

**Minutes of the 44<sup>th</sup> meeting of the Board of Management of PEC University of Technology, Chandigarh, held on 31.07.2014 at 12:30 P.M. in the Conference Hall of PEC University of Technology, Chandigarh.**

**The following members attended the meeting:**

1. Sh. Sarvjit Singh, Secretary Technical Education (Co-Chairperson)
2. Prof. Manoj K Arora, Director, PEC Univ. of Technology (Co- Chairperson)
3. Sh. Sarvjit Singh, Finance Secretary
4. Sh. S K Jaitley, Nominee of MHRD, Govt. of India
5. Sh. Pawan Agarwal, Alumnus of the Institute
6. Prof. Ashwani Kumar, Registrar, PEC
7. Prof. Siby John, Dean SRP & D
8. Prof. Parveen Kalra, Dean Academic Affairs
9. Prof. R K Khitoliya, Professor
10. Dr. V P Singh, Associate Professor

**In attendance (Special Invitees):**

1. Prof. Sanjeev Sofat
2. Sh. S.K. Suman, Chairman Estate & Works
3. Sh. G. Mehta, AC (F & A)

**Under Leave of absence:**

1. Sh. Sandeep Hans, Joint Secretary, Technical Education
2. Prof. (Ms.) Uma Batra

The Board welcomed Prof. Uma Batra (Dean Faculty Affairs) and Prof. Siby John (Dean SRP&D) on their joining the Board of Management as a member and special invitee, respectively. The contribution of outgoing members was applauded.

The Agenda was taken up thereafter and the proceedings are as follows:

| <b>Item No.</b> | <b>Item</b>   | <b>Decision</b>  |
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| 44.1            | To confirm the minutes of 43 <sup>rd</sup> BoM meeting.                           | Confirmed.   |
| 44.2            | Follow-up action of 43 <sup>rd</sup> BoM Meeting                                  | The follow-up in respect of various items was noted.<br><br>It was decided that the institute should also hire an appropriate Engineer to supervise minor civil works. |
| 44.3            | Items for information:<br>1. Status of Accreditation of various UG/ PG Programmes | 1. The accreditation status of various programmes was noted. The Board desired that all efforts must be made   |

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|      | <p>2. Update on Centre of Excellence in Industrial &amp; Product Design</p>  | <p>by various departments to get full accreditation for 5 years for all the UG/ PG programmes and the Board must be apprised of these efforts. The action taken report may be placed in the next BoM meeting.</p> <p>2. The progress with regard to setting up of Centre of Excellence in Industrial and Product Design was appreciated by the Board.</p> <p>The Board was further informed that the Govt. of India is in the process of setting up many Design Innovation Centres (DIC) in the country. In this context, the Panjab University has contacted PEC to participate in the setting up of a DIC in Chandigarh.</p> <p>It was therefore suggested that a team of two faculty members may be deputed to visit some of the IITs/NITE etc. where such type of centres already exist. Based upon their feedback, a joint proposal with Panjab University can then be sent to the Govt. of India for establishing such a centre in Chandigarh.</p> |
| 44.4 | Absorption of employees of the Nodal Centre in PEC (Deferred item 43.8).   | Proposal was accepted ( <b>Annexure 44.4.1</b> ).  |
| 44.5 | Counting of period spent in doing full-time Ph.D. towards service requirement for promotion under CAS (Deferred item No. 43.9) | It was decided that the period spent by a faculty member in doing Ph.D. under QIP/ on study leave from the institute, should be counted towards service requirement for promotion under CAS.   |

