

**राष्ट्रीय प्रौद्योगिकी संस्थान, उत्तराखण्ड**  
**NATIONAL INSTITUTE OF TECHNOLOGY, UTTARAKHAND**

**MINUTES OF THE 12<sup>th</sup> MEETING OF THE BOARD OF GOVERNORS,**

**HELD ON 03<sup>rd</sup> October, 2016**

12<sup>th</sup> Meeting of BoG which was initially scheduled on 23<sup>rd</sup> September 2016. The same was adjourned to 3<sup>rd</sup> October, 2016 for want of quorum. The following members were present in adjourned meeting held at 11.00 am on 3<sup>rd</sup> Oct 2016 at Delhi:

- |                       |   |           |
|-----------------------|---|-----------|
| 1. Prof. H. T. Thorat | - | Chairman  |
| 2. Mr. Sanjeev Sharma | - | Member    |
| 3. Mr. Arun Kumar     | - | Member    |
| 4. Dr. S. Farooq      | - | Member    |
| 5. Prof. P. K. Pande  | - | Member    |
| 6. Col. Sukhpal Singh | - | Secretary |

At the outset, the Chairman welcomed all the members. Board placed on record sincere appreciation for contribution made by Mr. Bhaskar Bhat the Chairman, Board of Governors towards the growth and progress of the Institute. Mr. Bhaskar Bhat completed his term of Chairmanship on 30<sup>th</sup> March, 2016

The Committee discussed the following agenda:

**BoG12.01: To confirm the Minutes of the Tenth meeting of Board of Governors and Agenda by circulation vide agenda item no 11.01 & 11.02.**

**Resolution:** Minutes of the Tenth meeting of the BoG are confirmed with suggestion that directives may be sought from MHRD regarding establishment of Technology Incubation Centre in NIT Uttarakhand.

As regard item by circulation no. 11.01 Board resolved that in view of observation from IFD vide letter no. 3-30/2013 IFD(Pt.) dated 19/08/2016 DPR of NIT Uttarakhand be withdrawn till further instructions from MHRD regarding site for permanent campus. Board confirmed item no. 11.02 regarding Annual Report of the Institute.

**BoG12.02: Action Taken Report**

**Resolution:** The BoG noted the Action Taken Report and suggested that following information should be the part of ATR in future:

1. Agenda Item No
2. Agenda Item
3. Resolution in brief
4. Brief Para/Remarks on Action taken

**BoG12.03 To consider the Gol correspondence regarding Departmental Enquiry against Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De.**

**Agenda:** A Departmental Inquiry was instituted against Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De for gross misconduct. Proper procedures were followed for initiating the Departmental Inquiry. The BoG vide resolution no 09.14, appointed Dr. R.D. Sahay (Retd. Joint Secretary, Gol, MHRD) as an Inquiry Officer, to enquire into the matter. While the enquiry was in progress, the delinquent Officers made a correspondence with the President



of India who is also the Visitor of the Institute informing that Mr. R.D. Sahay is biased. Mr. R.D. Sahay made a communication with the Visitor.

In response to the above correspondence made by the Inquiry Officer to the Hon'ble President, the MHRD vide its letter addressed to the Director informed that the matter pertains to the Board of Governors of the Institute. Hence matter is placed before the Board. Letter from MHRD and correspondence made by delinquent officer is attached as **Annexure- 12.04.**

Attention of the Board is invited upon the fact that Shri R.D.Sahay worked on a very responsible position in Govt. of India and is well versed with rules and procedures adopted in Government organizations. The contention of the delinquent officers is totally wrong baseless and made only with an intention to obstruct and delay the proceedings. Therefore, the contention of the delinquent officers, as that the present Inquiry Officer is biased, is not acceptable. As reported by presenting officer, right from the commencement of Departmental Enquiry proceedings, the delinquent officers are making every effort to obstruct and delay the proceedings. In spite of four sittings, Inquiry Officer was not allowed to take up the charges just because of delaying tactics of delinquent officers. Comments sought from Inquiry officer along with Presenting Officer will be tabled.

Further, both the delinquent officers have been charge sheeted for various misconduct including approaching higher authorities without following proper channel. In fact, as per NIT Statutes 26(9), a member of the staff aggrieved by any order imposing penalty passed by the Director against him shall be entitled to prefer an appeal to Board of Governors against the order and there shall be no further appeal against the decision of the Board.

