

राष्ट्रीय प्रौद्योगिकी संस्थान, उत्तराखण्ड
NATIONAL INSTITUTE OF TECHNOLOGY, UTTARAKHAND
MINUTES OF THE 13th MEETING OF THE BOARD OF GOVERNORS,

HELD ON 27th JUNE 2017 at DRDO, Delhi Cantt

The following members were present:

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| 1. Dr. Satish Kumar | - | Chairman |
| 2. Shri. Anil Kumar | - | Member |
| 3. Shri A.K. Singh | - | Member |
| 4. Prof. P. K. Pande | - | Member |
| 5. Prof. Pramod Agarwal | - | Member |
| 6. Dr. Nagpure Indrajit Manohar | - | Member |
| 7. Col. Sukhpal Singh | - | Secretary |

The Board welcomed Prof. Ajit Kumar Chaturvedi, Director IIT Roorkee, Dr. Nagpure Indrajit Manohar and Dr. Renu Bhadola Dangwal as Board members.

Due to prior commitments Prof. Ajit Kumar Chaturvedi Director IIT Roorkee, Dr. S. Farooq and Dr. Renu Bhadola Dangwal could not attend the meeting. Board grants leave in absentia.

Prof. Pramod Agarwal, Department of Electrical Engineering, IIT Roorkeels nominee of Director IIT Roorkee.

At the outset, the Chairman welcomed all the members.

The Committee discussed the following agenda:

BoG 13.01: To confirm the Minutes of the Twelfth Meeting of Board of Governors.

Resolution: Confirmed

BoG 13.02: Action Taken Report

Resolution: Noted with following resolutions:

For Item No BoG 12.09:-The Board perused the report submitted by the then Director. After due deliberation, the Board decided to defer the consideration of this item till such time the Departmental Enquiry against Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De is concluded.

As regards Dr. Anirban Mukharjee, the case be dropped as he resigned and left the Institute on 30th December, 2016.

BoG 13.03 Confirmations of Faculty, Officers & Non-Teaching Staff.

Agenda: As per Board resolution No. 12.11, the cases of confirmation of employees, after successful completion of probation period, may be dealt with by the Director as per DOPT guidelines. In pursuance to the Board resolution and DOPT guidelines on the subject, a list of employees who have completed their probation period successfully, duly recommended by the Director, are placed before the Board as per enclosed **Annexure BOG 13.02**. These employees are recommended to be confirmed.

Board is requested to confirm all the listed employees and also permit to deal with all due/future cases of confirmation as per DOPT norms.

Resolution: The Board resolves to confirm the services of following listed employees:

Officers				
Sl. No.	Name of Employees	Designation	Section/Department	To be confirmed w.e.f.
1.	Dr. Vineeta Negi	Assistant Registrar	Administration	10.06.2015
2.	Dr. Kuldeep Singh	Student Activity & Sports Officer	Sports	19.08.2015

Non-Teaching				
Sl. No.	Name of Employees	Designation	Section/Department	To be confirmed w.e.f.
1.	Mr. Anoop Sharma	Superintendent (A/c)	Administration	19.06.2015
2.	Mr. Sanjay Bhatt	Superintendent	Administration	19.07.2015
3.	Mrs. Neha Raturi	Technical Assistant	Sciences & Humanities	10.06.2015
4.	Ms. Bhavana	Technical Assistant	Electronics Engg.	20.06.2015
5.	Mr. Rammohan Gupta	Technical Assistant	Mechanical Engg.	02.07.2015
6.	Mrs. Beena Rawat	Senior Assistant	Administration	10.06.2015
7.	Ms. Rekha Rawat	Junior Assistant	Administration	01.07.2015
8.	Mr. Anil Bhatt	Lab Assistant	Sciences and Humanities	24.06.2015
9.	Mr. Pradeep Kumar	Technician	Electrical Engg.	10.06.2015
10.	Mr. Jal Dev	Technician	Computer Science & Engg.	01.07.2015
11.	Mr. Manoj Kumar	Technician	Computer Science & Engg.	01.07.2015
12.	Mr. Ravindra Kumar	Multitasking	Electrical Engg.	26.06.2015

Teaching				
Sl. No.	Name of Employees	Designation	Section/Department	To be confirmed w.e.f.
1.	Dr. I.M. Nagpure	Assistant Professor	Sciences & Humanities	04.04.2014
2.	Dr. Renu B. Dangwal	Assistant Professor	Sciences & Humanities	01.07.2014

The confirmation of Dr. Pawan Kumar Rakesh, Dr. Manvendra Singh Khatni, Dr. D.B. Singh, Dr. Kuldeep Sharma, Dr. Nitin Sharma, Dr. Pankaj Kandwal, Dr. Saroj Ranjan De and Dr. Ajay Kumar Chaubey is hereby withheld due to pending disciplinary action against these employees for violation of service conditions amounting to misconduct.

