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राजीव गाँधी विश्वविद्यालय RAJIV GANDHI UNIVERSITY

रोनो हिल्स, बोइमुझ (ईटानगर) Rono Hills, Doimukh (Itanagar) बोइमुख - ७९१११२, Doimukh - 791112, अरुणाखल प्रवेश Arunachal Pradesh दूरमाख/Ph.: 0360-2277253, फेक्स/Fax: 0360-2277889 ई-मेल/E-mail: registrar@rgu.ac.in बेबसाइट/Website: rgu.ac.in

(भारत के संसद के अधिनियम द्वारा वर्ष 2007 में स्थापित) (A CENTRAL UNIVERSITY ESTABLISHED IN 2007 AN ACT OF PARLIAMENT OF INDIA)

संख्या No.AC/EC-1143/12(Vol-V)///////

दिनांक Dated the 11 December' 2023

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Sub: Minutes of the 55th Meeting of the Executive Council.

Sir/Madam,

May please find herewith a copy of the minutes of the 55th Meeting of the Executive Council of this University held on 11 December' 2023 for your kind perusal. The comments or suggestions if any, may be communicated to the undersigned on or before 24 December' 2023.

This is for your kind information and consideration.

Encl: As stated above.

Yours Sincerely

(Dr. Nani Tamang Jose) संयुक्त कुलसचिव(शैक्षणिक/सम्मेलन Joint Registrar (Acad. & Conf.)

MINUTES OF THE MEETING OF THE 55TH EXECUTIVE COUNCIL

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HELD ON 11.12.2023



RAJIV GANDHI UNIVERSITY

(Central University) RONO HILLS, DOIMUKH – 791 112 ARUNACHAL PRADESH

RAJIV GANDHI UNIVERSITY RONO HILLS, DOIMUKH

MINUTES OF THE 55TH MEETING OF THE EXECUTIVE COUNCIL

The 54th Meeting of the Executive Council was held on 11th December, 2023 at 3:00 P.M. in the Office Chamber of the Vice-Chancellor in blended mode.

The following members attended the meeting on physical as well as on virtual mode:

1.	Prof. Saket Kushwaha, Vice Chancellor, RGU	Chairman (Ex-officio)
2.	Prof. Kesang Degi, Dept. of Education, RGU	Member
3.	Prof. Sumpam Tangjang, Faculty of Life Sciences & Agricultural Sciences, RGU	Member
4.	Prof. Kh. Kabi, Dean, Faculty of Communication Studies and Visual and Visual Arts	Member
5.	Prof. Jayadeba Sahoo, Dept. of Education, RGU	Member
6.	Prof. D.N. Das, Dept. of Zoology, RGU	Member
7.	Dr. Miazi Hazam, Associate Professor, Dept. of English, RGU	Member
8.	Dr. Tabang Mibang, Dept. of Political Science	Member
9.	Prof. Otem Padung, Finance Officer, RGU	Special Invitee
10.	Dr. N.T. Rikam, Registrar, RGU	Secretary (Ex-officio)

At the outset, the Vice-Chancellor & Chairman (Ex-Officio) of the Executive Council greeted all the esteemed members of the Executive Council.

In his opening remarks, Dr. N.T. Rikam, Registrar (Ex-Officio Secretary) extended warm welcome to all the esteemed members He informed that as per the decisions of the 53rd Meeting of the Executive Council held on 03.10.2023 vide Item No. EC:53:10, the EC has approved the services of Justice N.C. Nagraj, retired District Judge, Indore, Madhya Pradesh as Legal Counsel/Advisor for a certain period to look into a few cases of the university. Accordingly, the university vide letter No. Estt-181/EC/2008 (Non-Teaching), dated 19.10.2023 appointment/assignment was issued for taking services of Justice Nagraj.

Justice N.C. Nagraj, retired District Judge, Indore has visited the university w.e.f. 20th to 25th November, 2023 and prepared the reports of each case. The said reports are being placed before the EC for deliberation.

