

The State of West Bengal

v.

Dr. Sanat Kumar Ghosh and Ors.

(Special Leave To Appeal (Civil) No. 17403 of 2023)

08 July 2024

[Surya Kant* and K.V. Viswanathan, JJ.]

Issue for Consideration

Matter pertains to the appointment of Vice-Chancellors in the State-aided Universities in the State of West Bengal.

Headnotes[†]

Universities – Appointment of Vice-Chancellors in 35 State-aided Universities in the State of West Bengal – Dispute between the State Government and the Governor of West Bengal-Chancellor of subject Universities, as regards the appointment of regular Vice-Chancellors – No consensus between the authorities in the matter of constitution and composition of Search Committees for shortlisting the candidates for appointment as Vice Chancellors – Neither regular Vice-Chancellors nor interim or ad-hoc Vice-Chancellors permitted to be appointed – Invocation of power u/Art. 142:

Held: Order passed for constitution of Search-cum-Selection Committee for all the subject Universities – It is resolved to constitute Search-cum-Selection Committee(s) of the same composition so as to avoid any confusion – Endeavour is to infuse transparency, independence, fairness, and impartiality so as to ensure that the persons possessing the highest level of competence and integrity and are capable of leading the University – Experts who are eminent scientists, educationists, jurists, subject experts, and administrators in their own right, are shortlisted – Appointment of Hon'ble Mr. Justice Uday Umesh Lalit, Former Chief Justice of India as Chairperson of the Search-cum-Selection Committees for all the Universities in West Bengal – Chairperson authorized to constitute separate or joint Search-cum-Selection Committees for one or more Universities, keeping in view the nature of subjects/disciplines in which education is being imparted therein – Chairperson to nominate 4 persons out of the empaneled experts, whom he finds capable of short-listing suitable names for appointment as Vice-Chancellors – Chairperson

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Digital Supreme Court Reports

to constitute the Search-cum-Selection Committees for the group or the individual Universities as early as possible – Chairperson to be paid an honorarium of Rs. 3 lakhs for every effective day of proceedings of the Search Committee, until the entire process is completed – The Chief Minister, State of West Bengal to recommend the shortlisted names in order of preference for appointment as Vice-Chancellors – In case the Chief Minister has reasons to believe that any short-listed person is unsuitable for appointment as Vice-Chancellor, the remarks to this effect to be put up before the Chancellor – In cases where said objection is not acceptable to the Chancellor or where the Chancellor has objection against empanelment of any particular name for which he has assigned his own reasons, all such files to be put up before this Court – Final decision in this regard to be taken by this Court after giving reasonable opportunity of being heard to the objectors – State of West Bengal to file the Status Report in respect to compliance of the directions issued – West Bengal University Laws (Amendment) Act,2012 – West Bengal Laws (Amendment) Act,2014 – Constitution of India – Art.142. [Paras 10,12,14-20]

List of Acts

West Bengal University Laws (Amendment) Act, 2012; West Bengal Laws (Amendment) Act, 2014; Calcutta University Act, 1979; Constitution of India; University Grants Commission Act, 1956; University Grants Commission's Regulations, 2018.

List of Keywords

Universities; Appointment of Vice-Chancellors; State-aided Universities in West Bengal; Appointment of regular Vice-Chancellors; Constitution and composition of Search-cum-Selection Committees; Interim or ad-hoc Vice-Chancellors; Powers u/Art. 142; Appointment of Hon'ble Mr. Justice Uday Umesh Lalit, Former Chief Justice of India as Chairperson of the Search-cum-Selection Committees for Universities in West Bengal; Honorarium of Rs. 3 lakhs to Chairperson; Filing of Status Report.

