

مولانا آزاد نیشنل اردو یونیورسٹی

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MAULANA AZAD NATIONAL URDU UNIVERSITY

(A Central University established by an Act of Parliament in 1998)

(Accredited 'A' Grade by NAAC)

**MINUTES OF THE 58th EMERGENT MEETING OF THE EXECUTIVE COUNCIL
HELD ON THURSDAY, THE 6th OCTOBER, 2016 AT 11.30 A.M. AT UNIVERSITY
GUEST HOUSE, MAULANA AZAD NATIONAL URDU UNIVERSITY CAMPUS,
GACHIBOWLI, HYDERABAD**

MEMBERS PRESENT:

| S.No. | Name | Designation |
|-------|--|-----------------------------|
| 1 | Dr.Mohammad Aslam Parvaiz Vice Chancellor | Chairman |
| 2 | Dr.Bisen Jogendersing Motisingh Principal, Dayanand College of Arts, Latur, M.S. | Member Visitor's Nominee |
| 3 | Prof.Abdul Wahid Dean, School of Computer Science & Information Technology | Member |
| 4 | Prof.Mohd.Abdul Azeem Dean, School of Management & Commerce | Member |
| 5 | Prof.Ehtesham Ahmad Khan Dean, School of Mass Communication & Journalism | Member |
| 6 | Prof. K. R. Iqbal Ahmed Director, DDE | Member |
| 7 | Prof.Siddiqui Mohd. Mahmood Professor, Dept. of Education & Trg. | Member |
| 8 | Dr.Bilal Rafiq Shah Associate Professor, College of Teacher Edn., Srinagar | Member |
| 9 | Dr.Mossarat Jahan Assistant Professor, Dept. of Urdu | Member |
| 10 | Dr.Shakeel Ahmad Registrar | Ex-Officio Secretary |

Leave of absence was granted to Prof.Mazhar Asif, Dr.Sanjay Kumar, Dr.Alamgheer Ali Ahmad. Prof.S.M.Rahmatullah could not attend the meeting as he was out of the country on Haj Pilgrimage.

58.1 To consider the appeal of Mr.Mohd.Shaheer Zaman, Assistant Professor, MANUU Polytechnic, Hyderabad submitted to the Executive Council as per the directions of the Hon'ble High Court of State of Telangana and State of AP vide its order dated 30.0.2016 in W.P.No.33165/2016 against his transfer to MANUU Polytechnic, Darbhanga

At the outset the Executive Council was informed that the purpose of convening the Emergent Meeting is to consider the appeal of Mr.Mohd.Shaheer Zaman, Assistant Professor-ECE, MANUU Polytechnic, Hyderabad against his transfer to MANUU Polytechnic, Darbhanga as per the directions of the Hon'ble High Court of State of Telangana and State of AP vide its order dated 30.09,2016 in W.P.No.33165/2016.

It was informed that a letter dated 09.09.2016 was received from Principal, MANUU Polytechnic Darbhanga stated that there is shortage of teaching staff in various sections and due to scarcity of staff members the academic work is getting hampered. Among other faculty requirements, the Principal informed that atleast one Assistant Professor in Electronics and Communications Engg. (ECE) may be provided. Accordingly, Mr.Mohd.Shaheer Zaman, Assistant Professor-ECE, MANUU Polytechnic, Hyderabad was transferred to MANUU Polytechnic, Darbhanga on administrative grounds vide orders dated 20.9.2016. Two other faculty members namely Dr.Mohd.Ashraf, Associate Professor-CSE and Dr.Syed Mohd.Shoab, Assistant Professor-Physics. It was informed these transfers were made on administrative grounds in the interest of maintaining smooth administrative functioning of the University, ensure parity in quality education and staff of other off-campus institutions maintained by the University including that of Polytechnic, Darbhanga. Except Mr.Mohd.Shaheer Zaman two faculty members who have been transferred from MANUU Polytechnic, Hyderabad to MANUU Polytechnic, Darbhanga have already been joined duty at the new place of posting.