The following agenda items of the 55th Meeting of Executive Council are being placed for perusal, deliberations and discussions thereof:

SI. No.	THE AGENDA ITEM
EC:55:01	To open the Confidential Reports submitted by Justice N.C. Nagraj, retired District Judge, Indore, Madhya Pradesh
20.33.01	The Council noted that as per the decisions of the 53 rd Meeting of the Executive Council held on 03.10.2023 vide Item No. EC:53:10, the 53 rd EC has approved the services of Justice N.C.

Page 1 of 12

Nagraj, retired District Judge, Indore, Madhya Pradesh as Legal Counsel/Advisor for a certain period to look in to a few cases of the university. Accordingly, the university has sent a formal letter to Justice N.C. Nagraj vide letter No. Estt-181/EC/2008 (Non-Teaching), dated 19.10.2023 (copy attached). On receipt of the letter, Justice Nagraj has visited the university for the said purpose w.e.f. 20th to 25th November, 2023 and prepared the confidential reports for each case. The confidential reports of the same are being placed in the Executive Council. (i) Prof. M.C. Behera (under suspension) Court Case Para 1. The Honorable Gauhati High Court in WPC (6) 6367/2018 dated 25.04.2023 allowed Rajiv Gandhi University, Itanagar to resume the departmental proceeding against Maguni Charan Behera. Para 2. The court of Chief Judicial Magistrate, Lakhimpur in GR case no. 326/2018 vide its judgment dated 4.08.2023 has convicted the accused M. C. Behera under section 354, 354A (1) (i) 342 of IPC and sentenced him with simple imprisonment together with fine. Para 3. Against judgment of Chief Judicial Magistrate Lakhimpur accused M.C. Behera preferred an appeal to Session Court Lakhimpur registered as case no. 26(3)2023 and the Session Judge vide its order dated 11.09.2023 passed Stay Order on the sentence till disposal of the appeal. Para 4. Central Civil Services (classification, control and appeal) rules of rule 19 provide special procedure in certain cases. Notwithstanding anything contain in rule 14 to rule 18 i. Where any penalty is imposed on a government servant on the ground of conduct which has led to his conviction on a criminal charge, or ii. Where the disciplinary authority is satisfied for reason to be recorded by its in writing that it not reasonably practicable to hold an enquiry in the manner provided in this rules, or iii. Where the president is satisfied that in the interest of security of the state, it not expedient to hold any enquiry in the manner provided in this rules. The disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit: Provided that the government servant may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made in a case under clause (i) Provided further that the commission shall be consulted, where such consultation is necessary and the government servant has been given an

Page 2 of 12

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opportunity of representing against the advice of the commission within the time limit specified in clause (b) of sub rule (3) of rule 15 before any orders are made in any case under this rule.

Para 5: Union of India vs V. K. Bhaskar 1998 SCC (L&S) page 162 equivalent citation JT 1998 (9) Supreme Court 301, (1997) 11 SCC 383. In this case the ministry of law and justice has given the advice that the accused person are required to be dismissed under rule 19 (1) of the central civil service (classification, control and appeal) rules 1965 without issuing charge sheet show cause notice who have been found guilty by court of law. Rule 19 of the rules prescribed the special procedure in certain cases.

Para6: Rule 19 (1) of the rules is based on clause (A) of the proviso to sub article (2) of article 311 of the constitution construing the said proviso to article 311 (2) this court in deputy director of collegiate education (ADMN) vs S. Nagurmira has held as under.

This clause, it is relevant to notice, speaks of conduct which has led his conviction on a criminal charge. It does not speak of sentence or punishment awarded. Merely because the sentence is suspended and / or the accused is released on bail, the conviction does not cease to be operative.

Section 389 of the CRPC 1973 empowers the appellate court to order that pending the appeal, the execution of the sentence or order appealed against be suspended and, also, if he is in confinement, that he be released on bail, or on his bond. Section 389 (A), it may be noted, speaks of suspending the execution of the sentence or order, it does not expressly speak of suspension of conviction.

We are therefore of the opinion that taking proceedings for imposing orders of dismissal, removal or reduction in rank of a government servant who has been convicted by a criminal court is not barred merely because the sentence or order is suspended by the appellate court or on the ground that said government servant has been released on bail pending the appeal.

