

Report of the Committee, constituted by the Executive Council of the University at its meeting held on 15.12.2023 to consider the entire issue concerning the allegations made by Ms. Atishi, Hon'ble Minister of Education, Government of NCT of Delhi vide her D.O. letter No. Min (Edu)/2023/5748-5750 dated 01.12.2023 with regard to irregularities and procedural lapses etc. in twelve 100% funded by the Govt. of NCT of Delhi:

1.1 In terms of decision taken by the Executive Council of the University at its meeting held on 15.12.2023, the University vide its notification No.DR(C)/2023/R-4461 dated 15.12.2023 constituted the following Committee to consider the entire issue concerning the allegations made vide communication D.O. No. Min (Edu)/2023/5748-5750 dated 01.12.2023 by Ms. Atishi, Hon'ble Minister of Education, Government of NCT of Delhi to Shri Dharmendra Pradhan, Hon'ble Minister of Education, Government of India, New Delhi:

1. Prof. Shri Prakash Singh, Director, South Campus – Chairperson
2. Prof. Inder Mohan Kapahy, Chancellor's Nominee – Member
3. Prof. Rajni Abbi, Proctor – Member
4. Prof. Suman Sharma, Principal, Lady Shri Ram College for Women – Member
5. Ms. Monika Arora – Member
6. Shri Rajpal Singh Pawar – Member
7. Shri Ashok Aggarwal – Member
8. Dr. L.S. Chaudhary – Member
9. Shri Sunil Kumar Sharma – Member
10. Ms. Seema Das – Member

The Executive Council also decided that the above Committee shall be assisted by the Joint Registrar (Legal) and Deputy Registrar (Colleges), University of Delhi, Delhi.

1.2 The above Committee had four meetings on the following dates:

- 1 19.12.2023
- 2 27.12.2023
- 3 25.01.2024
- 4 19.04.2024

1.3 The Principal(s) of the following twelve 100% funded Delhi Government Colleges were also requested to attend the first meeting alongwith all the relevant documents:

- 1 Acharya Narendra Dev College
- 2 Aditi Mahavidyalaya
- 3 Bhagini Nivedita College
- 4 Bhaskaracharya College of Applied Sciences
- 5 Bhim Rao Ambedkar College
- 6 Deen Dayal Upadhyaya College
- 7 Indira Gandhi Institute of Physical Education & Sports Sciences
- 8 Keshav Mahavidyalaya

- 9 Maharaja Agrasen College
- 10 Maharishi Valmiki College of Education
- 11 Shaheed Rajguru College of Applied Sciences
- 12 Shaheed Sukhdev College of Business Studies

1.4 Besides, the President(s), (i) Delhi University Principals' Association (ii) Delhi University Teachers' Association (iii) Delhi University & College Karamchari Union and (iv) Delhi University Students' Union were also invited to attend the first meeting.

1.5 Professor Ajay Arora, OSD (Examinations) was also co-opted with the Committee with the permission of the Chair.

1.6 During the first meeting, the Chairperson apprised all the stakeholders about the allegations made by Ms. Atishi, Hon'ble Minister of Education, Government of NCT of Delhi to Shri Dharmendra Pradhan Ji, Hon'ble Minister of Education, Government of India, New Delhi vide communication D.O. No. Min (Edu)/2023/5748-5750 dated 01.12.2023, a copy of which has been received in the University.

1.7 Further, the Chairperson informed that the Executive Council of the University at its meeting held on 15.12.2023 while deliberating on the issue noted with concern (i) the allegations made in the communication with regard to irregularities and procedural lapses, creation of teaching and non-teaching posts without approval of the Government of Delhi and salaries paid, appropriation of funds from GIA-Salary to GIA-General and irregular payments to service providers etc. (ii) offer expressed by the Minister of Education, Govt. of NCT of Delhi that either the Central Government may take over the control of the twelve Colleges or direct Delhi University to de-affiliate them and has constituted this Committee to consider the entire issue. It was also informed that the Executive Council also observed that twelve Colleges 100% funded by Delhi Government are constituent Colleges of University of Delhi, the question of their de-affiliation does not arise and strongly objected to the dictat raised in the letter that the funds shall not be released to these twelve Colleges from the next financial year.

Interaction of the Committee with the stakeholders i.e. DUPA, DUTA, DUCKU and DUSU and the Principals of twelve 100% funded Delhi Government Colleges

2.1 Subsequently, the Chairperson sought the comments/suggestions from the President(s) of DUPA, DUTA, DUCKU and DUSU and the Principals of twelve 100% funded Delhi Govt. Colleges and specifically asked them to precisely put-forth their perception in letter and spirit of mandate of this Committee defined in the notification dated 15.12.2023 and the same were recorded as under:

I. President, DUPA:

While expressing his serious view on the allegations of Ms. Atishi, Hon'ble Minister of Education, Government of NCT of Delhi to Shri Dharmendra Pradhan, Hon'ble Minister of Education, Government of India, New Delhi, DUPA informed the Committee that:

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- i) These Colleges have conducted three kinds of audits i.e. Statutory, LFA and AGCR besides special audit and no such financial irregularities has ever been pointed out. In so far as, the teaching and non-teaching posts in these Colleges are concerned, the same have duly been sanctioned since 2016-17 and filled up by the Colleges in spirit of Ordinances of the University.
- ii) Owing to the fact that audits (namely Statutory, LFA and AGCR through Govt. agencies) are being undertaken in these twelve Colleges on regular basis and no such financial irregularity has been reported, the allegations made by the Minister of Education, Govt. of NCT of Delhi are cause of concern for the University. Earlier, the then Education Minister of Govt. of NCT of Delhi had conducted special audits done in these Colleges through a private firm merely to harass these colleges.
- iii) These Colleges have made appointments strictly as per the workload in consonance with the UGC and DU norms for the courses sanctioned by Delhi Govt. Also, the DHE vide its letter dated 19.06.2015, DUPA had conveyed its specific approval for filling up various teaching posts till 2015 to all these twelve Colleges. Consequently, these Colleges have made appointments against the sanctioned posts in letter and spirit of Recruitment Rules laid down by the UGC and DU. Wherever new courses were sanctioned by Delhi Government, appointments were made against those additional sanctioned posts.
- iv) As per the directions of Delhi Government, EWS quota was implemented in 2019, 25% students' intake was increased, however, no additional funds to meet the infrastructural needs have been released till date. Hence, these Colleges are facing acute shortage of teaching and non-teaching staff.
- v) Further, the DUPA strongly opposes the letter of Ms. Atishi to the Minister of Education, Government of India wherein she had proposed to de-affiliate these twelve constituent Colleges from University of Delhi and transfer them to state Universities since it is not in the academic interest of these Colleges. These twelve Colleges have been part of DU since their inception and are successfully running courses in various disciplines. Therefore, in the larger interests of students, these Colleges must remain the integral part of University of Delhi and the proposal of Delhi Govt to affiliate these College with Ambedkar University or so-called Delhi Skills and Entrepreneurship University is not at all tenable.
- vi) The President, DUPA further contended that Govt. of NCT of Delhi has not been releasing requisite GIA to these twelve Colleges on a regular basis which has resulted huge resentment amongst teaching and non-teaching staff as they are not getting payment of salaries, pension and other dues i.e. retirement benefit etc. besides huge financial crisis in crores. In this regard, a court case is also pending in the Hon'ble High Court regarding payment of salaries and other dues to the employees

and many interim orders have been issued by the Hon'ble High Court directing the state government to release adequate GIA.

