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CMJU/D/16/09

To,

Dated: 12-10-2016

The Secretary

University Grants Commission

Bahadur Shah Zafar Marg

New Delhi-110002

Sub: **Status report of CMJ University**

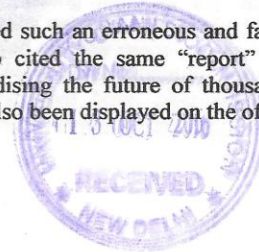
Sir,

This is in reference to the above cited subject and whereby a grave miscarriage of justice has been committed towards CMJ University by some authorities of UGC in the frenzy of sensational media reports and blatant violation of principles of natural justice.

In the course of enquiry into the affairs of CMJ University in 2013, UGC had constituted a fact finding expert committee in midst of allegations levelled against the University, by the ex-Governor of Meghalaya and the then Visitor of the University- Mr. Moosahary. The University was dismayed and shocked to find that the UGC committee wrongly considered the Head Office of CMJ University situated at Modrina Mansion, Laitumkrah, Shillong (Meghalaya) *as its campus when it was clearly known to them that the permanent campus of CMJ University is located at Jorabat, Meghalaya. This fact is well known and the UGC has been apprised of the same in the report submitted by the University to UGC, in March, 2013 itself.* It is baffling to us as to how such a blunder has been committed by the "experts" and even more surprising as to how the higher-ups in the UGC have approved this erroneous and factually incorrect report. For the record, we want to state that that the University has more than adequate infrastructure at its campus in Jorabat for running all its academic programmes.

The Expert committee of the UGC **visited the wrong location** and without any interaction with the stakeholders of the University and without any documents or material evidence, started having "serious doubts regarding the claims made by the University". The expert committee seemed to be more swayed by the negative media reports rather than making any attempt on their own to verify the complaints against the University and in a most prejudiced manner concluded that "complaints received by the UGC are *likely* to be correct."

It was also appalling to find that UGC not only duly approved such an erroneous and factually wrong report without verifying its "observations" but also cited the same "report" in the Honourable Courts, thereby committing perjury and jeopardising the future of thousands of students of the University. This factually incorrect report has also been displayed on the official





**CMJ
UNIVERSITY**

Established By the Government of Meghalaya
as per section 2(f) of UGC act 1956

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site of the UGC which only serves to mislead, misinform and discredit the University in the eyes of the public in general and the students in particular.

However, the two High Court of Meghalaya judgements of 2015 (Attached for your perusal) clearly display, that vested interests colluded and conspired to besmirch the University and dissolve it. As the Meghalaya High Court Judgement of Honorable Chief Justice Mr. U. N Singh makes it amply clear that this whole exercise was nothing but a blatant and sordid display of vendetta politics and driven by a deep personal animosity towards the Chancellor of the University, Mr. C. M Jha. To quote from the judgement-

"Under the epicenter of controversy seems to be some kind of grudge in the mind of the then Governor of Meghalaya over establishment and smooth functioning of the CMJ University constituted under the CMJ University Act, 2009. Such an impression can be gathered from the pleadings of the petition showing unusual conduct on his part in dealing with the matters connected with the affairs of the University and also from the judgment of the Hon"ble single Judge (Hon"ble Mr Justice TNK Singh) who has decided and allowed the WP(C) No. 177 of 2014."

The Honorable Chief Justice further contends that –

"The Visitor, according to the powers conferred upon him by the Act, has no authority to order any sort of investigation into the functioning of the University as this legal provision does not empower him to do so. Clearly, this action of the Governor is a blatant transgression of the statutory obligation and powers conferred upon him.

The information sought by the Governor from the University in regard to the admission of the students within three days and simultaneous issuance of the direction to the police to initiate criminal proceedings without waiting for the applicant to furnish the requisite information can only suggest the presence of element of mala fide intention on his part to unnecessarily harass the applicant. It can also suggest that the actions of the Governor are inspired; actuated with and driven by political vendetta which compelled him to usurp the authority not intended to be exercised by him by the Legislature when passing the CMJ University Act, 2009.

It is completely outside the purview of the power of the Visitor to issue any directions of the sort, issued in the case at hand. Therefore, the directions issued on behalf of the Governor were absolutely unwarranted and completely illegal as being in derogation of the statutory provisions.

Sir, these are only a few excerpts from the judgements of the High Court and a thorough study of these judgements will clearly show how a collusion of then ex-Governor of Meghalaya, the State Government authorities and the local media created havoc in the functioning of the University and systematically ruined it.

Therefore, as the machinations of the ex-Governor with the helping hand of the State Government has now been thoroughly exposed by these judgements, we would request you to revoke any decision which was taken by the UGC in the past, based on their recommendation. It is a matter of record that the thrust of the UGC order on CMJ University is based on the ex-Governor's recommendation and directives and now that they have been unequivocally declared to be "completely illegal" by the Honorable High Court, it is self-evident that UGC



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should act accordingly and update their order with the relevant information. This will go a long way in restoring the good name of the University and correcting the gross injustice committed against the University in the past.

Further, we would request you to constitute an expert and independent committee of UGC on an urgent basis, for on site campus inspection of the University to verify and affirm the existing infrastructure and functioning of the University.

Thanking You,

Yours truly


12/10/16
[For CMJ University]