

**National Institute of Technology
Rourkela**

MINUTES

58th Meeting of Finance Committee



DATE : 30th April, 2021 (Friday)

Time : 15:00 – 16:00 Hours

Venue : Board Room, NIT Rourkela



राष्ट्रीय प्रौद्योगिकी संस्थान, राउरकेला
National Institute of Technology, Rourkela

MINUTES OF THE 58TH MEETING OF THE FINANCE COMMITTEE, NATIONAL INSTITUTE OF TECHNOLOGY, ROURKELA TO BE HELD DURING 3.00 P.M – 4.00 PM. ON 30.04.2021(FRIDAY) IN THE BOARD OF NIT, ROURKELA THROUGH VC.

Members Present:

Sl. No	Name	Contact No.
1.	Prof. Animesh Biswas Director & Chairman, BOG/FC National Institute of Technology Rourkela-769008	Tel : 0661-2462001/2472050(0),2463001(R) Mob : 9437972455 Fax : 0661-2472926/2462022 Email: director@nitrkl.ac.in
2.	Prof. R V Raja Kumar [through VC] Director Indian Institute of Technology Bhubaneswar Toshali Bhawan, Satyanagar, Bhubaneswar-751013	Tel : 0674-2570334) Fax : 0674-2576004 Email : director.office@iitbbs.ac.in
3.	Shri Nalini Ranjan Mohanty [through VC] Ex-Chairman, HAL Flat No.620B4, Yamuna Block National Games Village (NGV) Koramangala, Bangalore-560047	Mob : 9845038631 Email : nalinirmohanty@yahoo.co.in
4.	Dr. Ajay Kumar Nayak [through VC] Joint Secretary [representative of Commissioner-Cum-Secretary] Skill Development & Technical Education Dept. Government of Odisha, Bhubaneswar-751001	Tel : 0674-2391319(O) Fax : 0674-2391324 Mob : 9437051000 Email : etet.od@nic.in/ ajaynayak0001@gmail.com
5.	Prof. G. K. Panda Professor, MA National Institute of Technology Rourkela-769008 (Odisha)	Tel : 0661-2462705 (0), 2463705(R) Mob : 9437139237 Email : gkpanda@nitrkl.ac.in
6.	Prof. N. R. Mishra Associate Professor, HS National Institute of Technology, Rourkela-769008 (Odisha)	Tel : 0661-2462695(O)/ 2463698(R) Mob : 9437462037 Email : mishran@nitrkl.ac.in
7.	Prof. P. K. Das Registrar & Secretary, BOG National Institute of Technology Rourkela – 769 008(Orissa)	Tel : 0661-2462021/ 2462516/2476773 (O) Mob : 7008581227 Email : registrar@nitrkl.ac.in

1.	Shri Dhananjay Kumar Singh [Did not attend the meeting but sent his comments vide mail, dated 30.04.2021 for discussion] Deputy Secretary, Finance [representative of JS & FA] Ministry of Human Resource Development Government of India, Dept. of Secondary & Higher Education Shastri Bhavan, New Delhi-110001	Tel : 011-23382696 Fax : 011-23070668 Mob : 9968280796 Email : jsfa.edu@gov.in
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FC-58(2021)-01: Welcome to the members by the Chairman.

The Chairman welcomed all the members to the meeting.

In the memory of Late Mr. Madan Mohan ji, ADG, Department of Higher Education, MOE, GOI all the members observed one minute silence as condolence to him.

FC-58(2021)-02: Confirmation of the minutes of the 56th Meeting of the Finance Committee held on 13.01.2021 at NIT, Rourkela through VC.

The minutes of the 56th Meeting of the FC held on 13.01.2021 at NIT, Rourkela were sent by E-mail to the members. No comments has been received from members. The copy of the minutes is given in the Annexure.