- vii) The DHE vide its letter No.DHE-13(17)(Misc.)/2013-14/2477-81 dated 19.06.2015 to the Principals, all 100% GNCTD funded Colleges had conveyed its approval for filling up teaching posts on regular basis in light of the UGC norms in accordance with the roster approved by the Delhi University and already submitted to the DHE. Wherein, it was also conveyed that the Governing Body and Principal concerned shall ensure the posts shall be filled strictly in accordance with UGC norms and in the manner as prescribed by UGC/Delhi University.
- viii) The DUPA vide its letter dated 10.11.2023 to the Hon'ble Lieutenant Governor of NCT of Delhi, Delhi apprised him about the problems being faced by these twelve Colleges due to inadequate and delayed Grants for the past few years. These twelve Colleges have been waiting for approval of their teaching and non-teaching posts for past one year against the sanctioned workload as per norms of UGC/DU. The Colleges have submitted all necessary documents to Delhi Govt. and are continuously following up with them but to no avail. DUPA on behalf of all these Colleges had requested him to expedite the approval of pending teaching & non-teaching posts at the earliest so as to enable these colleges to make appointment on regular basis. As regards, allocation of funds is concerned, the Lt. Governor had very categorically ensured them that the funding to these Colleges will continue.
- ix) Finally, the DUPA based on the above evidences straightforwardly stated that the allegations of appointment against unapproved posts and other financial measures in media is incorrect and maligning the image of these reputed Colleges and urged the Committee to take some concrete steps to stop mis-governance on the part of DHE and DHE be asked to release requisite funds to these twelve Delhi Government funded Colleges and it be made clear to DHE that under no circumstances these Colleges be transferred to State University causing hue and cry among stakeholders which will cause serious repercussions.

To conclude, the President, DUPA urged the Committee to sort out the matter to the everybody satisfaction at the earliest.

II. The President, DUCKU:

The President, DUCKU during the course of inter-action informed the Committee that:

- a) The DUCKU while expressing his concern over non-payment of salary and dues to the staffers informed that the Committee that the Karamchhari Union has constantly been writing to the Delhi Govt for release of funds to Delhi Govt and consequently there has been anguish amongst the staffers of these Colleges that they were not being paid their salary for months and urged the Committee to take immediate steps to settle things with DHE so that the salary of the staffers of these twelve Colleges is released.

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- b) In so far as the issue of taking over these Colleges by the UGC is concerned, the Competent Authority may take up the matter with the Delhi Govt for amicable solution so that the funds are released and dues are paid to the staffers.

III. The President, DUSU:

The President, DUSU while expressing concern over the issue counselled that before any action whatsoever is taken on the issue of affiliation/de-affiliation of these Colleges, the sentiments/views of students of these Colleges must be taken care of and DUSU won't compromise with any decision taken against the will of students. Further, he urged the Committee that the interest of the students at large be kept in mind while arriving at to any decision to avoid and resentment among the students.

IV. The President, DUTA

The President, DUTA categorically informed the Committee that:

- a) The allegations listed in the DHE letter dated 01.12.2023 are wrong, unsubstantiated and baseless levelled against these twelve Colleges to tarnish the clean image of these Colleges. He emphatically stated that the College Administration of these Colleges have tirelessly working for further improvement of academic standards and the Colleges have achieved high NIRF/NAAC rank/grade.
- b) Three kinds of audits i.e. Statutory, LFA and AGCR audits are being conducted on regular basis in these Colleges ever since their inception and no such financial irregularities have been pointed out. Earlier, the Delhi Govt had conducted special audit in these Colleges through private firm just to harass the administration of these Colleges. Since the inception of these Colleges, the administration has taken the approval of the courses and Delhi Govt. had always provided the administrative and financial approval for the same. The Colleges have advertised and filled up the vacant positions in letter and spirit of norms laid down by the University and the UGC.
- c) As regards, release of funds is concerned, the Govt. of NCT of Delhi has been releasing the required funds and other dues over the years. Further, he emphatically stated that in the year 2010, the Govt of NCT of Delhi had sanctioned 301 additional teaching posts under OBC Expansion Scheme and subsequently in 2015, the Govt. of NCT of Delhi had conveyed its approval to all the teaching positions till 2015 and accordingly the Colleges made appointments against these sanctioned posts as per norms of DU/UGC. Consequently, the salaries of several crores are being paid to the duly appointed staff.
- d) These Colleges are following GFR Rules while spending money in the best academic interest of the students and there is no unauthorised appropriation of funds reflects in the Statutory/LFA/AGCR audit reports.
- e) Further, he stated that the funds collected from students cannot be treated as the revenue/income for determining the GIA salary.

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- f) Finally, he emphasized that shifting of these Colleges to any State University will negatively impact the service conditions of the staff and the DUTA would oppose to it and he urged the Committee to ensure that Govt funding is provided to save the institution in the best interest of students and society. These Colleges are integral part of the University and the question to shift these Colleges to state run University will be an academic disaster.

V. PRINCIPAL, DDU ON BEHALF OF TWELVE 100% DELHI GOVERNMENT FUNDED COLLEGES:

The Principal, DDU on behalf of Principals of twelve 100% Delhi Govt. funded Colleges informed the Committee that:

- 1) Since 1990, the Colleges used to seek approval of the Course and Delhi Govt used to provide administrative and financial approval for running the courses. Thereafter, the GB used to create teaching and non-teaching posts based on the norms laid down by the University and UGC.
- 2) In 2010, the Govt. of NCT of Delhi vide letter dated 01.10.2010 sanctioned number of posts under OBC expansion scheme and subsequently in 2015, the Govt. of NCT of Delhi approved the existing posts and permitted the Colleges to fill vacant posts on regular basis. Though all the posts were deemed to have been sanctioned, the Colleges again submitted the proposal for sanction of existing teaching and non-teaching posts as a one-time measure in the year 2021. The colleges had provided all necessary details and documents to the Govt. of NCT of Delhi in the presence of representative of Delhi Govt and University of Delhi. However, no communication whatsoever in this regard has been received from Delhi Govt.
- 3) All the appointments of teaching and non-teaching posts have been made as per recruitment rules and approved Reservation Roster.
- 4) There has been no unauthorised appropriation of funds from GIA-Salary to GIA-General.
- 5) The Colleges have the necessary approval of the Delhi Govt for outsourcing of security/sanitation services and accordingly these services are being hired through GeM or E-procurement portal as per GFR.
- 6) Funds in the corpus of the College are students fund which can be used for purpose of development of the infrastructure.
- 7) Finally, the Principal, DDU denied all the allegations regarding creation of posts and irregular appointment of teaching and non-teaching posts without approval of Govt. of NCT of Delhi, re-appropriation of funds, arbitrary and irregular payments for sanitation and security etc.
- 8) All the residual Principals of these Colleges present in the meeting fully endorsed the above perception.

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2.2 The Committee after listening to the contentions of the President(s) of DUPA, DUTA, DUCKU and DUSU and the Principals of twelve, 100% funded Delhi Govt. Colleges thanked them for providing inputs to the Committee and asked the Principals of twelve 100% funded Delhi Govt Colleges to submit their contentions in writing to the Deputy Registrar(Colleges) with particular reference to the allegations made in the letter dated 01.12.2023 alongwith copies of allied documents immediately to be placed before the Committee in its next meeting.

