

**MINUTES OF THE 43RD MEETING OF THE FINANCE COMMITTEE OF THE ASSAM
UNIVERSITY HELD ON NOVEMBER 19, 2016 AT 11.00A.M.
AT ICSSR, NEW DELHI**

The following were present:

1. Prof. Dilip Chandra Nath, Vice-Chancellor
Assam University :Chairman
2. Mr. Fazal Mahmood, Dy. Secretary (Finance), MHRD,GoI
Representative of JS&FA,MHRD,GoI (Visitor's Nominee) :Member
3. Mr. S.K.Ghildiyal,Dy. Secretary (CU),MHRD, GoI
Representative of JS(CU&L), MHRD, GoI (Visitor's Nominee) : Member
4. Mr. V. Talreja, Section Officer(CU),UGC
Representative of JS (CU),UGC (Visitor's Nominee) :Member
5. Shri Gour Krishna Pattanayak, Finance Officer
Jadavpur University, Kolkata (EC Nominee) :Member
6. CMA (Dr.) B.B. Mishra, Finance Officer
Central University of Tamil Nadu (EC Nominee) : Member
7. Prof. Nagendra Pandey, Dean, School of Earth Science,
Assam University, Silchar (ECNominee) : Member
8. Prof. Samira Behera, (Representative of SC/ST)
Professor, Dept. of Mathematics, Assam University, Silchar. : Special Invitee
9. Prof.Sumanash Dutta, Finance Officer (i/c)
Assam University : Ex-officio Secretary

The comments of the Under Secretary (CU-I),MHRD dated November 16, 2016 and comments of the Dy. Secretary (Finance), MHRD dated November 17, 2016 were placed by the Secretary, Finance Committee, Assam University before the Finance Committee and the members noted the comments.

Item No. FC: 43/01: The Chairman and the Vice-Chancellor of the Assam University to welcome the Visitor's nominees & other members of the Finance Committee and will deliver opening remarks.

Prof. Dilip Chandra Nath, Vice-Chancellor, Assam University and Chairman, Finance Committee welcomed all the members. The Chairman in his opening remarks sought guidance from all the members for all round development and growth of the University. He requested the Secretary, Finance Committee to initiate the proceedings as per the agenda items.

Item No. FC: 43/02: Confirmation of the Minutes of the 42nd meeting of the Finance Committee of the University held on June 28, 2016

The copy of the Minutes of the 42nd meeting of the Finance Committee of the University held on June 28, 2016 was circulated to all the members vide letter no. AUF/686/FC-42/2016-17/920, dated July 06, 2016. In response to the Minutes sent through e-mail on June 28, 2016 immediately after the meeting, Joint Secretary, UGC, New Delhi in his e-mail dated July 01, 2016 remarked that *"The minutes of the 42nd Finance Committee of Assam University held on 28th June, 2016 have been examined and found in order except Resolution at Item No. 42/14. In this connection, it is stated that upgrading the pay scale to UDC is not permissible in case of the Central University. Therefore, there is no need to consider the matter further and it may be dropped"*.

In the light of the above observations of the Joint Secretary, UGC, the matter is dropped for the time being.

The Minutes may kindly be confirmed.

Resolution: The members of the Finance Committee perused the observation of Joint Secretary, UGC and confirmed the minutes of 42nd meeting of the Finance Committee of the University held on June 28, 2016 with a stipulation to drop the resolution at Item No. 42/14.



Item No. FC: 43/03: Action Taken Report of the 42nd Meeting of the Finance Committee of the University.

Action Taken Report of the 42nd meeting of the Finance Committee of the University held on June 28, 2016 is placed for information, necessary review and approval.

Resolution: The Action Taken Report on the minutes of 42nd meeting of the Finance Committee of the University held on June 28, 2016 were perused and noted by the members.

Item No. FC: 43/04: Progress of the XII Plan expenditure viz. buildings, equipments, library, fellowship etc. - An overview of the financial position of the University.


The details of XII Plan expenditures head-wise and year-wise showing an overview of the financial position of the University as on 31st October, 2016 are prepared for perusal of the Committee.

Resolution: The members of the Finance Committee perused and noted the progress of XII Plan expenditure as on 31 October, 2016.

Item No. FC: 43/05: Status of Utilization of Non-Plan Grants of the University as on 31st October, 2016.

Utilization of Non-Plan Grants as on 31st October, 2016 under different heads for kind perusal of the members.

Resolution: The members of the Finance Committee perused and noted the Non-Plan expenditure as on 31 October, 2016



Item No. FC: 43/06: Approval of Revised Budget Estimates of Non-Plan Grants of the University for the Financial Year 2016-17 and Budget Estimates for the financial year 2017-18.

