

**MINUTES OF THE 33<sup>rd</sup> MEETING OF THE BOARD OF GOVERNORS  
(BY VIDEO CONFERENCING)  
HELD AT 11.30 AM ON 5<sup>TH</sup> May, 2021**

The following members were present:

- |                             |   |                                  |
|-----------------------------|---|----------------------------------|
| 1. Dr. R. K. Tyagi          | - | Chairman, NITUK                  |
| 2. Dr. Satish Kumar         | - | I/c. Director, NITUK             |
| 3. Mr. Rakesh Ranjan        | - | Additional Secretary, MoE        |
| 4. Mr. D. K. Singh          | - | Nominee of IFD                   |
| 5. Prof. Pramod Agarwal     | - | Nominee of Director, IIT Roorkee |
| 6. Dr. Hariharan Muthusamy  | - | Member                           |
| 7. Dr. Siva Kumar Tadepalli | - | Member                           |
| 8. Dr. Vikas Pratap Singh   | - | I/c. Dean (P&D), Special Invitee |
| 9. Dr. P. M. Kala           | - | Registrar & Secretary            |

At the outset Secretary, Board of Governors welcomed the Chairman, NITUK and all the members,

The Board paid their heartfelt tribute to Shri. Madan Mohan, ADG, MOE and member Finance Committee & BoG, NIT Uttarakhand, who passed away on 26.04.2021. The Board placed on record his immense contribution to the growth of the Institute.

Secretary, Board requested Chairman, Board of Governors to preside over the today's meeting of the Board of Governors. After approval of the Chairman, the Board of Governors discussed the following agenda and resolved as under:

**BoG 33.01: To confirm the Minutes of the 31<sup>st</sup>& 32<sup>nd</sup> Meeting of the Board of Governors.**

The Minutes of the 31<sup>st</sup>& 32<sup>nd</sup> Meeting of Board of Governors, duly approved by the Chairman, are attached at (**Annexure BoG 33.01**).

The Board is requested to confirm the same.

Resolution: **Confirmed**

**BoG 33.02: Action Taken Report.**

The Action Taken Report is as below:

Item No.	Agenda Item	Resolves	Action Taken								
BoG 31.02	Action Taken Report.	<p>The Board directed that Action Taken Report should be in following format from ensuing meeting:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Item No.</th> <th>Agenda Item</th> <th>Resolves</th> <th>Action Taken</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>Besides this, Board deliberated in following agenda points:</p> <p><b>BoG 30.05: Hiring of Consultants:</b> As per directives, advertisement of hiring of consultants was published and very low response was received due to location constraint, accordingly, scrutiny process was done by duly constituted committee. Since numbers of applications are less however keeping in view the audit para and urgency of experienced consultants Finance Committee deliberated to complete the hiring process as earliest as possible and in case any</p>	Item No.	Agenda Item	Resolves	Action Taken					Implemented
Item No.	Agenda Item	Resolves	Action Taken								

		<p>other experienced retired Govt. officer located nearby Institute like Dehradun is willing to work with NIT Uttarakhand they may be contacted to work as part-time consultants. The Board further directed, to complete the recruitment process for regular vacant position.</p> <p><b>BoG 30.06: Pay protection of Dr. Prabhakar Mani Kala, Registrar:</b> As per directives of MoE pay protection of Dr. Prabhakar Mani Kala, Registrar has been done.</p> <p><b>BoG 30.10: To apprise the Board with recent developments related to the permanent campus, and deliberate upon the mode of selection of the construction agency for the construction of Permanent Campus at Sumari.</b> Tender regarding construction of Permanent Campus has been published on CPP Portal on 05.02.2021 and as per GFR provisions bid opening date was scheduled after 30 days (i.e. 05.03.2021). Since tender was floated under GFR 133 (3) hence to ensure competition and on prospective bidder's request, date was further extended upto 23.03.2021. The Board endorsed the extension and after detailed deliberation the Board further directed to complete the process as earliest as possible and appraise the Board accordingly.</p> <p><b>BoG 30.11: Permission to apply for funding of Rs.659.37 Crores through HEFA, and approve Institute Level Standing Committee on Monitoring of the Funds through HEFA:</b> Documentary process regarding HEFA loan has been completed and visit of HEFA team is scheduled.</p>	
BoG 31.03	Change of nomenclature of the post of TECHNICAL ASSISTANT (L&I) to LIBRARY AND INFORMATION ASSISTANT and TECHNICAL ASSISTANT (SASA) to SAS ASSISTANT as per revised Recruitment Rules.	The Board approved the change in nomenclature as per New Recruitment Rules issued by MoE.	Implemented
BoG 31.04	Completion of the Contract Period of Faculty Members Appointed in the year 2015 in the AGP of Rs.6000 under Four Tier Flexible Structure.	The Board noted that only three faculty members stated in the agenda have completed Ph.D. degree within the stipulated period, hence, the Board resolve that contract period of all three faculty members shall continue as Board resolution vide agenda item no. 30.04. However, for Sl.No. 02 (i.e. Mr. Amardeep) Board directed that a committee will be constituted by the Director to review the case status of Mr. Amardeep. The Board further authorized Director, NIT Uttarakhand to take appropriate decision in case of Mr. Amardeep as per committee recommendation.	Implemented
BoG 31.05	Completion of the Contract Period of Faculty Members Appointed in the year 2015 in the AGP of Rs.6000 under Four Tier Flexible Structure.	The Board directed that matter may be referred to the Ministry of Education for necessary directives.	Communication done with Ministry

