

**MINUTES OF THE 47th MEETING OF THE BOARD OF GOVERNORS OF
NATIONAL INSTITUTE OF TECHNOLOGY CALICUT HELD IN NIT TRANSIT
HOUSE, NEW DELHI, ON 05/02/2019 AT 12.00 NOON**

Members Present

- | | |
|---|-------------|
| 1. Dr. Sivaji Chakravorti | Chairperson |
| Director, NIT Calicut and Chairperson, BoG, NIT Calicut | |
| 2. Sri Madan Mohan | Member |
| DDG, MHRD | |
| 3. Smt Darshana M Dabral | Member |
| JS & FA, MHRD | |
| 4. Prof. Manju Bansal | Member |
| Nominee of NITSER Council | |
| 5. Prof. A.V. Babu | Member |
| Nominee of the Senate, NIT Calicut | |
| 6. Mr. R. Kasturi | Member |
| Nominee of Government of Kerala | |
| 7. Prof. Mythily Ramasamy | Member |
| Nominee of NITSER Council
(Through Video Conferencing) | |
| 8. Lt. Col. Pankajakshan K | Secretary |
| Registrar, NIT Calicut | |

Members, who took leave of absence:

- | | |
|------------------------------------|--------|
| 1. Prof. J. Sudhakumar | Member |
| Nominee of the Senate, NIT Calicut | |
| 2. Mr. V.K. Naushad | Member |
| Nominee of Government of Kerala | |

Director, NIT Calicut and Chairperson, Board of Governors, NIT Calicut, called the meeting to order at 12.00 noon and welcomed the members. The members of the BoG joined the

Director in expressing their appreciation of the valuable services rendered by the former members of the Board of Governors, Sri P.M. Suresh Babu and Dr. P.M. Abdul Majeed.

The comments of Technical Section-III of MHRD on the BoG agenda points, as sent vide F.No.4-3/2019-TS.III dated 01.02.2019, were duly noted in the meeting.

The Agenda points and the decisions taken are enumerated below:-

Subject BG.47.01	Confirmation of the minutes of the 46th meeting of the Board of Governors held on 12th October 2018 at NIT Calicut.
Decision	The minutes of the 46 th BoG meeting held on 12 th October 2018 at NIT Calicut were circulated among the members. No comment has been received from any member. The BoG confirmed the minutes.
Subject BG.47.02	Report of action taken / action pending on the decisions taken in the 46th meeting of the BoG
Decision	The BoG noted the report of the actions taken on the decisions taken at its 46 th meeting.
Subject BG.47.03	Consideration of the minutes of the 46th meeting of the Finance Committee held on 05/02/2019 that need approval of the BoG
BG 47.03 FC 46.03	<p>Consideration of the items of the minutes of the BWC meeting dated 17/01/2019</p> <p>BoG noted the minutes of the BWC meeting dated 17.01.2019 and considered the following as recommended by the FC.</p> <p>2019:01:02 Consideration of proposal for Construction of Subway across the Calicut-Mukkam road to connect the south and north parts of campus</p> <p>Decision: The BoG approved the recommendation given by the FC.</p> <p>2019:01:03 Consideration of the proposal for demolition of the existing old building belonging to Electrical Maintenance Unit</p>

	<p>Decision: The BoG approved the recommendation given by the FC.</p> <p>2019:01:04 Consideration of the proposal for termination of the contract of M/s. EIEL for the work - Construction of Building for Mega Hostel- I</p> <p>Decision: The BoG approved the recommendation given by the FC.</p> <p>2019:01:05 Consideration of the proposal for the extension of Project Management Consultancy services of M/s. PNP - Construction of building for Mega Hostel- I</p> <p>Decision: The BoG approved the recommendation given by the FC.</p> <p>2019:01:06 Consideration of the proposal for extension of time of completion for the works of SITC of 6 numbers of lifts for Mega Hostel- I</p> <p>Decision: The BoG approved the recommendation given by the FC.</p>
BG 47.03 FC 46.04	Consideration of the Proposal for starting a new B.Tech programme in ‘Material Science and Engineering’ by School of Nano Science and Technology (SNST) as recommended by the Senate
Decision	The BoG approved the recommendation given by the FC.
BG 47.03 FC 46.05	Consideration of the proposal for revision of remuneration for Student Counselors
Decision	The BoG approved the recommendation given by the FC.
BG 47.03 FC 46.06	Consideration of the proposal for providing Research Seed Grant to newly joined Faculty members
Decision	The BoG approved the recommendation given by the FC.
BG 47.03 FC 46.07	Consideration of the implementation of the revision of allowances of Faculty, Scientific/Design Staff and Non-teaching Staff as per recommendations of 7th Central Pay Commission
Decision	The BoG approved the recommendation given by the FC.

