

DUTA DELHI UNIVERSITY TEACHERS' ASSOCIATION

DAY CENTRE BUILDING, CHHATRA MARG, UNIVERSITY OF DELHI, DELHI-110007

☎: 27667822, 27666351, 27667725/1697

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Date: 08.03.2024

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Prof. Yogesh Singh,
Vice Chancellor,
University of Delhi,
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Sub: Representation to Executive Council of DU on wrong and baseless allegations of the financial irregularities and the question of De-affiliation of Twelve 100% Delhi Govt funded Colleges from DU or otherwise to stop funding from financial year 2024-25 by Ms. Atishi, Minister of Education

Dear Prof Singh,

The Delhi University Teachers' Association (DUTA) condemns the wrong and baseless allegations of financial irregularities against the Twelve Colleges of the University of Delhi, which are funded by the NCT Delhi government. These allegations have damaged the colleges' reputation and the administration and governing bodies. The colleges have been working hard to improve academic standards, as evidenced by high NIRF rankings and NAAC grades. DUTA has noted that no such financial irregularities have been reported in regular audits. The colleges were started under DU at the request of the Delhi government, and DUTA is disappointed that the NCT Delhi government is now evading its responsibility to fully fund these colleges.

With reference to the letters No. Min(Edu)/2023/5748-5750 dated 01.12.2023 and letter dated 19.1.2020 by Ms. Atishi, MoE, Higher Education, the Govt. of NCT of Delhi, DUTA wishes to submit the following observations:

1. It has been mentioned in the letter that the Directorate of Audit, Govt. of NCT Delhi noted several serious irregularities and procedural lapses involving hundreds of crores from public exchequer such as: (1) “colleges have created posts and engaged teaching and non-teaching staff without the approval of their administrative department and Finance Departments of the Government of NCT Delhi” (2) “salaries worth several crores are being paid who were never appointed through the established procedures.”

On these two aforementioned points, the DUTA observed that there are three kinds of audits (namely Statutory, LFA, and AGCR, through Govt. agencies) are done on a regular basis.

The University of Delhi/Delhi Govt. has consistently provided necessary approval for colleges to run courses, with the Governing Bodies advertising and filling positions on a permanent, temporary, or ad-hoc basis. Over the years the government has released funds for salaries and other dues to employees of these colleges. In 2010, the government sanctioned 301 additional teaching positions, which were approximately 50% of the existing teaching strength of these colleges (Annexure 1). In 2015, another letter was issued by the Govt. of NCT Delhi vide DHE-13(17)(MISC)SRCASW/2013-14/2477-81 dated 19.06.2015 (Annexure 2) the government approved 959 existing

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teaching positions and permitted 339 additional vacant posts on a regular basis.

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However, a committee was constituted in 2021 by the University of Delhi, involving DHE, Delhi Govt., to resolve the issue of sanction of the post. All colleges submitted necessary details and documents for sanction of the post, and the outcome is still pending at the end of the Delhi Govt.

There is no question of college created posts and engagement of teaching and non-teaching staff against them without administrative and financial approval from the Govt. of NCT Delhi. Thus, the "salaries worth several crores are being paid to who are never appointed through the established procedure" is incorrect.

2. With regard to the point no. 3 & 4 in the Minister's letter, there are no unauthorised appropriation of funds and arbitrary/irregular payments over the years as evident in the Statutory/LFA/AGCR audit reports.

3. Regarding the point no. 5 of the Minister's letter stating "despite having crores of funds lying in their corpus, many of these colleges have not taken any initiative to pay the salaries or other dues of their staff, in a timely manner", it is worth noting that the "corpus fund" is the student society fund/student activity fund/hostel fund etc. which cannot be utilised for the payment of salaries and other dues of the staff by orders: 1. dated 01.06.2023 of Hon'ble Delhi High Court in the Case No. W.P.(C) 6665/2020, Anurag Mishra and Ors, (Annexure-3); and 2. Dated 23.10.2020 (Annexure-4) and 05.11.2020 (Annexure-5) of Hon'ble Delhi High Court in the Case No. W.P.(C) 8551/2020 & CMs 27573-74/2020, Delhi University Students Union. These student funds cannot be treated as the revenue/income for determining the GIA salary. The Executive Council in its meeting held on 08.12.2020 vide Resolution No. 57 reiterated its earlier decisions and clarified and laid down the modalities for using Students Fund (Annexure-6).

4. In the light of above-mentioned points against the letter of Ms. Atishi, Minister of Higher Education, Govt. of NCT Delhi, the proposal (Option 1) of de-affiliating these twelve constituent colleges from the University of Delhi and transfer them to the State Universities does not arise. Moreover, it is not even in the academic interest of these colleges.

5. Regarding the Minister's letter mentioning that "if these colleges remain affiliated to the University of Delhi, the Government of India may take the responsibility to fully fund these twelve colleges directly through UGC" and "if the colleges remain affiliated to and under the administrative control of the University of Delhi, Government of NCT Delhi will not allocate any grand in add fund in its Annual Financial Statement for these 12 colleges starting from the next financial year i.e. 2024-25 onwards. Accordingly, the Directorate of Higher Education, Government of NCT Delhi will cease to be administrative department for these colleges" (Option 2), It is, therefore, unfortunate that the Minister of Govt. of NCT Delhi through her letter has unilaterally (without the NOC from the University of Delhi) sent two options to the Minister of

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Education, Govt. of India. It is the duty of the Govt. of NCT Delhi to provide regular, adequate and timely GIA salary and GIA maintenance to these colleges.

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The NCT Delhi government has used arm-twisting tactics to delay or cut grants for 12 DU colleges, forcing them to agree to any of two options presented by the Minister. The Minister of Education claims that there are 939 unapproved teaching positions, which DUTA condemns and rejects. The irregular funding has resulted in delayed payment of salaries and pensions, as well as other statutory dues for staff, such as retirement benefits, medical bills reimbursement, children's education allowance, and arrears on 7th pay revision and promotions. Most colleges are facing a financial crisis, with a deficit of 3 to 25 Crores. The grant cut is seen as a way of penalizing staff and students for agreeing to become part of a State University. There is also a court case pending in the Hon'ble High Court regarding salary and other dues payment, and interim orders directing the State Government to release adequate GIA.

In light of above stated facts DUTA rejects letters of Ms. Atishi.

DUTA demands from the Executive Council of DU and the university administration for an effective intervention:

- **To get full funding from Delhi Government for these 12 public funded institutions in the best interest of teachers.**
- **To ensure that these colleges remain with University of Delhi and idea of de-affiliation suggested by Ms. Atishi, Minister of Education GNCTD is rejected by the university.**
- **To start the process of Permanent Appointment (Teaching and Non-teaching) in these 12 colleges as the posts passed by the Governing Bodies of these Colleges.**

Regards,

(Prof A K Bhagi)
President, DUTA

(Mr. Anil Kumar)
Secretary, DUTA