BoG 31.06	Regarding Pay related matter of Dr. Lalita Prasad, Associate Professor, Department of Mechanical Engineering.	The Board directed that case of Dr. Lalita Prasad will be placed in the next Board meeting with recommendation of constituted committee alongwith rule provisions.	In Process
BoG 31.07	Approval regarding establishment of two centers in NIT Uttarakhand.	The Board, in principle, approves the establishment of following two centers in NIT Uttarakhand: 1. Disaster Management and Mitigation Center at NIT Uttarakhand. 2. Center for Renewable Energy and Sustainability Environmental Technologies.  The Board further directed that Dr. HariharanMuthusamy, (Board Member nominated by the Senate) and Dean (Research & Consultancy) will ensure to prepare detailed administrative and financial proposal with proposed collaborative partners for perusal of the Board in the next BoG meeting. Being a Board Member, Dr. HariharanMuthusamy will present the same before the Board in its ensuing meeting.	In process
BoG 31.08	Regularization of services on completion of Ph.D. of Dr. Muskan Mayank, Trainee Teacher, Department of Civil Engineering.	The Board authorized Director, NIT Uttarakhand to take necessary action for regularization of service on completion of Ph.D. of Dr. Muskan Mayank, Trainee Teacher, Department of Civil Engineering as per recommendation of performance review committee in this regards.	Implemented
BoG 31.09	Ratification of the Revised Procurement Plan-IV, December 2020 and Revised Procurement Plan-V, February 2021 approved by the Hon'ble Director.	Ratified.	-
BoG 31.10	Items for Information.	Noted.	-
BoG 31.11	To approve the Minutes of the 25th Meeting of the Finance Committee.	Approved.	Implemented
BoG 31.12	To approve the Minutes of the 12th Meeting of the Building and Works Committee.	Noted.	-
BoG 31.13	To apprise the Board about various initiatives / activities / achievements undertaken in the Institute.	Noted.	-
BoG 31.14 (A)	Deliberation regarding processing of bids received against Tender No. NITUK/C.Stores/2020-21/021/002 regarding construction and development of infrastructural facilities in the main campus of NIT Uttarakhand.	Tender regarding construction of Permanent Campus has been published on CPP Portal on 05.02.2021 and as per GFR provisions bid opening date was scheduled after 30 days (i.e. 05.03.2021). Since tender was floated under GFR 133 (3) hence to ensure competition and on prospective bidder's request, date was further extended upto 23.03.2021. The Board endorsed the extension, and after detailed deliberation the Board directed to complete the process as earliest as possible and appraise the Board accordingly.	Implemented, separate item is placed vide agenda item no 33.03
BoG 32.01	Deliberation regarding processing of bids received against Tender No NITUK/C.Stores/2020-21/021/002 regarding construction and development of infrastructural facilities in the main campus of NIT	The Board noted that the Technical Bid has been opened by the Institute but the financial bid is yet to be opened. As such, the tendering process is yet to be completed. Board discussed and endorsed the tendering process followed by the Institute. Institute also appraised about the following –	