While debating on minutes, Director, NIT Rourkela brought to the notice of Hon'ble members to reconsider the delegation of financial power of Director considering the various difficulties. A request was put to all members that the FC may allow to continue the previous practices till the issue is being discussed in NIT council meeting which used usually held every year in last week of June. Further, he brought to the notice of all members about the minute, "the delegation made by the BOG to the Director may not be further delegated to other authorities" as this may create operational problem, keeping in view the size of the institute and it may be difficult on the part of the Director to approve all the expenditures of the institute (both administrative and financial) understanding the needs of the various departments and centers.

The external members of BOG present told that in this meeting the members from Ministry are absent and hence in their absence this request cannot be considered, as it is approved in last BOG.

As of now no decision can be taken on the request from the Director. However, the institute can write a letter to Ministry to reconsider the earlier decision, stating the genuine operational problem the institute may face to make system run in a smooth and faster manner. Minutes got confirmed.

[Annexure-A1, Page No 15-29]

FC-58(2021)-03: (1) Expenditure of Rs.95 lakhs (approx.) towards conduct of MCQ/MSQ type computer based written examination for recruitment of Non-Teaching Post.



Proposal –A:

The Board resolution No.BOG-65(2019)-18, dated 01.10.2019 and BOG-72(2021)07, dated 07.01.2021 are enclosed for kind perusal of all Hon'ble members with regards to recruitment of Non-Teaching Post. In accordance with the instruction issued by DOPT vide their office Memorandum No.39029/01/2013-Estt(B)-Part dated 29.12.2015 and in line with this MHRD circular vide F.No.35-4/2016/S.III, dated 11.12.2019, it is mandatory to conduct written test for all Junior/Lower level posts carrying the Grade Pay of Rs.4600/- or less (up to Level-7).

Keeping in view the number of **scrutinized applications around 15189** in response to the Advt. No.ES/03/2018 and Advt.ES/01/2020, received across the country for different category of posts advertised, it is proposed to have **MCQ/MSQ type computer based written examination through a reputed professional agency, at least in three centres, namely at Delhi, Bhubaneswar and Rourkela.** The post-wise & state-wise number of applicants received is enclosed as Annexure-1 for information.

For the applicants above Pay Level-7, it is suggested to have Trade Test/interview or both, apart from the written test, as is applicable.

Under these circumstances, the followings are placed for kind information of the members.

- a) In this connection, officials of Ed.CIL (New Delhi), PSU, was contacted over telephone for conducting written examination. The charges per applicant to conduct MCQ/MSQ test is approx Rs.670/- per candidate and it was told that the agency shall not participate in any tendering process, rather to be nominated for receiving this services.
- b) In the meantime, Director, NIT Rourkela contacted Director, NIT, Trichy and came to know that they are opting for open tender mode to give the work of written test for non-teaching staff recruitment of her institute to the professional agency.

So, it is suggested that NIT, Rourkela may be allowed to go for open tender mode to identify the agency based on their credibility and experience in conducting such type of examination.

Though the charges for such services per applicant is not known at this stage, taking the rate of Ed.CIL (New Delhi), as an bench mark, the expenditure towards written test may be around Rs.95 lakhs (approximately). Institute has received Rs.22 lakhs as an



application fee taking together the applications received in response to the advertisement vide Advt. No.ES/03/2018 and Advt.ES/01/2020.

Apart from this, for setting two sets of questions consisting 100 questions for ten categories of posts, the expenditure may be around Rs.2.8 lakhs.

It is suggested to form a three member “**Institutional Committee**” (confidential) to coordinate with the outside agency for the computer based MCQ/MSQ test. The committee shall set the questions taking the help from the external sources on remunerative basis.

Other expenditure towards logistic including remuneration to the 3 members committee (confidential) for successful conduct of examination shall be around Rs.6.0 lakhs.

The final selection process of candidates from qualified shortlisted candidates from MCQ/MSQ test shall be in adherence to NITs Statutes.

The agenda note was circulated to all the Hon’ble Board members on 3rd March, 2021. The Board approved the proposal through Circulation and following the comment received from the NITs Bureau vide Letter F.No.14-1/2021-TS.III, dated 09.03.2021 to adhered the instructions issued by the Ministry vide letter No.35-4/2016-TS-III, dated 11.12.2019 and follow the reservation policy, in force while considering the recruitment for Non-Teaching posts (copy attached in the **Annexure**)

Further, the Ministry suggested that the agenda should come through FC for its approval.

