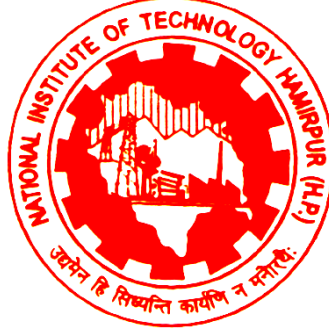


राष्ट्रीय प्रौद्योगिकी संस्थान, हमीरपुर(हि0प्र0)
NATIONAL INSTITUTE OF TECHNOLOGY, HAMIRPUR



कार्यवृत्तांत
MINUTES

अभिशासक परिषद
BOARD OF GOVERNORS

बैठक संख्या	:	सोहलवी
Meeting	:	16th
Venue	:	NITs Transit House, A-1/267, Safderjang Enclave, New Delhi.
स्थान	:	एन .आई .टीज ट/जिट हाउस, ए-1/267, सफदरजंग इन्कलेव, नई दिल्ली
दिनांक	:	13 जून 2009
Date	:	13th June, 2009
समय	:	2:30 अपरान्ह
Time	:	2:30 PM

NATIONAL INSTITUTE OF TECHNOLOGY, HAMIRPUR (HP)

MINUTES OF 16TH MEETING OF BOARD OF GOVERNORS NIT HAMIRPUR
HELD IN THE NIT TRANSIT HOUSE, A-1/267, SAFDERJANG ENCLAVE,
NEW DELHI.

The following were present:-

Dr. R. L. Chauhan, Kahan Niwas, Kelston Estate, Shimla-171 003(HP).	Chairman
Dr. D. Swaminadhan, H.No.8-2-293/6, Plot No.6, Lotus Colony, Banjara Hills, Road No.12, Hyderabad-500 034.	Member
Dr. Surendra Prasad, Director, Indian Institute of Technology, Hauz Khas, New Delhi-110 016.	Member
Sh. Madan Mohan, Director(NITs), Govt. of India, Ministry of HRD, Deptt. of Higher Education, Shastri Bhawan, New Delhi-110 001.	Member
Sh. S. Mohan, Director(Finance), Govt. of India, Ministry of HRD, Deptt. of Higher Education, Shastri Bhawan, New Delhi-110 001.	Member
Er. S.M. Bhardwaj, Chief Engineer(Retd.) Irrigation and Public Health Deptt., Village Aima, Palampur, Distt. Kangra(HP).	Member
Dr. I.K. Bhat, Director , NIT Hamirpur.	Member
Dr. J.N. Sharma, Professor (Mathematics) NIT, Hamirpur.	Member
Sh. B.J.Rao, Lecturer(Selection Grade), E&CED, NIT, Hamirpur(HP).	Member
Dr. A. S. Singha, Registrar, NIT Hamirpur	Secretary

The Hon'ble members of the Board of Governors namely Principal Secretary (TE) to the Govt. of HP, Dr. Rakesh Kumar, Advisor, AICTE & Shri Ramanand Sharma could not attend the meeting due to pre-occupation.

OPENING REMARKS:-

1. Hon'ble Chairman, BOG, welcomed the members and apprised them about the developments carried out in the institute. As he had visited the institution in the recent past, he gave the first hand remarks and showed his satisfaction about various aspects of the institutional developments. He also mentioned about the unfortunate incident of the CBI coming to campus for scrutiny of some record. The members expressed in very strong terms that the Chairman and Director should meet Director CBI in his office and show their displeasure for such an action which has tarnished the image of the institution.
2. Thereafter Director apprised the members about various activities being carried out at NIT Hamirpur. His power point presentation gave a clear picture of the developments at the institution. The members highly appreciated the work carried out and congratulated the Chairman, the Director and his team of faculty & staff for the excellent work carried out.

Thereafter with the permission of the Chair, the Secretary proceeded to present the agenda for consideration by the Board.

ITEM NO.1: TO CONFIRM THE MINUTES OF THE 15TH MEETING OF THE BOARD OF GOVERNORS HELD ON 15/12/2008.

The minutes of the 15th meeting of the Board of Governors held on 15/12/2008 were circulated to the members on 31/12/2008. No comments were received so were confirmed as circulated.

ITEM NO.2: TO RECEIVE A REPORT ON THE ACTION TAKEN ON THE DECISION OF THE PREVIOUS MEETING OF THE BOG.