Deliberation of the Committee on the points and issues raised by the Stakeholders

3.1 Subsequently, the Committee taking cognizance of the viewpoints of above stakeholders was of the unanimous view that a communication to the above effect be also sent to the authorities of these twelve 100% funded Delhi Government Colleges to furnish the exact point wise reply to the allegations with complete report and annexures thereof to be placed before the Committee at its next meeting for further consideration by the Committee in totality.

3.2 During the course of discussion, the Committee noted with concern that when three kinds of audits (namely Statutory, LFA and AGCR through Govt. agencies) are being undertaken in these twelve Colleges on regular basis and no such financial irregularity has been reported why the fourth Audit was conducted that too from a private firm deviating to the established processes and procedures.

3.3 A point was raised by one of the members of the Committee that can a Minister of Education, Government of NCT of Delhi write to Hon'ble Minister of Education, Government of India, New Delhi suggesting there in either the Central Government may take over the control of the twelve Colleges or direct Delhi University to de-affiliate them by setting aside the processes and procedures envisaged under Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University.

3.4 The Committee also taken on record a copy each of the Memorandum of Association (MoA) signed by the management of the Colleges under Societies Registration Act duly signed by the Registrar of Society.

3.5 The Committee also noted with concern that the DHE while providing a copy of the report of Special Audit to the Colleges, no copy of any annexure has been provided till date.

3.6 The Committee is well versed that the University of Delhi being affiliating University has been granting affiliation to the Institutions/Colleges as per the provision of Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University. The provision contained under Statute 30(1)(C)(iii) states that no College or Institution shall be admitted to any privileges of the University, except on the recommendation of the Academic council made after considering the report of the Committee of Inspection appointed for the purpose by the Academic Council.

3.7 The Inspection Committee so constituted for the purpose by the Academic Council examines the (i) Endowment Fund (ii) availability of Land (iii) fee Charges in accordance with the regulations of the University (iv) infrastructure regarding Library, Laboratory (in case of Science subjects) and other facilities (v)

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emoluments of teaching and non-teaching staff and their terms and conditions of service in accordance with the Ordinances of the University (vi) academic and Administrative Standard prescribed by the University with atleast one year standing (vii) Intake capacity (viii) adequate financial provision for the continued maintenance of the Colleges (ix) Governing Body of the College as per the provision of Statute 30 and Ordinance XVIII of the University. Thereafter, the recommendation of the Inspection Committee so constituted by the Academic Council are placed before the Academic Council/Executive Council for consideration and after the approval of the AC/EC the Colleges are affiliated with the University subject to the certain conditions as laid down under Ordinance XXI (4) of the University.

3.8 As per clause 9(1) of Ordinance XXI, the Executive Council may withdraw recognition from an Institution at any time, if any of the conditions on which recognition has been given are not fulfilled or complied with, or if for any other reason, the Council are of the opinion that the Institution ought not to continue to be recognized as an Institution of the University. The Executive Council may from time to time cause an Inspection to be made of any recognized Institution for purpose of satisfying themselves that the conditions of the Ordinance or any condition on which recognition has been given are being complied with.

3.9 The Committee also noted that provision contained under Statute 30(1)(C)(v) specifically states that a college may not, without the previous permission of the Executive Council and the Academic Council suspend instruction in any subject or course of study which it is authorised to teach and teaches.

3.10 The Committee also observed that in the absence of Grant-in-Aid from Govt. of NCT of Delhi, few of the Colleges were utilizing corpus of Student Society Fund for payment of salary to the staffers which is against the law and has resulted in unnecessary and uncalled for panic and unrest amongst the academic fraternity in these colleges. The Committee firmly opined that the corpus of Student Society Fund created over number of years is required to be utilized by Governing Body of the colleges for their holistic development in line with the Executive Council Resolution/guidelines issued by the University. The Committee was of the unanimous view that to resolve the issue immediately and Govt. of NCT of Delhi be asked to ensure timely release of grants to the colleges for salary and other expenses in compliance of the directives of the University.

3.11 The Committee firmly believes that any attempt to curtail the autonomy and financial independence of these institutions will neither be a constructive step nor legally tenable as it would vitiate the Act, Statues, Ordinance and Guidelines of the University, thus would be an impediment in the development of these institutions.

3.12 Further, the Chairperson requested the Deputy Registrar (Colleges) that the Principals' of these twelve 100% funded Colleges be requested to provide the exact reply to the allegations along with annexures immediately to be placed before the Committee in its next meeting;

S.No.	Points & issues/allegations	Specific Reply
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01	Creation of posts and appointment of teaching and non-teaching staff without the approval of Administrative Department and Finance Department of Govt. of NCT of Delhi
02	Payment of several crores of salary to those who were never appointed through established procedure
03	Unauthorised appropriation of funds from GIA-Salary to GIA-General
04	Arbitrary and irregular payments towards sanitation & security services, allotment and other contractual services
05	Despite having crores of funds 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

3.13 The Principals of these Colleges be asked to submit the exact reply alongwith documentary proof thereupon and they be asked to provide any allied information/data/input that were discussed during the course of meeting for consideration by the Committee.

3.14 Subsequently, the Principals of twelve 100% funded Colleges vide email dated 26.12.2023 were also requested provide the following information immediately:

- i) A copy of tripartite agreement, if any, executed between the (i) management of the College (ii) University Grants Commission and (iii) Delhi Govt.
- ii) A copy of letter to the effect that 100% Maintenance Grant/Grant-in-Aid would be provided by the Delhi Govt to the College.
- iii) A copy of letter issued by Delhi Govt. w.r.t. establishment of the College under Delhi Govt. Deputy Registrar (Colleges)

3.15 The Committee finally opined that it is not an enquiry committee albeit this Committee has been constituted by the Competent Authority of the University to consider and examine the entire issue including the reply of the Colleges to the allegations made, reports of three audits with annexures, MoA, the proviso of the Act, Statutes and Ordinances of the University and thereafter after voluble discussion would submit its report to the earliest possible extent to the Competent Authority of the University for taking necessary action with the Govt. of NCT of Delhi keeping in view the interest of stakeholders and the Institutions as well.