BG 47.03 FC 46.08	Consideration of the revision of emoluments and guidelines on service conditions for research personnel engaged in R&D programme of the Central Government Departments/Agencies
Decision	The BoG approved the recommendation given by the FC.
BG 47.04	Consideration of the proposal for renaming of the School of Nano Science and Technology (SNST) as School of Materials Science and Engineering as recommended by Senate
Decision	<p>BoG noted the decision of the Senate vide its resolution no. S69.3 dated 4th Jan 2019.</p> <p>BoG was apprised that the following have been discussed at length in the Senate in the context of the present national and international scenario:</p> <ul style="list-style-type: none"> i) The rationale behind the proposed renaming ii) The relevance of the proposed renaming iii) Benefits to the students of the school due to the proposed renaming <p>BoG also noted the Senate recommendations that</p> <ul style="list-style-type: none"> a) the name of the degree on the Degree Certificates issued to the MTech students of the course run by the School of Nano Science and Technology is to be renamed as a consequence of the renaming of the school. b) the course codes of all the courses conducted by the School of Nano Science and Technology are to be reassigned as a consequence of the renaming of the school. <p>After careful consideration, the BoG approved the senate recommendations</p> <ul style="list-style-type: none"> i) to rename the ‘School of Nano Science and Technology’ as “School of Material Science and Engineering”. ii) to name the degree on the Degree Certificates issued to the MTech students of the course run by the School of Material Science and Engineering as “MTech in Material Science and Engineering (Nanotechnology)”. iii) to reassign the course codes of all the courses conducted by the School of Material Science and Engineering to be started by the Letters “MT”.
BG 47.05	Implementation of the Office Memorandum F.No.12-4/2019-U1 dated 17 Jan 2019, of Department of Higher Education, MHRD, pertaining to reservation of Economically Weaker Sections (EWS) for admission in Central Educational Institution from the year 2019-2020 onwards.

Decision	<p>BoG noted the Office Memorandum F.No.12-4/2019-U1 dated 17 Jan 2019, of Department of Higher Education, MHRD, pertaining to reservation of Economically Weaker Sections (EWS) for admission in Central Educational Institution from the year 2019-2020 onwards.</p> <p>BoG was apprised by the institute the following in this context:</p> <ul style="list-style-type: none"> i) Category-wise Student strength for UG Programmes after the EWS Reservation. ii) Category-wise Student strength for PG Programmes after the EWS Reservation. iii) Modified Plan for admission in 2019-20 to implement 10% EWS Reservation, taking into account the Normal Plan of 2019-20 for UG, PG and PhD. iv) Requirement of additional funds under OH-31, OH-35 and OH-36. MHRD representative mentioned that the funds in OH-35 should be sought based on incremental requirement. v) Requirement of additional infrastructure like hostel facilities especially ladies hostel, class rooms, laboratory space, workshop space and other relevant facilities as a consequence of the increased student strength due to the implementation of EWS reservation. Director, NITC, specifically highlighted the severe shortage of hostel facilities, classrooms and laboratory space to cater to the need of approx 25% more students in the near future. He stressed that additional infrastructure has to be built within two years to avoid major discontent in the campus and HEFA loan against IRG is insufficient for this purpose. vi) Requirement of additional manpower, especially faculties and non-teaching staff as a consequence of the increased student strength due to implementation of EWS reservation. <p>After detailed discussions the BoG decided</p> <ul style="list-style-type: none"> i) to approve the plan of implementation of EWS reservation in admission over a period of two years starting from the academic year 2019-2020. ii) to earnestly request MHRD to release sufficient grants under OH-31, OH-35 and OH-36 to the institute to cater to the needs of the additional student strength due to the implementation of EWS reservation. iii) to earnestly request MHRD to sanction additional teaching and non-teaching staff as a consequence of the additional student strength due
-----------------	--