For kind information of all Hon’ble members, it may be noted that the Institute has invited bids through e-Procurement module of CPP Portal from the eligible bidders for selection as Agency for conducting computer based test for recruitment of different posts vide tender notification No.NITR/PW/RG/2021/256, dated 09.04.2021. The Pre-bid meeting held for the same on 19.04.2021.

Proposal - B:

It is for the information of all the Hon’ble members that in the meantime, EdCIL(India) Limited, a PSU (usually engaged through nomination not through tendering process) has given the proposal for conduct of MCQ/MSQ type computer based written examination for recruitment of Non-Teaching Post for scrutinized applicants for various posts, as listed in Table-1.

Table-1:

Sl. No	Name of the post	Total no. of Scrutinized applicants
1.	Deputy Registrar	55
2.	Assistant Registrar	913
3.	Technical Assistant	2514
4.	Superintendent	1441
5.	Senior Assistant	2983
6.	Junior Assistant	5345
7.	Technician	1688
	Total	14939

In brief the charges to conduct the said test, the details proposal from EdCIL is stated in the Table-2.

Table-2:

Sl. No.	Activity	No. of expected Applications & Papers	Rate (in Rs.)	Total Estimated cost (in Rs.)
1	Conduct of CBT (MCQ)	14, 939	Rs. 694/- (Pre. Exam. 46, Exam. 628 and Post. Exam. 20)	1,03,67,666
2.	Additional cost for Social Distancing and Sanitization arrangements	14, 939	Rs.150/-	22,40,850
3.	Installation of Law Frequency Jammers	14, 939	Rs.60/-	8,96,340
Total (in Rs)				1,35,04,856

Registrar, NIT Rourkela briefed about the proposal. Director urged all the FC members to support the proposal and allow the institute to identify the agency to conduct MCO/MSQ based written examination through tendering which has already been floated on 9th April 2021. He also informed that his tenure is going to over in mid-October and hence he may be delegated power to conduct the interview for non-teaching posts till end of September, 2021. In this context he brought to the kind notice of all members the letter dated 13th August 2015, issued by Vigilance Section, Department of Higher Education, MHRD. The internal FC member also requested to consider this issue on urgent basis as the institute is badly requiring non-teaching positions.

Taking participation in discussion, external FC members raised their concern over huge expenditure and they sought to know what the earlier procedure of recruitment. They sought to know about the number of applications were received and how many of

them got rejected before finalizing the candidates for written examination. Those figures were shared. An overall concern was also raised regarding the feasibility of conducting examination in three centers when the country is moving in an uncertain situation due to COVID-19.

After long deliberation, FC suggested that as of now the proposal may be postponed. At present institute can only conduct the tendering process. Once the life will be normal, the FC and BOG may discuss on this issue again and a special permission will be sought from Ministry to delegate the power to Director to conduct the interview during his tenure.

[Annexure-A2, Page No. 30-50]

- 2) Proposal to engage M/s. Integrated Learning Solution Pvt. Ltd. (Wheebox) to get the services of Proctored software for smooth and proper conduct of End Semester examination of students in online mode.

The above proposal was put up through circulation. But, in the meantime the Senate, NIT, Rourkela decided not to engage M/s. Integrated Learning Solution Pvt. Ltd. (Wheebox) to get the services of Proctored software for conduct of End Semester examination of students. The reason are stated in the Annexure.

Register briefed the Senate decision about the online examination of final year students where it was decided that the concerned subject teachers shall be given complete freedom to choose the process of examining the students to evaluate but to be conducted centrally as per notified examination schedule. The Members were informed that Senate shall take the decisions shortly on examination of other left out students.

The recommendation of Senate for cancellation of proposal to engage M/s. Integrated Learning Solution Pvt. Ltd. (Wheebox) to get the services of Proctored software for conduct of End Semester examination of students in online mode was noted.