Case Arising From

CIVIL APPELLATE JURISDICTION: Special Leave To Appeal (Civil) No.17403 of 2023

From the Judgment and Order dated 28.06.2023 of the High Court at Calcutta in WPA(P) No.272 of 2023

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.**Appearances for Parties**

Dr. Abhishek Manu Singhvi, Jaideep Gupta, Sr. Advs., Sanjay Basu, Ms. Astha Sharma, Amit Bhandari, Nipun Saxena, Piyush Agarwal, Ms. Shrivalli Kajaria, Srisatya Mohanty, Ms. Anju Thomas, Sanjeev Kaushik, Ms. Mantika Haryani, Shreyas Awasthi, Himanshu Chakravarty, Ms. Ripul Swati Kumari, Bhanu Mishra, Ms. Muskan Surana, Archit Adlakha, Ms. Soumya Saxena, Aditya Raj Pandey, Ms. Lihzu Shiney Konyak, Simranjeet Singh Rekhi, Ms. Pratibha Yadav, Abhijit Pattanaik, Advs. for the Petitioner.

Gopal Shankarnarayan, Rana Mukherjee, Sr. Advs., Dr. Chaples Bandyopadhyay, Subhasish Bhowmick, Ms. Gargy Basu, Ms. Ananda Mayee, Ms. Manisha Pandey, Rahul Kushwaha, Ms. Neerja Sharma, Reagan S. Bel, Joydeep Mazumdar, P. Sil, B.K. Pandit, Ms. Shalini Kaul, Chandrashekhar A. Chakalabbi, Pijush Biswas, S.K. Pandey, Awanish Kumar, Anshul Rai, Abhinav Garg (For M/S. Dharmaprabhas Law Associates), Shyam D. Nandan, Rohit Bohra, Priyanshu Upadhyay, Viraat Tripathi, Abeer Gobind Shandilya, Anilendra Pandey, Manoj Ranjan Sinha, Deepak Sain, Ms. Nisha, Mrigank Prabhakar, Ms. Sakshi Banga, Anand Varma, Ayush Gupta, Soumya Dutta, Ms. Aditi Gupta, Kunal Chatterji, Ms. Maitrayee Banerjee, Rohit Bansal, Advs. for the Respondent.

Judgment / Order of the Supreme Court**Order****Surya Kant, J.**

There are approximately [35] state-aided Universities in the State of West Bengal. The appointment of their Vice-Chancellors is the hallmark of this controversy. It seems that the Petitioner-State of West Bengal appointed 24 Vice-Chancellors in the year 2022. These appointments, along with the West Bengal University Laws (Amendment) Act, 2012 and the West Bengal Laws (Amendment) Act, 2014, were challenged before the High Court in a Public Interest Litigation. The High Court vide judgement dated 14.03.2023 held that the Search Committee constituted by the State Government for the selection of those 24 Vice-Chancellors did not have any Member nominated by the Chairman of the University Grants Commission (UGC) and since the said Search Committee was in violation of the UGC's Act, the appointment of 24 Vice-Chancellors

Digital Supreme Court Reports

was unsustainable in law. The Division Bench judgment was upheld by this Court.

2. It further seems that the State of West Bengal thereafter made certain amendments in the State Universities Act in tune with the UGC's Regulations, 2018. However, instead of resorting to the statutorily prescribed procedure for appointment of regular Vice-Chancellors, the Minister-in-charge of the Department of Higher Education, Government of West Bengal, sent a proposal on 18.05.2023 to the Chancellor for extending the tenure of 27 Vice-Chancellors whose tenure was about to expire. The Chancellor, on the other hand, appointed 'Interim Vice-Chancellors' and as many as 28 professors were given such assignments. The appointments of these interim/ad-hoc/caretaker Vice-Chancellors came to be challenged by Respondent No. 1 through a Public Interest Litigation, which the High Court not only dismissed vide impugned judgment dated 28-06-2023 but also conferred perks and other monetary benefits on its own to these acting Vice-Chancellors, a benefit which the Chancellor himself had not granted to them.
3. The Division Bench order, to the extent of granting pay, allowance, perks or facilities admissible to a regular Vice-Chancellor, was consequently stayed by this Court vide order dated 06.10.2023.
4. The rift between the State Government, on the one hand, and the Governor of West Bengal, who happens to be the Chancellor of subject Universities, on the other, is the root cause of stalemate in the appointment of regular Vice-Chancellors. To elaborate further, there is no consensus between the two sets of authorities in the matter of constitution and composition of Search Committees for shortlisting the candidates for appointment as Vice Chancellors.
5. Since we, *prima facie*, disapproved the Chancellor's action of appointing interim Vice-Chancellors without consulting the State Government, all such further appointments were stayed vide order dated 06.10.2023.
6. The chaos has further deepened as neither there are regular Vice-Chancellors nor interim or ad-hoc Vice-Chancellors are permitted to be appointed. Regardless thereto, the Chancellor has assigned the powers of Vice-Chancellors to various persons — not necessarily all of them are academicians. The State of West Bengal has strongly