The tribunal seems to be of the opinion that until the appeal against the conviction is disposed of, action under clause (A) of the second proviso to article 311 (2) is not permissible. We see no basis or justification for the said view. The more appropriate course in all such cases is to take action under clause (A) of the second proviso to article 311 (2). Once a government servant is convicted of a criminal charge and not to wait for the appeal or revision, as the case may be. If, however, the government servant is acquitted on appeal or other proceedings the order can always be revised and if the government servant is re-instated, he will be entitled to all the benefits to which he would have been entitled to, had he continued in service. The other course suggested, wiz, to wait till the appeal, revision and other remedies are over, would not be advisable since it would mean continuing in service a person who has been convicted of a serious offence by criminal court. It should be taken only where the conduct which has led to his conviction is such that it deserves any of the three major punishment mentioned in article 311 (2) of Constitution of India.

Page 3 of 12

Para 7. In this case of M.C. Behera the Session Judge, Lakhimpur vide its order dated 11.09.2023 impugned order of sentence awarded by CJM is only stayed but not suspension of conviction.

Para 8: The disciplinary authority of Rajiv Gandhi University Itanagar now, therefore in exercise of the powers conferred by rule 19 (1) of the central civil services (classification, control and appeal) rules 1965 can take necessary action against M. C. Behera.

Para 9: Chief Judicial Magistrate vide its order dated 4.8.2023 in GR case no. 326/2018 has convicted M.C. Behera under section 354/354-A(1)(i)/342 of IPC sentenced him as follows:

- Under section 354 of IPC to undergo simple imprisonment for 1 year and a fine of Rs. 2000/- in default, simple imprisonment for 15 days.
- ii. Under section 354-A(1)(i) of IPC to undergo simple imprisonment for 3 months and fine of Rs. 2000/-.
- iii. Under section 342 of IPC to undergo simple imprisonment for 1 month and a fine of Rs. 1000/-.

Para 10: Learned CJM Lakhimpur in this criminal case considered the nature of the offence where the accused being the Director of AITS, RGU, Doimukh molested the victims who were the scholars pursuing M. Phil and Ph. D degree by misusing his power and position.

Para 11: while considering the imposition of penalty the disciplinary authority shall refer the fact of criminal case against M.C. Behera having been convicted on a criminal charge under section 354/353A (1) (i) 342 of IPC. Disciplinary authority shall also consider that whether M.C. Behera's conduct is such as to render his further retention in the public service undesirable and the gravity of the charge is such as to warrant the imposition of a penalty.

Operative Part:

The university shall first serve a notice for dismissal to Prof. M.C. Behera (under suspension) on the basis of above Paras (especially Para 9 and 10) and he must reply within seven (7) days. After that the university shall dismiss him with the approval of the meeting of the Executive Council. The dismiss order will be effective from the date of EC Meeting.

The Council carefully examined all the Paras and Operative Part and approved the same for onward action.

(ii) The matter related to Dr. Kurmendra, Dept. of CSE

Departmental action can be taken only when any particular rule of the conduct rules has been violated. But it is not that every misconduct is covered by breach of rule. Decision to charge sheet an officer Dr. Kurmendra should be taken only after collection of full

Page **4** of **12**

Decision to charge sheet an officer Dr. Kurmendra should be taken only after collection of full facts have been gathered after that disciplinary authority may take a decision of formal disciplinary proceeding institution against him.

Operative Part:

The university first shall serve a final show cause notice to him and ask to clarify his position within seven (7) days. If university feels that he has not submitted satisfactory replies then a articles of charge / charge-sheet be framed and inquiry be initiated under the Inquiry Officer.

The Council thoroughly examined and approved the Operative Part for further action.

(iii) Sabbatical Leave issue of Prof. Sarah Hilaly, Dept. of History

Prof. Sarah Hilaly had applied for sabbatical leave for one year from 1st April 2021. After availing the sabbatical leave she joined the university but in joining report she mentioned that a report would be submitted by Monday. Letters were issued to her many times requesting to submit the outcome details along with the publication details within 15 days from the 11th October 2023 but she has not responded still.

In this case also a preliminary enquiry should be conducted not necessarily by the appropriate disciplinary authority. It is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should be collected. This preliminary enquiry should be conducted whether a prima-facie case exist against her for misconduct/misbehavior/dereliction of duty.

