



NATIONAL INSTITUTE OF TECHNOLOGY AGARTALA

WEST TRIPURA, PIN: 799046

***Minutes of the 33rd (Special) Meeting of the
Board of Governors
held on April 13, 2015
At Conference Hall of NIT Transit House, New Delhi***

The 33rd meeting of the Board of Governors of the National Institute of Technology Agartala was held on April 13, 2015 at 11.30 am in the Conference Hall of NIT Transit House, New Delhi.

The following members were present in the meeting:

- (1) Prof. Deepak B. Phatak : Chairperson, BoG of NIT Agartala
- (2) Prof. Gopal Mugeraya : Member, Director of NIT, Agartala
- (3) Shri Sanjeev Kumar Sharma : Director (NITs), MHRD, Govt. of India
(Representative of Special Secretary/ Additional Secretary/ Joint Secretary dealing with Technical Education, Dept. of Higher Education, MHRD)
- (4) Shri Rajesh Singh : Director (Finance), MHRD, Govt. of India,
(Representative of Financial Advisor, Dept. of Higher Education, MHRD, Govt. of India).
- (5) Prof. A. Srinivasan : Professor, Dept. of Physics, Indian Institute of Technology (IIT), Guwahati (nominee of the Director, IIT Guwahati).
- (6) Prof. Richi Prasad Sharma : Member, Professor, Civil Engg. Dept., NIT, Agartala.
- (7) Dr. John Deb Barma : Member, Asst. Professor, ME Dept., NIT Agartala.
- (8) Shri Sumanta Chakrabarti : Secretary, Registrar (i/c), NIT, Agartala

The Secretary to the Government of Tripura, Dept. of Higher Education; Prof. Uma (Mrs) Bhattacharya, Professor, Dept. of Computer Science & Technology, IEST, Shibpur; and Shri Alok Roy Choudhury, Addl. Chief Engineer, PWD, Government of Tripura, could not attend the meeting.

Prof. Deepak B. Phatak, Chairperson, Board of Governors, NIT Agartala, presided over the meeting and welcomed all the Members of the Board of Governors.

The Chairperson invited the Director and the Registrar to initiate discussions on Agenda items.

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Item No. 33.1: Confirmation of the Minutes of 32nd Board of Governors (BoG) Meeting of NIT Agartala.

The minutes of 32nd Board of Governors, held on January 17, 2015 were circulated among the Members. Shri Sanjeev K. Sharma, Director (NITs), MHRD suggested to incorporate some changes in it. After detailed discussion, the BoG confirmed the minutes incorporating the changes and with the following observations:

- (i) Item No. '37.16.8' and '37.16.9' of 32nd BOG minutes, will be read as Item No. '32.16.8' and '32.16.9', respectively.
- (ii) Item No. 32.16.8 of 32nd BoG meeting on CAS matter is placed as separate Agenda Item No. 33.2.

Item No. 33.2: Writ Petition No.W.P.(C) 97 of 2013 filed by Dr. Prasun Chakraborti & three others for providing Career Advancement Scheme (CAS) benefit and the Judgment passed by the Hon'ble High Court of Tripura dated January 12, 2015.

Special Meeting of the BoG was called in view of the directions passed by the Hon'ble High Court of Tripura by Judgement dated 12/1/2015 in WP(C) 97 of 2013 filed by Dr. Prasun Chakraborti and three others. Considering the above directions issued by the Hon'ble High Court, the 32nd meeting of the BoG held on 17/1/2015 recommended that due process be followed for examination of applications of the 4 petitioners through a selection committee as stipulated for CAS. After the said meeting of the BoG, NIT Agartala received an e-mail from the Director (NITs), MHRD, Govt. of India, on March 16, 2015 and letter No.F.39-10/2015-TS.III dated 16/3/2015 issued by Under Secretary (NITs), MHRD, regarding the CAS with regard to the decision on the Agenda Item No.32.16.8, which inter alia mentioned that no permission shall be granted for conducting selection under CAS in any institute after 30/4/2013 as the institutes have to adopt implementation of 4-tier Cadre structure. It was also mentioned in the letter of MHRD that NIT Agartala may seek extension of time from the Hon'ble High Court for taking decision according to the direction issued by the Hon'ble High Court. Accordingly, on the basis of the prayer of NIT, Agartala, vide C.M. Application No.102 of 2015 in WP(C) No.97 of 2013 (DO), the Hon'ble High Court on 31.3.2015 granted time until 15.05.2015 to take a

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decision on its directions and to communicate the decision of the BoG to the petitioners by 31/05/2015.

It is evident from the above that the decision on Agenda No.32.16.8 taken in the 32nd BoG meeting in response to the directions of the Hon'ble High Court of Tripura is beyond the powers and jurisdiction of the BoG. Hence this decision of the 32nd meeting of BoG is not ratified. Since the decision of the NIT Council to dispense with CAS from April 30, 2013 is final and binding on all NITs, this meeting of BoG resolved that the BoG cannot process any case of CAS at NIT Agartala after April 30, 2013. As CAS cannot be considered, hence the apprehension of petitioners that they may be victimised for promotion is misplaced. This decision may be communicated to Dr. Prasun Chakraborti and three other petitioners of WP (C) No.97 of 2013 (D.O.).

Item No. 33.3: Representations of 17 Associate Professors of NIT Agartala and the Legal Notice served by Shri K N Bhattacharya, Advocate, High Court of Tripura on behalf of his client Dr. Ardhendu Saha and 8 others for providing CAS benefit.

The BoG is not empowered and has no jurisdiction to extend any CAS benefit after April 30, 2013 and the NIT Agartala has already adopted 4-tier flexible faculty structure.

Item No. 33.4: Writ Petition No.W.P.(C) 65 of 2015 filed by Smt. Tara Sen, Assistant Professor & 2 others for providing Career Advancement Scheme benefit.

The BoG is not empowered and has no jurisdiction to extend any CAS benefit after April 30, 2013 and the NIT Agartala has already adopted 4-tier flexible faculty structure.

Item No. 33.5: Representation submitted by the Assistant Professors whose case were considered for CAS benefit and pay was up-graded & six (6) Assistant Professors who were not considered by the Selection Committee for providing CAS benefit.

The BoG is not empowered and has no jurisdiction to extend any CAS benefit after April 30, 2013 and the NIT Agartala has already adopted 4-tier flexible faculty structure.

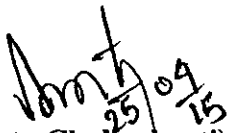
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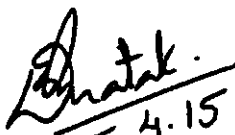
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Item No. 33.6: Implementation of Recruitment Rules (RRs) for Non-Teaching posts in the National Institute of Technology (NITs).

The BoG adopted and approved the proposal of Ministry of HRD, Government of India, for implementation of the Recruitment Rules (RRs) for Non-Teaching posts issued vide their letter F.No.33-2/2013-TS.III, dated: 5th February, 2014.

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


(Sumanta Chakrabarti)
Secretary
Board of Governors
& Registrar (i/c), NIT Agartala


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(Prof. D. B. Phatak)
Chairperson
Board of Governors
NIT Agartala