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

protested against such a recourse. We, however, do not deem it necessary to dwell on that issue at this stage for the reasons stated hereinafter:

- (I) On 15-09-2023, the learned Senior Counsel for the State of West Bengal, as well as learned counsel for the Chancellor, very fairly suggested that, pending multiple controversies, the Search Committee may be constituted by this Court. In order to explore that possibility, this Court on 27.09.2023 directed the learned senior counsel/counsel for the parties to submit, in a tabulated chart, the details of the Universities, the description of their subjects/disciplines, existing provisions for constitution of Search Committees, as well as the new provision which the State of West Bengal had proposed in the Bill awaiting assent of the Governor. Counsel for the intervenors were also granted liberty to suggest the names of renowned scientists, technocrats, administrators, educationists, jurists or any other eminent person for the purpose of nomination to the Search Committee.
- (II) On 06.10.2023, the parties sought time to replace certain names earlier suggested by them for nomination to the Search Committees.
- (III) On 20.11.2023, learned senior counsel for the parties agreed to submit a consolidated list of the names proposed by the State Government/Chief Minister/Chancellor/UGC and other prescribed authorities for the purpose of constituting Search Committees.
- (IV) On 01.12.2023, learned Attorney General for India entered appearance on behalf of the Chancellor. He assured that the names to be suggested by the Chancellor for the constitution of Search Committees will be shared with counsels for the petitioner/intervenors. Besides granting time in this regard, we also impressed upon the learned Attorney General to use his good offices to explore an amicable mode of appointment of the Vice-Chancellors, in conformity with the Statutes governing such appointments.
- (V) It seems that pursuant to the initiative taken by learned Attorney General, some meetings were held on 04.12.2023, 13.03.2024

Digital Supreme Court Reports

and 14.03.2024. These meetings, however, did not yield the desired results.

- (VI) On 16.04.2024, learned Attorney General, however, very fairly stated that six posts of the Vice-Chancellors will be filled up out of the list recommended by the State Government. Eventually, on 17.05.2024, we were informed that the State Government had sent a list of 15 names for appointment of Vice-Chancellors in 15 Universities. The learned Chancellor found 07 of them unsuitable and apparently had no objection against the remaining 08 persons. We, therefore, directed that those 08 names be appointed within 10 days. In order to instill confidence on both sides, it was observed that the Chief Minister of the State may send names of some more eminent persons to fill up the 07 vacancies of Vice-Chancellors.
 - (VII) We have no reason to doubt that the Chief Minister must have sent a few more names of eminent personalities and the Chancellor hopefully has accorded his approval for their appointment. As regard to the left-out Universities, we agreed on 17.05.2024, on the joint request of learned senior counsel for the parties, that a Search-cum-Selection Committee shall be constituted by this Court before the next date of hearing.
7. This is how we are tasked to constitute the Search-cum-Selection Committees.
 8. Learned senior counsel/counsel for the parties are *ad idem* that the appointment of Vice-Chancellors in all the Universities are regulated by different Statutes. The academic qualification, teaching experience, and some other distinct features also vary from university to university, depending upon the speciality of the subjects being taught thereby. The (i) names of the University Acts; (ii) existing provision for appointment of Vice-Chancellors; (iii) amended provision for appointment of Vice-Chancellor under the ordinance of 2023; and (iv) subjects/disciplines which are being taught in a University, have been consequently provided to us in a tabulated form. On a cursory look, we find that every statute, broadly speaking, provides that the Vice-Chancellor shall be appointed by the Chancellor on the recommendations of a Search-cum-Selection Committee, who shall hold the office upto the age of 65 years and should be a person possessing the highest level

