

F. No.4-15/2020-CU-II
Government of India
Ministry of Education
Department of Higher Education
(Central University Bureau)

Shastri Bhawan,
New Delhi, dated: 28.10.2020

ORDER

Whereas, University of Delhi is governed by 'The Delhi University Act, 1922' and Statutes, Ordinances and Regulations made thereunder.

2. Whereas, Section 7-A (1) of 'The Delhi University Act, 1922' (hereinafter referred as 'the said Act') stipulates that "President of India is the Visitor of the University".

3. Whereas, Section Statute 11-F made under the said Act stipulates that the Vice Chancellor shall be appointed by the Visitor.

4. Whereas, Prof. Yogesh Tyagi was appointed as Vice-Chancellor, University of Delhi on 10.03.2016.

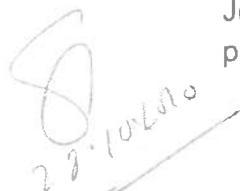
5. Whereas, the post of Vice-Chancellor is a post of pivotal importance and the entire discipline and ethos of the University revolve around him. The responsibilities of Vice-Chancellor as stipulated in the Act and Statutes of the Delhi University Act, 1922 are given hereunder:

- (i) Statute 11-G(1) : The Vice Chancellor shall be the principal Executive and Academic Officer of the University next to the Pro-Chancellor.
- (ii) Statute 11-G(2) : It shall be the duty of the Vice Chancellor to see that the Act, the Statutes, the Ordinances and the Regulations are duly observed and he shall have all the powers necessary for that purpose.
- (iii) Statute 11-G(5) : The Vice Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the Authorities of the University.
- (iv) Statute 11-G(6) : All powers relating to the proper maintenance of discipline, in the University shall stand vested in the Vice Chancellor.

6. Whereas, Prof. Yogesh Tyagi as Vice Chancellor of University of Delhi failed to discharge the duties and responsibilities entrusted to him under the said Act and Statutes made thereunder as mentioned below:

6.1 Many statutory and key posts as given hereunder remained vacant during his tenure in spite of regular follow up by the Administrative Ministry:

- a) **Pro Vice Chancellor:** The Pro Vice Chancellor assists the Vice Chancellor in all academic and administrative matters and during the absence of the Vice Chancellor, performs the functions of the Vice Chancellor. However, the post of Pro Vice Chancellor was lying vacant since June, 2016 until Prof. P.C. Joshi was appointed as Pro-Vice Chancellor in June, 2020 after great pursuance by the Administrative Ministry.


28.10.2020

- b) **Registrar:** Vacant since March, 2020 to mid October 2020.
- c) **Finance Officer and Treasurer:** Vacant since March 2020.
- d) **Controller of Examination:** Vacant since last 6 years.
- e) **Librarian:** Vacant since mid-2019 till now
- f) **Dean of Colleges:** Responsible for looking after about 90 constituent/affiliated Colleges and Institutions. However, this post is being managed by the temporary arrangements.
- g) **Director, South Campus:** Looks after all the Colleges of South Campus (over 20) and performs same functions as the Dean of Colleges. However, this post has also been managed by the temporary arrangements.
- h) **Principals in Colleges:** Inordinate delay in appointment of permanent Principals in many Colleges is also an issue of grave concern.
- i) **Constitution of Governing Bodies:** There has been a delay in constitution of Governing Bodies of the colleges funded by the Govt. of NCT of Delhi resulting in unsavoury situations on many occasions.

6.2 Despite a clear message from the Ministry to fill up the teaching posts in a time bound manner, the process to fill the vacancies has been delayed. The Hon'ble High Court of Delhi had also expressed its concern that faculty positions are not filled up on regular basis and ad hoc arrangements have been continuing for last many years. It had vide its Order dated 29.03.2017 in WP(C)No. 1044/2001 and WP (C) No. 5801/2005 appointed a three member Committee for expeditious filling up of posts. Though timelines were drawn up by the University but only a few posts were filled up on regular basis. Thereafter despite continued pursuance from the Ministry and also from the UGC (D.O.letter no. 1-14/2019 (CPP II) dated 04.06.2019, 31.07.2019, 07.08.2019, 05.09.2019 and 22.10.2019) to fill the teaching posts in a time bound manner, the process to fill up the vacancy is way behind the schedule. Parliamentary Committee on welfare of SC/ST in its meeting held on 20.10.2020 expressed displeasure over non-filling of a large number of backlog vacancies in SC/ST category.

6.3 Despite meetings at the level of Hon'ble Education Minister and Secretary, HE, no substantial progress was made by the Vice-Chancellor on above issues.

6.4 Certain vigilance complaints and sexual harassment cases in the University are also pending for more than two years in violation of the provisions of the relevant Act, despite regular follow-up by the Ministry. This shows insensitivity on the part of Vice Chancellor in disposing such matters.

6.5 Administrative negligence of Vice Chancellor came to fore in handling the matter of ad-hoc teachers resulting in huge agitation of teachers fraternity across the colleges causing inconvenience and loss of teaching and learning days.