	to the implementation of EWS reservation.
BG 47.06	Ratification of the action taken by the Director & Chairperson (I/c) of the BoG in accepting the resignation tendered by Dr.R.Karthik, Asst. Professor Gr.II, ECED and Dr. Md Firoz Ali, Asst. Professor Gr.II, Department of Mathematics.
Decision	The BoG ratified the action taken by the Director & Chairperson (I/c) of the BoG in accepting the resignation tendered by Dr.R.Karthik, Asst. Professor Gr.II, ECED and Dr. Md Firoz Ali, Asst. Professor Gr.II, Department of Mathematics.
BG 47.07	Consideration of the representation of Sri N. Sukumaran Nair, Upper Division Clerk (UDC), regarding promotion through DPC, as per the direction of Hon'ble High Court of Kerala
Decision	<p>BoG took note of the following:</p> <ul style="list-style-type: none"> i) Departmental Promotion Committee (DPC) conducted by NITC in Nov 2016 and the subsequent BoG resolutions BG.34.05 dated 13.02.2017 and BG.35.03 dated 30.03.2017. ii) The observations made in the above-mentioned resolutions that the new RR was adopted by the institute vide BG29.07 dated 21.11.2015, whereas the DPC recommendations are as per old REC rules. This is an anomaly which can be rectified at MHRD level only. iii) NITC letter No. RO/DPC/2016-2017 dated 28.4.2017 to MHRD. iv) NITC letter F.No.P3/3026/DPC/2014 dated 23.08.2017 providing clarification sought by MHRD. v) NITC letter F.No.P3/3026/DPC/2014 dated 05.01.2018. vi) Judgment of the Hon'ble High Court of Kerala dated 22.01.2019 in the WP(C) No. 1883 of 2019. vii) NITC letter F.No.P3/3026/DPC/2014 dated 25.01.2019. viii) Interim Order of the Hon'ble High Court of Kerala dated 04.02.2019 in the WP(C) No. 3265 of 2019 with the direction that no promotion should be affected overlooking seniority. <p>BoG was apprised that</p> <ul style="list-style-type: none"> i) the DPC was conducted for promotion in the REC pattern as restructuring of non-teaching staff to NIT pattern could not be done at NITC due to several reasons and therefore old designations have been continuing. Since 2013 the institute has not carried out any promotions to the non-teaching employees based on any retirement

	<p>vacancies giving rise to severe discontent in the institute hampering its normal activities. Thus on compulsion the authorities of the Institute have carried out the exercise of promotions.</p> <p>ii) After the HC judgment under reference, the institute has received representation from three UDCs, who have requested for promotion as they claimed to be senior to Mr. Sukumaran Nair.</p> <p>iii) As per the HC judgment the institute and the BoG need to convey the decision regarding the promotion to the petitioner, Mr. Sukumaran Nair, within 20 Feb 2019.</p> <p>iv) WP(C) No. 3265 of 2019 has been listed to be heard on 18.02.2019.</p> <p>After careful consideration of the entire matter and its ramifications, BoG decided that</p> <p>i) as the matter has already been referred to MHRD for consideration, hence any decision can be taken only after receiving the considered direction of MHRD.</p> <p>ii) MHRD is earnestly requested to give their considered direction in this matter at the earliest.</p>
BG 47.08	Consideration of future course of action in relation to placement of Dr.P.Predeep in Professor HAG scale wef 27.2.2013 in compliance with the contempt of court case 2080 of 2018 in Hon'ble High Court of Kerala
Decision	<p>BoG noted the following:</p> <p>i) Order of the Hon'ble Supreme Court of India dated 13th Apr 2018.</p> <p>ii) BoG resolution BG43.03 dated 20th June 2018 regarding placement of 17 Professors in HAG scale including Prof. P.Predeep wef 20th June 2018.</p> <p>iii) NITC email to MHRD dated 1st July 2018 enumerating the chronological steps taken by the institute in this context.</p> <p>iv) The order for placing Prof. P.Predeep in HAG scale wef 20th June 2018 issued to Prof. P.Predeep on 7th August 2018.</p> <p>v) Contempt of court case 2080 of 2018 in the Hon'ble High Court of Kerala filed by Prof. P.Predeep, in which the three respondents are the Director NITC, Registrar NITC and the Secretary HE, MHRD.</p> <p>vi) NITC email dated 6th November 2018 attaching all the relevant documents to MHRD and NITC email to MHRD dated 13th November 2018 detailing the steps to be taken by the institute in the contempt of court case.</p> <p>vii) MHRD letter dated 15th November 2018 corroborating the steps outlined by the institute in its email dated 13th November 2018.</p>