	Uttarakhand.	<ol style="list-style-type: none"> <li>1. PIB Approval for Revised cost estimate ir/o NIT Uttarakhand is valid upto the period till March 2022, accordingly HEFA loan process against said PIB approval is also in advance stage.</li> <li>2. Due to lack of infrastructure, the Institute is unable to expand in terms of Student intake and new programme.</li> <li>3. Existing infrastructure of the Institute is insufficient as well as temporary in nature being fabricated.</li> </ol> <p><b>In view of the above submissions made by the Institute, the Board advised the Institute to complete the tendering process and apprise the Board accordingly.</b></p>	
--	--------------	--	--

The Board is requested to note the same.

Resolution: Noted

**BoG 33.03: To deliberate upon the outcome of the Tender No. NITUK/C.Stores/2020-21/021/002 regarding selection of PMC services towards construction and development of infrastructural facilities in the main campus of the Institute at Sumari, Pauri Garhwal and give further instructions with regard to the Award of Contract.**

Tender No NITUK/C.Stores/2020-21/021/002 regarding selection of PMC services construction and Development of infrastructural facilities in the main campus of NIT Uttarakhand was published on CPP Portal on dated 05.02.2021. **Related document is placed at Annexure BOG 33.02.** Original time schedule for various Tender related activities was as under:

Published Date	05.02.2021, 06:00PM
Bid Submission Start Date	08.02.2021, 03:00 PM
Bid Document Download End Date	02.03.2021, 03:00PM
Bid Submission End Date	02.03.2021, 03:00PM
Technical Bid Opening Date	05.03.2021, 11:00AM
Date of Presentation	05.03.2021, 12 Noon Onwards

Tender opening was scheduled on 05.03.2021, but it was further extended upto 23.03.2021, keeping in view the GFR provisions Rule 133 (3) to ensure competition among such PSUs/ Organizations, after due approval from The Competent Authority. **Related document is placed at Annexure BOG 33.03.**

The revised tendering schedule is as given below:

Tender related Event	Earlier Dates	Revised Dates
Bid Submission End Date	02.03.2021, 03:00PM	19.03.2021, 05:00PM
Technical Bid Opening Date	05.03.2021, 11:00AM	23.03.2021, 11:00AM
Date of Presentation	05.03.2021, 12 Noon Onwards	23.03.2021, 01.30 PM Onwards

During the tendering period, pre-bid queries from the following prospective bidders mentioned below were received, and duly responded by the Institute within time. **Related document is placed at Annexure BOG 33.04.**

S.No.	Name of PSU	Pre-Bid Queries Received on	Pre-Bid Queries Replied on
1	IRCON International Ltd.	10.02.2021	17.02.2021
2	NBCC (India) Ltd.	16.02.2021	17.02.2021
3	Engineering Projects (India) Ltd.	16.02.2021	17.02.2021

4	UPRNN Ltd.	17.02.2021	18.02.2021
5	RITES LIMITED	23.02.2021	24.02.2021
6	Engineers India Limited	25.02.2021	26.02.2021

The status regarding said tender was also placed before FC (Agenda item No 24.11) and BOG meeting (Agenda Item No 30.10) in its meeting held on 09.03.2021. Resolution of the Board in this regard is as under. **Related document is placed at Annexure BOG 33.05.**

*"Tender regarding construction of Permanent Campus has been published on CPP Portal on 05.02.2021 and as per GFR provisions bid opening date was scheduled after 30 days (i.e. 05.03.2021). Since tender was floated under GFR 133 (3) hence to ensure competition and on prospective bidder's request, date was further extended upto 23.03.2021. The Board endorsed the extension, and after detailed deliberation the Board further directed to complete the process as earliest as possible and appraise the Board accordingly".*

As per Board directives, Bids were opened on 23.03.2021 by duly constituted committee. Only following two bidders have participated against said tender:

1. NBCC (INDIA) Ltd.
2. Atom Aviation Services Private Limited

**Related document is placed at Annexure BOG 33.06.**

Check for minimum eligibility conditions and Technical Evaluation for criteria A, C & D as per tender document was done by duly constituted Bid Evaluation Committee for 65 marks based on records available towards criterion A, and presentations for Criterion B of the tender document was evaluated for 35 marks by the Technical Evaluation Committee (TEC) duly constituted by the Building and Works Committee vide resolve BWC 12.03. It is to be noted that only bidder i.e. NBCC (INDIA) Ltd. appeared before the TEC and made presentation towards Criteria B. Other Bidder i.e. Atom Aviation Services Private Limited was absent and made no communication whatsoever regarding its absence.

