



# MINUTES

OF

**121<sup>st</sup> MEETING (EMERGENT)  
OF THE**

**EXECUTIVE COUNCIL**

HELD ON

12<sup>th</sup> JULY 2018 AT 02.30 P.M.

AT HEMANGA BISWAS COMMITTEE ROOM OF  
THE VICE-CHANCELLOR'S SECRETARIAT

**ASSAM UNIVERSITY**

(A CENTRAL UNIVERSITY ESTABLISHED BY AN ACT  
OF PARLIAMENT)

**SILCHAR**

# Assam University, Silchar

## Minutes of the 121<sup>st</sup> Meeting (Emergent) of the Executive Council held on 12<sup>th</sup> July 2018 at 03.30 pm in the Conference Room of the Vice-Chancellor's Secretariat, Assam University, Silchar

### Members present :

1. Prof. Dilip Chandra Nath, Vice-Chancellor : Chairman
2. Prof. Ramesh C. Deka, Visitor's Nominee : Member
3. Prof. Sanjib Das, Dean, School of Medical & Paramedical Sc. : Member
4. Prof. Sudipta Roy, Dean, School of Technology : Member
5. Prof. Nagendra Pandey, Dean, School of Earth Sciences : Member
6. Prof. Sajal Nag, Professor, Dept. of History : Member
7. Dr. Humayun Bokth, Associate Professor, Dept. of Sociology : Member
8. Dr. Mortuja Hussain, Principal, N. C. College, Badarpur : Member
9. CMA Dr. B. B. Mishra, Finance Officer : Permanent Invitee
10. Prof. Asoke K Sen, Dean, School of Physical Sciences : Special Invitee
11. Prof. P. B. Mazumder, Dean Students' Welfare : Special Invitee
12. Representative of AUNTEA, Mr. Sagnik Choudhury : Special Invitee
13. Dr. Sanjib Bhattacharjee, Registrar : Ex-officio Secretary

### Members absent :

1. Prof. Sivasish Biswas, Pro-Vice Chancellor, AUDC : Member  
(Absent with intimation)
2. Prof. Anil K Goswami, Visitor's Nominee : Member  
(Absent with intimation)
3. Padmashree Dr.(Prof.) Indira Nath, Visitor's Nominee : Member  
(Absent with intimation)
4. Dr. Lakshmi Nandan Bora, Visitor's Nominee : Member  
(Absent with intimation)
5. Prof. A. Mazumder, Dean, School of Management : Member
6. Dr. Purnendu Kumar, Principal, Nehru College, Pailapool : Member  
(Absent with intimation)
7. Dr. Mizanur Rahman, Principal, Haflong Govt. College : Member
8. Director, Higher Education, Govt. of Assam : Member

At the outset, the Chairman welcomed all the Members and the Visitor's Nominee present in the meeting. Thereafter on being permitted by the Chairman, the meeting

formally started. The Item No. 1 was transacted in presence of Shri Dibyendu Saha, incumbent scholar and Shri Milon Das, President, AUSU.


**Item No. 1 : Matter related to alleged harassment of a Research Scholar in the Dept. of Mathematics :**

**EC:121:07-18:01** : Reconsideration of EC resolution No. EC:119:05-18:51 regard to the alleged harassment of Sri Dibyendu Saha, (Inspire Fellow), Dept. of Mathematics.

On the basis of the representation submitted by the Assam University Students Union expressing dissatisfaction on the report of the Committee constituted vide order No. AUR/21-1/2018/732 dtd. 31/01/2018 and the subsequent EC resolution No. EC:119:05-18:51 dtd 5<sup>th</sup> June 2018, the competent authority decided to refer it back to EC for consideration, if any.

**Resolution :** The case of harassment to Dibyendu Saha, Inspire Fellow, Dept. of Mathematics by the HOD Mathematics Prof. S. Behera was discussed in detail as per agenda. The Council heard and noted the statement of the said scholar alongwith statement of the President, AUSU. Thereafter the Council unanimously taken into cognizance of the harassment of Dibyendu Saha very seriously and resolve as follows.

1. The INSPIRE Fellowship of Mr. Dibyendu Saha will be made available from the University fund and the said money will be adjusted from the Fellowship grant to be received from DST. An undertaking to this affect be received from the concerned scholar.
2. All notings, comments and derogatory remarks against Shri Dibyendu Saha and his Supervisor, Dr. Sanjib Sengupta in the Claim Form and in related file stands nullified. In this regard a notification be issued stating that all comments, allegations stands cancelled.
3. Regular Head of the Department of Mathematics be appointed immediately within 07 days for smooth functioning of the Department. Prof. Asoke Kr. Sen, Dean, School of Physical Science, who is acting as Head i/c, Mathematics has expressed his inability to continue as Head i/c of Mathematics and therefore, appointment of regular Head be finalized by the administration from amongst the faculty of the department of Mathematics as per A. U. rule.
4. A proper redressal mechanism be made in the University for addressing such cases in future.