BoG 13.04 Reconsideration of policy regarding Grant of Lien to Institute Employees.

Agenda: Policy of granting lien for Institute employees was approved vide agenda item no. 9.07. Guideline approved by the Board are as under:

- a) Employee must have put in minimum six (06) year of continuous service in the Institute to be eligible for applying for lien. It means that if permanent employee of NIT Uttarakhand applies and gets selected for posts in other Central Government Department/ Offices/State Government in first 06 years of his service in the Institute or does not complete continuous service in NIT Uttarakhand for any other reason than he/she will NOT be eligible for applying for lien.
- b) Grant of lien is discretionary and normally will be based on the employee's Annual Confidential Reports during the service rendered in the Institute.
- c) To maintain optimum levels of administration, functioning and growth of the Institute, not more than 5% of the total faculties and 5% non-faculty personnel present on role of the Institute, at any time, will be allowed to retain the lien.
- d) Lien will be granted only for joining government organization/NITs/IITs/ Central Universities/ Research Institutes. No lien will be granted for joining private organization including PSUs.
- e) Lien can be granted not more than 2 times during service period. The gap between two such requests for grant of lien should be minimum 02 years.
- f) Competent Authority of NIT Uttarakhand reserves the right to allow/disallow retention of lien irrespective of fulfillment of the above conditions.

Initially no. of employees were less hence, above guidelines were prepared. Keeping in view the future of the employees and to avoid any legal complication in future, reconsideration of the above guidelines is required as per Government Order.

Board is requested to reconsider the process of granting lien and permit lien to the employees of the Institute as per related DoPT/Government of India Orders.

Resolution: The Board resolves that the standard guidelines contained in Go/DoPT/NITSER Act/Statutes may be followed.

BoG 13.05 Consideration of modification in provisions of the First Statutes.

Agenda: As per the MHRD letter no. F.No.33-9/2011-TS.III dated 29th May, 2017 the council of the National Institutes of Technology, Science Education and Research (NITSER) in the 10th meeting held on 26th May, 2017 has approved the RRs for faculty in NITs which will replace the existing Four-Tier Flexible Faculty Structure.

The Council has also decided that these Recruitment Rules shall be made part of Statutes of NITs. Therefore, the amendment to the Statutes 23 (5) (A) is to be adopted by through the Board of Governors.

Besides above, the Council of NITSER also approved modification in Statute 17 (1) of the First Statutes of NITs pertaining to constitution of the Selection Committee for the selection of the Director as given below:

Existing clause	Amendment proposed
The Director of the Institute shall be appointed by the Visitor on contract basis on the recommendations of a Selection Committee constituted by him consisting of atleast five members including the Chairman who are experts in the field of technical education with experience at national international level.	The Director of the Institute shall be appointed by the Visitor on contract basis on the recommendations of a Search – cum – Selection Committee constituted by him consisting of atleast five members. The Chairperson of the Council shall be its Chairperson and the Secretary of the Department of Higher Education or his

	representative shall be one its members besides three other experts in the field of technical education with experience at national and international level.
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Board is requested to adopt the new Recruitment Rules and proposed modification in the Statutes. The details are enclosed as **Annexure-BoG 13.03**.

Resolution: The Board adopts the Recruitment Rules for Faculty placed at annexure of MHRD letter F. No.33-9/2011-TS.III dated 29/05/2017. Further, such Recruitment Rules should be made part of Statutes as one of the Schedule. The Board also adopted the modification of Statute No. 17(1) regarding Search-cum-selection Committee for the selection of the Director as per MHRD letter No.33-9/2011TS.III dated 29/05/2017.

BoG 13.06 To approve the draft Annual Report for the Year 2016-17.

