

NATIONAL INSTITUTE OF TECHNOLOGY SILCHAR

Minutes of the Forty Forth Meeting of the Board of Governors held on 01.11.2014 at NIT Transit House, A-1/267, Safdarjung Enclave, New Delhi -110029

The Board of Governors Meeting was held at NIT Transit House, A-1/267, Safdarjung Enclave, New Delhi -110029 on 01.11.2014 at 1130 hours. The following members were present in the meeting.

1. Prof. Asis Datta, Chairman, BOG, NIT Silchar & Prof of Eminence, National Institute of Plant Genome Research, Aruna Asaf Ali Marg, JNU Campus, New Delhi-110067.
2. Mr Sanjeev Kumar Sharma, Director NITs, MHRD, GOI, Shastri Bhawan, New Delhi – 110001.
3. Mr Rajesh Singh, Director Finance, MHRD, GOI, Shastri Bhawan, New Delhi-110001.
4. Mr H K Sharma, Commissioner & Secy. Govt. of Assam, Higher Education (Tech) Dept., Guwahati – 781006.
5. Dr Atul Bora, Director of Technical Education, Govt. Of Assam, Kahilipara, Guwahati – 19.
6. Prof. N V Deshpande, Director, NIT, Silchar.
7. Prof. Sunanda Dhar, Professor in Electronics Sciences, University of Calcutta, 92 A.P.C Road, Kolkata – 700009.
8. Prof. Samarendra Dandapat, Dept. of Electronics & Electrical Engg. IIT, Guwahati

BOG-44/14/01: To confirm the minutes of the 43rd Meeting of the Board

Forty Third meeting of the Board of Governors was held on 24th July 2014 at NIT Transit House, New Delhi. The minutes of the meeting were circulated to all the members. No comment/ suggestion received.

Hence, the Board confirmed the minutes of the 43rd meeting.

BOG-44/14/02: To take note of the action taken report on minutes of 42nd BOG.

The action taken report on actions taken on the minutes of 42nd BOG placed at **Appendix-'B'** was perused by the Board.

The Board took note of the actions taken.

BOG-44/14/03: Approval for minor amendments to 4-Tier Recruitment Rules as suggested by NIT Silchar Teachers' Association.

The NIT teachers association in its general body meeting held from 11 to 13 September, 2014 passed a resolution requesting the Director to initiate necessary steps for obtaining approval of the Competent Authority for minor modification in the recruitment rules of the faculty. The same is attached as Appendix – 'C' for perusal and necessary action as deemed fit by the Board.

Besides, the Association has also requested to place all Asst. Prof. who have completed three years with AGP of Rs. 8000/- in PB-4 with AGP of Rs. 9000/- as per the condition in the Recruitment Rules of **four tier** system.

It was decided by the Board as per suggestion of members from MHRD to refer the matter to MHRD, so that a uniform decision in removing the bottlenecks in implementing the 4-Tier system can be taken as similar such problems were raised by other NITs also.

BOG-44/14/04: Regularisation of the services of the Assistant Professors appointed on contract.

In the appointment letter of the Assistant Professors whose details are given at Appendix-'D', it was mentioned, "The appointment is on contract for three years, but will be regularised with effect from their date of joining on completion of Ph.D. within the stipulated or extended period of two more years." The above Assistant Professors on contract have completed their Ph.D. and so were regularised as per the service condition laid down in their appointment letter.

The Board approved the action taken for regularization.

.BOG-44/14/05: Conversion of EOL to study leave in respect of Dr S H Laskar, Assoc. Prof.

Dr S H Laskar, Assoc. Prof. E & I, did his Ph.D. from AMU taking various kinds of leave viz. EL, HPL, & EOL w.e.f 16.02.2009 to 15.02.2011. The reasons for not granting him study leave which he was entitled to for the purpose is not known. The BOG in its 20th meeting approved the grant of above leave. Now, Dr S H Laskar has made a representation for converting the various kinds of leave granted for the purpose to study leave

The Board authorized the Director to look into the entire matter including of those faculty members who took Institute assistance but failed to complete their Ph.D. even after being given sufficiently long extensions and submit the report.

BOG-44/14/06: Appraisal system for the faculty members.

At present, there is no Annual Appraisal system for the faculty members though it was existing few years back. For various purposes like removal from probation / confirmation / review under 56(j) and other administrative requirements the APAR (Annual Performance Appraisal Report) is required. There is no standard format of APAR for the faculty members though the standard format prescribed by DOPT is available for non-teaching Staff/ Officers.