The status of the action taken on the matters of the previous meetings of the Board of Governors was noted with the observations/decisions indicated against each item:-

Sl. No	Item No.	Brief description	Decision of the Board Present status
1	7.2 (14) &	Regarding the behavior of Shri Desh Raj Rana, Assistant Professor E&CED, NIT Hamirpur.	Since, the item has been discussed under new item No. T 12, therefore the Board decided to drop this item from here.
2	(7.2 (24) (15)	Departmental disciplinary Proceedings against Shri Desh Raj Rana, Assistant Professor, E&CED, NIT, Hamirpur (now removed from service)- regarding submission of findings of Inquiry Report.	
3.	11.2 (A5)	Approval for purchase of One No. Mini Bus and One No. Car in place of condemned Bus No.HP 22-5830 and Car No.HP 22-0099.	The Board requested the MHRD representatives to accord ex-post facto approval for the already procured Corolla Car and Mini Bus as these vehicles have been in use for the last two years.
4	12. (A9)	Approval for purchase of New Bus-52 seaters.	Action complete, item dropped.
5	13 (T1)	Approval for amendments in the compendium of rules.	Action complete, item dropped.
6	13 (T4)	Permission for filling of posts through DPC vacant upto 31-03-2004 and also special permission to consider the cases of ACP and release of stagnation increments in the Master Scale become due upto 31.12.2005.	The mapping of scale has been issued by the Ministry and the Board suggested that first the same be adopted from 01-01-2006 after updating the existing benefits as on 31-12-2005. This item is also discussed under new item No. T 14, therefore the Board decided to drop this item from here.

7	14 (B3)	Approval for continuity of Shri Maninder Singh, Standing Counsel/legal Adviser, in the Hon'ble Supreme Court for another year.	The Board desired to decide the case at the institution level and fix the remuneration as deemed fit based on the information obtained from the IIT Delhi and dropped the item.
8.	14 (B8)	Approval for continuity of Dr. J.R.Rattan, retired Medical Supdt., Staff Health Services as Part-time Medical Officer in the Institution.	Action complete, item dropped.
9.	14 (C2)	Proposal regarding stepping up of the pay of Dr. Sunil, Asstt. Professor at par his junior, Dr. Narottam Chand, Asstt. Professor.	Action complete, item dropped.
10	14 (T4)	Decision of Hon'ble High Court of Himachal Pradesh in CWP No.1641/07 and LPA No.92/2008-titled Dr. Ashok Kumar Gupta, Assistant Professor v/s UOI & NIT Hamirpur.	The Board was informed that the case is still sub-judice in the Hon'ble High Court of HP.
11	14 (T8)	Re-structuring of Non Teaching positions as per Govt. of India, Ministry of Human Resource Development, New Delhi letter No.F.48-5/2004-IFD dated 13.12.2005 and recasting thereof as per approved norms.	The Board desired to pursue the case with Ministry.
12.	15 (A1)	Regarding regularization of period of suspension 29/5/2006 to 13/3/2007(suspension revoked w.e.f. 14/3/2007) followed by major penalty of compulsory retirement in the case of Dr. Ashok Kumar Gupta, Ex-Assistant Professor, Civil Engineering Department.	The Board noted the action taken and desired to implement the decision of the Board.
13	15 (A2)	Approval for Payment of special Remuneration to the Inquiry Officer to Complete inquiry as per orders of Hon'ble High Court, HP.	Action complete, item dropped.

14	15 (A3)	Decision of the Appointing / Disciplinary Authority on the Inquiry Report in the Case of Dr.(Mrs.)Saroj Thakur (Charged Officer).	Since, the item has been discussed under new item No. A 2, therefore the Board decided to drop this item from here.
15	15 (A4)	Re-consideration of decision regarding payment of Remuneration/ honorarium to internal members.	Action complete, item dropped.
16	15 (A5)	Approval of the recommendations of screening committee regarding allowing in service beyond 58 years and to allow to serve upto 60 years in respect of Shri P.C.Khatta, Junior Assistant.	Action complete, item dropped.
17	15 (A6)	Approval for creation/ setting up of the Departments of Applied Sciences Humanities & Social Sciences.	Action complete, item dropped.
18	15 (B1)	Award of degrees to pass out B.Tech/ B.Arch. and M.Tech. Students during Academic year 2008.	Action complete, item dropped.
19	15 (B2)	To approve the names of students for award of Director's medal (Gold Medal) to Branch topper and overall topper among all the Branches and best student award for the year 2008.	Action complete, item dropped.
20	15 (B3)	Amendment in the existing R&P Rules for the post of Assistant Engineer (Electrical).	Action complete, item dropped.
21	15 (B4)	Proposal for amendment in the compendium of rules i.e. in item "C" sub item ii (2) routine testing (Consultancy rules for field testing projects, sponsored/ Research projects, etc.	Action complete, item dropped.
22	15 (B5)	Implementation of revised pay scales to the Non-teaching staff as per sixth pay commission report & allowed to be implemented by the MHRD, Govt. vide OM	The Ministry of HRD has issued the instructions regarding mapping of scales, which is to be implemented from 1-1-2006 and the employees should be asked to withdraw the court case.