Statutes 26(10) stipulates that a member of the staff aggrieved by any order passed by the Board inflicting a penalty on him shall be entitled to prefer an appeal to the Visitor against such order. As per Act/Statutes there are no provisions available for appeal against proceedings.

In view of the above, the Board is requested to reject the representation of delinquent officers and resolve that Mr. R.D. Sahay shall be requested to proceed with the Inquiry and submit its report expeditiously as the matter has been delayed considerably.

Further, in spite of knowing fully well that making correspondence directly with higher authorities (without routing through proper channel) is violation of conduct rules, the delinquent officers have repeated the same act and therefore, can be given additional chargesheet for such indisciplinary Act and dealt severally.

The Board is requested to approve the above proposal.

**Resolution:** The Board deliberated upon the allegations of bias leveled against the Inquiry Officer by the two delinquent officers Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De. The Board also perused the written submission of the Inquiry Officer and the Presenting Officer.

The Board does not agree with the contentions of the two delinquent officers Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De that Inquiry Officer is biased.

Board observed that the allegation of bias on Inquiry Officer are baseless and without any substantiating evidence. The Board expressed full confidence in Mr.R.D.Sahay as Inquiry Officer in Departmental Enquiry against delinquent officers.

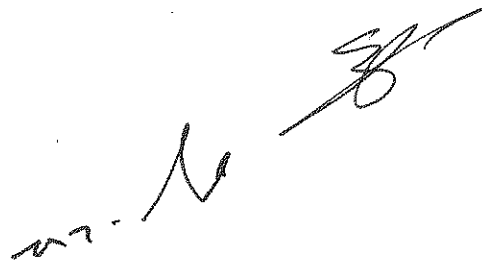


Board took serious note of the fact that delinquent officers had once again bypassed the Competent Authority and directly communicated to the Visitor i.e. the President of India, thereby violating the instructions reiterated vide DoPT OM F.No. 11013/08/2013-Estt.(A-III) dated 31 August 2015.

The Board further resolved that:

- A. The two delinquent officers Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De be given seven days to submit the substantiating evidence in writing, in support of the allegations made by them against Inquiry Officer that the Inquiry Officer is biased, else it shall be construed as leveling false allegation and delaying the Departmental Inquiry.
- B. Mr. R. D. Sahay may be relieved from the assignment keeping in view the inability expressed by Mr. Sahay, because of his new assignment. The Board expressed their gratitude to Mr RD Sahey for rendering this yeoman service to the Institute, selflessly.
- C. Board directed that the enquiry shall be resumed against both the delinquent officers from where Mr.Sahay was relieved. Board recommended Mr Navin Soi, retired Joint Secretary from MHRD as Inquiry Officer.
- D. An additional Charge Sheet for gross misconduct be prepared against the two delinquent officers Dr. Ajay Kumar Chaubey and Dr. Saroj Ranjan De for repeatedly bypassing the Competent Authority and directly communicating with the Visitor i.e. the President of India and violating the CCS conduct Rules and instructions reiterated vide DoPT OM F.No. 11013/08/2013-Estt.(A-III) dated 31 August 2015.
- E. The Board once again reiterates that no employee of the Institute should submit representations directly to other authorities including the Chairman & Members of the Board and other committees by bypassing the prescribed channel of communication.

The Board expressed that there is no need to wait for circulation and confirmation of resolutions to this Agenda Item and Director to proceed with all the actions as stipulated by the Board in this resolution to the agenda Item.

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**BoG12.04 Absorption of Colonel Sukhpal Singh, Registrar in National Institute of Technology, Uttarakhand services.**

**Agenda:** Colonel Sukhpal Singh has been appointed as Registrar with effect from 01.09.2015. His appointment is on tenure basis for a total period of five years. Since he was in Military Secretary's Branch of Indian Armed Forces service till 30<sup>th</sup> September 2016, his initial period of service i.e. from 01.09.2015 to 30.09.2016 is on deputation to National Institute of Technology, Uttarakhand. Col.Sukhpal Singh will superannuate from Indian Armed Forces Service on 30<sup>th</sup> Sept 2016 and therefore, his deputation period will complete on 30.09.2016 (AN). It is proposed that Colonel Sukhpal Singh be absorbed in NIT, Uttarakhand service as Registrar (on contract) for remaining period i.e. from 01.10.2016 to 31.08.2020.