Perusal of data/information/input received from the Colleges by the Committee:

4.1 The Committee was informed that in response to University letter dated 20.12.2023, the point-wise reply from all the following Colleges have been received which have been taken on record by the Committee:

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Sr.No.	Name(s) of the College	Year of Establishment	Status of Reply
01	Acharya Narendra Dev College	1991	Yes
02	Aditi Mahavidyalaya	1994	Yes
03	Bhagini Nivedita College	1993	Yes
04	Bhaskaracharya College of Applied Sciences	1998	Yes
05	Bhim Rao Ambedkar College	1991	Yes
06	Deen Dayal Upadhyaya College	1990	Yes
07	Indira Gandhi Institute of Physical Education & Sports Sciences	1986	Yes
08	Keshav Mahavidyalaya	1994	Yes
09	Maharaja Agrasen College	1994	Yes
10	Maharishi Valmiki College of Education	1995	Yes
11	Shaheed Rajguru College of Applied Sciences	1989	Yes
12	Shaheed Sukhdev College of Business Studies	1987	Yes

4.2. In response to email dated 26.12.2023, the point-wise reply from the following Colleges have been received as on date which have been taken on record by the Committee:

Sr.No.	Name(s) of the College	Year of Establishment	Status of Reply
01	Acharya Narendra Dev College	1991	Yes
02	Aditi Mahavidyalaya	1994	Yes
03	Bhagini Nivedita College	1993	Yes
04	Bhaskaracharya College of Applied Sciences	1998	Yes
05	Bhim Rao Ambedkar College	1991	Yes
06	Indira Gandhi Institute of Physical Education & Sports Sciences	1986	Yes
07	Keshav Mahavidyalaya	1994	Yes
08	Shaheed Sukhdev College of Business Studies	1987	Yes
09	Maharaja Agrasen College	1994	Yes
10	Maharishi Valmiki College of Education	1995	Yes
11	Shaheed Rajguru College of Applied Sciences	1989	Yes
12	Deen Dayal Upadhyaya College	1990	Yes

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4.3 Subsequently, the Committee was apprised that all the Colleges vide their reply to the University have countered the allegations, the substance of which are summarized hereunder:

1. Creation of posts and appointment of teaching and non-teaching staff without the approval of Administrative Department and Finance Department of Govt. of NCT of Delhi:

The allegation is baseless as no appointments have been made without the approval of the Competent Authority. All appointments of teaching faculty and non-teaching staff have been made as per Ordinances and Statutes of the University. There has not been any violation of DHE letters and the Colleges have submitted the proposal for ex-post-facto approval of all existing teaching and non-teaching posts to DHE and the outcome is pending at the end of DHE/Govt. of NCT of Delhi

2. Payment of several crores of salary to those who were never appointed through established procedure:

The allegation is totally false. All appointments have been made following all the procedures laid down by UGC/DU from time to time. Hence, the question of payment to the so-called persons does not arise.

3. Unauthorised appropriation of funds from GIA-Salary to GIA-General:

The allegation is denied. No appropriation has ever been done from GIA-Salary to GIA-General

4. Arbitrary and irregular payments towards sanitation & security services, allotment and other contractual services:

The allegation is totally misrepresentation. The Colleges have strictly followed all laid down procedures from time to time and the payment for security services and contractual staff is being made from GIA received from DHE, GNCTD.

5. Despite having crores of funds 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

The allegation is totally false and the word 'corpus' is totally a misrepresentation. The Colleges have the corpus for the employees Provident Fund and Students Fund. As per Govt. of India rules and regulations, one cannot use Provident Fund for disbursement of salaries. Also, as per E.C. Resolution No: 57, students fund cannot be used for disbursing salaries. The Colleges receive GIA-Salary and GIA-other than salaries from DHE, GNCTD and disburse salaries to the employees from GIA-Salary. By following University letter dated 15.03.2021 sent to DHE, the College did not pay salaries from the corpus of Students' Society Account. Hence, the allegation is untrue and unverified.

Further, in relation to the responses to email dated 26.12.2023, the point-wise reply from few of the Colleges have been received which are as follows:

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A. Copy of tripartite agreement, if any, executed between the (i) management of the College (ii) University Grants Commission and (iii) Delhi Govt:

No such document is available. However, the Chairperson requested the Deputy Registrar (Colleges) to place a copy each of the Memorandum of Association (MoA) signed by the management of the Colleges under Societies Registration Act duly signed by the Registrar of Society, Delhi and a copy each of the MoA was presented before the Committee, which was taken on record.

B. Copy of letter to the effect that 100% Maintenance Grant/Grant-in-Aid would be provided by the Delhi Govt to the College:

The Colleges have provided a copy each of the document issued by the DHE that these Colleges are 100% funded by Delhi Administration.

C. Copy of letter issued by Delhi Govt. w.r.t. establishment of the College under Delhi Govt.

A copy of the requisite document has been provided by the Colleges.

4.4 The Committee perused the following information in relation to the status of teaching strength and students studying in twelve 100% Delhi Government Colleges:

S.No.	Name(s) of the College(s)	Total number of students studying in the academic year 2023-24	Teaching strength
01	Acharya Narendra Dev College	2105	115
02	Aditi Mahavidyalaya	1787	100
03	Bhagini Nivedita College	1671	40
04	Bhaskaracharya College of Applied Sciences	1345	91
05	Bhim Rao Ambedkar College	3768	124
06	Deen Dayal Upadhyaya College	2681	118
07	Indira Gandhi Institute of Physical Education & Sports Sciences	588	42
08	Keshav Mahavidyalaya	1836	100
09	Maharaja Agrasen College	2454	118
10	Maharishi Valmiki College of Education	236	20
11	Shahced Rajguru College of Applied Sciences	1856	106
12	Shahced Sukhdev College of Business Studies	1480	45

4.5 The teaching posts in 5% funded Delhi Govt. Colleges and tentative 5% Delhi Govt. Share are given hereunder:

I 5% funded by Delhi Govt. Colleges:

Sr.No.	Name(s) of the College(s)	Tentative Number of Teaching Staff	Tentative 5% Share to the Maintenance Grant
01	Bharati College	133	60,00,000
02	Delhi College of Arts & Commerce	110	44,00,000
03	Gargi College	224	50,00,000
04	Kalindi College	218	45,00,000
05	Kamla Nehru College	156	42,00,000
06	Lakhmibai College	155	40,00,000
07	Maitreyi College	190	65,00,000
08	Moti Lal Nehru College	182	40,00,000
09	Rajdhani College	178	56,00,000
10	Satyawati College	134	40,00,000
11	Shaheed Bhagat Singh College	170	59,00,000
12	Shivaji College	194	60,00,000
13	Shyama Prasad Mukherji College	190	42,00,000
14	Sri Aurobindo College	160	35,00,000
15	Swami Shradhanand College	212	78,00,000
16	Vivekananda College	115	44,00,000

4.6 The Committee also examined the comments/replies from all these twelve 100% funded Delhi Colleges as received as also the provisions of Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University and was of the unanimous view that under no circumstances the arbitrary and unilateral proposal of Ms. Atishi to the Minister of Education, Government of India wherein she had proposed to de-affiliate these twelve constituent Colleges from University of Delhi and transfer them to state Universities would be accepted and the issue in question may be taken care of in the larger interest of the academia.

5.1 During the second meeting of the Committee, the Chairperson informed the members that based on documents provided by the Colleges and the material/documentation available with the Committee, the Joint Registrar (Legal) who is assisting the Committee has prepared a draft letter vide Annexure -I for consideration of the Committee to be sent to the Govt. of NCT of Delhi, New Delhi by the University. The same was read out before the members of the Committee.

5.2 The Committee, after careful perusal of the contents of the draft letter opined that the gist of the letter seemed okay and it be sent to the Govt. of NCT of Delhi after finetuning the same inter-alia incorporating concern of the Executive Council made at its meeting held on 15.12.2023 categorically emphasizing therein that the question of de-affiliation of these Colleges does not arise.

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5.3 The Committee in its third meeting held on 25.01.2025 was apprised that in pursuance to the discussion held on 27.12.2023 by the Committee, a letter dated 16.01.2024 has been sent to Ms. Atishi, Hon'ble Minister of Education, New Delhi by the Vice-Chancellor, DU inter-alia requesting therein withdrawal of DO letter dated 01.12.2023 and continuity of funding to these Colleges. Besides, a letter dated 16.01.2024 has also been sent to P.S. to Hon'ble Education Minister, Ministry of Education, Govt. of India, New Delhi apprising him about issuance of letter by the Vice-Chancellor to the Hon'ble Minister of Education, Govt. of NCT of Delhi, New Delhi for continuity of funding of these twelve Colleges.