		No.F.23.30/2008-TS-III dated 3 rd October, 2008 adoption thereof in respect of Non Teaching staff of NIT, Hamirpur.	Any further benefits with reference to new pay scale should be issued only after the adoption of new scales. As this issue is discussed under item No. T 14, therefore the Board decided to drop this item from here.
23	15 (B6)	Relaxation/ amendment in the existing recruitment & promotion rules for the post of Medical Officer.	Action complete, item dropped.
24	15 (C2)	Proposal regarding enhancement of consolidated salary of contract employees as a sequel to VIth Pay commission report as accepted by central Government.	Action complete, item dropped.
25	15 (C4)	Clarification regarding essential qualification for recruitment/ promotion to the post of Asstt. Professor.	The Board approved to insert the words “and for promotion under CAS” be included in the earlier decision of BOG notified vide No. NIT/HMR/Rev-270-6755-67 dated 06-01-2009.
26.	15 (C5)	Decision regarding counting of service rendered as Lecturer (Selection Grade) equivalent to Asstt. Professor.	Action complete, item dropped.
27	15 (C6)	Annual Report and Annual Audit Report of NIT Hamirpur(HP) for the year 2007-08: approval of Board of Governors thereof.	Action complete, item dropped.
28	15 (C7)	Regarding joining back of Dr. V.K. Sarda, Professor, Civil Engg. Deptt., presently working as Principal North West Institute of Engineering & Technology, Dudhike (Pb.)	The Board considered the request of Dr. V.K. Sarda and did not agree for the conversion of EOL period into deputation period.
29	15 (C8)	Approval for display the minutes of Finance Committee and Board of Governors on the Institute web-site.	Action complete, item dropped.
30	15 (C9)	Information regarding expenditure incurred during 2008-09 (upto 30-11-2008).	Action complete, item dropped.

31	15 (C11)	Forwarding of application through proper channel for appointment in a private managed Institution.	Since the item has been discussed under item no. T 1, therefore the Board decided to drop this item from here.
32	15 (C12)	Reimbursement of legal expenses in court case of State of HP Vs Sh. Yashwant Singh, Driver.	Action complete, item dropped.
33	15 (T2)	Adoption of revised Bus fare charges as notified by the HP Govt. in NIT, Hamirpur (HP).	The Board approved the recommendations of Finance Committee under old Item No.8 (T2)
34	15 (T3)	Approval for inclusion of a nominee of the Technical employees Association in the House Allotment committee.	Action complete, item dropped.

ITEM NO.A1 REGARDING TRANSFER OF SERVICE BOND OF DR. UMESH KUMAR SHARMA TO IIT ROORKEE.

After discussion the Board did not approve the request of Dr. Umesh Sharma regarding transfer of service bond.

ITEM NO.A2 DECISION OF DISCIPLINARY AUTHORITY ON INQUIRY REPORT AND WRITTEN REPRESENTATION /SUBMISSIONS UNDER RULE-15 OF CCS (CCA) RULES 1965.

Dr. I. K. Bhat and Dr. J.N. Sharma, Members of the Board were requested to leave the meeting as they were directly related to the case. Then the Board considered the request of Dr Saroj Thakur to be heard in person and afforded her an opportunity of being heard in person.

The Board of Governors deliberated the matter at length. Dr.(Smt.) Saroj Thakur, Asstt. Professor in English, Department of Applied Science & Humanities, NIT Hamirpur was served charge sheet vide office memorandum No.NIT-HMR-Admn-PF-T-49/2007-9324 dated 28th Sep./01-10-2007. After receipt of reply dated 4-12-2007 to the said charge-sheet , it was resolved/decided by the Board to hold inquiry under Rule-14 of CCS(CCA) 1965 against Dr.(Smt.) Saroj Thakur for the charges as stated in the above mentioned charge-sheet. Sh. Inder Ram,

Additional District Judge (Retd) was appointed as Inquiry Officer to conduct detailed inquiry against Dr. (Smt.) Saroj Thakur for the said charges. The Inquiry Officer submitted his report on 23.10.2008. The report submitted by Inquiry Officer was sent to Dr.(Smt.) Saroj Thakur vide letter No.NIT/HMR/Admn-49/Part-file 7020 dated 15-01-2009 wherein she was asked to submit her representation against the said inquiry report within a period of 15 days and granted 15 days more extension for submission of written representation vide letter No.NIT/HMR/Admn/PF/49/Part-file/8257 dated 12-02-2009. Dr.(Smt.) Saroj Thakur submitted her representation on dated 16.2.2009.

The Board after going through the inquiry report as well as representation ibid made by the charged officer, Dr.(Smt.) Saroj Thakur, Assistant Professor in English, Deptt. Of Applied Science & Humanities, NIT Hamirpur and considered as well as meticulously examined with reference to the daily order sheets, evidences adduced and statements of prosecution and defence witnesses as well as other materials on record discussed in the inquiry report in terms of the para contents cited by the CO in her representation dated 16.2.2009. The Board of Governors (Appointing & Disciplinary Authority) considered all para contents of the CO submitted by her representation supra in the right perspective & without any prejudice and record point-wise reasons and finding as under:-

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Preliminary Objections Regarding Procedure by CO

The Board also took into consideration inquiry report and the written representation of Dr. Saroj to the inquiry report. It also looked into the circumstances that led to the initiation of the Disciplinary proceedings against the CO. The Board and Disciplinary / Appointing Authority did not agree with CO regarding the objections raised and enumerated its observations & point-wise reasons and findings on record as under:

Denial of Natural Justice on the Basis of Procedural Defects:

Point-1. The complainant acting as a judge in his own case (memo debet judex in propriya causa)

The contents of the para are not based on the evidence adduced and have been made only to avoid the liability by the CO. The Inquiry Officer was a retired Additional District Judge (ADJ) and is well aware of the procedures and has reached the conclusion on the basis of testimonies of the witnesses and documentary and circumstantial evidences. During the process of inquiry from 29-11-2007 to 22-09-2008, the charged officer at no stage objected or alleged any biasness of the Inquiring Authority. Hence the Board finds no merit, in the

preliminary objection of the CO that the natural justice has been mutilated in the present disciplinary case and rejected the same.