It was further informed that an email letter dated 23.9.2016 received from Deputy Secretary-CUU.I/II, MHRD, New Delhi sought clarification on the transfer of Mr.Mohd.Shaheer Zaman to Polytechnic, Darbhanga. The University vide its letter dated 23.9.2016 clarified the position and informed that the functioning of the Polytechnics at Bangalore and Darbhanga are not of that level as compared with the functioning of Polytechnic, Hyderabad. AICTE, New Delhi had accorded approval for Polytechnic, Hyderabad only. University is trying best to meet the AICTE norms in case of other University Polytechnics established in other parts of the country.

It was further informed that having aggrieved with his transfer from MANUU Polytechnic, Hyderabad to MANUU Polytechnic, Darbhanga, Mr.Mohd.Shaheer Zaman filed a Writ Petition No.33165/2016 before the High Court of State of Telangana and State of AP against the University challenging his transfer.

Consequent upon filing a case against the University by the above Assistant Professor, the University has filed a Counter Affidavit before the Hon'ble High Court submitted the reasons under which Mr.Mohd.Shaheer Zaman was transferred to Polytechnic, Darbhanga along with other faculty members. The EC was explained the salient features of the Counter Affidavit filed by the University. The Hon'ble High Court after considering the Counter Affidavit filed by the University disposed of the

Writ Petition No.33165/2016 filed by Mr.Mohd.Shaheer Zaman and passed the following order:

The order impugned in the present writ petition was passed on 20.09.2016. In view of the alternative remedy available in the statute of the University, liberty is given to the petitioner to avail alternative remedy of appeal to the Executive Council. The petitioner is given time of 48 hours for filing the requisite appeal before the Executive Council and it is open to the Executive Council to dispose of the same as expeditiously as possible, preferably within a period of 15 days thereafter. Till such time, the impugned order dated 20.09.2016 shall not be given effect to.

It was informed that in the light of the directions of the Hon'ble Court, Mr.Mohd.Shaheer Zaman submitted an appeal vide his letter dated 3.10.2016. The appeal submitted by Mr.Mohd.Shaheer Zaman was placed before the Executive Council for consideration as per the directions of the Hon'ble High Court.

The Executive Council noted that Mr.Mohd.Shaheer Zaman, Appellant has made the allegations and contended that he was transferred from Hyderabad to Darbhanga, Bihar as a punishment though he was served with memo dated 1.9.2016 showing an alleged reason of frequently coming late to the college and he had submitted his explanation.....During Hyderabad Municipal Elections in January, 2016, Principal, Polytechnic sent the names of several teaching staff of Polytechnic including him for election duty, knowing fully well that Hon'ble Apex Court has clearly directed that teaching staff should not be drafted for election duty on teaching days.....the Principal, Hyderabad Polytechnic has been having long grudge against several teaching staff including him because of their resisting his derogatory behavior.....Since he intended to contest in the ensuing MANUU Teachers' Association elections, the University authorities presuming that he would get elected, wanted to shift him from Headquarters to far off place..... he prayed that that the Executive Council may be pleased to set aside the transfer order of the petitioner vide memo dated 20.9.2016 transferring the petitioner from Hyderabad to Darbhanga, Bihar as punishment, without causing any enquiry as per rules and also without any power or authority of transferring a teaching staff from Hyderabad to Darbhanga.

The Executive Council noted that Mr.Mohd.Shaheer Zaman, Appellant had applied to the post of Assistant Professor-ECE, Polytechnic vide Employment Notification No.29/2013 dated 28.10.2013 wherein it was clearly mentioned that **"the selected candidates may be posted at Headquarters or any of the institutions of the University in the country"**. In the offer of appointment letter and appointment order it was also stipulated that **"he may be posted at any of the Institutions of the University in the country during the period of service"**. The Service Agreement executed by the Appellant it was specifically mentioned that **"he may be attached and shall whenever required, proceed to any part of India and perform there such duties as may be assigned to him"**. The EC observed that after clearly understood from the above documents that the post on which the Appellant was appointed was a transferable post he joined duty after accepting all the terms and conditions of the appointment. The Executive Council noted that the Appellant was not only the one who has been transferred from Polytechnic, Hyderabad, but the following faculty members were also transferred to MANUU Polytechnics, Bangalore and Darbhanga :