APAR format for the faculty members devised in consultation with other NITs was placed on the table as Appendix-'E' and 'F' and standard format as per guide lines of DOPT for non-teaching Staff/ Officers as Appendix ' G' , 'H' & 'I' for approval of the Board.

The APAR forms for non-teaching Staff were approved for adoption. However, approval of the APAR forms for Teaching Staff was deferred for further scrutiny.

BOG-44/14/07: To ratify the approval of the Chairman in regularizing the past services of Mr P Bhattacharjee, Assistant Registrar.

Shri Pijush Bhattacharjee, an UD Asst. in 2002 was asked to take charge from the retiring PA of the then Principal. The scale of Pay of PA/Supt. at that point of time was Rs5000/- to 8000/- whereas that of UD Asst. Rs 4000/- to 6000/-. Again on retirement of Asst. Registrar in-charge of academic section in December 2004 he was asked to take over the charge of Academic section w.e.f. 01-01-2005. He continued as such till July 2009. Then he was attached to the office of Registrar in addition to the responsibility he was already holding. Subsequently, he was promoted as Asst. Registrar on regular basis w.e.f. 2013.

In the meantime he filed a writ petition for granting him the benefit of higher scale and position retrospectively. This was subsequently, withdrawn for reasons best known to him.

Prior to framing of new recruitment rules, there was no provision for promotion to the post of Asst. Registrar. In the New RR adopted since 2012, the method of recruitment is 75% by DR and 25% by promotion and the QRs for promotion are:

(i) Post graduate with minimum 55%marks.

(ii) 6 years of service as Supt. (SG-II) in the GP of Rs 4800/-

He was neither having 55% marks in post-graduation nor having the requisite experience. To make him eligible, approval of the Chairman was taken in August 2012, as follows;

“The Chairman may kindly permit us to count his services rendered in the posts of Supt. & AR for consideration of his promotion to Asst. Registrar against 25% promotion quota and in the event of his promotion being approved, the past services may be regularised with retrospective effect to ensure.....”

During the Annual Audit for the year 2012-13, the Auditors have raised the objection against the promotion of Sri Pijush Bhattacharjee as Asst. Registrar, as he was not fulfilling the mandatory requirement of having 6 Yrs service as superintendent (SG-II) in the Grade Pay of Rs.4800/-

Selection and promotion are sole prerogative of the Departmental Promotion/ Selection Committee and the Competent Authority accepting the recommendations of the DPC/DSC. By questioning the correctness of the promotion, the Auditors

have transgressed the scope of Audit. They have done in so many cases in the past. However, the institute can raise the objection even now.

However, the Chairman had already approved the proposal for counting his services rendered in the posts of Supdt. and Asst. Registrar, to facilitate his eligibility for promotion to the post of Asst. Registrar on regular basis.

At the time of his posting to Academic Section to look after the job of Assistant Registrar (Academic), the new RR was not in force. So if the institute follows the old RR, then he is ineligible for promotion as Assistant Registrar w.e.f 01.01.2005, because there was no provision for promotion, in the RR existing then. So the regularisation of his services w.e.f. 01.01.2005 as Asst. Registrar retrospectively will be gross irregularity.

However, his services as Superintendent from 31.01.2002 can be regularised though he was not formally appointed as such or asked to perform the duties of Superintendent (Meeting & Confidential), as he was fulfilling the QR for promotion to the post from the post of Upper Division Assistant. But even then, he would not be eligible for promotion as AR, as the draft Recruitment Rule stipulates a minimum service of 6 (Six) years as Superintendent (SG-II) in the Grade Pay of Rs.4800/-.

The only solution is for the BOG to declare him eligible for promotion to the post of AR because of his long experience in the said post, as one time exception.

However, the Board may also consider ratifying the approval given by the Chairman in 2012 for counting the services of Shri Pijush Bhattacharjee rendered against the post of Superintendent and Assistant Registrar.

It was decided by the Board to refer the case to MHRD as per their direction.

BOG-44/14/08: The Board may please note the progress of Pension Cases.