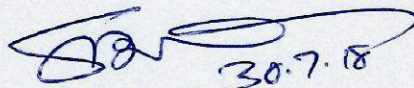
  
30.7.18

5. One Member Enquiry Committee headed by a Retired Judge of High Court / or an Officer not below the rank of Joint Secretary will be constituted for enquiring the case of harassment of Shri Dibyendu Saha, Scholar, Dept. of Mathematics by Prof. Samira Behera, the then HOD, Mathematics. Three names of Enquiry Officer will be proposed by three member committee viz. Prof. Nagendra Pandey, Prof. Sajal Nag & Prof. P. B. Mazumder, DSW. The Vice Chancellor will select one name as Enquiry Officer from the proposed list.
6. Regarding the alleged Plagiarism and Copyright infringement and illegal promotion of Prof. Samira Behera, Dept. of Mathematics University will pursue the matter to MHRD for directions on the course of action to be taken.
7. Prof. Samira Behera shall be sent on long leave and the leave will continue until the decision of the Enquiry Committee and clearance from MHRD for all purposes as stated above.
8. The enquiry report on harassment of the concerned scholar in the Dept. of Mathematics submitted by Prof. A. Mazumder & Prof. D. Roy Committee was nullified by the Council but no decision on the demand of the students' representative to the effect that Prof. A. Mazumder shall not be involved in any of the administrative committee could be taken by the Council.

**Item No. 2 : Item from the Chair :**

**EC:121:07-18:02.1 : Reconsideration of EC resolution No. EC:120:06-18:03 :**

EC vide abovementioned resolution in the matter of ICC case of Dr. Nirakar Mallick resolved that Dr. Mallick should be kept under suspension and the University should initiate disciplinary proceedings under Section 13 (3) (i) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and as a misconduct in accordance with the provisions of the Service Rules at the earliest. Accordingly while issuing the order of suspension it was observed that the earlier order No. 103/42/95-Pers/4914-21 dtd. 16<sup>th</sup> January 2018 regarding imposition of minor penalty on same issue was not revoked which leads double jeopardy in the same offence. Views of the Legal Consultant were also taken. As per the legal opinion the matter falls under Section 20 (2) of Constitution of India double jeopardy where it clearly states that "no person shall be prosecuted and punished for the same offence more than once." Hence appropriate decision on this issue may be taken.

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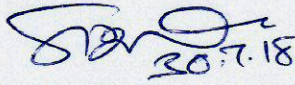
**Resolution :** The Council discussed the matter in detail and stands on the decision taken by the Council in its 120<sup>th</sup> meeting dtd. 27<sup>th</sup> June 2018. While deciding so the Council further resolved to revoke the order issued vide No. 103/42/95-Pers/4914-21 dtd. 16<sup>th</sup> January 2018 regarding imposition of minor penalty. Thereafter the Council advised the administration to take action accordingly.

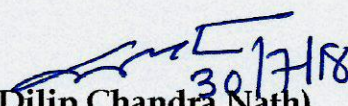
**EC:121:07-18:02.1 : Reconsideration of EC resolution No. EC:119:05-18:26 regarding Launching the Department of Hospitality & Tourism Management:**

The proposal was discussed elaborately in the 119<sup>th</sup> EC meeting held on 5<sup>th</sup> June 2018 vide resolution No. EC:119:05-18:26 by the members of the Council and on being agreed in principle the Council suggested that the proposal should be prepared in a concrete shape and there after shall be forwarded to the UGC/AICTE etc. where ever applicable for their approval and the same shall be placed in the next regular meeting of the Academic Council followed by Executive Council for a decision on the same.

**Resolution :** The Council reiterated the decision of the 119<sup>th</sup> meeting of the Executive Council and while approving the issue it was decided that entire proposal in a concrete shape be forwarded to UGC/AICTE for their approval.

There being no other item to discuss, the meeting ended with vote of thanks to and from the Chair.

  
 (Dr. Sanjib Bhattacharjee)  
 Ex-officio-Secretary  
 Executive Council  
 Assam University, Silchar

  
 (Prof. Dilip Chandra Nath)  
 Vice Chancellor & Chairman  
 Executive Council  
 Assam University, Silchar