| S# | Name of the faculty & Designation | Place of posting | | Date of issuing of transfer order | Date of Joining at new place of posting |
|----|---|--------------------------|--------------------------|-----------------------------------|---|
| | | From | To | | |
| 1 | Dr.Mohd. Ashraf Associate Professor-CSE | Polytechnic Hyderabad | Polytechnic Darbhanga | 20.09.2016 | 04.10.2016 |
| 2 | Dr.Syed Mohd Shoaib Assistant Professor – Physics | Polytechnic Hyderabad | Polytechnic Darbhanga | 20.08.2016 | 12.09.2016 |
| 3 | Mr.Mohd.Shaheer Zaman Assistant Professor-ECE | Polytechnic Hyderabad | Polytechnic Darbhanga | 20.9.2016 | Not yet joined. |
| 4 | Dr.Md.Zair Hussain Associate Professor-IT | Polytechnic Hyderabad | Polytechnic Bangalore | 20.9.2016 | 03.10.2016 |
| 5 | Mr.Md.Fasihuddin Assistant Professor-CSE | Polytechnic Hyderabad | Polytechnic Bangalore | 20.09.2016 | 03.10.2016 |
| 6 | Mr.Syed Azharuddin Assistant Professor- Mathematics | Polytechnic Hyderabad | Polytechnic Bangalore | 20.08.2016 | 08.09.2016 |

The Executive Council carefully went through the records and the allegations made against the Principal, Polytechnic, Hyderabad and upon perusal of the Appeal and the whole record in detail came to the conclusion that the transfer of Mr.Mohd.Shaheer Zaman was made purely on administrative grounds. The Show Cause Notice issued by the Principal, Polytechnic, Hyderabad, Municipal Elections matter, contesting election of Teacher's Association matter and other allegations have no role/relevance in the transfer of the Appellant. The Executive Council further came to the conclusion that the transfer of the Appellant was made purely on administrative grounds and the contentions and allegations of the Appellant in this regard were never the reasons for his transfer and the same are incorrect.

Mr.Mohd.Shaheer Zaman, Assistant Professor-ECE appeal among other submissions has sought personal hearing in the matter, the Executive Council felt that since it was a case of transfer on administrative grounds and appeal filed by him has raised all the grounds and there was no necessity to provide him personal hearing and there is no such directions of the Hon'ble High Court in W.P.No.33165/2016 in this regard.

After deliberations, the Executive Council unanimously resolved that the transfer of Mr.Mohd.Shaheer Zaman from MANJU Polytechnic, Hyderabad to MANUU Polytechnic, Darbhanga made by the University purely on administrative grounds in the interest of maintaining smooth administrative functioning of the University, ensure parity in quality education and staff of other off-campus institutions maintained by the University including that of Polytechnic, Darbhanga stands good. It was also resolved that Mr.Mohd.Shaheer Zaman be immediately relieved from MANUU Polytechnic, Hyderabad to report at the new place of posting i.e. MANUU, Polytechnic, Darbhanga without any further delay and send the compliance to the Registrar after joining duty. This decision was taken purely on administrative grounds for the said reasons and in the academic interest and in the interest of Students and University and to prepare the students of Polytechnics as well to face the emerging National and global challenges and to prepare them to excel in the National and International fora.

Further, the Executive Council seriously viewed the unwarranted act by Mr.Mohd.Shaheer Zaman against the University by using pressure tactics through print media, putting pressure from various corners and created groups in the University to gain favour. As a result of which the image of the University has tarnished. The EC resolved that a serious disciplinary action should be taken against him if he does not mend his act of indiscipline attitude against the University. The decision of the Executive Council should be communicated to Mr.Mohd.Shaheer Zaman in letter and spirit.

The meeting concluded with a vote of thanks to the Chair.

(Dr.Mohammed Asalam Parvaiz)

(Dr.Bisen Jogendersing Motisingh)

(Prof.Abdul Wahid)

(Prof.Mohd.Abdul Azeem)

(Prof.Ehtesham Ahmad Khan)

(Prof.K.R.Iqbal Ahmed)

(Prof.Siddiqui Mohd. Mahmood)

(Dr.Bilal Rafiq Shah)

(Dr.Mossarat Jahan)

(Dr.Shakeel Ahmad)