Cases settled

(i)	Pension	: 93 Cases
(ii)	Family Pension	: 40 Cases
	Total	: 133 Cases

Pending Cases : 11

Sl.No	Category	Name of employee	Claimant	Reasons for delay
01	Family Pension	Late Bidyut Chakraborty	Son	Legal heir / succession certificate required
02	Family Pension	Late Deo Saran Rabidas	Son	-do-
03	Family Pension	Late Lakhibala Das	Unmarried Daughter	-do-
04	Family Pension	Late Nasir Uddin Laskar	Unmarried Daughter	-do-
05	Family Pension	Late Bansidhari Balmiki	Unmarried Daughter	-do-

06	Family Pension	Late Prof. S N Thakur	Wife	Receipt after stipulated of 3months.Needs BOG approval.
07	Family Pension	Late Davnarayan Sharma	Wife	-do-
08	Family Pension	Late Uma Kanta Das	Wife	Service particulars not available in the Service Book
Pension:				
09	Superannuation	Prof. D.N Bhattacharjee	Self	Information regarding terminal benefits received from previous employer is not yet received.
10	Superannuation	Prof. A K Roy	Self	-do-
11	Superannuation	Shri N L Bhowmik	Self	-do-

The Board perused the above list and accorded time-bar sanction for the cases in which the applications were received after stipulated period of three months.

BOG-44/14/9: Acute shortage of Plan Funds.

Against annual projection of Rs. 100 Cores for the year 2014-2015, MHRD has only released Rs. 15 Cores till 30th Sept. 2014. As such, the Institute was passing through acute financial crisis. To overcome the crisis and make payment of some of the long pending bills of the Contractors, the Institute had to utilise 11 Cores; 5.5 Cores each from the Depreciation and the Maintenance Funds. The Finance Committee has scrutinised the proposal and recommended for ex post facto approval of the Board.

The Board took note of the situation and accorded the requisite ex-post facto approval.

BOG-44/14/10: Disciplinary Proceeding against Shri SK Pattanayak, Asst. Prof.

Shri SK Pattanayak, Asst. Prof was the hostel warden for Girls Hostel No.1 during the year 2006. He failed to hand over proper charges to his successor and as a consequence the security deposit of the boarders of the hostel during that period couldn't be settled. In spite of repeated reminders Shri Pattanayak, failed to give the detail account for the period he was holding the charge of the Girls Hostel.

Shri Pattanayak was allotted the only independent house adjacent to the Girls Hostel on his joining the Institute. Now, with the increase in the strength of boarders, it is felt necessary to accommodate the Warden of the Girls' Hostels in close proximity to the Hostels to facilitate better command and control of the activities of the hostels. In spite of repeated written communications made to Shri Pattanayak to choose another accommodation and shift, he failed to shift and vacate the same.

By his above acts, Shri Pattanayak has disobeyed the lawful orders of the superior authority.

The Board approved the initiation of disciplinary proceedings as per CCS (CCA) Rules.

BOG-44/14/11: Sports Complex.

As per decision of 28th FC, the **Committee** to look into the Project of Sports Complex and Auditorium in its entirety from the beginning was constituted. The **Committee** is likely to submit its Report/Findings by 22nd Oct. 2014. The same will be placed before the 29th FC after being accepted by the B&WC. The *ibid* report will be placed on the table as Appendix -'J'.

The BOG deliberated on the report of the Committee and took the following decisions:

(i) Further review may be carried out to look into the reasons for deviation by experts from outside NIT Silchar. The Chairman BOG is authorised to constitute the Committee.

(ii) Requirement of funds for making the facilities in the Sports Complex functional as per the recommendations at Para 5(f), 5(g) & 5(i) of the Committee be assessed and after proper approval, execution of those items mentioned in Para 5(f), 5(g) & 5(i) be carried out to make the Sports Complex functional.

(iii) The work in the Auditorium should be stopped on as is where is basis.

(iv) The plan of the Auditorium should be reviewed, including sitting capacity, space provision for services including air conditioning. A reputed Architectural firm can be engaged after following proper procedure for finalising the design including acoustic treatment, all electrical and electro mechanical services and air conditioning.

BOG-44/14/12: Audit Report for Financial year 2013-14.

The audit for the financial year 2013-14 was completed during May- June 2014. The replies to the audit paragraphs are being sent after taking necessary action as per their observations. The report after perusal of 29th FC was placed as Appendix- 'K' before the Board.

The BOG perused the Audit Report.

BOG-44/14/13: Annual Report.

The Annual Report for the year 2013-14 incorporating the Audit Report for the year is prepared and will be submitted to the MHRD for laying before the Parliament. The same was placed on table for perusal and approval of the BOG.

The BOG approved the Annual Report 2013-14.