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|      |   | <p>The study leave for doing Ph.D. shall be limited to a maximum period of 3 years, and the Ph.D. degree shall have to be obtained within a maximum period of 5 years.</p> <p>To make it amply clear, leave beyond three years shall not be permitted and if any work is left, it shall be done alongside regular duty on PEC Campus. Benefit of experience up to 3 years shall be given only on production of the Ph.D. degree.</p> <p>The benefit shall be given from the due date and shall also be extended to those faculty members who have already completed their Ph.D. under QIP/ on study leave.</p> |
| 44.6 | Regularization of contractual staff (Deferred item No. 43.10)           | <p>It was decided that members of the non-teaching staff, who have served for 10 years or more on contract basis, may be regularized provided they fulfill other conditions as laid down in the schemes for regularization of staff implemented by the Punjab Govt./ Chandigarh Administration (<b>Annexure 44.6.1</b>). A screening committee shall be constituted by the Director for this purpose and the staff members shall be regularized on the basis of recommendations of this committee. The exercise may be completed in a month's time.</p>  |
| 44.7 | Institution of performance based awards for faculty and staff (Deferred | <p>The proposal (<b>Annexure 44.7.1</b>) was accepted in principle. It was, however,</p>   |

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|             | <p>item No. 43.11)</p>   | <p>emphasized that the criteria for the grant of awards have to be objective. The feedback from students may be included as the main component of such criteria both for teaching as well as non-teaching staff.</p> <p>Separate awards may be instituted for research work. Objective criteria need to be defined for this purpose also.</p> <p>A committee may be constituted by the Director to propose the criteria for all the awards.</p>   |
| <p>44.8</p> | <p>Transfer of GPF/ Pension Fund of erstwhile Government employees of Chandigarh Administration, presently absorbed in PEC Society</p> | <p>Before it became a Deemed University, all the employees working in PEC were employees of the Chandigarh Administration. Their GPF, Pension and other retirement benefits were managed by the office of Accountant General.</p> <p>After being declared as a Deemed University, the then employees of PEC were transferred to and subsequently absorbed in PEC Society. The A.G. office said that it could not keep the GPF account of an autonomous body. Therefore, the GPF and pension contribution (calculated on pro-rata basis for the period of service rendered by the employees under Chandigarh Administration) was also transferred to the Society.</p> <p>Subsequently, during the Audit of accounts conducted by A.G office,</p> |

certain objections were raised against the way the Society was managing these accounts. Issues regarding Income Tax liability of employees also cropped up. The institute has been taking remedial actions from time to time on case to case basis. But the complexity is increasing and the issues are becoming more involved day by day.

The employees were aggrieved by all these problems and felt that it was against the assurance given by the Chandigarh Administration (while issuing the notification for absorption of erstwhile Govt. employees in the PEC Society) that no service conditions would be altered to the detriment of the transferred employees.

A large number of them, therefore, approached the Hon'ble Pb. & Haryana High Court with a prayer that their GPF be transferred back to AG office. The Hon'ble court pronounced its judgment on 23.04.2014 in CWP No. 18644-CAT of 2006, CWP No. 4232 of 2012 and CWP No. 9836 of 2012 (Copy of relevant extract from the judgment may be seen at **Annexure 44.8.1**).

Hon'ble Court has quashed the decision of AG (A&E), Punjab & UT Chandigarh taken in the year 2006, to transfer the GPF accounts of PEC employees and has further directed that

“the GPF accounts of the employees of PEC (now a deemed University) would be maintained by the office of CAG. The respondents will take the consequent action qua transfer of funds from the private Trust to the CAG.”

A request was accordingly sent by the institute to the Chandigarh Administration on 29.05.2014 (**Annexure 44.8.2**) to work out the modalities for the same and advise the institute on the future course of action (with a copy to AG, UT). The Administration, in response, has desired that the matter be put up before the Board of Management of PEC (**Annexure 44.8.3**).

The Board noted the various problems arising out of the absorption of erstwhile Govt. employees in the PEC Society.

In view of the complications increasing day by day and the feeling of insecurity among the employees, the Board accepted the proposal (as given in the agenda note, **Annexure 44.8.4**) for getting all the employees who were transferred from Chandigarh Administration to the PEC Society, to be treated as Govt. employees for all intents and purposes (from the date from which they were absorbed in the society), and It was decided that the matter be pursued earnestly with the Chandigarh Administration.