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

of competence, integrity, morals and institutional commitment. The Vice-Chancellor must also be a distinguished academician with 10 years of experience as a Professor in a University or a well-reputed research/academician organization.

9. On an illustrative basis, we deem it appropriate in this regard to reproduce Section 8 of the Calcutta University Act, 1979, which reads as follows:

“8. (1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of the Senate. If the Senate fails to make any such recommendation, the Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister from a panel of three persons to be elected by the Senate in accordance with the system of proportional representation by means of the single transferable vote.

(2) (a) The Vice-Chancellor shall hold office for a period of four years or till he attains the age of 65 years, whichever is earlier, and shall, subject to the provisions of this section, be eligible for re-appointment for a period not exceeding four years.

(b) The Chancellor may, notwithstanding the expiration of the term of the office of the Vice-Chancellor or his attaining the age of 65 years, allow him to continue in office till a successor assumes office, provided that he shall not continue as such for any period exceeding one year.

(3) The Vice-Chancellor shall be a whole-time officer of the University and shall be paid from the University Fund a salary of three thousand and five hundred rupees per month and such allowances as the Chancellor may decide.

(4) The Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor.

(5) If—

(a) the Vice-Chancellor is, by reason of leave, illness or other cause, temporarily unable to exercise the powers and perform the duties of his office, or

Digital Supreme Court Reports

(b) a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of the term of his office, removal or otherwise,

then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Pro-Vice- Chancellor for Academic Affairs shall exercise the powers and perform the duties of the Vice-Chancellor.

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy.”

10. We may hasten to add at this stage that notwithstanding some variance in the provisions of the Acts under which Vice-Chancellors are to be appointed, especially with regard to composition of the Search-cum-Selection Committee, we deem it appropriate to invoke our powers under Article 142 of the Constitution to do complete justice in this matter and pass this common order for constitution of Search-cum-Selection Committee for all the subject Universities. Hence, we resolve to constitute Search-cum-Selection Committee(s) of the same composition so as to avoid any confusion, irrespective of the fact that the relevant provision of the Statute of the concerned University may contain slight variations. Our endeavour is to infuse transparency, independence, fairness, and impartiality so as to ensure that the persons possessing the highest level of competence and integrity and are capable of leading the University by example are shortlisted. In this regard, we have made an effort to shortlist experts who are eminent scientists, educationists, jurists, subject experts, and administrators in their own right. We have further attempted to set out that nominees of the Chancellor, Chief Minister, UGC, State Government, the Higher Education Department of West Bengal the intervenors etc. are adequately represented.
11. While shortlisting the experts for composition of the Search-cm-Selection Committee, we have been further guided by the nature of subjects and disciplines in which education is being imparted in

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

different Universities. We find that, broadly, all the Universities can be categorized as follows:

- i) Universities with faculties predominantly in arts and science:
 - a) West Bengal State University
 - b) Sidho Kanhi Birsha University
 - c) Burdwan University
 - d) Jadavpur University
 - e) Gour Banga University
 - f) Bankura University
 - g) Presidency University
 - h) Cooch Behar Panchanan Barma University
 - i) Sadhu Ram Chand Murmu University of Jhargram
 - j) Alipurduar University
 - k) Raiganj University
 - l) Diamond Harbour Women's University
 - m) Murshidabad University
 - n) Mahatma Gandhi University
 - o) Dakshin Dinajpur University
- ii) Universities with faculties predominantly in commerce and science:
 - a) North Bengal University
 - b) Kalyani University
- iii) Universities with faculties predominantly in arts:
 - a) Kanyashree University
 - b) Rabindra Bharati University
 - c) Harichand Guruchand University
 - d) Hindi University
 - e) Biswa Bangla Biswabidyalaya