Based on the above evaluations, only NBCC (INDIA) Ltd. was found technically qualified. **Reports of the committee are also placed as Annexure BOG 33.07.** However, as per recommendation of Bid evaluation committee one more document regarding Technical Manpower was also required. As per committee recommendation query was raised on the portal again with submission of the document till 25.03.2021 by 11.00 am. **Query raised on portal are also placed as Annexure BOG 33.08.** Accordingly, reply was received through email from the vendor on dated 25.03.2021 before due time as bidder expressed the inability to upload the document on CPP portal due to technical issue. Document received was again placed before the Bid Evaluation committee. Committee accepted the document.

Since, only one bidder i.e. NBCC (India) Ltd. is technically responsive, and therefore, permission to open the financial bid opening was sought from the Competent Authority. Accordingly, matter was placed before **Board of Governor vide agenda item 32.01 dated 01.04.2021.** Resolution of the Board is as under:

*"The Board noted that the Technical Bid has been opened by the Institute but the financial bid is yet to be opened. As such, the tendering process is yet to be completed. Board discussed and endorsed the tendering process followed by the Institute. Institute also appraised about the following –*

4. *PIB Approval for Revised cost estimate ir/fo NIT Uttarakhand is valid upto the period till March 2022, accordingly HEFA loan process against said PIB approval is also in advance stage.*
5. *Due to lack of infrastructure, the Institute is unable to expand in terms of Student intake and new programme.*
6. *Existing infrastructure of the Institute is insufficient as well as temporary in nature being fabricated.*

*In view of the above submissions made by the Institute, the Board advised the Institute to complete the tendering process and apprise the Board accordingly."*

The Minutes of the Meeting of the 32<sup>nd</sup>BoG are placed as **Annexure BOG 33.09.**

Subsequently, technical bid evaluation result was uploaded on CPP portal on dated 12.04.2021 by Bid evaluator. Accordingly, Financial bid is scheduled to be open on 15.04.2021 at 12.00 PM, and

outcome of the same will be presented before the Building and Works Committee. Related documents are placed as **Annexure BOG 33.10**.

For clarity, key steps / sequence of events involved in the above tendering process are tabulated below:

Sl. No.	Date	BWC/FC/BoG Agenda no.	Brief Resolve / Remark
1.	03.07.2020	BWC 08.08	Recommended competitive bidding as per GFR-133(3)
2.	10.08.2020	FC 22.04 &BoG 27.04	Consequent to the judgement of Hon'ble High Court of Uttarakhand, resolved "As regards the construction of Permanent Campus, the Institute shall comply with the direction of Ministry of HRD which will be issued in due course of the time."
3.	25.11.2020	---	Received instruction to initiate construction in Sumari vide office order No. F.No.40-65/2018-TS.III dated 25th November, 2020
4.	11.12.2020	BWC 11.03	Again recommended competitive bidding as per GFR-133(3) on the basis of QCCBS
5.	09.01.2021	FC 24.11 &BoG 30.10	Approved the recommendation of BWC to go ahead with competitive bidding as per GFR-133(3) on the basis of QCCBS
6.	25.01.2021	BWC 12.03	Approved the tender document after detailed pointwise deliberation on the various eligibility and evaluation criteria
7.	05.02.2021	---	Tender floated on CPP portal with initial end date of submission of bids 02.03.2021
8.	04.03.2021	---	To ensure fair competition among PSUs / Organizations, tender submission date was further extended upto 19.03.2021
9.	09.03.2021	FC 25.02 &BoG 31.02, 31.14(A)	Endorsed tendering process and decision to extend bid submission date. Also directed Institute to complete tendering process at the earliest.
10.	23.03.2021	---	Bid evaluation was carried out by the duly constituted committees, only one bidder i.e. NBCC (India) Ltd. emerged as technically responsive bidder.
11.	01.04.2021	BoG 32.01	Tender status was apprised and the Board resolved to complete the tendering process & apprise accordingly.