Agenda: A draft annual report for the year 2016-17 is prepared as per Ministry of Human Resource Development Guidelines and enclosed as **Annexure 13.04**.

Board is requested to approve the annual report for the year 2016-17.

Resolution: Approved.

BoG 13.07 Renewal of contract of Dr. Anupam Yadav, Assistant Professor of Mathematics, Department of Science and Humanities.

Agenda: Dr. Anupam Yadav was appointed as Assistant Professor on contract (mathematics) in the Dept. of Science and Humanities vide office order no. NITUK/Estt/2014/034/777 dated 13.06.2014 and joined the Institute on 14.08.2014. In this regard, a bond was also signed between the Dr. Anupam Yadav and the Director, NIT, Uttarakhand on dated 11.05.2015.

As per para 02 of agreement *"The party no. 1 (Dr. Anupam Yadav) shall be on service under the agreement for a period of 03 years. The contract shall be in force subjected to his/her good performance in teaching, research and good conduct. The services of party no. 01 will be regularized on satisfactory completion of three years provided that for regularization of service he/she shall appear before the duly constituted committee. Applicable for recruitment of faculty and recommendation of the committee are accepted by the BoG."*

Contract period of Dr. Anupam Yadav will complete on 13.08.2017.

As per recruitment rule para 04 *"Faculty who are appointed on contractual basis, shall be for a fixed period not exceeding 05 years."* Dr. Anupam Yadav will be completing 03 year contract on 13.08.2017.

A duly constituted Performance Review Committee recommended grant of extension of contract of Dr. Anupam Yadav for two more years.

Board is requested to extend the contract period of Dr. Anupam Yadav for 02 more years on same terms and conditions.

Resolution: Board desires that suitable Performance Review Committee be constituted to conduct the performance review of Dr. Anupam Yadav. Based on the satisfactory Performance

committee Report, the Chairman Board of Governors may extend the contract period of Dr. Anupam Yadav by two more years on same terms and conditions, and the same be brought in the next Board meeting for ratification.

BoG 13.08 Action on CBI Self Contained Note No. PE0072014A0006 dated 24.09.2015 against Kumar Gaurav, Assistant Professor, NIT Uttarakhand regarding purchase of Lab View Software and Hardware item.

Agenda: A letter No. 30-2/2016.TS-III dated 27th December, 2016 is received from MHRD regarding complaint against Shri Gaurav Kumar, Assistant Professor of NIT Uttarakhand.

CBI, SPE, Dehradun had conducted an enquiry in NIT, Uttarakhand with regards to purchase of "Lab View Software & Hardware System" (said to be proprietary in nature) from M/s ADCC Infocad Pvt. Ltd., Pune (ISO 9001:2008 certified company and part of Meghe Group in Maharashtra) in 2013 for exorbitant sum of Rs.3,85,31,532/-.

Based on the investigation, CBI SPE, Dehradun submitted a Self Contained note vide No. 4757/PE0072014A0006 wherein it was recommended to initiate action as deemed fit against Dr. H. T. Thorat, Ex-Director and Shri Kumar Gaurav, Assistant Professor of NIT, Uttarakhand. A copy of the Self Contained of CBI is enclosed as **Annexure 13.05**.

Shri Kumar Gaurav is working as a Assistant Professor, Electronics Department in National Institute of Technology (NIT), Uttarakhand. Therefore, BoG is the competent Disciplinary Authority.

Institute CVO is to be deputed to examine the Self Contained Note of CBI may and matter may than be sent to Central Vigilance Commission (CVC) for first stage advice.

Nomination of Institute CVO is still awaited from MHRD. Hence, Board is requested to issue necessary directives.

Resolution: The Board desired that the matter may be followed up with MHRD for appointment of Part-Time CVO.

BoG13.09 Ratification of notes approved by the Chairman.

Agenda: Approval was taken from the Chairman, BOG for emergent and inevitable items.

