulation R-15-C [Academic] captioned "BDS Internship".
(Annexure-X)

[Action: AR (Legal Cell)]

EC-2018(III): Reso. No.-7

Disciplinary Action against Prof. M. Obaid Siddiqui (under suspension)

The Majlis (EC) considered in details the Inquiry Report submitted by the Inquiry Officer Justice Mr. A.K. Srivastava (Retd.), Judge, Hon'ble High Court of Delhi and Allahabad High Court against the dereliction of duty and misconduct(s) committed by Prof. M. Obaid Siddiqui, the evidence on record, and the Representation of the Charged Officer.

The Majlis (EC) after in-depth deliberations on each Charge wherein the Charged Officer represented, arrived to following conclusions:

- (a) As per Inquiry Report, the charges leveled against Prof. M. Obaid Siddiqui stand conclusively proved, with respect to Article of Charge-III (dereliction of duty as per Para 6(a) of Service Agreement) Article of Charge-VII (misconduct as per Para 6(a) of Service Agreement and CCS (Conduct) Rules 1964) and Article of Charge-VIII (misconduct as per Para 6(a) of Service Agreement and CCS (Conduct) Rules 1964;
- (b) There is clinching evidence on record of dereliction of duty and misconduct against the Charged Officer viz-a-viz the aforesaid charges proved against him;

Article of Charge - III:

- (c) The evidence pertaining to Article-III shows that while Charged Officer was officiating Director and Nodal Officer for up-gradation of studio work, he had (admittedly) called for a meeting on 02.01.2014 of six persons of the staff to take up work of disposal of obsolete items and till he was removed as Officiating Director on 26.06.2014 he did not take any steps to submit any proposal for the disposal of the dismantled goods worth Rs. 9.84 Crores. As Nodal Officer, he was in-charge of supervision and co-ordination of the up-gradation of studio which included disposal of dismantled goods. If he had timely taken steps in this regard, the University might have fetched some value as even scrap (of such a large proportion) has value. The Report of the Inquiry Officer has captured this aspect after due appreciation of the evidence (including cross examination of the Charged Officer) on record. The Majlis (EC) unanimously agreed that the findings of the Inquiry Officer show that Charged Officer is guilty of dereliction of duty.

Article of Charge-VII:

- (d) It is also corroborated by evidence in the inquiry that the Charged Officer has uploaded derogatory material in writing on personal facebook account which has been adequately proved by the relevant witness in this regard, there being only a casual denial by the Charged Officer of that Charge (Article of Charge - VII). The Majlis (EC) unanimously agree and hold that the facebook content of the Article uploaded by him on his facebook page (Annexure VII of the charge sheet w.r.t Article of Charge along with the Article produced by witness No. 9 mentioned in the Inquiry Officer in his Report) was absolutely derogatory and demeaning to the Head of the Institution and the Institution in general. The Inquiry Officer mentioned in his Report that the Charged Officer looked perplexed because the said Article produced by Witness No. 9 was internet generated with his photo which became difficult for the Charged Officer to deny the document and contents thereof. The derogatory, defamatory and insulting remarks against the Head of the Institution and tarnishing the image of the institution is considered as grave misconduct as per law.

Article of Charge-VIII:

- (e) The Charged Officer has admitted to having written to the SHO Jamia Nagar about the B.Tech entrance paper leak (Annexure VIII of Article of Charge-VIII) as a conscientious citizen albeit with a false allegation against the University Administration trying to push the matter under the carpet, not only acting without any permission from the higher authorities but also causing embarrassment to the Institution, in complete disregard and violation of the conduct rules. The charged Officer being a serving professor/employee is bound by rules and has committed misconduct of writing to S.H.O., P.S. Jamia Nagar, New Delhi, to initiate criminal action and set the criminal law in motion against the University exercising his right as private citizen which is grave misconduct. The Majlis (EC) (also appreciating the Inquiry Officer's Report) has unanimously held that Charged Officer is guilty of the misconduct. The Majlis(EC) discussed and unanimously appreciated ample Court decisions on this point that has established that the right of freedom of speech is not available to an employee when he exceeds the reasonable limitations and construed to causing insult and embarrassment to the Head of the Institution and the Institution per se and thereby committed grave misconduct.