Digital Supreme Court Reports

- f) Darjeeling Hills University
 - iv) Universities with faculties predominantly in science:
 - a) Maulana Abdul Kalam Azad University of Technology
 - b) Aliah University
 - c) West Bengal University of Health Sciences
 - d) West Bengal University of Animal and Fishery Sciences
 - e) Kazi Nazrul University
 - f) Rani Rashmoni Green University
 - v) Other miscellaneous and multi-disciplinary universities:
 - a) Calcutta University
 - b) Sanskrit College and University
 - c) Baba Saheb Ambedkar Education University
 - d) Vidyasagar University
 - e) Netaji Subhas Open University
 - f) Uttar Banga Krishi Vishwavidyalaya
 - g) Bidhan Chandra Krishi Vishwavidyalaya
12. We hereby appoint **Hon'ble Mr. Justice Uday Umesh Lalit, Former Chief Justice of India** as Chairperson of the Search-cum-Selection Committees for all the Universities.
13. Following is the list of eminent educationists, scientists, jurists, subject experts and administrators etc. who have been short-listed for the purpose of empanelment on Search-cum-Selection Committee(s):
- (i) Arts & Humanities
 - a) Prof. Sabyasachi Basu Ray Chaudhury, Ex. V.C., Rabindra Bharti University. Address: 56A, BT Road, Kolkata - 700500.
 - b) Prof. Siuli Sarkar, Principal, Lady Brabourne College.
 - c) Prof. Sibaji Pratim Basu, Professor, Vidyasagar University. Address: Department of Political Science with Rural Administration, Vidyasagar University, Midanpore – 721102.

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

- d) Professor Ujjwal K Singh, Department of Political Science, University of Delhi. Email: ujjwalksingh@gmail.com; Phone no: 8800788862.

(ii) History

- a) Prof. Tapati Guha Thakurta, Prof. in Social Sciences, Centre for Studies in Social Sciences. Address: C D 157, Salt Lake, Sector I, Kolkata – 700064.
- b) Prof. Amit De, Ashutosh Chair Professor of History, Calcutta University.
- c) Prof. Sajal Nag, Retd. Professor, Assam University.
- d) Prof. Rajat Kanta Roy, Former VC, Visva Bharati.
- e) Prof. Raghuvendra Tanwar, Chairman, Indian Council for Historical Research. Email: chairman@ichr.ac.in; Phone no: 9896219909.

(iii) Sociology & Anthropology

- a) Prof. Ramanuj Ganguly, Professor, WBSU. Address: Flat: A-106, Mall Enclave, 13, KB Sarani, Kolkata – 700080.
- b) Prof. Tanka Bahadur Subba, Ex VC, Sikkim Central University.
- c) Prof. Ravinder Kaur, Professor of Sociology, IIT Delhi, email: ravinder.iitd@gmail.com.

(iv) Economics

- a) Prof. Abhirup Sarkar, Professor, Indian Statistical Institute, Calcutta. Address: 10 Mandeville Gardens, Flat 802, Kolkata – 700019.
- b) Prof. Saibal Kar, RBI Chair Professor of Economics, Centre for Studies in Social Sciences. Address: R1, BP Township, Kolkata – 700094.
- c) Prof. (Dr.) Ram Singh, Director, Delhi School of Economics, University of Delhi, Delhi. Email: ramsingh@econedse.org; Phone number: 9971863030.

Digital Supreme Court Reports**(v) Law**

- a) Prof. Rathin Bandyopadhyay, Professor of Law, Department of Law, NBU. Address: Department of Law, University of North Bengal, Siliguri – 734013.
- b) Justice G. Raghuram, former Judge, Andhra Pradesh High Court and former Director, National Judicial Academy.