During the course of such enquiry for the sake of fairness, normally she should be given a opportunity to say what she may have to say about the allegation against her. This preliminary enquiry will be in the nature of "fact finding enquiry".

Operative Part:

The university shall initiate a preliminary enquiry and that enquiry can be conducted by the Inquiry Officer appointed by the disciplinary authority under the Departmental Enquiries Act 1972.

The Council perused the above Operative Part and approved the same for onward action.

(iv) The matter between Prof. Sarah Hilaly, Dept. of History and Dr. Tade Sangdo, Dept. of History

Prof. Sarah Hilaly has complained against Dr. Tade Sangdo alleging assault on complaint by Dr. Tade Sangdo. An FIR was also registered against Dr. Tade Sangdo. Whenever intimation is received about the commission of an offence by an employee, a preliminary enquiry should

be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose of collection of facts in regard to the conduct and work of the government servant concerned. Such preliminary enquiry may even be held ex-parte, for it is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should be collected and in important cases evidence of witnesses be produced in writing and got signed by them. During the course of such enquiry for the sake of fairness the government servant complained against should normally be given an opportunity to say what he may have to say about the allegation against him to find out if he is in position to give any satisfactorily information or explanation which were render any further investigation unnecessary.

The preliminary enquiry is in the nature of a "fact finding enquiry".

The question to be decided at this stage is not whether a government servant is guilty or not of an allegation. It is to be seen whether a prima-facie case exists of a certain offence/misconduct/misbehavior/dereliction of duty. It is just to find out whether an offence has taken place and if so whether the government servant is prima-facie involved in it. If there is prima-facie evidence of commission of a criminal offence, based only on preponderance of a probability than departmental proceeding may be appropriate.

Operative Part:

In this case the FIR has been registered against Dr. Tade Sangdo, Dept. of History. An initiation of preliminary enquiry in the nature of Fact Finding Enquiry is necessary and that enquiry can be conducted by the Inquiry Officer appointed by the disciplinary authority under the Departmental Enquiries Act 1972.

The Council thoroughly perused and approved the Operative Part for further action.

(v) The case between Dr. Tade Sangdo, Dept. of History and Prof. Sarah Hilaly, Dept. of History

Dr. Tade Sangdo, Associate Professor has complained against Prof. Sarah Hilaly alleging "VC ka chamchagiri karke Associate bangya" "Tum VC ka karta chamcha, Nyishi hai isliye dada karta hai". For showing subordination to different authorities of the university and for her mental and verbal torture to staff and under various provision of the schedule caste and schedule tribes (prevention of atrocities) act 1989. Whenever intimation is received about the commission of an offence by an employee, a preliminary enquiry should be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose collection of facts in regard to the conduct and work of the government servant concerned. Such preliminary enquiry may even be held ex party, for it is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should

Page 6 of 12

be collected and in important cases evidence of witnesses be reduced in writing and got signed by them. During the course of such enquiry for the sack of fairness the government servant complained against should normally should given a opportunity to say what he may have to say about the allegation against him to find out if he is in position to give any satisfactorily information or explanation which were render any further investigation unnecessary.

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Operative Part:

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The university shall initiate a preliminary enquiry and this enquiry can be conducted by the Enquiry Officer appointed by the disciplinary authority under the Departmental Enquiries Act 1972.

The Council perused and approved the Operative Part for further action.

(vi) The matter between Dr. Jamuna Bini, Dept. of Hindi and Prof. Sarah Hilaly, Dept. of History

Dr. Jamuna Bini has complained against Prof. Sarah Hilaly, alleging 'because of your kid my car got scratches control him or otherwise I will bash him up'. She bang her door at my face. When I enter her sitting room to ask why she always irritating me that she open her mount and finally truth came out 'tum Nyishi hai na'. I asked her to not bring my communities name into it and 'tum Nyishi log bohot bahadur samajte hai'. She also said 'Nyishi kids are bad, unruly rascal etc.' and she took out one iron or steel rod to beat me. Whenever intimation is received about the commission of an offence by an employee, a preliminary enquiry should be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose collection of facts in regard to the conduct and work of the government servant concerned. Such preliminary enquiry may even be held ex party, for it is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should be collected and in important cases evidence of witnesses be reduced in writing and got signed by them. During the course of such enquiry for the sack of fairness the government servant complained against should normally should given a opportunity to say what he may have to say about the allegation against him to find out if he is in position to

Page **7** of **12**

give any satisfactorily information or explanation which were render any further investigation unnecessary.