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| 44.9  | Adoption of Annual Performance Appraisal Report in place of ACR   | Accepted as proposed in <b>Annexure 44.9.1</b> .  |
| 44.10 | Pay fixation of Sh. Satbir Singh on promotion to Category-VII   | <p>The Board noted that there were some other cases of late submission of options as well (<b>Annexure 44.10.1</b>). It was, therefore, decided that one time relaxation be given in the permissible period for exercising option in pay fixation on promotion, for all such cases as proposed earlier in Agenda Item No. 40.28 (Annexure 44.10.1).</p> <p>This decision will, however, not be quoted as a precedent in future.</p> |
| 44.11 | Benefits to faculty members for attending conferences, purchase of books and computational devices, membership of societies, etc. | Accepted as proposed ( <b>Annexure 44.11.1</b> )  |
| 44.12 | Revised TA/DA Rules for PEC faculty and other officers  | It was decided that the institute should adopt the Central Govt. TA/DA Rules for the faculty of PEC and other officers like Associate Superintendent and Computer Professionals (who are also supposed to visit other places on institute duty). Air travel may be allowed (as a deviation wherever required) to all officers and faculty members when they are travelling for monitoring of internship of students.                |
| 44.13 | Revision of Transport Allowance   | Discussion on this item was deferred.   |
| 44.14 | To consider the case of Pay fixation of Dr. Alakesh Manna   | <p>The Board noted the following facts regarding the case:</p> <p>i) Dr. A. Manna and Dr. Sanjeev Kumar joined as Assistant Professors in the Mechanical Engg. Department in</p>  |

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|  |  | <p>Nov. 2003, at the initial pay of Rs. 12,000/- per month.</p> <p>ii) On 1.10.2005, Dr. Manna was granted two increments for Ph.D. degree and he started getting a pay higher than that of Dr. Sanjeev Kumar.</p> <p>iii) On 31.12.2005, Dr. Manna was drawing a basic pay of Rs. 13,680/- against Rs. 12840/- drawn by Dr. Sanjeev Kumar.</p> <p>iv) On revision of pay w.e.f. 1.1.2006, Dr. Manna's pay was fixed as Rs. 25450/- + AGP 8000/- in Pay Band III, while Dr. Sanjeev Kumar was allowed a pay of Rs. 23890/- + AGP 8000/-</p> <p>v) In Nov. 2006, both of them completed 3 years of service as Asstt. Professor (now called Associate professor) and were placed in Pay Band IV with a pay of Rs. 37400/- + AGP 9000/- (the starting point of Pay Band IV). Thus both of them started drawing the same basic pay w.e.f. 13.11.2006.</p> <p>vi) Dr. Sanjeev Kumar was allowed advance increments for Ph.D. degree w.e.f. 16.12.2008, raising his pay to Rs. 44680/- + AGP 9000/- while Dr. Manna on that date was drawing Rs. 44240/- + AGP 9000/-.</p> |
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vii) Dr. Manna got promoted to the post of Professor w.e.f. 1.3.2013 and his AGP got enhanced to Rs. 10,000/-.

viii) Presently, Dr. Manna's pay is Rs. 48140/- + AGP 10,000/- while that of Dr. Sanjeev Kumar is Rs. 53240/- +AGP 9000/-.

As can be seen from the above facts, Dr. Manna and Dr. Sanjeev Kumar started with the same pay in 2003. Dr. Manna started drawing higher salary w.e.f. 1.10.2005. On 13.11.2006, their salaries again became equal while w.e.f. 16.12.2008, Dr. Sanjeev Kumar has been drawing a higher pay.

The Board felt that there is an anomaly in the case. Dr. Manna, who had done his Ph.D. earlier and is now working as Professor should not be drawing lower pay than Dr. Sanjeev Kumar who did his Ph.D. at a later date and is still an Associate Professor.

It was, therefore, decided that the pay of Dr. Alakesh Manna should be stepped-up in a suitable manner so that at no stage should he be drawing a salary lower than that of Dr. Sanjeev Kumar.

If there are other similar cases among faculty, they may also be studied and treated in the same manner.