Keeping in view the above, the Building and the Works Committee is requested to deliberate and give further instructions with regard to the Award of Contract to the successful bidder.

**Resolution:** The detailed presentation was made by the Institute before the Building and Works Committee (BWC) regarding the background of the project, Statutory approvals sought at different stages, and the entire tendering process including Financial Bid opened on 15.04.2021 through CPP Portal.

Subsequently, BWC deliberated in detail on the above aspects in the light of available GFR (2017) provisions and made following observations:

- 1- Open tender was floated for selection of the agency in keeping with provisions of GFR 133(3). The tender opening date was extended to facilitate more bidders to participate and the overall bidding time was 5 weeks against 3 weeks stipulated in GFR.
- 2- The qualification criteria for selection of the bidder were duly deliberated and approved by the BWC which consisted of technical experts.
- 3- Assessment of rate reasonability - The sole technically responsive bidder M/s NBCC (India) Ltd. (hereafter referred as 'NBCC') has quoted 4.90% above the estimated price (**Annexure BOG 33.11**). BWC was briefed during the meeting that the estimate prepared was based on CPWD rate of 2019. BWC noted that as per bid document, the completion time is 36 months (including 6 months mobilization time) from the date of payment of first advance. The original completion time was March 2022. However, considering that tender is yet to be

*Handwritten signature/initials*

awarded and then the advance will be paid, it is reasonable to conclude that the completion time should now be reckoned as at least May/June 2024 (i.e. two years beyond the stipulated completion time when the bid document was prepared). At this stage, BWC factors in that the actual construction and other charges that will be paid to different contractors will be as per the actuals rates obtained in the bids to be floated by NBCC, but 4.90% is what will be paid to NBCC on the actual payment then made to the contractors. The overall cap of payment from NIT Uttarakhand for this project will be Rs 596.75 Cr. inclusive of the PMC charges of 4.90%. Considering that the estimate of Rs 596.75 Cr. was made with the projected completion in March 2022, the 4.90% PMC service charge quoted by NBCC comes to 2.45% hike per year for the two-year period. This 2.45% is much lower than the average annual inflation trend.

- 4- Further, it was brought out during the BWC meeting that Govt. of Uttarakhand has vide its Order No. 330/XXVI/6(2)/2009 dt. 20.9.2012 (**Annexure BOG 33.12**) allowed a service charge of 6.50% to PSUs for Building Construction works, and 6.66% for other works such as roads / water supply / sewerage costing more than Rs. 5 Cr. Thus, the price quoted by NBCC is much lower than these prescribed rates by the Govt. of Uttarakhand.
- 5- Also, with the approval of the Chairman BWC, Institute has requested NBCC to send work orders of similar works (**Annexure BOG 33.13**) via email. From the scrutiny of these work orders/MoUs, it is found that the PMC charges are in the range of 5.0-8.5%. Thus, it is evident that the current quoted rate is on the lower side.

Recommendation: For the reasons brought out above, BWC considers the service charge quoted by NBCC to be reasonable. Accordingly, in keeping with the provisions of GFR 2017 rule 173(xx) reproduced below, BWC recommends that the bid of NBCC be accepted.

- i. The procurement was satisfactorily advertised and sufficient time was given for submission of bids.
- ii. the qualification criteria were not unduly restrictive; and
- iii. prices are reasonable in comparison to market values

Competence of acceptance: Further, the BWC notes that in line with GFR 173(xxi) the bid of NBCC will be considered as single tender offer. The delegation of power of NIT Uttarakhand does not provide any delegation to the BWC for single tender of this magnitude. Accordingly in keeping with the provisions of the NIT (Amendment) Act 2012: Section 13(1), which inter alia says, ".....the Board .....shall exercise all the powers of the Institute not otherwise provided by this Act..", the above recommendation of BWC needs to be accepted / approved by BoG after FC being a financial decision (**Annexure BOG 33.14**).

The BWC further advised that after approval of FC & BOG, the Institute shall frame a draft MOU for further vetting and approval of BWC (**Annexure BoG 33.15**).