[Annexure-A3, Page No. 51-52]

- FC-58(2021)-04: Discussion on the Separate Audit Report on the Accounts of the Institute for the year 2019- 20.

The Separate Audit Report on the Accounts of the Institute for the year 2019 - 20 is given in the Annexure.

While debating the above said issue few FC members raised their concern on the observations by CAG and what action the institute has taken as part of compliance. It was decided the SAR to be included in the Annual report of the institute for its submission to the Ministry. However, it was suggested to report on action taken on the CAG observations in the next FC meeting.

FC-58(2021)-05: **Compliance of order of RLC Rourkela on payment of gratuity to Mr. Santosh Kumar Upadhyay, Ex-Registrar, NIT Rourkela.**

Mr. Santosh Kumar Upadhyay was appointed as Registrar of the Institute on contract basis w.e.f. 01.04.2004 on consolidated pay. Consequent upon notification of Recruitment Rules for the post of Registrar in NITs by MHRD in The Gazette of India dated 17.06.2008, the post of Registrar of the Institute was advertised. On selection, Mr. Upadhyay was appointed on contract basis as Registrar in the pay scale of 16400-450-20900-500-22400/- for a period of five years w.e.f. 29.12.2008 to 28.12.2013. The tenure of Mr. Upadhyay was renewed for another term of 5 years w.e.f 29.12.2013 till 28.12.2018 under the provision of the above said Gazette notification and thereafter he was relieved from the institute service.

After cessation of employment of Mr. Upadhyay, he requested for payment of gratuity as per his entitlement for serving NIT Rourkela for a period of 14 years 08 months continuously. His request could not be entertained due to instruction of the Ministry of Education (MoE) vide F. No. 19-1/2017-IFD dated 12/04/2017 followed by a further clarification by the Ministry vide F. No. 14-1/2019-TS-III dated 03/04/2019.

Mr. Upadhyay being aggrieved with a denial of payment of gratuity to him has moved to the Regional Labour Commissioner (Central), Rourkela by filing an application against NIT Rourkela demanding payment of gratuity. The said application was registered as PG Application no. 36(28)/2019-RKL/R and NIT Rourkela was called upon to file its reply. NIT Rourkela filed their reply stating the position citing the aforesaid Govt. instructions.

After hearing both parties, RLC Rourkela vide order dated 20/3/2021, has directed for payment of gratuity to Mr. Upadhyay in terms of the Payment of Gratuity Act, 1972 with a directive to pay Rs. 17,75,232 /- as amount of gratuity determined along with Rs. 3,95,415 /- towards interest compounded for the delay, thus total amount of Rs. 21,70,647/-. The said order has been received by NIT Rourkela on 06/04/2021.

As per order, we are supposed to comply the order **within one month** from the date of receipt.

In alternative, we may have to file appeal before Dy. Chief Labour Commissioner (DCLC), Bhubaneswar against the order of RLC Rourkela before limitation expires.

A letter has been sent to the MoE seeking advice on the same, a copy of which is enclosed as annexure. However, till now no reply has been received.

It may further be mentioned that, in case appeal is preferred, as per Section – 7(7) of the Payment of Gratuity Act, 1972, appeal to be filed within sixty days from the date of the receipt of the order provided further that no appeal shall be admitted unless at the time of preferring the appeal, the appellant either produces a certificate of the controlling authority to the effect that the appellant has deposited with him an amount equal to the amount of gratuity required to be deposited, or deposits with the appellate authority such amount.

Before the deliberation on this agenda, Registrar brought to the notice of Hon'ble Members about the mail, dated 30th April 2021, received from Mr. D. K. Singh in which he has given his opinion to file appeal against the order by Controlling Authority under P.G. Act, 1972 & Regional Labour Commissioner (Central), dated 20th March 2021. FC deliberated on the order of the RLC and advised the Director, to consult a legal expert to opt for appeal against the order as suggested by Mr. D. K. Singh.

[Annexure-A5, Page No. 61-71]

FC-58(2021)-06: To consider the Proposal for New Projects with regards to Agenda items of the 41st Meeting of the BWC, NIT, Rourkela.