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| 44.15 | Dr. R.R. Singh's case | <p>The following are the important facts of this case:</p> <ol style="list-style-type: none"> <li>1. On 24.12.2009 Dr. R R Singh was relieved from service (post of Asstt. Prof.) on being awarded the punishment of compulsory retirement in a case of false TA claim.</li> <li>2. On 14.5.2010 he was allowed to join back with reduction in post (Lecturer) as per the decision of the Board taken in its 28<sup>th</sup> meeting.</li> <li>3. Period from 24.12.2009 to 13.5.2010 has been treated as extra-ordinary leave.</li> </ol> <p>After a large number of representations made by him to various authorities, Dr. R.R. Singh's case was considered again by the Board in its 40<sup>th</sup> meeting, wherein it was decided to constitute a committee to explore the possibility of his rehabilitation.</p> <p>In its final report, the Committee suggested 6 alternatives for the rehabilitation of Dr. R.R. Singh for consideration of the Board.</p> <p>The Board deliberated on the issue in its 41<sup>st</sup> meeting and the general consensus which emerged was that looking at Dr. R R Singh's background, educational qualifications, social and financial condition of his family and the personal tragedy undergone by him in</p> |
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recent past, a compassionate view needs to be taken on humanitarian grounds.

The Board, therefore, decided (in the said meeting) to offer Dr. R.R. Singh, the alternative 1 suggested by the committee, i.e.:

*(a) "Dr. R.R. Singh's post be restored to that of Associate Professor w.e.f. the date on which orders will be issued to that effect*

*(b) His pay on that date shall be fixed at the initial of the pay scale admissible to an Associate Professor."*

*The Board further decided that "Dr. R.R. Singh shall be on probation for a period of 5 years during which his conduct will be watched. In case of any misconduct being reported, the Board can re-consider its decision.*

*The orders on the above decision shall be issued only if Dr. R.R. Singh accepts these conditions and gives a documentary proof that all his representations/ complaints against PEC authorities."*

Dr. R.R. Singh accepted these terms and conditions and submitted an affidavit along with copies of applications which he had sent to various authorities/agencies for withdrawing his complaints/

representations against various functionaries of PEC University of Technology. It being a sensitive case, legal opinion was also sought on the issue.

All these facts were put before the Board in its 42<sup>nd</sup> meeting to decide on the future course of action in this case.

The Board acknowledged the acceptance of specified terms and conditions by him, and it was decided that *“though the formal orders to this effect will be issued only after all formalities are completed, the restoration of the post of Dr. R.R. Singh to that of Associate Professor will be effective from the date of this meeting of the Board, i.e., 19.12.2013.”*

Orders to this effect were subsequently issued.

However, Dr. R.R. Singh has been representing (after the implementation of the said decision of the Board) for restoration of his post (and all consequential benefits) w.e.f. Dec., 2009 when he was awarded the punishment of compulsory retirement. The Board considered his representations in this (44<sup>th</sup>) meeting and felt that Dr. R.R. Singh has suffered sufficient punishment & his case required sympathetic consideration.

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|  |  | <p>It was therefore decided that Dr. R.R. Singh's post may be notionally restored back to that of Associate Professor (earlier called Assistant Professor) w.e.f. 14.5.2010, the date on which he was allowed to re-join the institute. His pay may also be restored/ re-fixed accordingly, on a notional basis. He may be allowed to draw the revised pay w.e.f. the date on which such orders are issued on the basis of this decision of the Board. No arrears shall, however, be admissible for the period from 14.5.2010 to the said date.</p> <p>It was also decided that no further representation on this issue shall be entertained.</p> |
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Meeting ended with a vote of thanks to the Chair.

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| 44.6 | Regularization of contractual staff (Deferred item No. 43.10) | It was decided that members of the non-teaching staff, who have served for 10 years or more on contract basis, may be regularized provided they fulfill other conditions as laid down in the schemes for regularization of staff implemented by the Punjab Govt./ Chandigarh Administration ( <b>Annexure 44.6.1</b> ). A screening committee shall be constituted by the Director for this purpose and the staff members shall be regularized on the basis of recommendations of this committee. The exercise may be completed in a month's time. |
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| 44.3 | Items for information:<br>3. Status of Accreditation of various UG/ PG Programmes | 3. The accreditation status of various programmes was noted. The Board desired that all efforts must be made by various departments to get full accreditation for 5 years for all the UG/ PG programmes and the Board must be apprised of these efforts. The action taken report may be placed in the next BoM meeting. |
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