(vi) English

- a) Prof. Debnarayan Bandyopadhyay, Ex VC Bankura University. Address: 20 Chandranath Chatterjee Street, Kolkata 700025.
- b) Prof. Anindyo Roy, Associate Professor Emeritus, Department of English, Colby College, Waterville. Email: aroy@colby.edu.
- c) Prof. (Dr.) Meena T. Pillai – Dean, Faculty of Arts and Professor, Institute of English and Director, Centre for Cultural Studies of University of Kerala.

(vii) Hindi

- a) Prof. T.V. Kattimani, VC, Central Tribal University, Andhra Pradesh.
- b) Dr. Chander Trikha, Director, Urdu Cell, Sahitya Academy, Haryana, R/o of House No.345, Sector 22A, Chandigarh (Mob. No.09417004423).

(viii) Bengali

- a) Prof. Mir Rejaul Karim, Professor, Aliah University. Address: Department of Bengali, Aliah University, Park Circus Campus, 17 Gorachand Road, Kolkata-700014
- b) Prof. Tapadhir Bhattacharya, former VC, Assam University.

(ix) Chemistry

- a) Prof. Abhijit Chakrabarti, Retired Professor, Saha Institute of Nuclear Physics. Email: abhijit1960@gmail.com.
- b) Prof. Dhrubajyoti Chattopadhyay, VC, Sister Nibedita University.

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

- c) Prof. Uday Maitra, FNA Depttment of Organic Chemistry, Indian Institute of Sciences, Bangalore. Email: maitra@iisc.ac.in.
 - d) Prof. Ramesh Chandra, VC, Maharaja Surajmal Brij University, Bharatpur. Email: acbrdu@hotmail.com.
 - e) Prof. Siva Umaphathy, Physical Chemistry, Indian Institute of Sciences, Bangalore. Email: umaphathy@iisc.ac.in
- (x) Physics
- a) Swami Atmapriyanand, VC, Ramakrishna Mission Vivekananda Educational and Research Institute.
 - b) Prof. Amitava Mukhopadhyay, Professor, NBU.
 - c) Prof. Amitabha Roy Chaudhuri, Deptt of Physics, CU.
 - d) Prof. A.N. Basu, former VC, JU and distinguished Professor of Physics.
- (xi) Biology
- a) Prof. Subhra Chakraborty, Director, Genomics Research Centre, Delhi.
 - b) Prof. B.A. Chopade, VC – AKS University, Satna, Former VC, Dr. Babasaheb Ambedkar Marathwada University, Aurangabad.
 - c) Prof. (Dr.) Navin Sheth – former VC, Gujarat Technological University.
 - d) Prof. Emeritus. Prof. V. S. Chauhan, Ph.D., D.Phil. (Oxon), FNA, FNASc, TWAS, Former UGC Chairman. Email: viranderschauhan@gmail.com. Phone No.: 9811292058.
- (xii) Botany and Zoology
- a) Prof. Subhas Chandra Roy, Professor, NBU
 - b) Prof. Dipak Kumar Kar, ex VC, SKB University. Address: 409 Lake Gardens, Kolkata 700045; Phone No.: 7044577044
- (xiii) Mathematics
- a) Prof. Kallol Paul, Professor, Jadavpur University. Address: 188 Raja SC Mallik Road, Kolkata 700032.

