

50th Meeting of Board of Governors

Date: 28th December, 2015 (Monday)

Adjourned meeting scheduled
on February 09,2016



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National Institute of Technology, Rourkela

MINUTES OF THE 50TH MEETING OF THE BOARD OF GOVERNORS
HELD AT 12.30 PM ON 29.09.2016 (THURSDAY)
IN THE CONFERENCE HALL OF NIT TRANSIT HOUSE, NEW DELHI.

Members Present

#	Name	Contact Details
1.	Prof. R. K. Sahoo Director & Acting Chairman National Institute of Technology Rourkela - 769 008 (Odisha)	Ph.: 0661-2462001 / 2472050 (Direct) 0661-2462002 / 2462003 (Secy.) Fax: 0661-2472926 Mob: 09437041081 email: director@nitrrkl.ac.in
2.	Shri S. P. Goyal, IAS Joint Secretary (NITs & DL) MHRD, Government of India, Department of Higher Education, Shastri Bhawan, New Delhi - 110 001	Ph.: 011-23383451 Fax: 011-23382298 Mob.: 09453050000 e-mail: spgoyal@nic.in
3.	Mrs. D. M. Dabral Joint Secretary & Financial Advisor, MHRD, Government of India, Shastri Bhawan, New Delhi - 110 001	Ph.: 011-23382696 Fax: 011-23070668 Mob: e-mail: jsfa.edu@gov.in
4.	Prof. (Ms.) Shobhona Sharma, Senior Professor & Chairperson, Department of Biological Sciences, Tata Institute of Fundamental Research(TIFR), Homi Bhabha Road, Navy Nagar, Colaba, Mumbai – 400 005	Phone: 022-22782320/625/865 Fax No: 022-22804610/22804611 Mobile: 09987260961 Email: sharma@tifr.res.in
5.	Prof. (Ms.) S. Narasimhan Professor (Theoretical Sciences Unit) JNCASR Bangalore - 560064	Ph.: 080-22082833 (Direct) / 080-22082707 (Secy.) Fax: 080-22082766 Mob: 09880641962 Email: shobhana@jncasr.ac.in
6.	Prof. R. V. Raja Kumar Director Indian Institute of Technology, Bhubaneswar, Toshali Bhawan, Satyanagar Bhubaneswar-751013 (Odisha)	Phone:0674-2570334 Fax No:0674-2576004 Email: director.office@iitbbs.ac.in

Sahoo

7.	Prof. B. Majhi Professor (Computer Sc. & Engg.) National Institute of Technology Rourkela - 769 008 (Odisha)	Phone: 0661-2462355 Mobile: 9437221124 Email: bmajhi@nitrkl.ac.in
8.	Prof. H. K. Naik Associate Professor (Mining Engg.) National Institute of Technology Rourkela - 769 008 (Odisha)	Ph.: 0661-2462603 Mob: 09937115419 Email: hknaik@nitrkl.ac.in

Members Absent

1.	Shri. Sanjay Kumar Singh, IAS Commissioner-Cum-Secretary, Skill Development & Technical Education Department, Govt. of Odisha, Odisha State Secretariat, Bhubaneswar – 751 001.	Phone: 0674-2391319(O) Fax No: 0674-2391324 Mobile: 08130585511 Email: etet.od@nic.in
2.	Prof. V. Chandrasekhar, Director National Institute of Science Education and Research (NISER), Institute of Physics Campus, Sachivalaya Marg, P.O.- Sainik School, Bhubaneswar – 751 005	Phone: 0674-2304005 Fax No: 0674-2304070 Mobile: 09415132221 Email: director@niser.ac.in,

BOG-50(2016)-01: Director & Acting Chairman introduced new members and welcomed all members present in the meeting.

Leave of Absence was granted to the member(s) absent.

BOG-50(2016)-02: Approval of the Minutes of 32nd FC Meeting held on 19-06-2015.

The minutes of 32nd Finance committee Meeting held on 19-06-2015 is given in Annexure for consideration of the Board.

The Board accepted the recommendations of the FC with the following observation: -

F.C-32(2015)-07: *The Board felt that Institute should scrupulously follow the guidelines of TEQIP-II in the matter. The Institute was further advised to explore as to how the scholarship to these students shall be paid after the closing of TEQIP-II for the remaining period of their course(s).*

F.C-32(2015)-08: *The Board felt that since this matter is under consideration of the Ministry, the Institute may wait for the guidance from the Ministry.*

[Annexure – A1, Pg. No. 1 - 3]

BOG-50(2016)-03: Approval of the minutes of the 33rd FC Meeting held on 26-10-2015 at New Delhi.