	<p>viii) Interim order of Hon'ble HC of Kerala dated 11th Dec 2018 in the CoC case 2080 of 2018 to extend the HAG scale to the petitioner (Prof. P.Predeep) wef 27.2.2013.</p> <p>ix) The institute preferred SLP 33762 of 2018 in the Hon'ble SC of India. Hon'ble SC of India passed its order on 11th January 2019 requesting the High Court to dispose of the matter finally as expeditiously as possible on its own merits in accordance with law, and parties were directed to maintain status quo in the meanwhile. The SC order was presented before the Hon'ble HC of Kerala by the institute.</p> <p>x) Subsequently, another interim order was passed by the Hon'ble HC of Kerala on 18th Jan 2019 to place Prof. P.Predeep in the HAG scale wef 27.2.2013.</p> <p>xi) Following the HC order dated 18th January 2019 and the subsequent advice obtained from the legal counsel of the institute to comply reserving the right to challenge the same, the institute issued the order dated 22nd January 2019 to place Prof. P.Predeep in HAG scale wef 27.2.2013 and the compliance affidavit was submitted on 24th January 2019 to the HC of Kerala mentioning that the compliance is being done without prejudice to the rights of the Institute to challenge the HC Order and subject to the finality of the proceedings being initiated against the HC order before the Apex Court.</p> <p>xii) On 24th January 2019, Hon'ble HC of Kerala gave further direction to effect disbursement of the monetary benefit to Prof. P.Predeep, pursuant to the institute office order dated 22nd January 2019 and the matter has been listed on 8th February 2019.</p> <p>xiii) Under the circumstances, in order that contempt of court does not take place, the institute is complying with the HC order dated 24th January 2019, subject to the finality of the proceedings being initiated against the HC order before the Apex Court.</p> <p>In this context BoG was apprised of the following:</p> <p>i) If the above-mentioned HC orders are not challenged and clarifications not obtained from the SC, such benefit may have to be extended to all other professors, who were eligible similar to Prof. P.Predeep, with retrospective effect resulting in considerable financial impact on the institute.</p> <p>ii) After the amendment of statutes in 2017, all the appointments as well as HAG placements have been done with prospective effect. Now, the benefit is extended with retrospective effect to Prof. P.Predeep as per the contempt of court case proceedings. This might have snow</p>
--	--

	<p>balling effect in other appointments at various levels (teaching and non-teaching) not limited to Professors only.</p> <p>iii) Moreover, such retrospective placement in HAG scale might also have cascading effect in other NITs.</p> <p>BoG also noted the advices of NITC legal counsel as well as the Central Government Standing Counsel in this context. Both the legal counsels have advised that the orders of Hon'ble HC of Kerala need to be independently challenged in the Hon'ble SC of India by the institute as well as MHRD.</p> <p>After careful consideration of the entire matter, BoG decided</p> <p>i) that the institute should file SLP in the Hon'ble SC of India challenging the orders of Hon'ble HC of Kerala in the Contempt of Court case 2080 of 2018 at the earliest.</p> <p>ii) to request MHRD to file an independent SLP in the Hon'ble SC of India in this context.</p> <p>iii) to comply the order of the Hon'ble High Court of Kerala dated 24 Jan 2019 , reserving the right to recover subject to the final outcome of the proceedings being initiated against the HC order before the Apex Court.</p>
--	--

The meeting concluded at 02.00 pm with vote of thanks to the Chair.