1. Resignation of Dr. Anirban Mukherjee.
2. Resignation of Dr. Arun Kumar Wamankar.
3. Resignation of Dr. Manoj Kumar Senapati.
4. Resignation of Dr. Girish P.R.
5. Resignation of Ms. Jyoti Kumari.
6. Permission to attend International Conference abroad-Dr. Nitin Kumar.
7. Permission to attend international conference abroad-Dr. Devesh Punera.
8. Permission to attend International conference abroad-Dr. Anirban Mukherjee
9. Permission to attend International conference abroad- Dr. VikasKukshal.
10. Permission to attend International conference abroad- Mr. Surendra Singh.
11. Permission to attend international conference abroad- Dr. Anupam Yadav.
12. Permission to attend international conference abroad- Mr. Surendra Singh.
13. Permission to attend international conference abroad- Mr. Krishan Kumar.
14. Permission to attend international conference abroad- Dr. Nitin Kumar.
15. Permission to attend international conference abroad- Dr. Kuideep Sharma.
16. Nomination of two Faculty Members to the Board of Governors.
17. Reporting and Reviewing Officer for Annual Performance Appraisal Report.
18. Approval regarding appointment of Deans.

19. Withdrawal of Associate Deanship (Examination) and creation of Associate Deanship (Estate).
20. Approval regarding appointment of Dean (Estate).

Resolution: Ratified.

BoG 13.10 Item for information.

Agenda: 1-Legal Cases

16 writ petitions were filed in Hon'ble High Court of Uttarakhand and Delhi against the Institute. Status of all legal cases are enclosed as Annexure BoG 13.07.

2- Intimation regarding appointments made at the Institute
Details are enclosed as Annexure BoG 13.08.

Resolution: Noted.

BoG 13.11 To note and approve the minutes of Senate.

Resolution: Noted and Approved except point no 09.14 (B) and 09.14 (E). The Board desires that Senate to review the same.

BoG 13.12 To note and approve the minutes of Finance Committee.

Resolution: Noted and Approved.

BoG 13.13 (a) Regarding judgment issued by the Hon'ble High Court of Uttarakhand in favour of Mr. Manoj Kumar.

Agenda: Mr. Manoj Kumar filed a Writ Petition No.2048 of 2016 at Hon'ble High Court of Uttarakhand for "issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 (NIT Uttarakhand) to give appointment to the petitioner of the selection process". Against which Institute has filed counter affidavit.

Judgment in the said Writ petition was issued by the Hon'ble High Court on dated 28/03/2017 with a version that "since one post is lying vacant, the concerned respondent is directed to offer appointment to the petitioner against that vacant post within a period one month from today with all consequential benefits". Copy of Judgement is enclosed as Annexure I.

Institute had advertised the Advertisement No.1/2014 on dated 24/08/2014 for the post of Non-Teaching staff including Junior Assistant the total 1020 forms were received for the post of Junior Assistant. On the basis of scrutiny total 389 candidates were shortlisted in normal category and 48 were shortlisted under specified category i.e. those who were granted age relaxation. On the basis of Written Test held on 15/10/2014, total 11 candidates (10 General category and 01 OBC category) were successful to appear in the Personal Interview.


Mr. Manoj Kumar having application No.JA/554 shortlisted under specified category (as OBC candidate) and only candidate who was in the Personal Interview panel against the two posts embarked for the OBC category in the mentioned advertisement. Mr. Manoj Kumar was not recommended for appointment by the Selection Committee.

As per Judgement of Honorable High court of Uttarakhand, offer of appointment to the post of Junior Assistant (Grade Pay Rs. 2000, PB-1) should be given to the petitioner. But as on date there is no vacancy against the post of Junior Assistant.

Therefore Board is requested to issue necessary directives in this regard.

Resolution: Board is not empowered to take decision on grant of appointment to Mr. Manoj Kumar as, as on date, no vacancy is available in the Institute in the post of Junior Assistant (Grade Pay Rs. 2000/- PB-1) and the vacancies are allotted / sanctioned by the Ministry of HRD. Therefore, the Board is of the opinion that Hon'ble High Court may be intimated through an application, that at present there is no vacancy at the level of Junior Assistant, consequently NIT Uttarakhand is not in a position to implement the decision of the Hon'ble High Court and in the meantime, the Institute should appraise and take up the matter on priority with Ministry of HRD in the light of the judgement of Hon'ble High Court.

The meeting ended with Vote of thanks to the Chair.


05/07/17
Col. Sukhpal Singh
Secretary

Submitted for Approval


Approved/Not Approved 7/7/17

I/c Director and Chairman
Board of Governors
NIT, Uttarakhand