

PONDICHERRY UNIVERSITY

Monday, September 25, 2017

OFFICIAL PRESS RELEASE

It is reported in a section of the media (including social media like WhatsApp) that the Vice Chancellor (i/c) has abused her powers in relieving Shri. B. R Babu, former Registrar (on contractual basis) of Pondicherry University on 21.09.2017. It is informed that Shri. B.R Babu, IAS (AUGMU:2002) joined the University as Registrar in the Afternoon of 14.07.2017 as per the relieving order issued by the Chief Secretary, Government of Puducherry, by the order of the Lieutenant Governor, Government of Puducherry vide G. O MS No.49 dated 14.07.2017 (copy enclosed). The said order states that as follows:

1. Consequent to the appointment of Shri. B.R Babu, IAS (AUGMU:2002), Secretary to Government, Puducherry, as Registrar, Pondicherry University, vide order read above (i.e. Letter of Ministry of Home Affairs, Government of India in letter no. F. No.14023/23/2013.UTS-I, dated 11.07.2017 (copy enclosed)), he is relieved from the Administration on the A N of 14.07.2017 to take up his new assignment as Registrar in Pondicherry University on deputation basis till the date of his superannuation on 31.08.2017.
2. Since the retirement age of Registrar in Pondicherry University is 62 years, the continuation of his service of B. R Babu, as Registrar, Pondicherry University after retirement on 31.08.2017, i.e from 01.09.2017 to 31.08.2019 will be **regulated as per the rules of the University.**”

Subsequently, the Under Secretary to Government Puducherry issued another order (G O MS no.55) dated 30.08.2017 (copy enclosed), by the order of the Lieutenant Governor, Government of Puducherry which states as follows:

3. “On attaining the age of superannuation Shri B. R Babu, IAS, (AGMU;2002), Secretary to Government, Puducherry presently on deputation to Pondicherry University as Registrar shall retire from service on the afternoon of 31.08.2017.”

Earlier, the Ministry of Human Resources Development, Government of India has stated in its letter no. F.No.39-3/20169-Desk U, dated 13.06.2017, as follows:

4. “In the instant case the University proposes to appointed Shri B. R Babu, IAS (AGMU: 2000), Secretary to Government, Government of Puducherry as Registrar of the University on deputation basis. This Ministry has no objection to the proposed appointment. However as per AIS rules, a member of IAS shall retire from services on attaining the age of superannuation of 60 years. As such Shri B. R Babu, IAS, whose date of birth is 15.08.1957, **shall retire from service on 31.08.2017 (A.N)**. Therefore his appointment as the Registrar of the University, **with the approval of the Competent Authority of the University**, can be treated as on deputation basis **only till 31.08.2017**.
5. Further, **University may see, under the rules of the University**, whether Shri Babu can continue as Registrar on contractual basis till he attains the age of 62 years. If so, Shri

Babu may be appointed as Registrar for a period till he attains the age of 62 years **or until further orders, whichever is earlier.”**

Since all the communications received by the University from Ministry of Home Affairs, Ministry of Human Resources Development and Government of Puducherry , has stated that the appointment of Shri. B. R. Babu as Registrar of the University is **on deputation basis till 31.08.2017 only** and the same **need to be approved by the Competent Authority of the University**, the University has placed an agenda (Agenda no.2017.126.145, (copy enclosed)) to the Executive Council, the Competent Authority of the University for approval, in its 126th meeting held on 31.08.2017.

The Competent Authority of the Pondicherry University, the Executive Council deliberated this agenda in its 126th meeting and unanimously resolved to relieve Shri B. R. Babu, IAS from the post of Registrar of the University with effect from the fore noon of 31.08.2017 to join his parent organization so as to enable him to avail his pension benefits. Further, the Competent Authority, the Executive Council resolved to appoint Prof. C. K. Ramaiah, one of the Executive Council member and the Dean, School of Media and Communication, Pondicherry University as Registrar (i/c) with immediate effect until further orders. (Copy enclosed)

As per the decision of the Competent Authority of the Pondicherry University, the Executive Council, Shri B. R Babu, IAS, Registrar on Deputation basis was relieved in the fore noon of 31.08.2017 vide office order no. 85 (PU/ESTT/NT/2017-18/143) dated 31.08.2017.