BWC: 41 (2021)-03: Proposal for New Projects.

1. Provision of APP membrane hydro insulation on Roof Top of Residential quarters (Phase – II).

The APP membrane hydro insulation on Roof Top for hostels, academic areas & some of the residential quarters have been carried out with an amount of Rs.43,83,674.22 & Rs.29,22,449.48 vide work order no.NITR/PW/WO/EM-CT/19/20-21/21, dt: 01.12.2020 & NITR/PW/WO/EM-CT/19/20-21/22, dt:01.12.2020 respectively. The remaining quarters listed in annexure are required hydro insulation in Roof Top to prevent seepage. The tentative estimated cost for this work is Rs.1.78 Cr.

The source of fund is proposed to be from OH-31.

The FC approved the proposal and to follow the due procedure as is applicable.

[Annexure-A6, Page No. 72-85]

2. Setting-up of Chiller Plant for Major Project - II.

With reference to BOG resolution number BOG-62(2018)-22(11), dated: 08.12.2018 and office order no NITR/RG/BOG-62/2019/0066, dated: 18.01.2019, it was decided for tendering of HVAC work. Subsequently in 33rd BWC meeting, a sum of 20 crores was approved for the said proposal under IRG.

The total heat load capacity of Golden Jubilee Building, Mechanical Science Building and Lecture Complex – II are 1242 TR, 729 TR and 527 TR respectively. Low end HVAC work under Major Project – II was completed by M/S SPCPL in GJB, Mech Sc, LC-II buildings. One separate chiller plant needs to be constructed behind GJB Seminar Block to house the required chillers for these three buildings.

Institute HVAC committee decided to carry out the said work on EPC mode. Subsequently, EOI was invited in leading daily vide EOI notification No - NITR/PW/EOI/2020/01 dated 01.02.2020 for carrying out HVAC (High-End-Equipment) work in GJB, Mech Sc. and LC-II buildings. The work includes S/I/T/C of new chiller plant comprises of plant room, chillers with mentioned capacities, accessories such as pumps, cooling towers, electrical control panels, Substations and construction of plant room etc. in National Institute of Technology, Rourkela.

The following SEVEN firms have submitted their proposal for this project on EPC mode.

1. M/s Sterling and Wilson Private Limited
2. M/s ABS Aircon Engineers Pvt. Limited
3. M/s BLUE STAR Limited
4. M/s HV Air-conditioning Systems Pvt. Limited
5. M/s VOLTAS Limited
6. M/s MEHO HCP Air Systems Pvt. Limited
7. M/s Energy Efficiency Services Limited

Out of the above seven firms, the proposal of SIX firms (SI No-1 to 6) accepted by the HVAC committee except the proposal of M/S Energy Efficiency Services Limited. The recommendation of HVAC committee submitted for approval by the competent authority. It was decided that the tender Documents to be issued after getting necessary approval of EOI recommendations from the competent authority.

In the meantime Central Public Works Department (CPWD), Sambalpur was requested to submit the preliminary estimate (PE) for the said works vide letter No.NITR/RG/2020/L/0838, Dated 07.12.2020.

The preliminary estimate (PE) of Rs.29,12,34,000.00 (Copy Attached) for the above mentioned works received from the agency on 17.02.2021 from the Executive Engineer, CPWD,BBSR. This project expenditure is to be met from IRG.



Registrar briefed about the above said proposal to all FC members. He also apprised about the financial situation of the institute while presenting the ongoing and new project proposals for next five years and their financial implications. The following recommendations are made for approval of BOG:

- a) It is decided in setting-up of Chiller Plant for Major Project – II, the CPWD, Sambalpur to be engaged for its execution.
- b) The Institute will spent 20 Cr from its IRG spread over in two FY 2021-22 & 2022-23 & the rest amount of 10 Cr for this project to be met from Gol fund under OH-35 spreading over in two FY 2021-22 & 2022-23.
- c) Institute should think of linking all the three buildings namely Golden Jubilee Building, Mechanical Science Building and Lecture Complex – II to chiller plant separately depending on the need of AC load to make the system run efficiently.

