

मौलाना आज़ाद नेशनल उर्दू यूनिवर्सिटी
MAULANA AZAD NATIONAL URDU UNIVERSITY
(A Central University established by an Act of Parliament in 1998)



(Accredited "A" Grade by NAAC)

No. MANUU/E.R-I(A) / F.200 / Vol.2/ 2015-16/ 1951

21st March 2016

ORDER

Sub: MANUU - Dr. Mohd. Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) - Complied the directions of Hon'ble High Court of States of Telangana & AP in W.P. No. 14811/2015 - Explanation/Representation of Dr. Mohd. Shujath Ali was considered by Executive Council of MANUU - Removal from services of Maulana Azad National Urdu University, Hyderabad - Orders Issued - Reg.

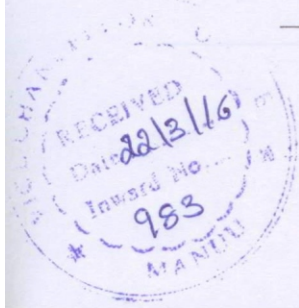
- Ref: 1) Order No. MANUU/Admin.II/F.200/Vol.II/2015-16/199 dt.11.05.2015
2) Writ Petition No.14811 of 2015 filed by Dr. Mohd. Shujath Ali before the High Court of States of Telangana & AP
3) Explanation/Representation of Dr. Mohd. Shujath Ali dated 18.01.2016
4) Executive Council decision dated 07.03.2016

The Registrar, MANUU received a letter dated 5th September, 2014 from Mr.Abid Abdul Wasay, Asst. Public Relations Officer, MANUU regarding persuasion by a faculty member of MANUU to publish negative and damaging news about Maulana Azad National Urdu University and it's the then Vice-Chancellor. It was stated that Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) personally tried to persuade and influence Mr.Taher Romani, Senior Journalist of Munsif Urdu Daily to publish a very derogatory, damaging and negative news about the then Vice-Chancellor's visit to a Shiva Temple at Tandur in Ranga Reddy District. Dr.Mohd.Shujath Ali told Mr.Taher Romani that Siasat Urdu Daily was also publishing the same news and if Munsif does not publish it, Siasat will score over it. Eventually, the news was published in Siasat Urdu daily on 16th August, 2014. A Show Cause Notice dated 19.09.2014 was issued to Dr.Mohd.Shujath Ali calling for an explanation. And whereas, Dr.Mohd.Shujath Ali submitted his explanation to the Show-cause Notice vide letters dated 25.09.2014 and 17.10.2014. A Charge-sheet dated 18.11.2014 was issued to Dr.Mohd.Shujath Ali and he was directed to submit written statement of his defense. And whereas, Dr.Mohd.Shujath Ali submitted his explanation vide letter dated 15.01.2015.

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2) Dr.Mohd.Shujath Ali was placed under suspension with effect from 19.1.2015 and an inquiry was initiated under CCS (CCA) Rules, 1965 after following due prescribed procedure.

3) Dr.Mohd.Shujath Ali filed a Writ Petition No.1816 of 2015 before the Hon'ble High Court of State of Telangana and State of AP challenging the suspension order. The Hon'ble High Court vide its orders dated 03.02.2015 directed the 1st Respondent i.e. the University shall complete the enquiry as expeditiously as is possible, within a maximum span of three months, provided the petitioner extends the necessary cooperation for concluding the same. The Learned Retired District and Session Judge, Mr.Syed Abdullah Saheb was appointed as Inquiry Officer and the enquiry was completed on 09.04.2015 i.e. within three months as per the directions of the Hon'ble High Court. The above writ petition is pending.

4) The charge-sheet contains the following charges:

Article-I

That Dr.Mohd.Shujath Ali, Deputy Director, CPDUMT personally tried to persuade and influence a Senior Journalist of the Munsif, Urdu Daily Newspaper published from Hyderabad to publish a very derogatory, damaging and negative news about the visit of official(s) of MANUU to Tandur, Ranga Reddy District, Telangana State which could have led to propagation of communal hatred among various communities and could have disturbed the peace and communal harmony among various religious groups. This act of misconduct of Dr.Mohd.Shujath Ali amounts to violation of Section-3 of CCS (Conduct) Rules, 1964.

