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## JADAVPUR UNIVERSITY

# Buddhadeb Sau can continue as Jadavpur University VC: Government

A legal battle between the governor, who is ex-officio chancellor of all state-aided universities, and the higher education department over who has the authority to appoint interim VCs is being fought in the Supreme Court

SUBHANKAR CHOWDHURY | PUBLISHED 06.01.24, 05:53 AM



Buddhadeb Sau  
*The Telegraph*

The state higher education department clarified on Friday that Buddhadeb Sau, who was ordered by the governor on December 23 to cease functioning as officiating vice-

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chancellor of Jadavpur University, may continue to perform the duties of VC.

A letter signed by a special commissioner in the department and addressed to JU registrar Shnehamanju Basu said: "...the stand of the Higher Education Department has already been elaborated and communicated vide letter... dated 23.12.2023. Copy of the same is enclosed again, which speaks for itself."

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The official had written to the registrar late on December 23: "After considering the fact that the Institution will become headless and in the present situation within this short span of time no other alternative is visible, and there is no specific guideline available in this matter, and also keeping in mind the orders and observations made by the Hon'ble Supreme Court as aforesaid, the present authorised Vice-Chancellor may continue to exercise and perform the duties and let the convocation be held as scheduled on 24th December."

"...there was a clear indication from the Hon'ble Supreme Court for maintaining status quo in the matters of appointments of Vice-Chancellors of State-aided Universities," the letter added.

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A legal battle between the governor, who is ex-officio chancellor of all state-aided universities, and the higher education department over who has the authority to appoint interim VCs is being fought in the Supreme Court.

The December 23 communication also said: "Therefore, there cannot be any unilateral decision that can be taken by any single authority, and any appointment or removal shall be in accordance with the Laws/statutes. Subsection 7 of Section 9 of the Jadavpur University Act, 1981, which deals with the removal of Vice-Chancellor, inter alia provides that a Vice-Chancellor cannot be removed from office without an opportunity of being heard."

Governor C.V. Ananda Bose had on December 23 evening ordered Sau's removal because he decided to go ahead with the university's annual convocation, scheduled the next day, ignoring Raj Bhavan's instruction.

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The clarification on Friday came a day after the chancellor in a communication to the JU registrar and pro-vice-chancellor asked them to ensure that Sau “does not exercise any unauthorised authority in the administration of the university”.

The chancellor also referred to an order of Calcutta High Court and said the power of appointment and reappointment of a VC “is entrusted to the chancellor and not to the state government”.

The registrar had last week written to the department asking who had the power to grant administrative and financial approval, after a section of officials wrote to her seeking clarity on the issue.

Sau had told Metro on January 2 that he would not “visit the office of the VC” and “sign any files” till the state government cleared the air on his status.

Will he resume discharging responsibilities as VC following the clarification from the state government?

Sau said on Friday: “I will decide on this later. But I would say that the chancellor’s communication was unfortunate. When I have not been signing any files, how can I be accused of interfering with the administration? I visited the office only to collect my personal belongings.”

“The university’s court decided on holding the convocation in the presence of the vice-chancellor after going through the contradictory orders issued on December 23. Why is he not taking action against the court members?”

“Does the chancellor want me to defy the advice of an elected government?” Sau asked.

### Governor’s letter

In a letter to vice-chancellors of state-aided universities on Friday evening, the governor said the “state government has no power to appoint or reappoint Vice-Chancellor (Calcutta High Court judgment)” and “only the chancellor had the power to appoint, re-appoint or temporarily appoint or remove the Vice-Chancellor (Supreme Court judgment)”.

The letter, signed by an official in the chancellor’s secretariat, said the clarification was given as “it is reported by the heads of the universities that they are receiving unauthorised instructions from different sources, particularly from the department of higher education directing them to do things which are not within the ambit of law...”

Manojit Mandal, the state government nominee to Jadavpur University’s executive council, said the chancellor issued the order because of the clarification from the state government that Sau could continue as the authorised vice-chancellor regardless of the chancellor’s order that he be barred from functioning as VC.

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