Further the Board also finds no merit in the contention/submission of CO that the Director is complainant in the instant case and he acted as a judge in his own case. As per the provision contained in MoA/NIT Act-2007, the Director of the Institute has been declared as the Chief Executive & Administrative Head and BOG finds that he has rightly acted/initiated the matter through the Resolution No. 983 dated 18.7.2007 as well as through regular meetings of BOG. We therefore, agree with the para contents of inquiry report adduced under para-2 & 14. Therefore para contents by CO are not convincing and devoid of substance and hence rejected.

Point-2. Also hear the other side (audi alter am partem)

The objections raised by the CO are not convincing in terms of the provision contained in the MoA/NIT Act-2007 and find that the Director attended the meeting of the Board of Governors on 17/09/2007 in the capacity of Member, Board of Governors. The Board of Governors has resolved to hold an independent inquiry for natural justice and fair play. Hence the objection/plea of CO for being deprived from personal hearing is not tenable and rejected.

Point-3. Justice should not only be done but should seem to have been done

The Board of Governors (AA & DA) after fully relying upon the matter submitted by the Member Secretary through the Resolution No. 983 (by circulation) about the serious misconduct and misbehaviour demonstrated in person by the CO before the Head of the institution, the Board has rightly ordered the inquiry keeping in view the gravity of offence under Rule-14 of CCS (CCA) -1965. Therefore, the para contents submitted by CO are not acceptable and are rejected.

Point-4. Hon'ble Members of the Disciplinary Body appearing as witnesses:

The Board finds no substance in the para contents as all the officers stand as nominated members of the Board of Governors and participated in the meetings dated 17/09/2007, 07/04/2008 and 15/12/2008. For natural justice and fair play, the Board resolved in its meeting for independent inquiry without prejudice. Hence para contents are not acceptable and are rejected.

Point-5.

The Board finds no relevance of the cited general principle with the present disciplinary case, as the points raised are to be applied in a criminal proceeding. Moreover, the inquiry procedure cited by the CO is also not relevant in the instant case as the Director is not accused in the instant case. Hence Board rejects the para contents.

Point-6.

The Board finds no merit in the objection/submission by CO, as the appointment of Inquiring authority & Presenting Officer has been approved by the competent authority as per the decision of the BOG (Item No.T12) and the formal orders have only been issued by the Secretary of the Board of Governors being an official functionary in hierarchy.

Point-7.

The Board finds that the NIT Act-2007 stands promulgated from 15th August 2007 and the Registrar of the institute acted as Secretary of the Board in the right perspective under Section 18 (2) of the NIT Act-2007 (29 of 2007). Hence we agree with the findings recorded by the Inquiry Officer under para-6 of the report & find no violation.

Point-8.

The Board finds no merit in the plea of CO that the Police submitted the investigation report vide No. 4536/5A dated 22-09-2007. The said investigation report stated to have been sent by SP office Hamirpur has neither been received by the institution nor shown or produced by the CO or through her defence witness (DW-1 Sh. Fauja Singh). The written argument of the Presenting Officer (PO) dated 8th September 2008 are crystal clear. Therefore, the Board is not convinced on the submission of CO, hence reject the para contents.

Point-9.

The Board finds the para contents fully devoid of instance and substance, hence rejected.

Point-10.

The Board finds no merit in the para contents of CO as per the provisions of CCS (CCA) Rules 1965.

Point-11.

The Board observed from the contents of para-20 of the Inquiry Report, daily order sheets and find that all statements of PWs & DWs have since been issued and taken by the CO under her signatures. Therefore the para contents are not convincing and rejected.

Point-12.

The Board finds under para-2 of Inquiry Report that the letter No. 983 dated 18/07/2007 has since been exhibited at Ex. DB by the CO herself and is matter of record. It has further nothing to do with charge sheet and thus devoid of consideration and rejected.

Part II

Point-1.

The Board finds no merit in the objection/submission of CO which are misrepresentation, as the IO clearly stated in para-1 of report (introduction) that the CO had applied for up-gradation under Career Advancement Scheme (CAS) for the post of Assistant Professor as well as Professor. Hence para contents of CO are rejected.

Point-2.

The Board finds repetition in the para contents which already stand considered and rejected. However, the Board, after careful perusal of the charge-sheet and findings of the Inquiry Officer under para-9 to 17, observed that the Director being an Executive & Administrative Head of the Institution reported the matter to the Police through Registrar and also informed the Board of Governors as a Member Secretary, about the misconduct and misbehavior demonstrated by the CO. Hence the Board rejects the plea of the charged officer in view of the evidences and reasoned findings under para-I supra.

Point-3.

This being a matter of record, the board finds no cause to comment.