[Annexure-A7, Page No. 86-97]

FC-58(2021)-07: Proposal of Fee Structure for the Advocates engaged in “Arbitration Cases” of the Institute.

The Institute’s empanelled Advocate Mr. N.K. Sahu, Orissa High Court, Cuttack engaged in three Arbitration Cases namely 1) M/s udra Construction(P) Ltd. (No.20 of 2018), 2) M/s Shapoorji (P) Ltd. (No.26 of 2019 and 3) ISAR Engineering (P) Ltd. (No.1 of 2018) submitted a Legal fees for “Arbitration Cases” of the Institute, dt. 18.12.2019 (as given in the Annexure). Mr Sahu has requested for a fee structure for Arbitration case as is shown in the following table:

Sl. No.	Legal Activity	The Board vide BOG-59(2018)-25 dt. 20.04.2018 approved the Legal Fees of engaged advocate for normal court cases.	Fee Structure as claimed by Advocate - Mr. N.K. Sahu, for Arbitration Cases	Proposed fee structure in Arbitration case for approval of FC
(1)	(2)	(3)	(4)	(5)
1.	a) For drafting of pleadings/reply/written statement/plaint	Rs. 6,000/-	Rs. 20,000/-	Rs. 20,000/-
	b) For drafting of Misc. case/ Reply/Objections	Rs. 3,000/-	Rs.10,000/- (drafting of interim application/ objections)	Rs. 3,000/-
2.	For hearing Effective:	Rs. 5,000/-	Rs. 25,000/-	Rs. 20,000/-
	Non-effective	Rs. 2,500/-	Rs. 10,000/- (Fee for hearing per sitting. (at High court Arbitration Centre). For out station Arbitration proceedings hearing fees per sitting @ 1.5% extra of the sitting fee)	Rs. 6,000/-

3.	Consultation/Conference/ Opinion	Rs. 5,000/-	Rs. 5,000/-	Rs. 5,000/-
4.	Cost/Expenses/Special Assignment/Court fee/Other Fees/Misc. Expenses on certificate	As per Actual	As per Actual	As per Actual
5.	If assisted by a Junior	@20% of (2) above	@20% of 1,2,3 above	As proposed by Advocate
6.	If Senior Counsel is engaged in important cases	Actual	-	As proposed by Advocate
7.	Clerkage	@10% of (2) above	@ 10% of the advocate fee	As proposed by Advocate

In view of the above, the proposal was put up in the FC, vide FC-52(2020)-06, dated 12.06.2020 for consideration.

In the meeting, the FC advised to refer the fee structure for Advocate engaged in Arbitration Cases from the source like; the Law & Justice Ministry, Govt. of India / Govt. of Odisha / Public-sector units and other NITs.

Before the deliberation on this agenda, Registrar brought to the notice of Hon'ble Members about the mail, dated 30th April 2021, received from Mr D. K. Singh in which he has given his opinion to follow the rate effective from 1st January 2020 of SAIL, RSP, Rourkela.

After a thorough discussion, Director requested the Members to consider to enhance the drafting charge from Rs8000/- to Rs10,000/- for all Arbitration cases and all other charges to be intact that of SAIL, which is in reference, keeping in view the right service to be obtained from the advocate to safeguard the interest of the institute. Further, he put forth to consider the effective date of implementation be 1st January 2019 instead of 1st January 2020. After due deliberation, the Finance Committee recommended the followings to Board for its approval.


(i) The advocate fee for the engagement in them arbitration case shall be in line with approved rate of SAIL, RSP, Rourkela, except the drafting charge which is to be Rs10,000/- instead of Rs8000/- .


(ii) The effective date for implementation of this advocate fee for arbitration case to be 01.01.2019.

[Annexure-A8, Page No. 98-100]

FC-58(2021)-08: Any other item with the permission of the Chair.

The meeting ended with thanks to the Chair.


[Prof. P. K. Das]
Registrar and Secretary
BOG, NIT, Rourkela


[Prof. Animesh Biswas]
Chairman (Acting)
BOG, NIT, Rourkela