At present Col. Sukhpal Singh is drawing gross pay of ` 1,67,760/- per month. Details are enclosed as **Annexure- 12.05**. On absorption, the pay fixation of Colonel Sukhpal Singh will be made as per rules and contract agreement between Colonel Sukhpal Singh and the Institute, which will be executed for the remaining period.

**Resolution:** The Board resolved that Col. Sukhpal Singh to continue as Registrar of NIT, Uttarakhand on contract as per terms and conditions delineated in Office Order dated 12 June 2015. Pending clarification from MHRD regarding the pay fixation, Col Sukhpal Singh shall continue to receive provisional salary which shall be same as in August 2016 after subtracting the basic pension with an under taking that the officer shall be liable to payback any excessive amount received in due course of time. Further Board also resolved that Col. Sukhpal Singh will be entitled for only one Dearness Allowance (either with salary from NIT Uttarakhand or with pension from MOD).

**BoG12.05 Regarding deputation under Trainee Teachers scheme**

**Agenda:** In confirmation of Govt. of India Policy and with approval of BOG, the Institute introduced the Trainee Teacher Scheme from the Year 2014-15. The Scheme stipulates that a person appointed as Trainee Teacher shall have to complete his M.Tech. and Ph.D. Programme in maximum period of eight years with part-time and virtual mode with one semester full-time in concerned IIT. However, after deliberation with IIT, Roorkee authorities the Institute executed MoU with IIT Roorkee. Procedure stipulates that a candidate admitted under the scheme as a Trainee Teacher will be allowed to do the first year (two semester) full-time at IIT Roorkee and same has been implemented. Candidates who have completed their M.Tech. Programme successfully and have registered for Ph.D. are now required to undergo one semester full time course work for Ph.D as per IIT Roorkee norms.

Since the Trainee Teacher Scheme is silent on this issue, the Board is requested to give its directive in consideration of the request of the Trainee Teachers.

**Resolution:** Board suggested to refer the matter to the MHRD.

**BoG12.06 Conversion of a post of Stenographer to Junior Assistant.**

**Agenda:** The post of Stenographer was advertised four times since 2013. Unfortunately, the Institute did not get any eligible candidate for the post. The Institute has a shortage of manpower and ministerial support is essential for speedy, efficient and smooth administration.

It is, therefore, proposed to appoint Junior Assistant vice Stenographer. Such conversion will not exceed the number of sanctioned post and will have no additional financial implications on this account.

**Resolution:** Board suggested to refer the matter to the MHRD.

**BoG12.07 Appointment of Assistant Professors who have acquired Ph.D. degree after Interview**

**Agenda:** The Institute advertised the posts of Professor/Associate Professor and Assistant Professor in different branches. The essential qualification for faculty position is Ph.D., with a view to attract considerable number of candidates, it was notified in the advertisement that those who have submitted their Ph.D. thesis can also apply for the post of Assistant Professor.

The Institute received adequate number of applications from such candidates and they were allowed to appear for the personal interview only on ascertaining that they have produced proof of submission of thesis in the concerned University. The Staff Selection Committee, constituted as per the provisions in Act and Statutes found some of the candidates worthy for appointment as Assistant Professor. Since, the Ph.D. degree was not awarded till the date of Personal Interview, appointment letters were not issued to these candidates. Now, they have submitted the Ph.D. degree certificates.

The Board is requested to permit the Director to issue the appointment order to such candidates who have acquired Ph.D. degree.

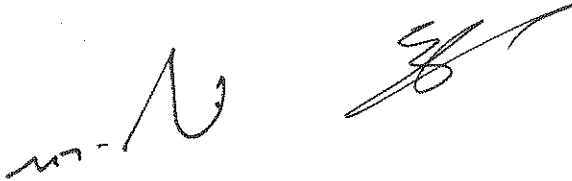
**Resolution:** Director informed that there are 5 such cases. Board approved to issue the appointment order to all 5 candidates against sanctioned teaching post from MHRD.

**BoG12.08 Intimation regarding appointments made at the Institute.**

**Agenda:** Appointments of Assistant Professors on contract, Trainee Teachers and Non-Teaching posts viz. Superintendent, Technical Assistants, Nurse, Technician, Junior Assistant and Multitasking were made during the year 2016. List of the concerned appointees is placed at **Annexure 12.06**.

Proper procedure has been adopted in the selection process.

**Resolution:** The Board directed to re-cast the agenda with information regarding advertisement, no of applications received and other related data to be placed in ensuing Board meeting.