Point-4.

This being a matter of record, the board finds no cause to comment and denies the allegation of fabrication in view of the facts and circumstances of the case.

Point-5.

This being a matter of record, the board finds no cause to comment.

Point-6.

The board considered the objection of the charged officer and finds no merit in the case, as the Inquiring Authority has categorically mentioned under para-20 of the report that the charged officer had not only been supplied inter alia attested copy of the letter No.983 dated 18/7/2007 on 29/1/2008 but she had also inspected the original record in his presence during the course of inquiry. Hence rejected the objection on the basis of documentary evidences.

Point-7.

The Board finds that the full fledged inquiry has been ordered in the instant case wherein ample opportunities have been provided to the charged officer during the course of inquiry as per provisions contained in the CCS(CCA) Rules. Therefore, the submission of CO is not tenable and rejected.

Point-8.

The board find no cause to comment.

Point-9. Article No.1:

The Board observed that the CO has been granted full opportunity to cross examine the PWs and also supplied/ exhibited the relevant documents related to the charge sheet. The Board perused the written arguments of Presenting Officer dated 8.9.2008 and do fully agree with the IO report relating to Article 1 under para 4 to 17 of the report. The CO failed to prove her plea on the basis of documentary evidences during the process of inquiry. Hence rejected.

Point-10.

The Board finds the para contents of CO full of repetition as submitted under point 9 supra which already stands considered and rejected.

Point-11.

The Board observed from the resolution of Teachers Association that the faculty members have condemned the activity (misconduct and misbehaviour) of the CO and find that IO has afforded ample opportunity to the CO to cross-examine the signatories as well as General Secretary of the Association during the course of inquiry, but she could not prove any thing. Hence the Board agrees to the findings of IO regarding the credibility of said resolution under para 11 of the report and find no merit in the objection/ submission of CO and rejects the same.

Point-12.

The Board find the repetition in the para contents which already stands considered and rejected. However, Board perused the finding of IO under para 12 of the report and observed that the same have been recorded on the basis of evidences adduced during the inquiry. Further, the CO as well as DW-1 (Fauja Singh, ASI) could not produce the police report before the IO. The para contents submitted by CO are without merit and not convincing, hence considered and rejected.

Point-13.

The Board find that the CO applied for promotion to the post of Assistant Professor/ Professor vide her application dated 31.10.2006,(1016), 31.10.2006 (1017) & 06/07/2007 in view of the fact that she was holding the post of Lecturer (SG) at that time. Therefore the Board observed that she was to be considered for promotion/ placement to the post of Assistant Professor, according to the eligibility criteria as per CAS norms. Even at the time of this Board meeting she does not qualify to be eligible for the post of Professor as per CAS rules. According to her said applications, the CO was called for interview for the post(s) of Assistant Professor /Professor and as per her performance in the interview, SSC recommended/ selected the CO for the post of Assistant Professor. Therefore, we agree to the recommendations of the Staff Selection Committee and subsequent finding of the IO (para 6 of report). The Board extensively examined the para contents submitted by CO with reference to the statement of PW-1, PW-2, PW-8, PW-12, PW-13 and DW-5 and the para contents of CO which are itself convincing that the CO demonstrated the misconduct and misbehaviour viz; firstly enter the chamber of the Director and pressed for re-interview as per her argued statement. It is worth to mention that a candidate who called for interview have no locus standii to ask or press the competent authority for re-interview. This has been viewed as a very serious mis-conduct on the part of CO. The Statements fully corroborate that CO became hostile, sat at the door of Director's room in prostrate manner. Statement of PW-3 & PW-4 clearly substantiate the incidence of blocking the main door and catching hold the Director from shoulder and collar and further the Statement of PW-1 & PW-2 & DW-5 sustain the mis-conduct on the part of CO for trying to jump through the railing to the blank space which is a criminal offence. The para contents submitted by CO are absolutely not convincing and rejected.

Point-14

The Board considered the para contents as full of repetition which are already considered and stand rejected.

Point-15.

The Board find the para contents of CO devoid of facts as per the statements of PW-1,PW-2 PW-3, PW-4, PW-13, DW-1, DW-9 the main witnesses of the incident at the spot where the incident took place and the CO is trying to mislead and mutilate the facts and circumstances by mis-interpreting the statements of PWs. The Board find no merit in sustaining the objections and her contention stands rejected.

Point-16.

This being repetition of matter, the Board considered the para and rejected.

Point-17.

The Board find that IO summoned 13 PWs out of which 08 appeared before the IO and these were duly cross-examined by the CO which is a matter of record. The Board further noted the submissions of Presenting Officer before the IO and find the same well within the provision of CCS(CCA) Rules-1965. Hence the Board denies the allegation of CO that she has been deprived from cross examining the witnesses. Hence para contents of CO rejected being baseless.

Point-18.

The Board fully agrees with the finding of IO under para 18 relating to Article II.

Point-19.

The Board perused the report of IO and find under para-2, 19, 20 and 21 (general observations) that the CO has been supplied the document (EX-DB) and also provided ample opportunity to inspect the record during the course of inquiry or receive the document through RTI or by other means and no where has been deprived or denied any thing pertaining to the charge sheet. Hence the Board finds no merit in the para contents and stands rejected.