**Board is requested to give permission for Award of Contract to the successful bidder.**

Resolution:

The Board approved the recommendation of the Finance Committee and granted permission to the Institute to award the contract for PMC services to the only successful bidder i.e. NBCC (INDIA) Ltd. PMC charges@ 4.90% of estimated cost of the Project. Further, as advised by the Finance Committee, the Board directed to the Institute to ensure the following:

- i. The overall cap of payment from NIT Uttarakhand for this project will be Rs 596.75 Cr. inclusive of the PMC charges of 4.90%. Considering that the estimate of Rs 596.75 Cr. was made with the projected completion in March 2022 as approved by the Public Investment board (PIB).
- ii. The MoU between Institute and the PMC shall be prepared as per the standard format of Manual of Procurement of Works given in its Annexure 8.
- iii. After signing of MoU, on mutual consent, construction site should be handed over to the PMC so that the pre-construction activities could be initiated. Advance / initial deposit of 10% of the preliminary estimate submitted by PMC shall be released in due course of time after the approval of HEFA loan.
- iv. In the MoU, for the appointment of arbitrator, NIT Uttarakhand shall be the sole authority.
- v. Agency for Third-party quality control assurance shall be appointed by the Institute.
- vi. Institute shall pursue with MoE for an extension of the validity period of the PIB approval upto June 2024 without any cost escalation.
- vii. MoE shall pursue with HEFA management for an early disbursement of the HEFA loan of NIT Uttarakhand. Institute shall also ensure any assistance required by HEFA management / MoE towards early disbursement of the loan.
- viii. Chairman, Institute Level Standing Committee for "Monitoring of the Funds through HEFA" constituted vide resolve BoG 30.11 shall: (a) regularly update the progress of the project to the members of Project Monitoring Unit constituted by MoE which is responsible for making regular inspections to the site to oversee/monitor the infrastructure works and

recommend to MoE for the strict compliance of the guidelines stated in the O.M. No F.No.33-1/2012.TS-III, dated 3rd June, 2019 "Master Circular for Infrastructure Projects in Centrally Funded Institutions", and (b) monitor the monthly progress of construction at the Institute level and also update at the Ministry level through the Project Monitoring Software portal of the Ministry of Statistics and Programme Implementation.

**BoG 33.04: Completion of the Contract Period of Faculty Members Appointed in the year 2015-16 in the AGP of Rs.6000 under Four Tier Flexible Structure.**

Institute had appointed the faculty members in the year of 2015-16 vide Advt. No. 3/2016 dated 21.02.2016 as Assistant Professor (on contract) in the AGP of Rs.6000 under Four Tier Flexible Structure on the basis of **Ph.D. qualification**. The details are as under:

S. No. #	Name	Designation & Department	Date of Joining	Initial contract period of 3 years (upto)	Contract completing on	02 Extensions	
						1 <sup>st</sup> (BoG 21.03)	2 <sup>nd</sup> (BoG 25.05)
1.	Dr. Anshul Sharma	Assistant Professor (Grade-II), Dept. of Mechanical Engg.	06.06.2016	05.06.2019	05.06.2021	06.06.2019 to 05.06.2020 (A-244, 03.06.2019)	06.06.2020 to 05.06.2021 (A-202, 06.07.2020)
2.	Dr. Niraj Kumar Mishra	Assistant Professor (Grade-II), Dept. of Mechanical Engg.	02.06.2016	01.06.2019	01.06.2021	01.06.2019 to 01.06.2020 (A-243, 03.06.2019)	01.06.2020 to 01.06.2021 (A-203, 06.07.2020)
3.	Dr. Yogesh Kumar Prajapati	Assistant Professor (Grade-II), Dept. of Mechanical Engg.	16.06.2016	15.06.2019	15.06.2021	16.06.2019 to 15.06.2020 (A-242, 03.06.2019)	16.06.2020 to 15.06.2021 (A-204, 06.07.2020)
4.	Dr. Pankaj Kumar Pal	Assistant Professor (Grade-II), Dept. of Electronics Engg.	16.05.2016	15.05.2019	15.05.2021	16.05.2019 to 15.05.2020 (A-143, 10.05.2019)	16.05.2020 to 15.05.2021 (A-201, 06.07.2020)
5.	Dr. Abhimanyu Kumar	Assistant Professor (Grade-II), Dept. of Computer Science & Engg.	17.06.2016	16.06.2019	16.06.2021	17.06.2019 to 16.06.2020 (A-245, 03.06.2019)	17.06.2020 to 16.06.2021 (A-205, 06.07.2020)
6.	# Dr. Nitin Kumar	Assistant Professor (Grade-II), Dept. of Computer Science & Engg.	18.05.2016	17.05.2019	17.05.2021	18.05.2019 to 17.05.2020 (A-171, 17.05.2019)	18.05.2020 to 17.05.2021 (A-206, 06.07.2020)