Article-II

That Dr.Mohd.Shujath Ali told the Senior Journalist of Munsif that Siasat Urdu daily was also publishing the same news report and if Munisf did not publish it, Siasat will score over it. The news was published in Siasat Urdu daily on 16th August, 2014. It shows that Dr.Mohd.Shujath Ali has also persuaded and influenced the Siasat newspaper to publish the same very derogatory, damaging and negative news about the visit of official(s) of MANUU to Tandur, Ranga Reddy District, Telangana State which could have led to propagation of communal hatred among various communities and could have disturbed the peace and communal harmony among various religious groups. This act of misconduct of Dr.Mohd.Shujath Ali amounts to violation of Section-3 of CCS (Conduct) Rules, 1964.

Article-III

That Dr.Mohd.Shujath Ali had earlier, sometime in the year 2012, provided to the Senior Reporter, ETV Urdu a number of times, damaging material about the University to telecast. This act of misconduct of Dr.Mohd.Shujath Ali amounts to violation of Section-3 of CCS (Conduct) Rules, 1964.



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Article-IV

That Dr. Mohd. Shujath Ali's actions mentioned above amount to such actions which may lead to spreading communal hatred and violence in the society and also disrepute to the University. This act of misconduct of Dr. Mohd. Shujath Ali amounts to violation of Section-3 of CCS (Conduct) Rules, 1964.

Article-V

That earlier Dr. Mohd. Shujath Ali was issued a Warning Dated 30.10.2007 by the Registrar, MANUU as it was learnt that Dr. Mohd. Shujath Ali was unparliamentarily in his conduct and execution of duties. This was unbecoming of a faculty member of his cadre and the institution he serves. He was directed to mend his conduct, so that the authorities are not compelled to take serious action on such issues. The facts mentioned in Articles of Charge I, II, III & IV lead to conclusion that Dr. Mohd. Shujath Ali has not improved his conduct which is unbecoming of a faculty member. This act of misconduct of Dr. Mohd. Shujath Ali amounts to violation of Section-3 of CCS (Conduct) Rules, 1964.

5) The Inquiry Officer has submitted his report and has held article of charges I&II fully proved and Charges III & V not proved or did not discuss the matter and did not hold proved. While Article-IV has not been substantially held proved. The Inquiry Officer has observed that the Charged Officer, Dr. Mohd. Shujath Ali has produced records which shows that "he is an indisciplined employee and wants to have upper hand over his colleagues else would create trouble by approaching the press". According to the Inquiry Officer report, Dr. Mohd. Shujath Ali has confessed during enquiry that he had spoken to Mr. Taher Romani in the night of 15.08.2014 i.e. right before the news was published in Siasat Urdu Newspaper.

6) The Executive Council at its 52nd meeting held on 25th April, 2015 held that the material on record and findings of Inquiry Officer are very clear and proved that Dr. Mohd. Shujath Ali has indulged in a deliberate and intentional act of serious misconduct, which deserves removal from service of the Maulana Azad National Urdu University. Thus, the Executive Council after thorough deliberations resolved under the powers conferred as per Statute-26 of the University Act to impose a Major Penalty on Dr. Mohd. Shujath Ali, Deputy Director, Centre for Professional Development of Urdu Medium Teachers (CPDUMT) and authorized the then Vice-Chancellor to take further necessary action and follow due procedure laid down under CCS (CCA) Rules, 1965 and MANUU Act and Statutes before issuing the final order.

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7) Having considered the Inquiry Officer's report, representation of Charged Officer and the resolution of the Executive Council of Maulana Azad National Urdu University, Hyderabad, the then Vice-Chancellor had decided that Dr.Mohd.Shujath Ali, Deputy Director, Centre for Professional Development of Urdu Medium Teachers (CPDUMT) shall be removed from the services of MANUU. Accordingly, he was removed from the services of Maulana Azad National Urdu University, Hyderabad w.e.f. 11.05.2015 vide orders 1st cited.

8) Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) having aggrieved to the decision of the University for imposition of major penalty of removal from the services of MANUU in a disciplinary case, he has filed a Writ Petition No.14811 of 2015 before the Hon'ble High Court of Telangana and A.P. The Hon'ble High Court in its order dated 16.12.2015 has set aside the removal order on the ground that due procedure was not followed before removing him in accordance with the provision contained in Rule 10(4) of Central Civil Services (Classification, Control and Appeal) Rules, 1965 and ordered that he shall be deemed to be under suspension from the date of his removal from services and shall be continued to be under suspension and subsistence allowance payable to him from the date of removal shall be released forthwith at any rate within two (02) weeks from the date of receipt of a copy of the order. The Hon'ble Court further ordered that he shall file his explanation within two weeks from the date of receipt of a copy of this order. After receipt of his explanation, the competent authority shall consider the same objectively and uninfluenced by the earlier decision of the Executive Council shall take a decision, as expeditiously as possible, preferably within three months from the date of receipt of the copy of the order.

9) In compliance to the directions of the Hon'ble High Court Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) was paid subsistence allowance from the date of his removal with effect from 11.05.2015.



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10) Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) submitted his explanation dated 18.01.2016.

11) In pursuance of the directions of the Hon'ble High Court the matter was placed before the Executive Council at its 56th meeting held on 7th March, 2016 along with the entire record and explanation dated 18.1.2016 submitted by him for consideration and passing appropriate orders uninfluenced by the earlier decision of the Executive Council.

12) The Executive Council of Maulana Azad National Urdu University, Hyderabad at its 56th meeting held on 7th March, 2016 went through the entire record pertaining to the case along with the explanation/representation submitted by Dr.Mohd.Shujath Ali. The Executive Council considered the report of the Inquiry Officer, Mr.Syed Abdullah Saheb, Learned Retired District and Session Judge who gave a finding that the charges under Article I & II relates to his act of persuading and influencing a Senior Journalist of the Munsif, Urdu Daily Newspaper published from Hyderabad to publish a very derogatory, damaging and negative news about the visit of official(s) of MANUU to Tandur, Ranga Reddy District, Telangana State which could have led to propagation of communal hatred among various communities and could have disturbed the peace and communal harmony among various religious groups were serious and held that the same are fully proved and that his acts of serious misconduct, indiscipline attitude, unparliamentary in his conduct and execution of duties and damage done in tarnishing the image of the University amounts to violation of Section-3 of Central Civil Services (Conduct Rules), 1964. The Executive Council considered the explanation submitted by Dr. Mohd. Shujath Ali in detail and came to a conclusion that the explanation given by him with reference to charges mentioned in Article I and Article II are contrary to evidence on record and unacceptable and the evidence on record clearly proves that the findings of the Inquiry Officer are correct and need no interference or changes.

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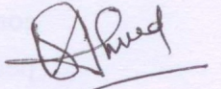


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13) Thus after careful consideration in the manner mentioned herein, the Executive Council of Maulana Azad National Urdu University, Hyderabad uninfluenced by the earlier decision taken by it at its 52nd meeting held on 25.04.2015 in this case, unanimously resolved that in order to maintain discipline, peace, communal harmony and the academic environment in the University, Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) deserves removal from the services as stipulated under Central Civil Services (Classification, Control and Appeal) Rules, 1965. Hence, the Executive Council unanimously passed resolution that Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) shall be removed from the services of Maulana Azad National Urdu University, Hyderabad with effect from the date of issue of order.

14) In pursuance of the decision taken by the Executive Council at its 56th meeting held on 7th March, 2016, Dr.Mohd.Shujath Ali, Deputy Director (under suspension), Centre for Professional Development of Urdu Medium Teachers (CPDUMT) is removed from the services of Maulana Azad National Urdu University, Hyderabad with effect from the date of issue of this order.


Registrar

To
Dr. Mohd. Shujath Ali
H.No.20-2-523, Modern School Lane
Hussaini Alam
Hyderabad – 500 064.

Copy to:

- 1) Director I/c, CPDUMT
- 2) Finance Officer, MANUU
- ✓ 3) VC/Registrar's Offices
- 4) Concerned file
- 5) Personal File