Point-20.

The Board finds no dispute in office letter/resolution No. 983 dated 18/07/07 in any manner nor any procedural lapse.

Point 21.

The Board considered the Para contents and finds that this has no relevance to the Articles of charges and the IO being Retired Judge well versed with rules, regulations and procedures has acted in a bonafide manner and nowhere discriminated the inquiry procedure. Hence we find no merit in the objection and accept the findings of the IO.

CONCLUSION/DECISION/ ORDER.

The Board of Governors (Appointing & Disciplinary Authority) after careful examining & considering the CO representation dated 16/02/2009 made against the Inquiry report dated of 23/10/2008 referred above, and the personal hearing given to Dr(Smt) Saroj Thakur in the instant case has come to the conclusion that Charge No.I viz; serious mis-conduct & misbehaviour has been proved in toto, whereas Charge No.II for approaching the media directly is not proved against the charged officer Dr.(Smt.) Saroj Thakur, which although is also actually evident from the newspaper clipping.

Therefore, keeping in view the foregoing factual position & circumstances and gravity of the serious misconduct & misbehaviour proved in the present case, the Board of Governors (Appointing & Disciplinary Authority) is of the considered view that Dr. (Smt.) Saroj Thakur, Assistant Professor in English, Department of Applied Science & Humanities, NIT Hamirpur is not fit to be retained in the services of the Institute. This act on the part of Dr.(Smt.) Saroj Thakur is absolutely unbecoming of a public servant, therefore, the Board of Governors (Appointing / Disciplinary Authority) imposes the penalty of **compulsory retirement** under Rule-11(vii) CCS (CCA) Rules 1965 and also Rule-26(5)(vi) of NIT First Statutes on the charged officer, Dr.(Smt.) Saroj Thakur, Assistant Professor in English, Department of Applied Science & Humanities, NIT Hamirpur with immediate effect.

Further the Board of Governors (AA & DA) hereby authorize the Secretary of the BOG to convey the decision taken by the competent authority supra and also issue the formal orders on behalf of the BOG(AA & DA) accordingly.

ITEM NO.A3 REGARDING APPROVAL OF AGE BAR FOR RECRUITMENT TO VARIOUS FACULTY POSITIONS.

The Board deliberated on the issue and was of the opinion that there is no age restriction for teaching posts upto the age of 65 years. However, Board decided that it is desirable to appoint Lecturers, who are relatively younger, viz; below 35 years. For the post of Assistant Professor and Professor, there should be no age bar. The Board is of the view that the feasibility of judging the capability of a person, his age vis-a-vis appointment of Lecturers should vest with the Director who is the Chairman of the Selection Committee.

ITEM NO.A4 APPROVAL FOR SANCTION OF FACULTY AGAINST OBC QUOTA .

After discussion, the Board approved the proposal and resolved that the additional posts requirement be sent to the Ministry of HRD for creation of additional posts against the enhancement in student intake due to implementation of OBC ACT.

PART III

ITEM NO.B1 REGARDING SHRI K.S. PANDEY, LECTURER (SELECTION GRADE) COMPUTER SC. & ENGG. DEPTT.

The Board took a serious view of the case and resolved that the amount of salary alongwith increments paid to Dr. K.S. Pandey during his study leave be recovered and also decided that this period will not count towards his qualifying service for pension benefits etc. Further, the Board directed the institute to issue a strong warning to the incumbent to refrain from such conduct in future.

ITEM NO.B2 REGARDING RELIEVING OF DR. SAROJ KUMAR PRADHAN, LECTURER, MECHANICAL ENGINEERING DEPARTMENT.

The Board did not sanction the leave to Dr. Saroj Pradhan and desired that he may be asked to submit formal resignation from the post of Lecturer with effect from 04/03/2009 (AN), which the Board accepts.

ITEM NO.B3 APPROVAL FOR RECRUITMENT/PROMOTION OF FACULTY AND NON-FACULTY MEMBERS AGAINST INTERVIEWS HELD IN FEBRUARY/MARCH, 2009.

The Board ratified the action taken by the Chairman, BOG regarding approval of the recommendations of SSCs relating to direct recruitment/ CAS placement/ promotions of the faculty and non-faculty.

ITEM NO.B4 TO APPROVE THE FEE STRUCTURE FOR MBA (SELF FINANCING) PROGRAMME (EFFECTIVE FROM SESSION 2009-10).

The Board approved the proposed fee structure for MBA (self financing) programme. The seat distribution should be as per the GOI reservation

policy. As the programme is a self-financing, it was further decided that in case suitable SC/ST/OBC candidates are not available, then only OBC seats should be filled up by the open category candidates to make the programme self-sustainable. It desired that the fee structure should be reviewed after one year.

PART IV

ITEM NO.C1 INFORMATION REGARDING CONTRACT APPOINTMENTS/ RETIREMENTS/REPATRIATIONS AFTER LAST MEETING OF BOARD OF GOVERNORS.