5.4 The Chairperson drawn the attention of the Committee to the media statement dated 19.01.2024 given by Ms. Atishi, Minister (HE) with regard to the special audit conducted by DHE of six Colleges which found several instances of irregularities and procedural lapses committed by these Colleges which involve expenditures worth hundreds of crores from public exchequer, a copy of which was circulated to the members of the Committee. The statement was read out before the members of the Committee which inter-alia speaks about 939 teaching and 958 non-teaching posts illegally created by the Colleges besides non-adherence of provisions of 'pattern of assistance' for the release of Grant-in-Aid by the DHE. Besides, the Minister (HE) has directed the Secretary, Higher Education to institute an enquiry into the irregularities in these Colleges to - (i) identify the erring Principals and administrative officials for illegal creation of posts and appointment (ii) recommend strongest possible action against these officials including recovery of salaries paid since 2015 and (iii) recommend action against Officers who have executed contracts without following provisions of GFR.

5.5 The Committee is of the considered view that the allegations levelled by the Minister in her statement are wide of the mark, unsubstantiated, and baseless and reiterated that there are three kinds of audits done regularly in these colleges since their inception and no such financial irregularities were reported. Special audits conducted by the DHE in these colleges by raising flimsy allegations of appointment against unapproved posts of teaching and non-teaching staff. The Committee reiterated that the teaching and non-teaching positions were filled following due processes and procedures envisaged under the guidelines, hence allegations need to be condemned.

5.6 The Chairperson informed the Committee that Principals of twelve Delhi Govt. Colleges were asked to furnish i) A copy each of the Audit Report for the preceding three years i.e. 2020-2021, 2021-2022 and 2022-2023 alongwith annexures and (ii) The status of communications sent to the Govt. of NCT of Delhi, New Delhi for sanction of teaching and non-teaching posts in the College and the requisite information/data so received from these Colleges have been collated by the College Branch of the University.

5.7 The Committee further noted that three kinds of audits i.e. Statutory, LFA and AGCR audits are being conducted on regular basis in these Colleges ever since their inception and no such financial irregularities have been pointed out. Earlier, the Delhi Govt had conducted special audit in these Colleges through private firm just to harass the administration of these Colleges. Since the

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inception of these Colleges, the administration has taken the approval of the courses and Delhi Govt. had always provided the administrative and financial approval for the same. The Colleges have advertised and filled up the vacant positions in letter and spirit of norms laid down by the University and the UGC.

5.8 The Committee was apprised that the Govt. of NCT of Delhi has been releasing the required funds and other dues over the years. Further, it was informed that in the year 2010, the Govt of NCT of Delhi had sanctioned additional number of teaching posts under OBC Expansion Scheme in Colleges/Institutions and subsequently in 2015, the Govt. of NCT of Delhi had conveyed its approval to all the teaching positions till 2015 and accordingly the Colleges made appointments against these sanctioned posts as per norms of DU/UGC. Consequently, the salaries of several crores are being paid to the duly appointed staff.

5.9 The Committee was also apprised that these Colleges are following GFR Rules while spending money in the best academic interest of the students and there is no unauthorised appropriation of funds reflects in the Statutory/LFA/AGCR audit reports.

5.10 During the course of third meeting, the Committee after voluble deliberations, opined that it would be fitness of things that before proceeding further in the matter in submitting its report to the Competent Authority, a copy each of the Audit Report for the preceding three years i.e. 2020-2021, 2021-2022 and 2022-2023 alongwith annexures so received from these twelve fully funded Colleges of Delhi Govt. may be examined by (i) the Treasurer, DU (ii) Finance Officer and the (iii) Joint Finance Officer, DU and the points and issues raised by the Govt. of NCT of Delhi in toto. Accordingly, a sub-committee comprising of (i) the Treasurer, DU (ii) Finance Officer and the (iii) Joint Finance Officer, DU, may be instituted and Deputy Registrar (Colleges) to take up the matter immediately. Thereafter based on the observations of the sub-committee and inputs provided by stakeholders, a comprehensive report be prepared to be submitted to the Competent Authority of the University.

5.11 The Committee was well-versed that due to OBC Expansion Scheme, 2010, 54% seats were increased and consequently the additional posts were sanctioned by the DHE, hence the allegations are not reasonable to treat the appointments made against the additional number of seats as illegal. The Committee reiterated that the posts so filled up by these Colleges were strictly in accordance with the norms and in the manner as prescribed by the UGC/University.

5.12 The Committee, after taking all aspects into consideration reiterated that under no circumstances the College Development Fund, Hostel Funds, Students' Society Fund, Admission Processing Charges would be used for the purpose other than for which these are collected keeping in line with E.C decision dated 08.12.2020. The Committee strongly observed that any attempt to curtail the autonomy and financial independence of these Colleges will neither be a constructive step nor legally tenable as it would vitiate the Act, Statutes, Ordinances and Guidelines of the University, thus would be an impediment in the development of these Colleges. Hence, the Committee was of the firm view that Govt. of NCT of Delhi must ensure timely release of Grants-In-Aid to the

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Colleges for salary and other expenses in spirit of norms of Pattern of Assistance conveyed to DHE.

5.13 Albeit, the Committee acquiesced that point number 11 of letter dated 16.01.2024 addressed to the Minister of Education, Govt. of NCT of Delhi, New Delhi of the Vice-Chancellor was read out before the Committee which bespeaks that DHE has complete authority to seek the clarification on any matter or inspect the College by any officials of Govt. of NCT of Delhi, in similar manner to that of other Govt. Offices/Autonomous Offices for effective governance and all the colleges are duty bound to comply with the conditions of grant.

5.14 During the course of deliberations, two members of the Committee submitted their written statement before it for consideration by the Committee, which was taken on record of the Committee, the verbatim of which are as under:

1. '...we are opposed to any kind of de-affiliation of 12 Delhi Govt. funded Colleges from DU and their affiliation to state Universities.
2. All steps be taken for continuation of funding from the Delhi Govt. so that salaries, pensions and other financial entitlements of their employees are not adversely affected.
3. We reiterate that the full Governing Bodies in the said 12 Colleges will pave the way for the resolution of this deadlock.
4. We also endorse and urge as per the decision of the last meeting of the Committee that the VC should negotiate with the Education Minister of the Govt. of NCT of Delhi and resolve the deadlock to the larger benefit of the academia (both teaching and non-teaching) community of these 12 Colleges...'

5.15 The Committee also taken into consideration the report on the Audit Report for the preceding three years i.e. 2020-2021, 2021-2022 and 2022-2023 w.r.t. these twelve fully funded Colleges of Delhi Govt. is received from the Finance Officer and the Treasurer to be submitted to the Competent Authority of the University for necessary approval for its transmission to the DHE, Govt. of NCT of Delhi and the Hon'ble Minister of Education, Govt. of India, New Delhi.