Estimates of expenditure under various heads have been worked out at the barest minimum under the Revised Budget Estimates of Non- Plan Grants for the Financial Year 2016-17 amounting to Rs. 8543.06 lac for kind perusal and consideration of approval. The BE of Rs. 8961.00 lac for the FY 2016-17 has since been approved by the Finance Committee in its 41st meeting held on 27th November 2015. UGC vide letter No. F.No.21-12/2016 (CU), dated 28 October 2016 has approved Rs. 7265.06 lac as Budget Estimate for the financial year 2016-17 under Non-Plan.

The Budget Estimates of Rs. 10670.00 lac for the Financial Year 2017-18 under Non-Plan Grants of the University. The Budget Estimates has been prepared taking into consideration the fund requirement for implementation of the recommendation of 7th Central Pay Commission and consequent increase in allowances, increments, pension etc.

The matter is placed before the Finance Committee for kind perusal and consideration of approval.

Resolution: The Finance Committee recommended the Revised Budget Estimates of Non-Plan grant for the year 2016-17 of Rs. 8543.06 lac and Budget Estimates of Non-Plan grant for the year 2017-18 of Rs. 10670.00 lac to the Executive Council for approval subject to availability of funds with UGC and the same being projected on realistic basis.

Item No.FC:43/07: Recommendation for approval of compliances of the Separate Audit Report of the Comptroller and Auditor General of India on the Accounts of the University for the financial year 2015-16.

The Comptroller and Auditor General of India has conducted the audit of the Accounts of the University for the financial year 2015-16 under Section 19(2) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971 read with Section 31(1) of Assam University Act, 1989. The University has submitted the compliances to the Draft Separate Audit Report on the Accounts of the University for the financial year 2015-16 to the Principal Director of Audit, Central, Kolkata. The C&AG have submitted the Separate Audit Report on the Accounts of the Assam University for the financial year 2015-16 and Management Letter.

The compliances of the Separate Audit Report (SAR) and Management Letter of the C&AG on the Accounts of the Assam University for the year 2015-16 are placed for approval.

Resolution: The Finance Committee perused and considered the Separate Audit Report (SAR) and Management Letter of the C&AG on the Accounts of the Assam University for the year 2015-16 and advised to the University to examine the observations in the SAR and Management Letter and take remedial measures wherever applicable.

Item No. FC: 43/08: Approval of the Minutes of 86th meeting of the Building Committee of Assam University held on 8th November, 2016 along with the Abstract of Cost and Rate Conformity Certificate of Building Projects.

The Minutes of 86th meeting of the Building Committee of Assam University held on 8th November, 2016 along with the Abstract of Cost and Rate Conformity Certificate of Building Projects in the prescribed format for consideration of approval.

Resolution: The Finance Committee has not considered the proposals recommended by the Building Committee held on 8th November, 2016. The Committee advised to place the Abstract Cost Estimate and Rate Conformity Certificate in conformity with the prescribed proforma of the UGC to the Building Committee for recommendation (s) of the proposed works. The Committee further opined to re-constitute the Building Committee as per the latest guidelines of the UGC circulated to the Universities. Further the minutes of the Building Committee needs to be prepared specifying members present and absent both in the meeting. After fulfilling the above, the proposal may be placed before the next Finance Committee meeting.

Item No.FC:43/09: Approval of recommendation of the External Committee & Assistant Solicitor General (ASG) of India, Gauhati High Court, Guwahati for correction of CPF to GPF-cum-Pension Scheme of the Faculty Members & Others of the University who joined prior to 01.01.2004.

The Executive Council of Assam University in its 2nd Meeting held on 28th January, 1995 vide Agenda Item No. 23.(4), resolved that each regular employee of the University to be a member of either GPF or CPF and can subscribe towards the fund to which he/ she has opted. The employee who opted for GPF may opt out of the CPF and subscribe towards GPF at any time within his/her



entire service period. In the event of such option, only his/her individual contribution towards his CPF account along with interest thereon will be transferred to his GPF Account.

Dept. of Pension & Pensioners Welfare, Government of India in their letter dated 1st May 1987, notified that all CPF beneficiaries who were in service on 01.01. 1986 will be deemed to have come over to the Pension Scheme. These employees may have an option to continue under CPF Scheme. If no option is received, the employees will be deemed to have come over to the Pension Scheme. It is to note that Assam University came into existence in the year 1994.

The Executive Council in its 38th meeting held on 21st August, 2003 vide Agenda Item No. 13 approved for the case of two faculty members for switching over from CPF to GPF-cum-Pension Scheme as per the UGC's directive vide No. F. No.31-29/98 (CU).

UGC in their letter No. F.31-39/98(CU), dated 17th May 2005, directed the Assam University to allow the employees for adoption of GPF Scheme who were recruited after IVth Pay Commission and before 1st January, 2004 (New Pension Scheme applicable date) and to make necessary corrective measures immediately.