The preliminary enquiry is in the nature of a "fact finding enquiry".

The question to be decided at this stage is not whether a government servant is guilty or not of an allegation. It is to be seen whether a prima-facie case exist of a certain offence/misconduct/misbehavior/dereliction of duty. It is just to find out whether an offence has taken place and if so whether the government servant is prima-facie involved in it. If there is prima-facie evidence of commission of a criminal offence, is based only on preponderance of a probability than departmental proceeding may be appropriate.

Operative Part:

In this case the FIR not registered against Prof. Sarah Hilaly, Dept. of History. The university shall initiate a preliminary enquiry and the same enquiry can be conducted by the Inquiry Officer appointed by the disciplinary authority under the departmental enquiries act 1972.

The Council perused and approved the Operative Part for further action.

(vii) The matter related to Mr. Moji Riba, Dept. of Mass Communication related to long absence from duty

Mr. Moji Riba, Assistant Professor, Dept. of Mass Communication was on leave since 20th September 2021 for his son's medical treatment. He joined his duty in department 6th October 2023, thereafter Mr. Moji Riba has been assigned to teach the course on film studies along with Prof. Uttam Kumar Pegu for the MA 3rd semester students. Beside Mr. Moji Riba has also volunteered to engage with Radio Rono.

It is also a case of preliminary enquiry. In this enquiry all available evidences and relevant documents shall be collected and find out a prima-facie case exist against Mr. Moji Riba for misconduct/ misbehavior/ dereliction of duty.

During the course of such enquiry for the sack of fairness normally he should be given an opportunity to say or what may he have to say about allegation against him.

Operative Part:

The university shall initiate a preliminary enquiry and the enquiry can be conducted by the enquiry officer appointed by the disciplinary authority under the departmental enquiries act 1972.

The Council perused and approved the Operative Part for further action.

Page 8 of 12

(viii) The POCSO case in respect of Dr. Philip Modi, Dept. of Commerce

Doimukh Police Station intimated that Dr. Philip Modi, Associate Professor alleging an offence to having committed against a minor child under section 376 IPC read with section 4 under the POSCO act. Whenever intimation is received about the commission of an offence by an employee, a preliminary enquiry should be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose collection of facts in regard to the conduct and work of the government servant concerned. Such preliminary enquiry may even be held ex party, for it is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should be collected and in important cases evidence of witnesses be reduced in writing and got signed by them. During the course of such enquiry for the sack of fairness the government servant complained against should normally should given a opportunity to say what he may have to say about the allegation against him to find out if he is in position to give any satisfactorily information or explanation which were render any further investigation unnecessary.

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Operative Part:

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The university shall initiate a preliminary enquiry and the same enquiry can be conducted by the enquiry officer appointed by the disciplinary authority under the departmental enquiries act 1972.

The Council perused and approved the Operative Part for further action.

(ix) The matter related to Dr. C. Sivasankar, Dept. of Education for publication of papers

Complaint by Nympi Bagra made against Dr. Shiva Sankar alleging that his publication was in the clone journals and as such the eligibility has been questioned for his appointed to the post of Associate Professor. She also said that one more applicant Ms. Soambam Sheela has applied for the post of Assistant Professor in Education under PwD category. Prof. T. Lungdim has guided her to prepare fake PwD certificate from Doctor and promised that he shall try appoint her for the post of Assistant Professor in Education. That's why Prof. T. Lungdim tried

Page 9 of 12

a lot not to fill PwD post in selection committee of February 2023. That's why Assistant Professor post was gone on NFS. Whenever intimation is received about the commission of an offence by an employee, a preliminary enquiry should be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose collection of facts in regard to the conduct and work of the government servant concerned. Such preliminary enquiry may even be held ex party, for it is merely for the satisfaction for the concerned authority. At this enquiry all available evidence and relevant document should be collected and in important cases evidence of witnesses be reduced in writing and got signed by them. During the course of such enquiry for the sack of fairness the government servant complained against should normally should given a opportunity to say what he may have to say about the allegation against him to find out if he is in position to give any satisfactorily information or explanation which were render any further investigation unnecessary.