Copy of the draft minutes of the 33rd Meeting of the FC held on 26-10-2015 is



given in Annexure. The BOG was further appraised about the modifications made by the FC in its 35th meeting while conforming the draft minutes.

The Board decided that the minutes of the 33rd Meeting of the FC be put up before the Board after the confirmation of the minutes of the 35th meeting of the FC wherein these minutes were put up for confirmation.

[Annexure – A2, Pg. No. 4 - 11]

BOG-50(2016)–04: Approval of the minutes of the 34th FC Meeting held on 18-12-2015 at Rourkela.

Copy of the draft minutes of the 34th Meeting of the FC held on 18-12-2015 is given in Annexure. The BOG was further appraised about the modifications made by the FC in its 35th meeting while conforming the draft minutes.

The Board decided that the minutes of the 34th Meeting of the FC be put up before the Board after the confirmation of the minutes of the 35th meeting of the FC wherein these minutes were put up for confirmation.

[Annexure – A3, Pg. No. 12 - 17]

BOG-50(2016)–05: Nomination of BoG member(s) to FC and BWC.

Statute – 10(1)(iv) provides for two members of the BoG to be nominated to the FC. Similarly, Statute – 12(1)(iii) provides for one member of the BoG to be nominated to the BWC.

The following nominations are proposed:-

- | | | | |
|-----|-----|---|------------------------------|
| I. | FC | - | 1. Prof. (Ms.) S. Narasimhan |
| | | | 2. Prof. H. K. Naik |
| II. | BWC | - | 1. Prof. B. Majhi |

The Board approved the proposal.

BOG-50(2016)–06: Approval of the Budget for the year 2016 -17.

The Revised Estimate for financial year 2015-16 and Budget Estimate for the financial year 2016-17 given in the Annexure were put up for consideration of the FC and FC has approved the same in its 33rd meeting.

The Board approved the proposal.

[Annexure - A4, Pg. No. 18 - 60]

BOG-50(2016)–07: Approve the draft Annual Report for the year 2014 - 15.

The draft Annual Report for the year 2014-15 of the Institute (given as a separate printed book) was put up for consideration of the FC and FC has recommended the same in its 33rd meeting.

The Board approved the Annual Report.

[Separate Printed Book]

BOG-50(2016)-08: Consideration of appeal by Shri D. Behera, former Engineer (Electrical) on probation, against his discharge from service for dishonesty and lack of integrity.

Mr. D. Behera was appointed as an Engineer (Electrical) on 09.01.2012 with probation of 1 year and posted to the Estate Maintenance (Electrical wing). His case for confirmation along with two other officers was put up for consideration of BOG in its 35th meeting held on 21.06.2013. The Board directed to review their performance within 31.07.2013 and proceed for confirmation with approval of Chairman, BOG.

The process of performance evaluation of these three officers along with other officers due for confirmation by that time was initiated in April 2014. Subsequently, the issue of confirmation of officers was put up to the BOG in its 43rd meeting held on 22.11.2014. The Board directed to put up the case in its next meeting to be held in December 2014.

In the meantime serious financial irregularity in the operation of diesel generators being supervised by Mr. Behera was detected. An enquiry committee was setup by the Director on 14.10.2014 to investigate the matter. The committee submitted its report on 12.12.2014. The committee, prima facie, estimated financial irregularity to the tune of Rs.10.0 lakhs and opined Mr. Behera to be primarily responsible for the dishonest transactions.

The issue of financial irregularity and report of the committee was discussed at length in the 44th meeting held on 23.12.2014. After taking into consideration the probationary status of Mr. Behera and evidences of dishonesty and lack of integrity on his part, the Board decided to discharge him from service of the institute. Accordingly, Mr. Behera was discharged from service of the institute w.e.f 30.12.2014.

He subsequently appealed to the Director on 14.01.2015 and to the Chairperson on 21.01.2015 for his reinstatement citing the following reasons/grounds:-

- a) He was neither given any charge sheet nor was given an opportunity of being heard.
- b) His probation was completed on 08.01.2013 and no communication was sent to him regarding extension of his probation.

His appeal was taken up in the 45th meeting of the BOG held on 13.03.2015 where the Board directed that the discharge order be revoked and Mr. Behera be reinstated. However, there were two notes from Prof. S. K. Sarangi, Director and Prof. S. K. Patra citing (i) incorrect regulations being cited for decision making, (ii) absence of a discussion, particularly where the Board erred, if at all, in its 44th meeting, and (iii) future harm to the institute if a person of proven lack of financial integrity continues in a vital job. The ministry of HRD, vide its letter of 6th April, directed the Board not to give effect to the resolutions of the 45th meeting before the next meeting.