The information was perused and ratified by the Board. It also approved the action taken by the institute regarding assignment of the duties and responsibilities of the post of Registrar to Dr. A.S. Singha, Professor (Chemistry) & Dean (P & D) till the new person is appointed as per provisions of the NIT Act and Statutes. The process for appointment of regular Registrar be initiated immediately.

ITEM NO.C2 APPROVAL FOR IMPLEMENTATION OF MODIFIED TA/DA RULES NOTIFIED BY THE GOVT. OF INDIA AS VIDE OM NO. F.NO.19030/3/2008-E.IV DATED 23-09-2008.

The Board adopted the rules. However, it directed that modified TA/ DA Rules of Govt. of India shall be made applicable only after release of the new pay scales to faculty. For only those non faculty members who are in the central scales the new rules will be applicable.

ITEM NO.C3 PROPOSAL FOR PLACING THE SPECIAL CLAUSE IN THE COMPENDIUM OF RULES I.E. OUTSOURCING OF PART OF CONSULTANCY WORK.

The Board approved the proposal to include the proposed special clause in the Compendium of Rules as per agenda.

ITEM NO.C4 GRANT OF OFFICIATING PAY/ALLOWANCES TO ER. SANJEEV VASISHTA, JUNIOR ENGINEER (ELECTRICAL)

After deliberation, the Board approved the proposal regarding grant of officiating pay at the rate of 12.5% of basic pay subject to a maximum of Rs. 1000/= to Er. Sanjeev Vasishta as per rules.

ITEM NO.C5: INFORMATION REGARDING PROGRESS OF CONSTRUCTION WORKS OF NIT, HAMIRPUR.

The Board noted the progress of construction work and expressed its satisfaction.

ITEM NO: C6 BUDGET ESTIMATES FOR THE YEAR 2009-2010.

After discussion, the Board approved the Budget estimates for the year 2009-10 and suggested that as limited money is available in plan grant, so the institute should ask for additional OBC grant for its on going and future activities.

ITEM NO. C7 REQUEST OF DR. (MRS.) SAROJ THAKUR FOR RELIEVING TO JOIN FELLOWSHIP AT INDIAN INSTITUTE OF ADVANCED STUDIES, SHIMLA ON STUDY LEAVE/ DEPUTATION BASIS

The request was considered by the Board and was not accepted, in view of the decision of Appointing/Disciplinary Authority at item No.A.2.

ITEM NO.C8. APPROVAL FOR AMENDMENTS IN THE COMPENDIUM OF RULES.

The Board ratified the decision taken by the Chairperson regarding amendment in the compendium of rules.

ITEM NO. C9 INQUIRY REPORT OF THE COMMITTEE CONSTITUTED FOR THE PURCHASE CASES IN THE MECHANICAL ENGINEERING DEPARTMENT/WORKSHOP AND APPLIED SCIENCE & HUMANITIES DEPARTMENT.

The Board took serious view of the irregularities in the purchase cases based on the preliminary inquiry conducted by 02 members committee (Mr. S.N.

Tiwari and Mr. Ranjeet Singh). It authorized the Director to initiate disciplinary proceedings and hold a formal inquiry in such cases as per rules.

The Board also advised to streamline and strengthen the purchase system especially the auditing. The Board further suggested to educate the persons involved in purchase cell and audit section by sending them to IIT Delhi so that necessary checks and balances are put in place for future.

ITEM NO. C10. INFORMATION REGARDING APPOINTMENT OF INQUIRY OFFICER TO INQUIRE INTO THE ALLEGATION OF NIT HAMIRPUR TEACHER'S ASSOCIATION (NITTAH) RELATING TO RECRUITMENT OF FACULTY IN ARCHITECTURE DEPARTMENT.

The Board noted the contents of the report of Inquiry Officer and decided to close the case.

TABLE ITEMS

ITEM NO.T1 POLICY DECISION REGARDING FORWARDING OF APPLICATION OF FACULTY FOR OUTSIDE JOB IN GOVERNMENT ORGANISATIONS & OTHER PRIVATE INSTITUTIONS.

The Board decided that:-

- (i) Only 10% of the total sanctioned strength of respective department /section / center be allowed to go on leave to join the outside assignments.
- (ii) This leave shall be restricted for a period of 02 years.
- (iii) The applications of the faculty, who have less than 05 years regular service at NIT Hamirpur shall not be forwarded.

ITEM NO.T2 APPROVAL FOR WELFARE FUND RULES FOR THE MESS WORKERS ENGAGED BY THE INSTITUTION FOR VARIOUS HOSTELS, NIT HAMIRPUR (HP).

The item was withdrawn and hence dropped.

ITEM NO.T3 APPROVAL FOR GRANT OF EXTRA ORDINARY LEAVE FROM 22/05/2009 TO 21/05/2011 TO DR. R.L. SHARMA, PROFESSOR, CIVIL ENGINEERING DEPARTMENT TO JOIN AS DIRECTOR, SIET, BILASPUR(HP).

The Board approved the Extra Ordinary Leave (without pay) of Dr. R.L. Sharma for a period of 02 years from the date of relieving.