Digital Supreme Court Reports

- b) Prof. Suparna De Sarkar, Senior Professor, NBU.
 - c) Prof. Tarun Das, Department of Mathematics, University of Delhi. Email: tarukd@gmail.com; Phone No.: 9911854923.
- (xiv) Computer Science
- a) Prof. Amlan Chakraborty, Calcutta University.
 - b) Prof. Anupam Basu, Director NIT, Durgapur.
 - c) Shri Raj Shekhar Joshi, Group Head (Digital Technology & Transformation), Joint President, Aditya Birla Group.
- (xv) Electrical Engineering
- a) Prof. Bhaskar Gupta, Professor, Jadavpur University. Address: 19C/1, Kalibari Lane, Kolkata - 700032.
 - b) Prof. Ajoy Roy, IIT Kharagpur.
 - c) Dr. Prith Banerjee, Chief Technology Officer of Ansys.
- (xvi) Chemical and Biochemical Engineering
- a) Prof. Chiranjib Bhattacharya, ex Pro-VC, JU
 - b) Prof. S.E. Hasnain, Padma Shree Awardee, National Science Chair, SERB, Department of Biochemical Engineering and Biotechnology, IIT Delhi.
 - c) Prof. RC Kuhad, Former Vice-Chancellor, Central University of Haryana, and retired Professor of Bio-Chemistry. Email: kuhad85@gmail.com; Phone no.: 9817813027.
- (xvii) Civil and Mechanical Engineering
- a) Prof. Deepankar Choudhury, T. Kant Chair Professor and Head of Civil Engineering department at IIT Bombay.
 - b) Prof. Sunil Kumar, VC- Rajiv Gandhi Proudhyogiki Vishwavidyalay, Bhopal.
- (xviii) Minerals and Agricultural Engineering
- a) Prof. Indranil Manna, JC Bose Fellow, FTWAS, FNA, FNAE, FNASc, FASc, MAPAM, FIE(I), FEMSI, FAScT, Professor, IIT Kharagpur, Former Director, CSIR- Central

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

Glass & Ceramic Institute, VC Birla Institute of Technology,
Mesra.

b) Prof. (Dr.) Virendra Kumar Tiwari, Director, IIT Kharagpur.

(xix) International Relations

a) Prof. Om Prakash Mishra, ex PVC, IGNOU & ex VC, NBU

(xx) Statistics & Information Science

a) Prof. Sabuj Kumar Chodhury, Professor, Department of Library & Information Science. Address: Third Floor, Asutosh Building, 87/1, College Street, Kolkata – 700073.

b) Prof. Bimal Kumar Roy, Head, RC Bose Centre for Cryptology and Security, ISI Kolkata.

(xxi) Physiology

a) Prof. Gautam Pal, Pro VC, Kalyani University

(xxii) Geology

a) Prof. S.K Tandon, former Pro Vice-Chancellor and retired Professor University of Delhi. Email: sktand@iiser.ac.in; Phone no: 9810437365.

(xxiii) Business and Management

a) Prof. Sujit Kumar Basu, former VC, Visva Bharati University.

b) Professor Errol D'Souza (former Director IIMA), Indian Institute of Management, Ahmedabad. Email: errol@iimahd.ernet.in Phone No.: 9558820604

(xxiv) Environment and Climate

a) Prof. Jayanta Bandyopadhyay, Retd. Professor, IIM Kolkata Environmental Studies.

b) Mr. Anirban Ghosh, Eminent Technocrat & Head, Centre for Sustainability, Mahindra University.

(xxv) Human Resource

a) Mr. Saptarshi Roy, Technocrat & Director (HR) NTPC Ltd., New Delhi.