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**Disciplinary action against those faculties who violated CCS Rules.**

**Agenda:** The Board vide resolution no BOG 09.14 clarified that the Director of NIT Uttarakhand being disciplinary authority is authorized to issue the Charge sheet to its employee for violation of service rule/condition in terms of NIT Act section 17(2) and Statutes 26, CCS (CCA) Rule 1965.

Dr. M.S.Khatri, Dr.PankajKandwal, Dr.Nitin Sharma, Dr.Kuldeep Sharma, Dr. D.B.Singh, Dr.Pawan KumarRakesh and Dr. Nitin Kumar all employee of the Institute made joint representation (written communication) dated 29/10/2014 and 27.04.2015 duly signed by each of them to Honorable Prime Minister Of India without observing proper official channel and therefore violated CCS Rules, which amounts to misconduct. Copy of letter is enclosed as **Annexure 12.07**. The DOPT vide its OM dated 31 August 2015 informed all the Institutes to take strong disciplinary action for those who are directly making written communication to the higher authorities without observing proper channel. Copy of OM is enclosed as **Annexure 12.08**.

It is further to state that some of them have also confessed this act of misconduct in response to writ petition no 227 OF 2016 filed in Honorable High Court of Uttarakhand.

Since all the above employees have violated the service rule amounting to misconduct, the Director of the Institute is planning to issue them chargesheet and take further disciplinary action as per rules.

**Resolution:** The Board expressed deep concern regarding indiscipline behavior of some of the employees of the Institute. The Board expressed the desire to curb such growing indisciplinary act of the employees and advised to the Director to issue Show Cause Notice to Dr. M. S. Khatri, Dr. Pankaj Kandwal, Dr. Nitin Sharma, Dr. Kuldeep Sharma, Dr. D.B. Singh, Dr. Pawan Kumar Rakesh and Dr. Nitin Kumar for violating the service rules amounting to misconduct for proposed act of indiscipline and also for other matters of indiscipline if any and proceed further with disciplinary action on appraisal of the Board without further delay.

**BoG12.10 Nominations on Board of Governors**

**Agenda:** As per the NIT Act, the Board of Governors consists eleven members including Chairperson. Dr. M.S. Khatri, Assistant Professor, Physics and Dr. I. M. Nagpure, Assistant Professor, Physics who were representing teachers as a member have completed their tenure.

Nomination on the Board of Governors as a teacher representative is necessary to be made. Board is requested to nominate two faculties as Board members. The term of appointment for both the above members shall be one year from the date of their nomination.

**Resolution:** As per Board resolution fresh nomination may be sought from Senate as per rules.

**BoG 12.11 Guidelines for Confirmation of Teaching & Non-Teaching staff**

**Agenda:** As per Board resolution vide item no. 07.19 the following guidelines are prepared on the basis of Govt. of India Department OM No. 28020/1/2010-Esst(I) dated 21/07/2014, on consolidated Instructions on probation/confirmation at Central Services for declaring successful completion/extension of the period/termination of service of a temporary employees on probation on the basis of evaluation of performance parameters, conduct etc.

1. Period of Probation.
  - I. Institute Faculty shall have a period of probation of one year from the date of joining as per Recruitment Rules.
  - II. The non-teaching employees including officers of the Institute shall have a period of probation of two years from the date of joining as per Recruitment Rules.
  - III. All the employees joining the Institute from outside the Institute shall undergo the probation, irrespective of their status in the previous organization.
  
2. Applicability of Probation Period.
  - I. An employee of the Institute, appointed to another post of the Institute by **direct recruitment**, shall have to undergo the probation period as prescribed for that post from the date of joining the new post, irrespective of the fact that such employee was holding the earlier post on substantive basis as confirmation in the new entry grade becomes necessary because the new post may not be in the same line or discipline as the old post in which he has been confirmed and the fact that he was considered suitable for continuance in the old post (which was the basis for his confirmation in that post) would not automatically make him suitable for continuance or confirmation in the new post the job requirements of which may be quite different from those of the old post.
  - II. The temporary employee of the Institute, who is already on probation, if appointed to another post through open interview / by selection committee of the Institute shall be placed under probation as prescribed for that post, from the date of joining the new post.
  - III. An Internal employee inducted into another post through **promotion** shall also be placed on probation period as prescribed for that post, provided there is a change in Group of posts e.g. promotion from Group-B to Group-A, but there shall be no probation on promotion from one grade to another in the same group of post e.g. promotion within the Group-B.
  - IV. The **employees on contract**, on successful completion of period of contract and other conditions therein, on being regularized in the Institute, shall be on probation period as prescribed for that post, from the date of joining the regular post.
  