In view of above comments, the matter was again discussed in the 46th meeting of the BOG held on 17.04.2015. The Board decided not to confirm the specific item of the 45th meeting and to maintain its decision taken in the 44th meeting. Further, the Board constituted a one man enquiry committee (Prof. S. C. Mohanty - BOG member) to again look at the issue in all its aspects as to ascertain the loss caused to the institute.

In the meantime, Mr. Behera had approached the Hon'ble High Court of Odisha vide W.P. (C) No. 9367 of 2015. The Hon'ble High Court of Odisha have ordered to dispose of the appeal of Mr. Behera in conformity with the provisions of law within a period of three months. On seeking legal advice from the institute advocate, he opined that the Board is free to take an independent decision in the matter considering the entire facts and circumstances of the case after giving Mr. Behera a chance of hearing while disposing his appeal.

Accordingly, although the Board had already considered his appeal and confirmed his discharge in its 46th meeting, it was decided to give Mr. Behera a fresh chance including a personal hearing before the Board. In addition to receiving his written statement, the Board also heard Mr. Behera in person during its 47th meeting held on 19.06.2015. His verbal statements were recorded to be put up to the Board in the next meeting. He pleaded before the Board not to be guilty citing his non-involvement in the process of diesel procurement.

The written version of the personal hearing and report of Prof. S. C. Mohanty was discussed in the 48th meeting held on 31.07.2015. Report of Prof. S. C. Mohanty also indicated procurement of less diesel than the requisitioned quantity being done under the instruction of Mr. Behera with the sole intension of getting financial benefit. However, no decision was taken in the meeting. Due to paucity of time, the matter could not be considered by the Board in its 49th meeting held on 26.10.2015.

It may be observed that available documents, viz. (i) order of PIC (Electrical) assigning duty of operation and maintenance of the diesel generators to Mr. Behera, and (ii) more than 50 requisitions for diesel procurement signed by Mr. Behera negate his claim of not being guilty on the ground of non-involvement in the process of diesel procurement.

Hon'ble High Court had extended the time period for taking decision by the Board up to 13.10.2015. The institute advocate has been advised to seek further time from the Hon'ble High Court.

In the meantime, Mr. Behera has intimated that he has filed a Contempt Petition before the Hon'ble High Court of Orissa. Further, a communication dated 06/07/2016 was received from the ex-Chairperson directing reinstatement of Mr. Behera and intimating the same to Hon'ble High Court of Orissa. The matter was appraised to the Ministry who have advised (dated 20/07/2016) to refer the matter to the BoG.

The Board reviewed all the minutes related to the case, viz. 44-11(5), 45-(2), 45-3(3), 45-10, 46-3(A), 47-3, 48-3(1) and 48-3(2). The Board also perused the reports submitted by the Fact Finding Committee, Deans' Committee

and Prof. S. Mohanty, ex-BOG Member vis-à-vis the statements of Mr. Behera given before the 48th BOG meeting wherein he had pleaded for his non-involvement in the process of diesel procurement.

The BOG further perused the photocopies of the official documents related to procurement diesel which reflected involvement of Mr. Behera at various stages in the process.

The Board also perused the order issued by the ex-Chairperson (Mrs. V. Ramaswamy) vide letter No. – NITR/CP/BOG/VR/L-121/2016, dated 06/07/2016 and the MHRD letter vide F. No. – 14-10/2015-TS.III(Pt.), dated 20/07/2016.

The Board opined that as Mr. Behera was discharged by virtue of a BOG resolution, the matter of taking a suitable decision on the appeal of Mr. Behera in compliance to the order of the Hon'ble High Court of Orissa in the W.P.(C) No. 9367 of 2015 should be taken by the BOG in a formal meeting or through circulation among the members in case of not holding a meeting.

After reviewing the above documents, the Board members arrived at the conclusion that discharge of Mr. Behera vide BOG Resolution No. – BOG-44(2014)-11(5) was justified on the grounds of dishonesty and found no merit in his appeal for reinstatement particularly taking cognizance of his lying before the Board that he is not involved in the process. The Board declined to ratify the decision of the ex-Chairperson on this issue in her individual capacity under Statute – 14 (iv) vide her letter dated 06/07/2016.