5.16 The Committee reiterated that the University of Delhi being affiliating University under Delhi University Act, 1922 has been granting affiliation to the Institutions/Colleges as per the provision of Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University. Hence, it is well understood that affiliation and de-affiliation of Colleges irrespective of their categories (constituent/affiliated) is well within ambit of Academic Council/Executive Council in consonance with the Act, Statutes and Ordinances of the University.

5.17 There are 28 Delhi Govt. Colleges affiliated with the University imparting instructions in various courses offered by the University. Out of which, in the case of twelve Colleges, 100% Maintenance Grant is borne by Delhi Government and in the case of 16 Colleges 5% Maintenance Grant is borne by Delhi Government and 95% by the UGC.

5.18 The Committee noted that twelve 100% funded Colleges which are fully funded by the Govt. of NCT Delhi were established as constituent Colleges between 1986 to 1998 on the proposal received from then Delhi Administration, Delhi with the provision of 100% funding for catering the need of students of Delhi and the grant for these Colleges (recurring and non-recurring) are received in the name of Society of the College.

5.19 All the twelve colleges funded by Govt. of NCT of Delhi are constituent Colleges of University of Delhi in terms of the proviso of the Act, Statutes and Ordinance of the University of Delhi. The constitution of Governing Bodies, appointment of Principal, Academic & Non-Academic Staff and imparting of instructions including admission, examinations & award of degree to the students of these Colleges are governed as per relevant Statutes and Ordinances of University of Delhi.

5.20 The Committee was of the firm opinion that under no circumstances, the amount charged under head - Students' Society Fund (SSF) be disturbed since the same are to be used for purposes of development of students focussed facilities in consonance with the UGC directives dated 03.06.2013.

5.21 The Competent Authority of the University may also intervene in taking up the matter with the Govt. of NCT of Delhi in expediting in granting one-time ex-post-facto approval to the entire sanctioned strength of teaching and non-teaching posts to these twelve 100% Delhi Govt. Colleges, keeping in line with the UGC norms.

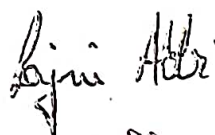
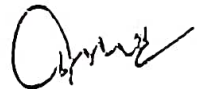
5.22 These twelve colleges are fully funded by the Govt. of NCT of Delhi. These Colleges were established in the year from 1986 to 1998 on the proposal received from then Delhi Administration, Delhi with the provision of 100% funding catering the need of students of Delhi.

5.23 The grant for these Colleges (recurring and non-recurring) are received in the name of Society of the Colleges with certain conditions viz. submission of utilization certificate, maintaining the separate account, auditing by Chartered Accountant or Officer of the Internal Audit and Accounts etc. Grant to these Colleges have been received uninterrupted since their formations from the Govt. of NCT of Delhi, as per the proposal of the respective College.

5.24 These Colleges are the constituent Colleges of the University of Delhi in terms of Act, Statutes and Ordinances of the University of Delhi. The constitution of Governing Bodies, appointment of Principal, Academic and Non-Academic Staff and imparting of instructions including admission, examinations & award of degree to the students are governed as per the relevant Ordinance and Statutes of the University of Delhi.

5.25 The Delhi University Act, 1922 and subsequent amendments were passed by the Parliament of India. Every Statute, Ordinance or Regulations in this Act are published in official gazette after receiving the consent of the Visitor i.e. the Hon'ble President of India through Ministry of Education.

5.26 University of Delhi has been ranked first in India and 220th globally (out of 1403 institutions) in the Quacquarelli Symonds (QS) World University Rankings. The University moved significantly from 381-400 rank last year to 220th Rank this year.



5.27 All the stakeholders comprising students, teaching & non-teaching staff, residents of Delhi, Govt. have the pride being associated with the University of Delhi. Any such letter issued by the Government may make an adverse impact on the future of the students and also affect on teaching learning environment of the University.

5.28 Issue of de-affiliation of any of the constituent colleges is the subject matter of Academic Council, Executive Council and the Court of the University of Delhi and subsequent consent of the Visitor for the amendment in Statute and Ordinance of the University of Delhi. The Executive council of the University of Delhi in its meeting dated 15.12.2023 has resolved that all the twelve Colleges are constituent Colleges of the University, the question of de-affiliation of these Colleges does not arise.

5.29 On introduction of additional new courses in order to meet the challenges of the industries/institutions, the Colleges had sought approval of the Courses from the Govt. of NCT of Delhi and the Govt has been pleased to provide administrative and financial power for running the courses. Thereafter, the Governing Body of the College used to create teaching & non-teaching post based on the norms laid down by the University of Delhi and the UGC.

5.30 The Committee finally after taking into aspects the viewpoints of stakeholders, the proviso of the Act, Statutes and Ordinances of the University was of the firm view that since these twelve colleges which were established in year from 1986 to 1998 on the proposal received from then Delhi Administration with the provision of 100% funding for catering the need of students of Delhi and the grant for the Colleges (recurring and non-recurring) are received in the name of society of the College with certain conditions viz submission of utilization certificate, maintaining the separate account, auditing by Chartered Accountant or officer of the Internal Audit and Account, the Competent Authority of the University may take up the matter with the Govt. of NCT of Delhi for immediate withdrawal of letter dated 01.12.2023 and to ensure continuity of funding to these colleges may not be disturbed in the interest of students of Delhi.

Analysis of the material placed before the Committee and inter-action with the Stakeholders

6.1 On careful perusal and analysis of the material placed before the Committee and inter-action with the stakeholders, the Committee perceived that:

I. Statutory, LFA and AGCR Audit have been conducted in these twelve Delhi Government Colleges and no such financial irregularities has ever been pointed out by either of the Audit. In so far as, the issue of filling up the teaching and non-teaching posts in these Colleges are concerned, the vacant posts have been filled up by the Colleges in spirit of Recruitment Rules & Ordinances of the University. Owing to the fact that audits (namely Statutory, LFA and AGCR through Govt. agencies) are being undertaken in these twelve Colleges on regular basis and no such financial irregularity has been reported, the allegations made by the Minister of Education, Govt. of NCT of Delhi are apparently not tenable.

II. These Colleges have made appointments strictly as per the workload in consonance with the UGC and DU norms for the courses sanctioned by Delhi Govt. Also, the DHE vide its letter dated 19.06.2015, DUPA had conveyed its

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specific approval for filling up various teaching posts till 2015 to all these twelve Colleges. Consequently, these Colleges have made appointments against the sanctioned posts in letter and spirit of Recruitment Rules laid down by the UGC and DU. Wherever new courses were sanctioned by Delhi Government, appointments were made against those additional sanctioned posts.

III. As per the directions of Delhi Government, EWS quota was implemented in 2019, consequently, 25% students' intake was increased, however, no additional funds to meet the infrastructural needs have been released till date. Accordingly, these Colleges are facing acute shortage of teaching and non-teaching staff.

IV. University of Delhi has been according affiliation to the Colleges/Institutions under Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University, after following due processes and procedures laid down by the University, hence, the contention of letter of Ms. Atishi to the Minister of Education, Government of India wherein she had proposed to de-affiliate these twelve constituent Colleges from University of Delhi and transfer them to state Universities since in contravention to the provisions of the Act, Statutes & Ordinances of the University is not at all tenable.

V. These twelve Colleges have been part of DU since their inception as constituent colleges and are successfully running courses in various disciplines, the question of their de-affiliation from the University of Delhi does not arise. These Colleges, keeping in view the in the larger interests of students must remain the integral part of University of Delhi.

