

**Before Himachal Pradesh Private Educational Institutions
Regulatory Commission, Shimla .**

Case No: 04/2019
Date of Institution: 29.03.2019
Date of Decision: 15.09.2021

In the matter of:

Suo Moto

.....Petitioner

Versus

Arni University, Kathgarh, Distt.-Kangra (HP)

.....Respondent

Order

This order shall dispose off the complaints received through email dated 10.12.2018 from the email arnistudent2015@gmail.com regarding various issues w.r.t. effective functioning in the Arni University, Kathgarh, Distt.-Kangra (HP) (herein after referred as respondent University) and complaints relating to release of pending dues / salaries of employees of respondent University.

The matter related to effective functioning was taken up with the Respondent University vide letter dated 31.10.2018 and the respondent University submitted its detailed reply vide letter dated 15.09.2018.

After receiving reply from the respondent University, the matter was fixed for hearings on 23.04.2019 and the records submitted by the Respondent University were placed before the Commission. The Respondent University was directed to look into the matter and overcome the difficulties being faced by the students of the University. In the issue related to the pending salaries / dues of the employees, the Respondent University was adequately directed to initiate corrective action during the hearings dates 20.10.2020, 08.12.2020, 16.03.2021, 07.04.2021 and so on. Further, the respondent University was imposed on penalty amounting to Rs. 2.00 Lac for non-compliance of the Commission orders passed during the above mentioned hearings. During, the hearing dated 11.08.2021, the Respondent University was again penalised Rs. 50,000 /- for non-compliance of this Commission previous orders and order dated 07.04.2021 for not-depositing the imposed penalty of Rs. 2.00 lac. The Chancellor, Vice-Chancellor, Registrar & Finance Officer were summoned for the personal appearance before the Commission on 26.08.2021 for non-compliance of the various directions / orders issued by the Commission from time to time.

Chancellor Sh. Vivek Singh appeared personally alongwith others before the Commission on 26.08.2021 and submitted a list of pending dues of the employees. As per the list submitted by him, out of 46 total cases of pending dues (total amount of Rs. 91,78,638/-), 23 cases have been settled (total amount disbursed w.e.f. 01.10.2019 to till date to the employees of Rs. 63,94,728/-) and 23 cases (amount 27,83,910/-) are still pending for disbursement to the employees of the Respondent University.

After hearing the plea and on examination of all the documents submitted by the Respondent University pertaining to the matter, it is observed:

1. That the complaint was received through email on dated 10.12.2018 regarding various issues pertaining to effective functioning of the Respondent University and now more than two & half years have elapsed.
2. On the compliance w.r.t. pending salaries, it is evident that the 23 cases are still pending and approximately Rs. 27,83,910/- is to be disbursed to the employees of Respondent University. Most of the faculty have left the University where some are still working in Respondent University.

In view of the above, the Commission hereby pass the following orders:

- As the Respondent University has not put up its compliance even after providing several opportunities w.r.t. pending salaries of employees, faculty dismissal, submission of financial viabilities etc.. As per recommendations of earlier Committee constituted vide Notification No. HP-PERC/19/Arni Univ. Vol-VI/2020/13359 to 13362 dated 21.12.2020 vide which Committee had recommended to re-evaluate the performance of Respondent University during next academic session. Therefore, an Expert Committee be constituted immediately to analyze the infrastructure, faculty, financial viability etc. and also re-evaluate the performance of Respondent University. The Committee will submit its detailed report to this Commission with respect to above mentioned aspects.
- As per records submitted by Respondent University, it is also evident that the Respondent University is to release approximately Rs. 27,83,910/- of pending dues of 23 employees within two months. Both the parties are advised to amicably settle the issues. If the Respondent University received any complaint w.r.t. pending salary in addition to 23 employees, the same shall also be taken into consideration and be settled amicably on the part of complainants and Respondent University.

- That the Respondent University is directed to deposit the penalty imposed during the various hearings amount of Rs. 2,50,000/- in the bank account of HP-PERC within 30 days.
- The compliance report with regard to this order be submitted by 30.11.2021.

The above shall order come into the power with immediate effect.

Matter stand adjudicated, representations / applications, pending if any, in this matter also stand disposed off.

Orders be uploaded on website of the Commission.

File after completion be consigned to record room.

Announced.

(Major General Atul Kaushik)
Chairman

(Prof. Shashi Kant Sharma)
Member