[Annexure – A5, Pg. No. 61 - 80]

BOG-50(2016)-09: Status of Mr. Balaram Champatiray, Security Officer

Complaint against Mr. Balaram Champatiray, Security Officer for alleged sexual harassment of few female security guards of the out-sourced Security Agencies engaged by the institute was received by the Director. A Fact Finding Committee was constituted to look into the matter. Based on the report and prima-facie evidences, Mr. Champatiray was suspended w.e.f 27/05/2016. Subsequently, he was arrested by the police on 11/06/2016 and sent to Hon'ble court of the SDJM, Panposh. He is still under judicial custody. His case has subsequently been handed over to the Internal Complaints Committee of the institute constituted as per the Sexual harassment of Women at Work Place (PPR) Act, 2013 and he is deemed to be under suspension as provided in the Rule – 10(2) of the Central Civil Services (Control, Classification and Appeals) Rules, 1965. Further departmental action may be taken in his case based on the report of the ICC and/or orders of the Hon'ble SDJM.

The Board noted the facts and advised the administration to take further action as per rules and keep the Board apprised of the developments.

[Annexure- A6, Pg. No. 81 - 85]

BOG-50(2016)-10: Proposal for Confirmation of Faculty Members.

BOG-50(2016)-11: Proposal for Confirmation of Officers.

BOG-50(2016)-12: Status of Probation of Faculty Members.

BOG-50(2016)-13: Status of Probation of Officers.

BOG-50(2016)-14: Recruitment of Professors in HAG Scale

BOG-50(2016)-15: Recruitment of Non-Faculty

The above Six Agenda Items were not taken up for discussion and deferred to the next meeting of the BOG.

BOG-50(2016)-16: Appointment of Officer on Special Duty for Safety and Security Services on Contract Basis

Subsequent to suspension followed by judicial custody of the Safety & Security Officer Mr. B. Champatiray, Prof. U. K. Mishra, Asst. Professor (Civil Engineering) and NCC Officer was given full responsibility of Safety & Security Services. However, apprehending his academic responsibilities after commencement of classes, an interview of three retired police/defence officials was held to select an Officer on Special Duty for Safety and Security Services on Contract Basis. Recommendation of the committee is given in the Annexure.

The Board approved the proposal for appointment up to one year subject to the condition that the total number of non-teaching employees including those on contract which includes the Officer on Special Duty for Safety and Security Services should not exceed the sanctioned strength of non-teaching employees for the Institute.

[Annexure – A11, Pg. No. 116]

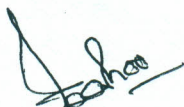
BOG-50(2016)-17: Recommendation for BOG Nominees in the Distinguished Alumni Award Committee.

The Distinguished Alumni Award Committee constituted vide BOG Resolution No. – BOG-29(2012)-12, *inter-alia* includes the following members:-

1. One member of the BOG, and
2. One distinguished Alumni given the award in earlier Convocation

The following names are recommended for above purpose:-

1. Prof. B. Majhi, Professor (CS) & BOG Member, and
2. Shri Venkat N. Peri, MCA 1991, Distinguished Alumni



The Board approved the proposal.

[Annexure – A12, Pg. No. 117 - 118]

BOG-50(2016)-18: Proposal for Constitution of External Screening Committee for International Travel under TEQIP-II.

Revised guidelines of National Project Implementation Unit (NPIU) on international travel under TEQIP-II given in Annexure. The following committee is proposed:-

- | | | | |
|----|--|---|----------|
| 1. | Prof. S. S. Patnaik, VC, BPUT, Rourkela | - | Chairman |
| 2. | Dr. Niranjana Nayak, IIPM, Kansbahal | - | Member |
| 3. | Dr. Arvind Sinha, NML, Jamsedpur | - | Member |
| 4. | Mr. Dayanidhi Behera, Sr. VP, Vedanta Ltd. | - | Member |
| 5. | Mr. Kumar Behera, DGM, RSP, Rourkela | - | Member |

The Board approved the proposal.

[Annexure – A13, Pg. No. 119 - 120]


BOG-50(2016)-19: Any other item with the permission of the Chair.

(1) Statement of Accounts for the F.Y 2015-16.

The detailed Statement of Accounts for the Financial Year 2015-16 was presented to the Board after due recommendation of the FC.

The Board approved the statement of accounts for the Financial Year 2015-16.

The meeting ended with thanks to the Chair.



(Ranjit Kumar Sahoo)
Director
NIT, Rourkela



(Ranjit Kumar Sahoo)
Acting Chairman, BOG
NIT, Rourkela