**Matter regarding Dr. Nitin Kumar is sub-judice vide WPSB No. 146 of 2021. Copy of interim judgment is enclosed (Annexure BoG 33.16).**

As per the terms and conditions of appointment as Assistant Professor on Contract mentioned in the Office Order NITUK/Estt/2016/Recruitment/034/A-92 dated 13/05/2016 (**Annexure BoG33.17**):

*"The appointee shall be appointed on contract for a period of three years. The appointee will be required to appear before the duly constituted selection committee for selection as regular employee on acquiring required eligibility. The appointee will also be required to appear before duly constituted selection committee for increase in AGP to Rs. 7000/-". The contract will be renewable every year on the conditions of good performance and good conduct. This contractual service will be counted for administrative and other service benefits. During their service they will also be eligible to draw an annual increment. The appointee is required to appear before the Staff Selection Committee for regularization with placement in APG Rs. 8000/-. If not found suitable by the Committee, he/she will be relieved from NIT Uttarakhand service.*

As per the point no. 2 of the contract of service for the post of Assistant Professor between the appointee and the Director, National Institute of Technology Uttarakhand (**Annexure BoG33.17**):

*"The Party No. 1 shall be on service under the agreement for a period of three years. The Party No. 2 may review the performance in teaching/research and conduct, any time during the contract period. The contract shall be enforce subject to his/her good performance in teaching/research and good conduct. The services of Party no. 1 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 in an open advertisement and recommendation of*

*ACI*



the committee are accepted by the BoG. If Party no. 1 not found by the selection committee, the services of the Party no. 1 shall be terminated with immediate effect.

As per point no. 3 of the contract agreement the period of contract may be extended till the conduction of staff selection committee meeting at the discretion of the Director. However, the total period of contract shall not exceed beyond five years under any circumstance.

It is to further submit that, with reference to the letter F.No. 33-9/2011-TS.III dated 23.08.2013 (**Annexure BoG33.17**), the Board of Governors has approved/adopted the 4-Tier Faculty Structure in its 03<sup>rd</sup> Meeting (Agenda Item 03.10) held on 08.10.2013 (**Annexure BoG33.17**).

As per norms of 4-tier Cadre Structure of Faculty Posts, Assistant Professors (On Contract), PB-3 of Rs.15600-39100 with AGP of Rs.6000:

"(i) Assistant Professors to be recruited on contractual basis are not part of the regular faculty cadre in NITs. Appointment at this level may be made on contract basis to enable bright young Ph.D. scholars to teach and earn experience in premier institutions.

(iv) After one year of post Ph.D. experience, these Assistant Professors shall be placed in the AGP of Rs.7000/- p.m."

As per the point no. 03 of the letter F.No. 33-9/2011-TS.III dated 15.01.2014, of Ministry of Education (**Annexure BoG33.17**):

"(i) That there would be no automatic migration to the salaries and AGP's of the four-tier flexible faculty structure.

(ii) Any Change in the Grade Pay under Four-Tier will be purely through open advertisements and on the recommendation of the duly constituted Selection Committee."

As per the point no. 04 of the Annexure-III of Recruitment Rules circulated by the MoE vide letter F.No. 33-9/2011-TS.III dated 15.01.2014 (**Annexure BoG31.17**).

"Faculty who are appointed on contractual basis shall be for a fixed period not exceeding 05 years."

Same item was placed before the Board vide agenda item no 31.05, resolution of the Board is as under:

**The Board directed that matter may be referred to the Ministry of Education for necessary directives.**

Accordingly, communication was done with MOE vide letter dated 15.03.2021 and 09.04.2021 (**Annexure BoG 33.18**) but no reply received till date from MOE.

Hence, Board is requested to deliberate upon the matter.

**Resolution:**

The Board resolved that the Institute shall wait for the response of the MoE with reference to the communications made vide letter dated 15.03.2021 and 09.04.2021. In the meanwhile, all the above faculty members shall be granted an extension of the contract upto the end of the next academic session. Also, the Institute must explore the possibility for the release of advertisement of faculty recruitment to provide fair opportunity. The Board also requested to the MoE that i/c. Director may be authorized to conduct the process of recruitment.