However, Shri B. R Babu, IAS refused to hand over the charge to Prof. C. K. Ramaiah Registrar (i/c) and stayed in his office until midnight of 31.08.2017. As per the advice of the MHRD, **Shri B. R Babu was reemployed as Registrar, on contractual basis**, from 01.09.2017 for a period till he attains the age of 62 years or until further orders, whichever is earlier vide office order no 86 (PU/ESTT/NT10/2017-18/144), dated 31.08.2017.

It is reiterated that all the communication from MHA, MHRD and Government of Puducherry state that **his further engagement in post of Registrar is to be governed by the Rules of the University**. So, as per Ordinance no 1, Part iii, Clause (9) (ii) & (iii) of the Administrative Ordinance of the Pondicherry University, Shri B. R Babu was reemployed as Registrar, on contractual basis. This rule of the University states that *“The Executive Council has the power to re-employ persons who have worked under the Central Government or Ste Government or Union Territory Government or other Universities and who have retired from service on superannuation or on other grounds except on invalid grounds and the over-riding consideration by the Executive council for grant of extension/re-employment is that it must be in the interest of the University.”*

On 20.09.2017, it has come to the notice of the Vice Chancellor (i/c) that Shri. B. R Babu, the then Health Secretary has been named by the CBI in its FIR No. RC MA1 2017 A 0020 dated 18.09.2017 as an accused for ‘failure to exercise that proper admission procedures and facilitated the management of the Medical colleges by abusing their official position’ and ‘abuse of their official position in pursuance of a criminal conspiracy entered with others to facilitate the private medical colleges to admit students for the PG courses even though, they were not sponsored by CENTAC which resulted in frustrating genuine students losing opportunity to continue higher education and ineligible students admitted.’

Had the FIR been on any other act/acts of crime, the ‘interest of the University’ will not be at jeopardy and the University would have stuck to the golden maxim of criminal jurisprudence, ‘every person accused of a crime is presumed to be innocent until proven guilty’.

But in the instant case, the Pondicherry University grants affiliation to all the colleges run in the UT of Puducherry, including the private medical colleges named in the above said FIR and given the acquaintance between the management of these private colleges and the continuance of Shri B. R Babu as Registrar can jeopardize interests of the University.

Further, the continuance of an accused in a CBI case related to admission of ineligible students to PG course without following the laid down procedures, in furtherance of a criminal conspiracy with private medical colleges may cause apprehension about the genuineness of admission process carried out in Pondicherry University, which will also put the interests of the University at stake.

Therefore Shri B.R. Babu has been relieved from the post of Registrar (re-employment on contract basis) with effect from the FN of 21.09.2017, to protect the interest of the University and Prof. K. Tharanikarasu, HoD, Department of Chemistry and Controller of Examinations (i/c) has been assigned with the additional charge of the duties of the Registrar with effect from the FN of 21.09.2017, until further orders, in accordance with Clause 4(3) of the Statutes of the Pondicherry university Act, 1985.

Thus the Vice Chancellor (i/c) has strictly adhered to the advice of Ministry of Human Resources Development, Government of India as per their letter dated 13.06.2017 and 28.08.2017 with reference to the appointment of Shri. B. R Babu as Registrar and relieving him of his duties as Registrar, in accordance with the directions of the ‘Competent Authority of the University (the Executive Council)’ and Rules of the University (the Administrative Ordinance)’.

It is also reiterated that the re-employment of Shri. B. R Babu, from 01.09.2017 to 20.09.2017 as Registrar **is purely contractual** and as per the rules of the University. Further, As per the Pondicherry University Act,1985, only the Vice Chancellor is appointed by the President of India, in his capacity as Visitor of the University and all other officers, including the Registrar, is appointed and relieved by the provisions of Ordinances and Statues of Pondicherry University Act only and not by any other authority.

It is also informed that Section 12 (3) of the Pondicherry University Act confers power to the Vice Chancellor to take any necessary action on any matter in exercise of any power conferred on any authority of the University and shall report to such authority the action taken. Accordingly, the relieving of Shri B.R. Babu from his duties as Registrar on contractual basis and the appointment of Prof. K. Tharanikarasu, as Registrar (i/c) was placed before the Executive Council (the Competent Authority of the University) in its 127th meeting held on 25.09.2017 and the Executive Council was pleased to approve the same, by way of ratification.

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