Articles of Charges-V & VI:

- (f) The Majlis (EC) has decided to keep in abeyance the observations of the Inquiry Officer w.r.t Articles of Charges-V and VI for further investigation.
- (g) The Majlis (EC) did not find any merit in the representation of the Charged Officer. His contention that the CCS (Conduct) Rules do not apply is negated by the EC Resolution (No. EC-2012(IV): Reso-10 dated 08.06.2012) adopting the Central Government Rules, Inquiry Officer's Report on this aspect and the applicability of these rules endorsed by various Courts' judgements, all of which were duly appreciated by the Majlis (EC). The Executive Council, which is the Principal Executive Body of the University under Section 19 of the Jamia Millia

Act (the Act) , is empowered under Statute 14(v) to regulate and enforce discipline among members of the teaching, administrative and other staff of the University in accordance with Statutes and Ordinances. In cases where the Executive Council is satisfied that the existing Ordinances / Statutes need to be supplemented, it would be well within its right to do so by passing the necessary Resolutions. It is clear that none of the Statutes or Ordinances including Statutes 14 and 37 either provides detailed procedure for conducting the Departmental Enquiry against the teachers or the code of conduct for the teachers of the University. In order to fill this void, passing of the Resolution in question was necessitated as is evident from the bare reading of the proposal which was approved by the Executive Council while passing Resolution dated 08.06.2012. This Resolution merely fills the gaps existing in the present Statutes and Ordinances.

The Majlis (Executive Council) further noted that under Section 24 (2) of the Act, the Executive Council has been empowered to make new or additional Statutes apart from the existing Statutes and under Section 25 (2) of the Act, the Executive Council has been fully empowered to repeal or amend any Ordinance. In view of this it will be preposterous to assume that the same Executive Council cannot supplement the existing Ordinances and Statutes by passing Resolutions.

The Majlis (Executive Council) further noted that under the term of Memorandum of Agreement, the Charged Officer made himself bound by the Regulations and Bye-Laws from time to time in force. The words "from time to time in force" in the clause of Memorandum of Agreement make it clear that the Charged Officer had made himself bound by any changes in the Regulations or Bye-Laws. The Executive Council as the highest executive body of the University is empowered under Statute 37 (2) read with Statute 14 (2) (v) to remove a teacher or a member of the academic staff on the ground of misconduct. Further, the Executive Council is well empowered under the Act to supplement the Statutes and Ordinances governing the Teachers of the University by way of a Resolution and thus the Rules applicable to Central Government Employee, adopted by the University for its Teachers / Employees, where the Rules of the University are silent, have been validly adopted vide Resolution dated 08.06.2012.

The Majlis (Executive Council) further negated the second contention that the Charged Officer was victimised by the Charges that are proved after a thorough Inquiry by an independent Inquiry Officer, giving him all opportunities of being heard thereby following principles of natural justice. The Charged Officer has been allowed to be represented by his lawyer throughout the inquiry at every stage of the proceedings. In fact, the Majlis (EC) observed that in retaliation to his removal as Officiating Directorship of AJK MCRC, Charged officer on the contrary victimised the Head of the Institution in view of the prolonged Visitorial Inquiry which has since been closed vitiating all the false claims/allegations raised by Charged Officer.



The third contention that he is a conscientious citizen is also negated by the Majlis (Executive Council) by the averments in the preceding paragraph on Article-VIII and not repeated herein for the sake of brevity. Hence, two charges of misconducts w.r.t Articles of Charges-VII & VIII and one of dereliction of duty w.r.t Article of Charge-III against the Charged Officer has been conclusively proved. The inquiry was conducted in a fair manner following the due procedure of natural justice giving full opportunity to the Charged Officer to defend himself.

The totality of facts and evidences w.r.t the aforesaid Articles of Charges pointedly and clearly lead towards the guilt of the Charged Officer of having committed grave misconduct, in terms of Articles of Charge-VII and VIII. Resultantly, the Majlis (EC) deliberated and unanimously proposed his dismissal from the services (with effect from the date of Suspension) from Jamia Millia Islamia under Statute 37 of the Jamia Millia Islamia Act 1988. Since maximum punishment of dismissal from services is awarded for charges of grave misconduct as above, hence, the question of awarding any punishment for charge under Article III (Dereliction of Duty) becomes redundant. In terms of Statute 37 (4) of the JMI Act, 1988, the Charged Officer is given an opportunity of three weeks' time to showing cause against the action as proposed to be taken for due consideration of the Competent Authority.

[Action: AR (Estb.)]

The following items were placed before the Majlis-i-Muntazimah (Executive Council) on Supplementary Agenda:

EC-2018(III): Reso. No.-8

Approval to the Annual Accounts of the University for the financial year 2017-18.

The Majlis-i-Muntazimah (Executive Council) approved the Annual Accounts of the University for the financial year 2017-18. (Annexure- XI)

[Action: Finance Officer]

EC-2018(III): Reso. No.-9

Approval to the Minutes of the Finance Committee.

The Majlis-i-Muntazimah (Executive Council) approved the Minutes of the meeting of the Finance Committee held on 26.06.2018. (Annexure-XII)

[Action: Finance Officer]



EC-2018(III): Reso. No.-10

Any other Item with permission of the Chair.

In any other item, no issue was raised.

The meeting concluded at 4.30 p.m. with a 'vote of thanks' to the Chair.



(A.P.Siddiqui),IPS
Registrar/Musajjil &
Secretary, Executive Council