VI. The Govt. of NCT of Delhi has not been releasing requisite GIA to these twelve Colleges on a regular basis which has resulted massive annoyance amongst teaching and non-teaching staff since they are not getting salaries, pension and other dues i.e. retirement benefit etc.

VII. The DHE vide its letter No.DHE-13(17) (Misc.)/2013-14/2477-81 dated 19.06.2015 to the Principals of these 100% GNCTD funded Colleges had conveyed its approval for filling up teaching posts on regular basis in light of the UGC norms in accordance with the roster approved by the Delhi University and already submitted to the DHE. Wherein, it was also conveyed that the Governing Body and Principal concerned shall ensure the posts shall be filled strictly in accordance with UGC norms and in the manner as prescribed by UGC/Delhi University.

VIII. Though, these twelve, 100% funded Delhi Govt. Colleges though have submitted all necessary documents to Delhi Govt. and are continuously following up with Delhi Government for approval of their teaching and non-teaching posts for past one year against the sanctioned workload as per norms of UGC/DU yet the approval is awaited.

IX. University of Delhi has been exercising control over all its affiliated/constituent Colleges/Institutions including twelve 100% Delhi Govt. Colleges as per the provisions of the Act, Statutes and Ordinances of the University and these Colleges have assiduously working for further improvement

of academic standards and the Colleges and have achieved high NIRF/NAAC rank/grade.

X. Besides, three kinds of audits i.e. Statutory, LFA and AGCR audits, Delhi Govt had conducted special audit in few of 100% Delhi Government Colleges and no irregularity whatsoever has been found.

XI. The Govt. of NCT of Delhi has been releasing the required funds and other dues over the years. Further, he emphatically stated that in the year 2010, the Govt of NCT of Delhi had sanctioned 301 additional teaching posts under OBC Expansion Scheme and subsequently in 2015, the Govt. of NCT of Delhi had conveyed its approval to all the teaching positions till 2015 and accordingly the Colleges made appointments against these sanctioned posts as per norms of DU/UGC. Consequently, the salaries of several crores were being paid to the duly appointed staff.

XII. These Colleges are following GFR Rules and there is no unauthorised appropriation of funds reflected in the Statutory/LFA/AGCR audit reports. The Committee is firm that the funds collected from students cannot be treated as the revenue/income for determining the GIA salary.

XIII. The Govt. of NCT of Delhi had, in the year 2010 vide letter dated 01.10.2010 sanctioned number of posts under OBC expansion scheme and subsequently in 2015 approved the existing posts and permitted the Colleges to fill vacant posts on regular basis. Though all the posts were deemed to have been sanctioned, the Colleges again submitted the proposal for sanction of existing teaching and non-teaching posts as a one-time measure in the year 2021. The colleges had provided all necessary details and documents to the Govt. of NCT of Delhi in the presence of representative of Delhi Govt and University of Delhi. However, no communication whatsoever in this regard has been received from Delhi Govt.

XIV. The Colleges have the necessary approval of the Delhi Govt for outsourcing of security/sanitation services and accordingly these services are being hired through GeM or E-procurement portal as per GFR. Funds in the corpus of the College are students fund which can be used for purpose of development of the infrastructure.

XV. The Committee fully endorses the concerns of these twelve Colleges that Govt. of NCT of Delhi in spite of intervention of University of Delhi is giving inhuman treatment to its twelve constituent colleges mandated to be fully funded by it though these twelve Colleges established from 1986 onwards are functioning with glorious academic success. In a short span, these colleges became academically much sought after and many of them attained high rankings in NAAC & NIRF assessments.

XVI. The Committee is well-versed that these Colleges were functioning for the last 20-25 years smoothly and no financial and academic hiccups has ever been reported by the Audit (namely Statutory, LFA and AGCR through Govt. agencies). To the utter dismay, the Students Society Funds were sought to be usurped and used as maintenance funds much against UGC & DU norms, duly approved teachers were declared as 'ghost teachers' and when Statutory Audits found no

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discrepancies in the Colleges' accounts special private audit (with the mandate) was illegally enforced.

XVII. The Committee, in apparent reference to the allegations firmly believes that the aim and objective of the Govt. of NCT of Delhi is to usurp these colleges and make them part of some other university established by Delhi Govt. with the ultimate aim to convert them into high fee charging colleges like all other colleges maintained by GGSIP University of Delhi Govt.

XVIII. The Committee also observed that in the absence of Grant-in-Aid from Govt. of NCT of Delhi, few of the Colleges were utilizing corpus of Student Society Fund for payment of salary to the staffers which is against the law and has resulted in unnecessary and uncalled for panic and unrest amongst the academic fraternity in these colleges. The Committee firmly opined that the corpus of Student Society Fund created over number of years is required to be utilized by Governing Body of the colleges for their holistic development in line with the Executive Council Resolution/guidelines issued by the University. The Committee was of the unanimous view that to resolve the issue immediately and Govt. of NCT of Delhi be asked to ensure timely release of grants to the colleges for salary and other expenses in compliance of the directives of the University.

XIX. The Executive Council of the University at its meeting held on 15.12.2023 while deliberating on the issue noted with concern (i) the allegations made in the communication with regard to irregularities and procedural lapses, creation of teaching and non-teaching posts without approval of the Government of Delhi and salaries paid, appropriation of funds from GIA-Salary to GIA-General and irregular payments to service providers etc. (ii) offer expressed by the Minister of Education, Govt. of NCT of Delhi that either the Central Government may take over the control of the twelve Colleges or direct Delhi University to de-affiliate them and has constituted this Committee to consider the entire issue. It was also informed that the Executive Council also observed that twelve Colleges 100% funded by Delhi Government are constituent Colleges of University of Delhi, the question of their de-affiliation does not arise and strongly objected to the dictat raised in the letter that the funds shall not be released to these twelve Colleges from the next financial year.

XX. The Committee also perused and analysed the report of the sub-committee dated 28.03.2024 comprising of (i) the Treasurer, DU (ii) Finance Officer and the (iii) Joint Finance Officer, DU constituted by this Committee vide notification No.CB.II/Committee on 12 DG Colleges/2024/051 dated 31.01.2024 to examine the Audit Report(s) w.r.t. twelve 100% funded Delhi Government Colleges for the preceding three years i.e. 2020-2021, 2021-2022 and 2022-2023. After thorough scrutiny of the report, the Committee noted no abnormality whatsoever to the allegations has been pointed out by the sub-committee. Nevertheless, the report of the sub-committee has been taken on record of this Committee and forms part of report of this Committee vide **Annexure-II**

XXI. After perusing the entire record placed before the Committee, the Committee is the view that there is no material on record to show any financial irregularity by any Principal, teacher or non-teaching staff or anyone else connected with any of these Colleges. Hence, the allegation of financial irregularity against the stakeholders of these twelve Colleges is baseless, frivolous

and without any material on record. Levelling baseless allegations against the Principal, teacher or non-teaching staff is neither in the interest of these twelve Colleges nor in the interest of academic community at large.