BOG-44/14/14: MoU with VNIT Nagpur and NRDC.

MoU for and teaching and research collaboration was signed with the VNIT Nagpur and research collaboration for skill development with National Research Development Corporation was signed.

The BOG took note of the same.

BOG-44/14/15: Additional Agenda, if any

BOG-44/14/15A: Ratification of the approval given by the Chairman for appointment to various faculty positions.

On implementation of 4-Tier system by the Institute after the approval of the Board in its 41st meeting and selection of experts by the Board in its 43rd meeting, the first phase of the interview for various faculty positions was held in the last week of September 2014 and Chairman's approval was obtained on 29th September 2014 for the appointment of the selected candidates. Excepting for the post of Professors, appointment orders were issued accordingly. The list of all such candidates is attached as **Appendix-'N'**. BoG may please ratify the approval given by the Chairman.

The appointment letters to the selected Professors were not issued pending approval of the Board as the NITSTA alleged discrimination because of adoption of different yardsticks in the advertisement for Professors and Associate Professors. Inadvertently, for Associate Professors, the eligibility criteria was taken from Annexure- I while for Professors, the eligibility criteria was taken from Annexure- II of the MHRD letter F.No.33-9/2011-TS.III dated 15th January 2013.

On receipt of the complaint, the case was re-examined and it was found that the criteria laid down in Annexure-II are less stringent than the criteria in Annexure-I. As such, by advertising for the post of Professor with the criteria in Annexure-II and shortlisting the applicants on the basis of criteria in Annexure-I, no candidate's right to apply for the post was curtailed in violation of Article 16 of the Constitution. Had there been any external candidates for the posts, then by adopting stringent criteria for shortlisting, the right of the candidate to be considered for selection would have been denied? Since there was no external candidate and as such the selection does not infringe any right of any individual guaranteed under Article- 16 and so is free from lacunae. However, the issue of

internal circular dated 12 September 2014 inviting application from internal candidates for the post of Professor may please be examined vis-à-vis the MHRD letter dated 15 January, 2013.

Also, an internal circular on 4th September 2014 inviting applications from eligible Asst. Professors in the AGP of Rs. 6000/- and Rs. 8000/- fulfilling the criteria for appointment in AGP of Rs. 7000/- and Rs. 9000/- respectively was issued as none of the regular Asst. Professor in the AGP of Rs. 6000/- though fulfilling the criteria for appointment in AGP of Rs. 7000/- applied thinking it to be an appointment on contract. Applications were received and for moving to Rs.9000/-, there was no eligible applicant whereas for placement in AGP of Rs.7000/- there were many. They were shortlisted on fulfilling the criteria and interviewed along with other candidates. By the above, no body's legal or Constitutional right was violated and so appears to be in order. The Board may kindly approve the same.

List of candidates selected in Phase -II of the interview held in 3rd week of October, 2014 is being placed on the table for approval of the Board.

The Board approved the lists of candidates recommended for appointment to the various posts of Assistant Professor (contract) as well as Asst. Prof.(regular) in the AGPs of Rs.6000/-, Rs.7000/- & Rs.8000/- by the Selection Committee in Phase -I and Phase - II of the interview except the cases of the following candidates to be put up in detail to the next Board for consideration.

- (i) Dr. Subrata Kumar Barik, Asst. Prof. (physics)
- (ii) Dr. Mausami Sen, Asst. Prof (Maths)
- (iii) Dr. Kedar Nath Das, Asst. Prof. (Maths)

However, the Board didn't approve the recommendation of the Selection Committee for the post of Professors and also directed to put up the case of Asst. Prof. (Chemistry) in AGP of Rs 7000/- only after all the external candidates are also considered by the same Interview Board.

BOG-44/14/15B: Approval of the medical guidelines.

The medical guidelines for the employees of NIT Silchar have been prepared keeping in mind the locational disadvantage, communication bottlenecks and poor medical facilities available at Silchar. The guidelines placed at Appendix-'O' are nothing but the adoption of the CS (MA) Rules mutatis mutandis.

Hence the Board approved the Medical guidelines.

BOG-44/14/15C: Approval of the recommendation of the 28 meeting Finance Committee.

The minutes of the 28th meeting of Finance Committee after being confirmed today in the 29th meeting of FC was placed on table as **Appendix- 'P'**.

The Board took note of the minutes and approved the recommendations.

BOG-44/14/15D: Fees relaxation for SC/ST students and scholars.