UGC also in their letter No. F.19-5/2003(CU), dated Sept 2013 basing on the clarification submitted by the Assam University, conveyed the decision of the UGC on switching over from CPF to GPF in respect of the employees of Assam University under the following conditions.

- (i) Who joined Assam University as fresh recruitee with no past service up to 31.12.2003, will be enrolled under GPF cum Pension Scheme.
- (ii) Who joined the Assam University from other Colleges/Universities having CPF Schemes and opted to continue with same scheme, can never be switched over to GPF cum Pension Scheme.
- (iii) Who joined from other Colleges/Universities having CPF Scheme and not opted for any scheme, can be covered under GPF cum Pension Scheme with the benefit of continuation of previous service provided the employer CPF contribution and other terminal benefits with up to date interest are remitted to Assam University. If the previous benefits with up to date interest are not deposited with Assam University, benefits of previous service will not be admissible.

UGC also requested in the said letter to settle the cases in view of the above clarification.

This long pending issue was placed to the 39th meeting of the Finance Committee vide Agenda Item No. FC: 39/05 and FC resolved that the University should prepare the individual status report in detailed of such employees based on the categories and referred to External Committee consisting of Shri Joydeep Sil, Registrar, IISER, Kolkata and Shri Gour Krishna Pattanayak, Finance Officer, Jadavpur University, Kolkata with at least one member from MHRD for scrutiny and necessary recommendations.

The Committee meets on June 23, 2015 and based on the recommendations, the Finance Committee in its 41st meeting resolved as follows:

"The members discussed in detailed the individual cases for the proposal for correction of CPF to GPF-cum-Pension Scheme recommended by the Committee in their meeting held on June 23, 2015 at 12.00 Noon at AIU House, New Delhi considering the followings:

- (a) The terms and conditions of the appointment letters issued to the faculty concerned which stipulates that they will be entitled to GPF-cum-Gratuity as per University Rule.
- (b) The resolution of the 2nd Executive Council meeting of the Assam University held on 20th January, 1995 for considering the employees to opt either GPF or CPF Scheme.
- (c) UGC letter No. F.31-39/98(CU), dated 17th May 2005 and letter No.F.19-5/2003 (CU), dt. Sep 2013 issued to the Assam University.

The Finance Committee reiterated the views and recommendations of the said Committee that:

The statement of particulars for allotment of CPF Account Number and submission of the form of nomination of CPF to Assam University is not a clear cut option for opting CPF. This is only an allotment particulars and nomination form for CPF. As there is no such option for opting CPF for the employees joining after 4th Pay Commission and before 01.01.2004, the employees may not be considered under category No. (ii) of the UGC letter No. F.19-5/2003 (CU) of Sep 2013.

Considering the above into account, the Finance Committee recommends the cases of:

1. Prof. N.B. Biswas, 2. Prof. Gopalji Mishra, 3. Prof. B. Mate, 4. Prof. R.R. Dhamala, 5. Prof. D.K. Pandiya, 6. Prof. Geetika Bagchi, 7. Prof. S.B. Paul, 8. Prof. B.K. Dutta, 9. Prof. M.R. Islam, 10. Prof. (Late) G. Biswas, 11. Dr. (Late) P. Debnath, 12. Shri P.R. Ramesh, 13. Shri D.B. Rai, 14. Prof. S.K. Panda for correction from CPF to GPF-cum-Pension Scheme in principle for the service period rendered at Assam University only.

As regard the cases of Prof. Tapodhir Bhattacharjee and Prof. Bishwanath Prasad, the Committee could not recommend for re-opening of the cases as full and final settlement of CPF including the employer's contribution and interest thereon were paid.

The above recommendations may be placed before the next Executive Council of the University for necessary approval for implementation with the concurrence of MHRD, GoI as it involves policy decision".

Further, the Under Secretary to the Govt. of India, Ministry of HRD, Deptt. of Higher Education, New Delhi in his letter F.No.9-6/2015-Desk-U, dated 19th November 2015 communicated the comments of the Administrative Bureau of MHRD against Agenda Item No. 41/02 relating to the correction of CPF to GPF-cum-Pension Scheme of the faculty members and others that "University has been established by the Act passed by the Parliament in 1989 and instructions of Govt. on issue of GPF was issued in 1987. It is not clear, how the University officers/officials and individuals have continued in CPF till now and raising the issue, now.

University may take action as per GoI instructions on the issue which are quite clear and there is no need to refer the issue to MHRD as UGC has already provided the clarification on the issue".