Observations/Findings of the Committee

7.1 In the light of letter dated 01.12.2023 and note dated 19.01.2024 of Ms. Atishi, Minister of education, Government of NCT of Delhi, the Committee sought the information and relevant records from all the twelve Colleges' and other records available with the University. After careful scrutiny of the available records and consultation with all the stakeholders the Committee found the following:

1) CREATION AND SANCTION OF TEACHING & NON-TEACHING POSTS:

The Governing Body of the Colleges have created teaching & non-teaching posts, based on the norms laid down by UGC and University of Delhi, from time to time. In the year 2010, the DHE, Government of NCT of Delhi vide letter No. DHE-13(70)/Misc./2008-09/5503 Dated 01.10.2010 sanctioned 301 additional posts of Assistant Professor under OBC expansion (Annexure-III). In the year 2015, the GNCT of Delhi vide letter No. DHE-13(17) (MISC)SRCASW/2013-14/2477-81 dated 19.06.2015 (Annexure-IV) approved all the 959 existing posts and permitted to fill 339 vacant posts on regular basis. All the colleges were managing the affairs of the Colleges within this sanctioned strength of 959 Assistant Professor. Thereafter, some of the Colleges have created posts on the basis of approval of posts of Assistant Professor and Non-teaching staff sanctioned by the DHE. With compulsory introduction of EVS paper to all the undergraduate students on the direction of Hon'ble Supreme Court, the Colleges have created one to two posts of Assistant Professors.

Even though all the posts were deemed to have been sanctioned in 2015, a committee was constituted in 2021 to resolve the issue of sanction of posts. The Colleges once again submitted their proposal for creation and sanction of all the existing teaching and non-teaching posts as a one-time measure. The Colleges provided necessary details and documents to the Delhi Govt. in the presence of representatives of Delhi Govt. and University of Delhi through College Principal's and Chairman of the Governing Body in June 2022. The outcome of this exercise is pending at the end of Delhi Govt.

The Committee also observed that at present all the colleges are managing their affairs with teaching and non-teaching staff strength much below the norms of UGC.

7.2 In the light of the above the Committee firmly observed that:

- 1) All the teaching and non-teaching posts have been created within the norms laid down by the UGC and University of Delhi from time to time.
- 2) All the appointments of teaching and non-teaching staff have been made as per Recruitment Rules of University of Delhi/norms/eligibility criteria laid down by the UGC and approved Reservation Roster.
- 3) There is no unauthorised appropriation of funds from GIA-Salary to GIA-General

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- 4) The Colleges have the necessary approval of GNCTD/Governing Bodies for outsourcing of security/sanitation services. Further, the security and sanitation services are hired from GeM or E-procurement Portal by following the GFR 2017.
- 5) Funds in the Corpus of the College (College Students Welfare Fund, College Development Fund, Hostel Funds, Add-on courses, Students Security, etc) are students fund which can be used for the purpose for which they are collected and/or for development of the college infrastructure. The Executive Council in its meeting held on 08.12.2020 vide Resolution No. 57 (Annexure-V) made it clear and laid down the modalities for using Students Fund. Further, the funds in these corpuses cannot be used for payment of salary 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-VI); and 2. Dated 23.10.2020 (Annexure-VII) and 05.11.2020 (Annexure-VIII) of Hon'ble Delhi High Court in the Case No. W.P.(C) 8551/2020 & CMs 27573-74/2020, DELHI UNIVERSITY STUDENTS' UNION. Therefore, these funds cannot be used for payment of salary of the staff.

7.3 To conclude, the Committee resolved that in all the twelve Colleges:

- the creation of teaching and non-teaching posts were as per norms
- appointment of teaching and non-teaching staff were made as per recruitment rules of University of Delhi and norms/eligibility criteria laid down by the UGC.
- there is no unauthorised appropriation of funds from one head to another
- there is no arbitrary and irregular payments towards sanitation and security, and
- the salary of staff cannot be paid out of funds in the corpus as they are students funds collected for specific purpose other than payment of Salary of staff.

7.4 Therefore, the Committee found no merit in the allegations levelled by Ms. Atishi, Hon'ble Education Minister, Government of NCT of Delhi in her letter dated 01.12.2023 and Note dated 19.01.2024. In view of this, the Committee strongly observed that the Competent Authority of the University must take up the issue with the Competent Authority of the Govt. of NCT of Delhi/Ms. Atishi, Hon'ble Education Minister, Government of NCT of Delhi to (a) withdraw the above-mentioned letter & note and b) take immediate steps for timely release of adequate grants to these colleges in order that Colleges may pay overdue/outstanding liabilities (under the head Salary and other than salary) to teaching and non-teaching and other dues such as medical reimbursement/hospitalization, leave travel concession, Emoluments of teaching and non-teaching staff including retirement benefits, 7th CPC arrears, Children Education Allowance w.r.t. to the staff and their dependant families, as the case may be, in time.

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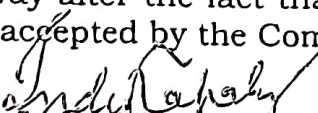
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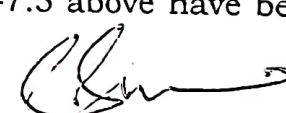
7.5 The Committee is well-versed that these twelve Colleges are constituent Colleges of the University of Delhi as per Section 5 of the Act, Statute 30(1) (C) (iii) and the norms laid down under Ordinance XVIII/XXI of the University. Unquestionably, these Colleges are integral part of the University of Delhi and cannot be de-affiliated. As such, any attempt to de-affiliate these Colleges from the University of Delhi is neither legally tenable nor in the interests of students, teaching and non-teaching staff and the academic fraternity of University of Delhi as well. This is also violative of the Act, Statutes, Ordinances and Guidelines of the University of Delhi and the procedure laid down in accordance with the law. Hence, the letter dated 01.12.2023 and note dated 19.01.2024 of Ms. Atishi, Minister of Education, Government of NCT of Delhi is not legally tenable since it contravenes the proviso of the Act, Statutes & Ordinances of the University. Hence, it needs to be withdrawn forthwith.


7.6 Albeit, two members of the Committee vide their written note dated 19.04.2024 on the above recommendation of the Committee inter-alia adduced that in view of the urgent need for robust & streamlined functioning of these twelve Colleges and for the resolution of funding/salary etc. crisis at once forever, all efforts by the University must be made towards UGC/Central Government to takeover of these Delhi Govt. 100% Colleges of Delhi University. However, one of the members opined that subject to all other rules and law applicable, UGC/Central Government should take over these Colleges to ensure smooth functioning of these Colleges.

7.7 These two members on the Committee also observed in all four meetings of this Committee, all possible efforts/exercises were done to give clean chit to a tainted Principal caught on the wrong side of financial management and administrative matters. The Committee decisively denied to this version of two members of the Committee.

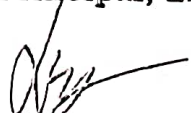
7.8 Though, the other members of the Committee stated that each & every member of the Committee have the right to make their observations and have inalienable right to disagree with those observations, their observations do not in any way alter the fact that sections 7.1-7.5 above have been duly and formally accepted by the Committee.



(Prof. Inder Mohan Kapahy)
Chancellor's Nominee


(Prof. Suman Sharma)
Principal, LSRC



(Monika Arora)
Member

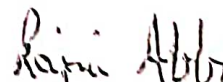
(Rajpal Singh Pawar)
Member



(Dr. L.S. Chaudhary)
Member


(Sunil Kumar Sharma)
Member

(Beema Das)
Member


(Ashok Aggarwal)
Member


(Prof. Rajni Abbi)
Member


(Prof. Shri Prakash Singh)
Chairperson