As per Para-3(f) of MHRD letter F.23-1/2002-TS-I dated 11 March 2003, 100% exemption from tuition fee was being given to Post Graduate Students and Research Scholars belonging to SC/ST category till 2014. With effect from 2014, the facility has been withdrawn.

BOG may restore the facility to the SC/ST students and scholars in consonance with Govt. policy.

There is no formal order for fees relaxation to SC/ST students at under graduate level. However MHRD vide their letter F. No. 14-5/2013-SC/ST dated 13th January, 2014 have stated, "No fees need be charged at the time of admission from those SC/ST students who are eligible for Post-matric Scholarships/ Top Class Scholarships. At the time of admission they may be advised to deposit the fee with the Institute as soon as they receive the scholarship amount. An undertaking to this effect may be taken from them at the time of admission.

In other cases, if any SC/ST students failed to deposit the fee in the Institute then fees may be charged after making special efforts to get them requisite loan sanctioned, including facility of interest subsidy to those whose income is below Rs. 4.5 lakhs where applicable".

This issue was discussed in 43rd BOG and decided that as per advise of the Joint Secretary cum Financial Advisor, MHRD, the list of SC / ST candidates admitted in the Institute would be forwarded to Ministry of Social Justice and Empowerment for re-imburement of their tuition fees through **Top Class Scholarships** granted by the said Ministry to SC / ST students admitted to Technical Institutes of National Importance.

The Board discussed the matter and advised the Institute to refer the issue of fees concession to SC/ST students at B Tech level to MHRD and allow fees concession at post graduate and Ph.D. level as was being allowed before 2014.

BOG-44/14/15E: Change of nomenclature of M Tech. (Earthquake Engineering) to M Tech. (Structural Dynamics & Earthquake Engineering)

The Senate in its 41st meeting considered the request of student's representatives to suitably amend the nomenclature of M Tech. (Earthquake & Engineering) in view of the difficulty in placement of M Tech. (Earthquake) engineering students as the companies feel that

their employability is restricted due to the nature of their specialization. In fact the students of the stream are well equipped with the theoretical as well as practical knowledge of structural designing; but the companies are not aware of this aspect.

After detailed deliberation, the Senate decided that the nomenclature be amended as M. Tech (Structural Dynamics & Earthquake Engineering) and recommended the same to the Board for approval.

The Board approved the change of nomenclature of M Tech. (Earthquake Engineering) to M Tech (Structural Dynamics & Earthquake Engineering)

BOG-44/14/15F: Development of the Institute Lakes on public private participation basis as per the decision taken in the 27th meeting of the Finance Committee.

The 27th Finance Committee while disagreeing to the proposal for development of the Institute Lakes at a huge cost suggested that the Lakes could be improved by leasing out to private persons who can use the Lakes for pisciculture after developing/renovating the Lakes as per our requirement.

For preservation of the Lakes and enhancing the beauty of the Institute, the following works are required:

- (i) Excavation of the Lakes to hold more water for pisciculture.
- (ii) Protection walls for protecting the roads and stopping seepage of water.
- (iii) Cemented cause ways over the road for smooth flow of water and increasing the capacity of the Lakes.
- (iv) Chain-link fencing up to a height of 4ft along the road besides the Lakes.

Tenders will be called from interested bidders to perform the above work for each Lake quoting the Annual License Fee for the Lake. The highest bidder of License Fee will be awarded the lease. Initially, the lease will be given for three years, as the lease holder will have to spent lot of money for the improvement of the Lakes as per our specification. Afterwards, the Lakes can be leased annually.

The proposal was deferred to be considered in the next meeting of the Board.

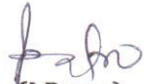
BOG-44/14/15G: Transit House at Guwahati.

The BOG in its earlier meetings held before the 41st meeting have approved a proposal for a Transit House at Kolkata to be created jointly with other NITs of North Eastern Region. This proposal was again confirmed by the 41st meeting of the BOG.

But most of the NITs of NER have decided to shift their activities to Guwahati from Kolkata owing to proximity and accordingly the NITs have also identified the proposed Transit House at Guwahati.

It is felt expedient for NIT Silchar to join the other NITs on the issue. The contribution towards the rent of the Transit House will be Rs.33,000.00 p.m. The Board may kindly approve the proposal.

The Board after deliberation approved the proposal



(J Patro)
Registrar
Member Secretary



Prof. Asis Datta
Chairman