Digital Supreme Court Reports**(xxvi) Miscellaneous**

- b) Dr. S.K. Pattanayak, IAS (Retd.), Former Secretary, Department of Agriculture, GOI, New Delhi.
 - c) Mr. Parimal Rai, IAS (Retd.), Former Chief Secretary, Goa. Address: 60, Poorvi Marg, Third Floor, Vasant Vihar, New Delhi. Phone no: 09779866666/09810533311.
14. The learned Chairperson is hereby authorized to constitute separate or joint Search-cum-Selection Committees for one or more Universities, keeping in view the nature of subjects/disciplines in which education is being imparted in such pooled Universities. The Chairperson is requested to nominate 4 persons out of the empaneled experts, whom he finds capable of short-listing suitable names for appointment as Vice-Chancellors. Learned Chairperson shall preside over every Search-cum-Selection Committee and thus, composition of each such Committee shall be five. The Search-cum-Selection Committee shall prepare a panel of at least 03 names (alphabetically and not in order of merit) for each University.
15. The learned Chairperson is requested to constitute the Search- cum-Selection Committees for the group or the individual Universities as early as possible and preferably within two weeks. The Department of Higher Education, Government of West Bengal is hereby nominated as the nodal department of the State Government to issue advertisements giving wide publicity to invite applications for the posts of Vice-Chancellors. Such advertisements shall contain the details of the requisite qualification and other eligibility conditions, with a specific reference to this Court's order so as to infuse confidence, leaving no uncertainty in the minds of the meritorious aspirants in submitting their claims. The advertisements shall give four weeks' time to submit the applications. Such applications shall be scrutinized by the concerned department of the State Government within one week and shall thereafter the entire set of all applications be placed before the learned Chairperson of the Search-cum-Selection Committee, who in turn, will get the dossier of each candidate prepared for consideration of the Search-cum-Selection Committee. The Search Committee may endeavour to complete their task within three months from today.
16. The learned Chairperson shall be paid an honorarium of Rs. 3 lakhs for every effective day of proceedings of the Search Committee, until

The State of West Bengal v. Dr. Sanat Kumar Ghosh and Ors.

the entire process is completed. The State Government, in addition to honorarium, provide the Chairperson with a suitable office and full secretarial assistance, along with transit accommodation at Kolkata. The learned Chairperson shall also be provided with an official vehicle and necessary paraphernalia forthwith, commensurate to the constitutional position held by him in the past.

17. The members of the Search-cum-Selection Committee shall be entitled to such allowance, perks, and facilities as may have been prescribed under the Statutes or by the State Government. If nothing has been prescribed, in that case, the petitioner-State shall apprise this Court of the status on the next date of hearing to enable us to pass appropriate order in this regard. Meanwhile, State Government is directed to reimburse their air fare (economy class) lodging and boarding expenses within one week of submission of such claims.
18. The recommendations made by the Search-cum-Selection Committee, duly endorsed by the learned Chairperson, shall be put up before the Chief Minister (and not the Minister-in-charge of a Department) for necessary consideration. In case the Chief Minister, State of West Bengal has reasons to believe that any short-listed person is unsuitable for appointment as Vice-Chancellor, the remarks to this effect along with supporting material and the original record of the recommendation made by the Search-cum-Selection Committee, shall be put up before the learned Chancellor within two weeks. The Chief Minister shall be entitled to recommend the shortlisted names in order of preference for appointment as Vice-Chancellors.
19. The learned Chancellor on the receipt of record from the Chief Minister of the State, shall appoint the Vice-Chancellors out of the empaneled names, in the same order of preference as recommended by the Chief Minister of the State. In case the learned Chancellor has any reservation against the empaneled names and/or the remarks made by the Chief Minister of the State against any short-listed candidate, the learned Chancellor shall be entitled to put up his own opinion on file, duly supported with reasons and relevant material.
20. The learned Chancellor shall accord his approval (save and except when there is a difference of opinion) within two weeks of receipt of file from the Chief Minister of the State. The Department of Higher Education, Government of West Bengal or any other concerned Department of the State Government are hereby directed to notify

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the appointment within one week from the date of receipt of approval from the learned Chancellor of the University.

21. In the case(s) where the Chief Minister of the State has objected to the inclusion of any name in the panel and such objection is not acceptable to the Chancellor or where the Chancellor has an objection against empanelment of any particular name for which he has assigned his own reasons, all such files shall be put up before this Court. We make it clear that a final decision in this regard shall be taken by this Court after giving reasonable opportunity of being heard to the objectors.
22. The State of West Bengal shall file the Status Report in respect to compliance of the directions issued here-in-above before the next date of hearing. We make it clear that since the constitution and composition of Search-cum-Selection Committee is at the instance and with the consent of the parties, we will not entertain any objection from any side for non-compliance.

Result of the case: Directions issued.

[†]Headnotes prepared by: Nidhi Jain