**BoG33.05:**

**To apprise the Board regarding the status of the ongoing construction activities regarding upgradation of infrastructural facilities in the Temporary Campus of the Institute at Srinagar Garhwal.**

To comply with the High Court directives and point (e) of the AA&ES dated 11.09.2020, the following mutually agreed Time Schedule for Completion of the Work of Construction Phase-1, which includes construction of Hostel Blocks for 530 students alongwith other facilities such as Dining & Recreation, was communicated to the CPWD (the executing agency) vide letter no. NITUK/AD(P&D)/2020/1134 dated 24.11.2020.

Sl. No.	Activities	Duration (Days)	Target Date
1	Invitation of Tender	-	01-12-2020
2	Publicity Period for Tender	15	16-12-2020
3	Acceptance of Tender	07	23-12-2020
4	Mobilization of Resources and Start of Work	10	02-01-2021
5	Selection of Consultant & Preparation of Architectural Drawings	15	17-01-2021
6	Approval of Architectural Drawing from NIT Uttarakhand	01	18-01-2021
7	Preparation and vetting of Structural Drawings	12	30-01-2021
8	Local Body Approval	10	09-02-2021
9	Foundation work for all blocks	42	23-03-2021
10	Casting of First Floor Slab	30	22-04-2021

*Handwritten signature/initials*

11	Casting of Second Floor Slab	30	22-05-2021
12	Casting of Terrace Slab	30	21-06-2021
13	Finishing and Development work of Campus	40	31-07-2021
<b>Total Time</b>		<b>242</b>	<b>upto 31-07-2021</b>

Based on the above schedule, it was expected that the Casting of First of First Floor Slab should have been completed by 22<sup>nd</sup> April 2021. However, at present even the foundation work for all blocks is partially accomplished. Evidently, as on date, the project has been delayed by at-least two months. CPWD was time and again formally reminded by the Institute about the delay in execution of the project and compliance of the High Court directives. Institute has also apprised the MoE regarding the construction delay (vide letter No. NITUK/AD(P&D)/2021/1816 dated 05.03.2021), following which MoE has requested highest officials in CPWD to intervene so that the speeding up of the construction activities could be done. Further, starting from April 2021, weekly construction review meetings are being conducted by the Institute Authorities. The current physical and financial progress of the project could be summarized as:

Sl. No.	Month	Date	Events	Physical Progress (%)	Financial Progress (%)
1	April 2021	29.04.21	a) Piling for blocks A, B, E almost completed b) Block D – Excavation completed & Piling started c) Block C – Excavation in progress	less than 20%	less than 10%

Given the current physical progress of the construction work, it is highly unlikely that the project could be completed by 31<sup>st</sup> July, 2021 as per mutually agreed Schedule of Completion of Work.

The Board is requested to deliberate upon the issue and give further necessary directions.

**Resolution:** Considering that the project started during ongoing COVID pandemic, the Board appreciated the efforts made by the Institute with regard to the progress of construction activities in the temporary campus of the Institute at Srnagar Garhwal. Further, the Board will assess the progress of work in the M/O June 2021.

**BoG33.06: To appraise the progress regarding establishment of two centers in NIT Uttarakhand.**

The establishment of following two centers in NIT Uttarakhand was approved by the Board, in its 31<sup>st</sup> meeting vide agenda item no 31.07:

1. Disaster Management and Mitigation Center at NIT Uttarakhand.
2. Center for Renewable Energy and Sustainability Environmental Technologies.

As per Board directives Dr. Hariharan Muthusamy, (Board Member nominated by the Senate) and Dean (Research & Consultancy) have to prepare detailed administrative and financial proposal with proposed collaborative partners for perusal of the Board in the next BoG meeting. In compliance to Board resolution Dr. Hariharan Muthusamy will present the progress done so far in this regard, before the Board.


Board is requested to note and appraise the same.

**Resolution:** The agenda was deferred to the next Board meeting.

The meeting ended with vote of thanks to the Chair.

(Dr. P. M. Kala)  
Secretary, BoG

✓  
Approved

  
10.05.2021  
(Dr. R. K. Tyagi)  
Chairman, BoG