The preliminary enquiry is in the nature of a "fact finding enquiry".

The question to be decided at this stage is not whether a government servant is guilty or not of an allegation. It is to be seen whether a prima-facie case exist of a certain offence/misconduct/misbehavior/dereliction of duty. It is just to find out whether an offence has taken place and if so whether the government servant is prima-facie involved in it. If there is prima-facie evidence of commission of a criminal offence, is based only on preponderance of a probability than departmental proceeding may be appropriate.

Operative Part:

The university shall conduct a preliminary enquiry and that enquiry can be conducted by the enquiry officer appointed by the disciplinary authority under the departmental enquiries act 1972.

The Council perused and approved the Operative Part for further action.

(x) Granting of prosecution in respect of Dr. Tade Sangdo, Dept. of History

Learned advisor of RGU as opined that the limitation period for granting prosecution is three months and if appropriate authorities either reject or not sanction the hon'ble court may presume it to be deem sanctioned by the appropriate authorities.

Operative Part:

There is no such provision in section 197 CRPC. Such provision may be in prevention of corruption act but that is not applicable to this case. After perusal of first information report (FIR) the appropriate authority i.e. disciplinary authority may accord the sanction for prosecution against Dr. Tade Sangdo, Associate Professor, Dept. of History in connection with Doimukh PS case no. 57/2023 registered under section 325/427/506/609 of IPC.

The Council perused and approved the Operative Part for further action.

Page 10 of 12

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	(xi) The Court Case of Dr. Satish Kumar, Dept. of Education
	Dr. Satish Kumar has filed a writ petition before the honorable Gauhati High Court Itanagar, with prayer to consider his promotion on the post of Professor from the year 2018 the date on which he was eligible for promotion. He has already joined on the post of Professor on 27.02.2023. Operative Part:
	Because of filing his writ petition, university should wait for the decision of High Court and according to that decision move further. Till then keep the file in abeyance.
	The Council perused and approved the operative part.
	(xii) The Court Case filed by Mr. Taw Teri, JE (Civil)
	The Council perused the para-wise reply of the university in the matter of WP (C) No. 39 (AP)/2023 between Mr. Taw Teri, JE (Civil) Vs. Rajiv Gandhi University and approved the same for further action.
	(xiii) Reservation Policy and Reservation Roster of the employees (Teaching and Non- Teaching)
	Inputs/Comments:
	The university is following correct reservation policy and roster policies for both teaching and non-teaching positions.
	The Council perused and noted the same.
	The Council approved the services of Shri N.C. Nagraj, retired District Judge, Indore, Madhya Pradesh for a period of one year from the date of 55 th EC i.e. 11.12.2023. He will be paid a fixed honorarium as fixed by the university administratively.
	Any other Items:
	(a) Engagement of Ishanee Sharma as RGU Legal Counsel/Advisor in the Supreme Court.
EC:55:02	The Council perused the Brief Profile of Ishanee Sharma (Enrolment No. D/2642/2017) and approved the same for onward action. The university will assign cases to her, if necessary.
	(b) Reporting Items:
	The Council noted that, the university has sent an offer letter to the post of Professor, AITS of this university to Dr. Niharranjan Mishra as per the recommendation of the Selection Committee and consequent upon the approval of the 54 th Executive Council vide Resolution

Page 11 of 12

No. EC:54:05. As per the terms and conditions of the Offer Letter of the university, Dr. Niharranjan Mishra was unable to submit/produce (i) No Objection Certificate (NOC), (ii) Last Pay Certificate (LPC), and (iii) Release Order at the time of joining to the post of Professor. However, on query, Dr. Niharranjan Mishra has submitted an office letter vide No. NITR/RG/2022/M/0668, dated 17.10.2022 issued by the National Institute of Technology, Rourkela, Odisha in which he was given compulsory retirement on 13.10.2022.

As there was no other item to discuss, the meeting ended with a Vote of Thanks from the Registrar.

(Dr. N.T. Rikam) Registrar-cum-Secretary Ex-officio