3. Confirmation.
  - I. Confirmation of the probationer after completion of the period of probation is not automatic but is to be followed by certain procedure and formal order necessarily. A probationer who has completed the period of probation to the satisfaction is to be confirmed on the post he/she was appointed, at the end of the period of probation, having been completed satisfactorily.
  
  - II. All temporary employees whose probation period is getting completed for confirmation, shall have to appear before the Performance Evaluation Committee (PEC) constituted as follows.
    - I. Director/Deputy Director - Chairperson
    - II. Registrar - Member
    - III. Reporting officer - Special Invitee
    - IV. External member - Member
  
  - III. A special APAR will be submitted by each employee on probation 30 days before the completion of the said period of probation. Special APAR will be the same as regular APAR expect that this is for the period for which APAR is not submitted. The PAC will scrutinize the performance of the employee on probation based on the
    - I. APARs & Special APAR

II. Personal Dossier

IV. The PAC will submit its recommendations to the Director of the Institute.

V. Director shall issue confirmation order in case the PAC recommends confirmation of temporary employee. For employees whose appointing authority is BOG the approval from Chairman shall be acquired which shall be ratified in the next Board meeting.

VI. If PAC does not recommend confirmation then the Director shall extend the probation by six months. Such temporary employee shall appear before PAC with fresh special APAR. The PAC may recommend confirmation /extension of probation or relieving from Institute service. However period of probation under any circumstances shall not be extended beyond one year.

4. Extension of Period of Probation

I. If the performance of the employee is not proper or not up to the mark, the Director may extend the period of probation. However, such extension shall not exceed one year and under no circumstances an employee should be kept on probation for more than double the normal period of probation.

II. A probationer who is not making satisfactory progress should be informed of his/her shortcomings well before the expiry of the original probationary period, so as to allow him/her to make special efforts for self-improvement. For this purpose, such employee shall be given written warning giving specified period for showing substantial improvement and the action of discharging him/her from Institute services would be considered only after completion of the specified period, if required.

III. The PAC will be re-convened to review such cases where the Period of Probation has been extended by the Competent Authority and if such probationers who are still not recommended for confirmation by the Review-PAC, action of discharging him/her from Institute services would be considered by the Competent Authority only after completion of the specified period.

5. Competent Authority shall reserve the right to discharge the employee on probation any time during the probation period due to non-performance or an act of discipline as per CCS (Conduct) Rules.

**Resolution: Board resolved that guidelines prepared by the Institute should be forwarded to the MHRD for perusal. Pending cases of confirmation may be dealt as per DOPT guidelines by the Director.**

**BoG12.12 Ratification of notes approved by the Chairman**

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

1. Resignation of MsSwetaAgarwal
2. Resignation of Mr.Girish P.R
3. Appointment of Associate Deans
4. Permission to attend international conference abroad-Mr.Surendra Singh
5. Permission to attend international conference abroad-Dr. Anirban Mukherjee
6. Permission to attend international conference abroad-Mr. Devesh Punera
7. Permission to attend international conference abroad-Dr. Nitin Kumar
8. Permission to attend international conference abroad- Mr. Vikas Kukshal
9. Appointment of Faculty on Contract
10. Appointment of Trainee Teacher
11. Approval for starting of M.Tech Courses and administrative approval for construction in temporary campus.

**Resolution: Ratified**



**BoG 12.13 To note and approve the minutes of Senate.**

**Resolution:** Noted and approved

**BoG12.14 To note and approve the minutes of 9<sup>th</sup> Finance Committee.**

**The minutes of the 9<sup>th</sup> meeting of Finance Committee shall be tabled.**

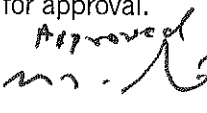
**Resolution:** Board noted and approved the Minutes of the 9<sup>th</sup> Finance Committee meeting with following observation/directions:

1. Board enquired about the observations in the audit paras received through Separate Audit Report from CAG and directed to incorporate the suggestions and observations in annual accounts of next Financial Year.
2. The agenda item, on extension of Retirement Gratuity and Death Gratuity to Institute employees, be referred to MHRD for further clearance.

The meeting ended with Vote of thanks to the Chair.

  
Col. Sukhpal Singh  
Secretary

Submitted for approval.

  
Chairman  
Board of Governors

5/10/2016