Considering the above views of the MHRD, the Finance Committee in its 41st meeting held on 27.11.2015 vide Item No. Item No. FC: 41/02 resolved that "the matter may be referred to the Assistant Solicitor General (ASG) of India, Gauhati High Court, Guwahati for a legal opinion on the correction of CPF to GPF-cum-Pension Scheme of some faculty members and others. As the matter being a policy decision, the members opined that the Ministry's views, the legal opinion of ASG and the detailed issue as it was submitted to the 40th meeting of the Finance Committee may be placed to the next Finance Committee with having a regular Vice-Chancellor for necessary approval".

Based on the above resolution and on the request of the Registrar, Assam University, the Assistant Solicitor General of India, Gauhati High Court visited Assam University, Silchar on 19.03.2016 to look in to the matter related to the correction of CPF to GPF-cum-Pension Scheme of the faculty members and others. After thorough review on the matter, the Assistant Solicitor General of India, Gauhati High Court submitted legal opinion .

The views of the Assistant Solicitor General of India, Gauhati High Court in this regards are as follows:

- i. That, CPF Scheme was not operational at the time of Assam University came into existence in the year 1994 as per Dept. of Pension & Pensioners Welfare,

- Govt. of India in their letter dated 1st May 1987.
- ii. That, UGC in their letter No. F.31-39/98 (CU), dated 17th May 2005 directed the Assam University to allow the employees for adoption of GPF scheme who were recruited after IVth Pay Commission and before 1st January 2004 (New Pension Scheme applicable date) and to make necessary corrective measures immediately.
 - iii. That, the terms and conditions of appointment letters issued to the faculty concerned (at present on CPF scheme) which stipulates that they will be entitled to GPF-cum-Gratuity Scheme as per University Rule.
 - iv. That, the Under Secretary to the Govt. of India, Ministry of HRD, Dept. of Higher Education, New Delhi in his letter F. No. 9-6.2015-Desk-U, dated 19th November 2015 communicated the comments of the Administrative Bureau of MHRD stipulates "University has been established by the Act passed by the Parliament in 1989 and instructions of Govt. on issue of GPF was issued in 1987. The MHRD has also questioned how the University officers/officials and individuals have continued in CPF till now". MHRD also suggested that University may take action as per GoI instructions on the issue which are quite clear.
 - v. That, the statement of particulars for allotment of CPF Account Number and submission of the form of nomination of CPF to Assam University is not a clear cut option for opting CPF. This is only an allotment particulars and nomination form for CPF. As there is no such option for opting CPF for the employees joining after IV Pay Commission and before



01.01.2004, the employees may not be considered under category No. (ii) of the UGC letter No. F.19-5/2003-CU of September 2013.

- vi. That, the Executive Council in its 38th meeting held on 21st August 2003 vide Agenda Item No. 13 approved for the similar case of two faculty members for switching over from CPF to GPF-cum-Pension Scheme as per the UGCs directive vide F. No. 31-29/98 (CU).

Considering the above points in accounts, the Asst. Solicitor General of India, Gauhati High Court has the opinion that the referred cases which are on live at present of the incumbents who have joined prior to 01.01.2004 at Assam University may be considered for correction of CPF to GPF-cum-Pension Scheme subject to the approval of the approval of competent committee and competent authority.

Considering the above, necessary recommendations may kindly be made to the Executive Council for approval.

Resolution: The Committee resolved to refer the matter to UGC for a view in the matter.

Item No. FC: 43/10: Promotion of Dr. Rajat Sarmacharjee from Assistant Professor Stage-I to Assistant Professor Stage-II.

As per the provisions of UGC Regulation 2010, the meeting of the Screening cum Evaluation Committee for promotion of Dr. Rajat Sarmacharjee from Assistant Professor Stage-I to Assistant Professor Stage-II under Career Advancement Scheme was held on

15.10.2015 in Assam University, Silchar. The Screening cum Evaluation Committee has recommended the promotion of Dr. Rajat Sarmacharjee from Assistant Professor Stage-I to Assistant Professor Stage-II w.e.f. 19.03.2015. Dr. Sarmacharjee will be placed in the Pay Band-III, i.e. Rs. 15,600-39,100 with AGP of Rs. 7,000/- from the date of his promotion as Assistant Professor Stage-II. Extract of the resolution of 105th meeting of the Executive Council of Assam University held on 24th May, 2016 .

The matter is placed before the Finance Committee for consideration of approval in compliance with 105th Executive Council meeting resolution for the placing the matter in Finance Committee meeting.

Resolution: The agenda item is withdrawn. Such matters need to be finalized by the University, as per the relevant instructions issued by DoP&T and UGC guidelines and University Rules.

The meeting ended with vote of thanks to the Chair.

 19.11.16
(Prof. Sumanash Dutta)
Ex-Officio-Secretary
Finance Committee
Assam University, Silchar

 19/11/16
(Prof. Dilip Chandra Nath)
Chairman
Finance Committee
Assam University, Silchar