6.6 On recommendation of EEC in its 542nd meeting held on 2.8.2019, University of Delhi was recommended for selection as Institution of Eminence (IoE). Then on 4.9.2019 and the Ministry Issued order to University of Delhi requesting them to

28/10/20

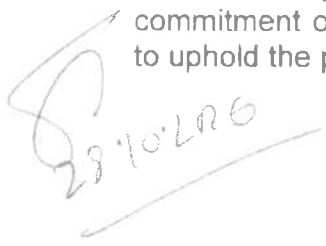
submit their 15 year strategic vision plan and 5 years rolling implementation plan in the form of draft Memorandum of Understanding (MoU) to be signed with the Ministry. After great persuasion the University signed MoU with Ministry on 27.2.2020. Later, the Ministry on 30.03.2020 requested all the institutions declared IoE, to submit the detailed project report as per the MoU by 30.04.2020. However, in spite of several requests, the University has submitted the DPR with requisite information only in the last week of September, 2020. This has delayed the implementation of flagship scheme of this Ministry in University of Delhi.

6.7 Prof. Yogesh Tyagi was reportedly admitted in AIIMS New Delhi in 1st week of July 2020 for emergency surgery. Since then he has not attended the office and is absenting himself from official duties. He has neither sought any leave nor informed the Executive Council as per requirement contained in provision made under Clause 3(3) of Ordinance XXII made under the provisions of the Delhi University Act 1922. Further, he is not attending any meeting including "Visitor's Conference on Implementation of NEP 2020: Higher Education", presided by Hon'ble President of India on 19.9.2020.

6.8 The Executive Council meeting scheduled for 10th October, 2020, in which agenda item No. 4 for appointment to various posts including that of Registrar and Finance Officer, was postponed on the verbal instructions of Prof. Yogesh Tyagi for 10 days as Prof. Tyagi said he would join. Thereafter, the meeting was fixed for 21.10.2020. He again wanted to postpone it for no reason on record. Moreover, on 21.10.2020, just before Executive Council meeting, Prof. Tyagi appointed Prof. P.C. Jha as Interim Registrar while remaining in absence. Prof. Jha tried to disrupt the ongoing Executive Council meeting. However, this was not allowed, as Executive Council resolved that Prof. Suman Kundu would continue as Director, South Delhi campus and Acting Registrar till permanent/ duly appointed Registrar joins. Subsequently, Prof. Yogesh Tyagi remaining in absence made other appointments including that of Dr. Geeta Bhatt as Pro-Vice Chancellor of University of Delhi. Thus, he tried to hamper the smooth conduct of Executive Council Meeting and Selection Committee Meeting by making parallel appointments. By these arbitrary decisions, he created an environment of conflict and uncertainty in the administrative functioning of the University.

7. And whereas, the Vice Chancellor is not administering the university in accordance with the provisions of the said Act, Statutes, ordinance of University of Delhi, which has caused mis-governance and malfunctioning of University of Delhi. This is not conducive for appropriate academic as well as administrative environment of the University.

8. And therefore, keeping in view of the responsible nature of the post of Vice Chancellor, the aforesaid acts of omissions and commissions as mentioned in Para 6, constitute grave misconduct, dereliction of duties, abuse of power and lack of commitment on the part of Prof. Yogesh Tyagi, Vice Chancellor, University of Delhi to uphold the provisions of Statutes 11-G (2), 11-G (5) and 11-G (6) of the said Act.

A handwritten signature in blue ink, followed by the date "29.10.2020" written in black ink. The signature is stylized and partially enclosed by a blue line.

9. And therefore, the Hon'ble President of India in his capacity as Visitor of the University, on consideration of facts and material available on record has ordered to conduct an enquiry into the allegations of dereliction of duties and lack of commitment and devotion to duty against Prof. Yogesh Tyagi, Vice-Chancellor, University of Delhi as given in Para 6 above.

10. Further, the Hon'ble President of India in his capacity as Visitor of the University being the appointing authority of Vice-Chancellor of University of Delhi in terms of the Statute 11-F of the said Act and in exercise of the powers conferred upon him in terms of Section 7-A of the said Act read with Section 16 of General Clauses Act, 1897, has been pleased to place Prof. Yogesh Tyagi, Vice-Chancellor, University of Delhi under suspension with immediate effect until further orders as he may influence/coerce the witnesses and tamper with the material records of the University so as to ensure fair inquiry.

11. Further to this, the Hon'ble President of India in his capacity as Visitor of the University orders that all the orders issued by or issued with the approval of Prof. Yogesh Tyagi, Vice-Chancellor, University of Delhi, during period of his absence on medical ground after Pro Vice Chancellor Prof. P.C. Joshi assumed the charge of Vice Chancellor of University of Delhi on 17th July, 2020, are set aside and to be treated as null and void. Prof. P.C. Joshi, Pro- Vice-Chancellor, University of Delhi shall function as Vice-Chancellor as per the provisions of statutes of University of Delhi during the period of suspension/absence of Prof. Yogesh Tyagi, Vice - Chancellor, University of Delhi for smooth functioning of the University.


(Chandra Shekhar Kumar)

Joint Secretary to the Government of India

To:

1. Prof. Yogesh Kumar Tyagi, Vice Chancellor, University of Delhi.
2. Prof. P. C. Joshi, Pro VC and Vice Chancellor (i/c), University of Delhi.
3. Registrar, University of Delhi

Copy for information to:

1. PS to Hon'ble Education Minister
2. PSO to Secretary (HE)
3. President's Secretariat (Shri Jagannath Srinivasan, OSD) with reference to their I.D. No. CIII-07004/5/2020-CA-III dated 26th October, 2020.
4. Secretary to the Vice-President (secyvp@nic.in)