ITEM NO. T4 REQUEST FOR PROVIDING OF INSTITUTION VEHICLE TO THE EMPLOYEES FOR PARTICIPATION IN RETIREMENT / DEATH AND OTHER OCCASION.

The Board felt that the issue is of Director's discretion..

ITEM NO.T5 APPROVAL FOR PROCUREMENT OF STATIONERY, PEN DRIVE, SMART HARD DISK AND PAPER PEN FROM THE AMOUNT BEING REIMBURSED TO FACULTY UNDER FRINGE BENEFITS.

The Board did not approve of the proposal.

ITEM NO.T6 DEPUTATION ALLOWANCE TO THE EMPLOYEES OF HPPWD DEPUTED WITH NATIONAL INSTITUTE OF TECHNOLOGY,HAMIRPUR.

The Board agreed with the recommendations of the Finance Committee to send the case to the Ministry of HRD with all details for further direction.

ITEM NO.T7 FIRST STATUTES OF NATIONAL INSTITUTES OF TECHNOLOGIES.

The members of the Board placed the First Statutes of NITs on record for implementation.

ITEM NO.T8 APPROVAL FOR FILLING OF TECHNICAL (LABORATORIES AND SERVICES) ON CONTRACT BASIS IN TEACHING DEPTT AT ENTRY LEVEL TILL THE APPROVAL OF RE-STURCTURING OF CADRE STRENGTH.

After detailed deliberation and considering the immediate requirement of Technical staff, the Board agreed to appoint 37 Nos. of Technical staff on contract basis at a consolidate salary of Rs. 7000/-PM as per norms laid in statutes and through an open advertisement.

ITEM NO.T9 APPROVAL FOR CREATION OF POST OF ADDITIONAL STAFF FOR PROVIDING MEDICAL FACILITIES FOR ALL TYPES OF MODERN AS WELL AS SOPHISTICATED SCIENTIFIC EQUIPMENTS IN THE CAMPUS.

The Board suggested that the institute should tie up with the local hospital (Zonal/ District) and keep all necessary emergency systems in place in the institute dispensary. It also agreed to have 01 Lab Technician and 01 more Medical Officer in the institute, so that 24 hours service is made available in the institute. Further, it also suggested to have 01 ambulance with necessary medical instrumentation/ first aid kits fitted in the same. The proposal should be sent to the Ministry of HRD for its approval.

ITEM NO.T10 APPROVAL FOR APPOINTMENT OF JUNIOR ENGINEER (CIVIL) FOR MAINTENANCE WORK .

After detailed discussion, the Board agreed to have 02 posts of AE (01 Civil & 01 Electrical) in the institute to maintain ever increasing assets. Till the restructuring of NIT staff, it was decided to appoint 01 JE (Civil) on contract basis against the vacancies of similar pay band.

ITEM NO. T11 APPROVAL FOR REMUNERATION AND TA/DA STRUCTURE FOR VISITING FACULTY AND STAFF OF TIFAC-CORE.

The Board agreed with the recommendation of the Finance committee (item T8) that the salary should not exceed that of an employee with similar position in the institute.

ITEM NO.T12. REGARDING SUSPENSION OF SHRI DESH RAJ RANA, ASSISTANT PROFESSOR (E&CED).

The Board deliberated on the inquiry report and resolved to constitute a 02 members sub-committee to study the report. This sub-committee will take a view of the findings of the inquiry report and submit its recommendations for suitable action that could be taken by the BOG. The Board decided to have Prof. I. K. Bhat and Er. S.M. Bhardwaj as the members of the Sub-committee.

ITEM NO. T13 RATIFICATION OF MINUTES OF 11TH MEETING OF BUILDING & WORKS COMMITTEE HELD ON 29/05/2009.

The Board noted the action taken by the Building Works Committee. Further suggested that only those items, which require the approval of the Board, should be placed before the Board in future.

ITEM NO.T14 APPROVAL FOR MAPPING OF PAY SCALES FOR THE NON-TEACHING EMPLOYEES OF NIT, HAMAIRPUR WITH EFFECT FROM 01.01.2006

The Board accorded its approval for adoption of the new scales as per 6th Pay Commission w.e.f. 1-1-2006 after updating the existing benefits as on 31-12-2005. Any benefits under new schemes should be extended to those employees, who opt for the same. In case the employee do not accept the 6th Central Pay Commission as per mapping then the provision of the NIT-ACT under Chapter-II clause-5 sub-clause (d) be implemented. It further decided that in case of any anomalies in some specific cases the same be referred to the Ministry of HRD for further directions.

ITEM NO. T 15: APPROVAL OF BALANCE SHEET AS ON 31-03-2009.

The Board approved the balance sheet of 2008-09.

ITEM NO.T16: APPROVAL TO ASSIGN THE EMPANELMENT OF ARCHITECT TO 2ND LOWEST FIRM.

The Board advised to re-advertise the empanelment of architects.

The Board ratified the decisions taken by the Finance Committee in its 9th meeting held on 13-06-2009 (morning).

The meeting ended with a vote of thanks to the Chair.

**SECRETARY (BOG),
NIT HMAIRPUR(HP).**