

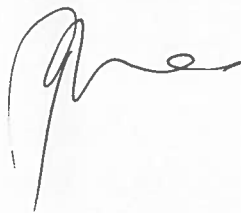
**NATIONAL INSTITUTE OF TECHNOLOGY**  
**DURGAPUR-713209, WEST BENGAL, INDIA**

**AGENDA NOTES**  
**FOR**

**29<sup>th</sup> Meeting of Finance Committee to be held on June 14<sup>th</sup>, 2014**  
**on 11.00 Hrs. at Helium & Geothermal Exploration Station**  
**(PWD Bungalow Campus)**

**Village + P.O. – Bakreswar, District: Birbhum, West Bengal, Pin – 731134**

Sl. No.	Item	Page No.
29.01	To confirm the Minutes of the 28 <sup>th</sup> Meeting of the Finance Committee held on May 02 <sup>nd</sup> , 2014.	1
29.02	To note action taken on the Minutes of the 28 <sup>th</sup> Meeting of the Finance Committee held on May 02 <sup>nd</sup> , 2014.	1
29.03	To consider the Plan and Non-Plan fund position of the Institute as on 31/03/2014.	1
29.04	To consider adoption of MHRD O.M. No. F.No.33-4/2014-TS.III dated 05 <sup>th</sup> May, 2014 regarding revision of tuition fees structure of various programs in NIT Durgapur as per decision of the of the Council of NITs.	2
29.05	To consider fixation of pay of pensioners re-employed/ employed in NIT Durgapur who are getting pension from other Govt. Departments/ Organisations/ Autonomous bodies.	2
29.06	To consider the downgradation of vehicles of NIT Durgapur.	3
29.07	To consider the Report of the committee constituted to resolve the longstanding grievances of the employees of NIT Durgapur regarding their pay and allowances.	3
29.08	Implementation of upgraded institute automation software.	3
29.09	Any other item with the permission of the chair	4



**Item # 29.01: To confirm the Minutes of the 28<sup>th</sup> Meeting of the Finance Committee held on May 02<sup>nd</sup>, 2014.**

The 28<sup>th</sup> Meeting of Finance Committee was held on May 02<sup>nd</sup>, 2014 in the Conference Room, Cryogenics Building, Variable Energy Cyclotron Centre (VECC), 1/AF, Bidhan Nagar, Kolkata – 700 064. The minutes of the said Meeting is attached as Annexure-I and are placed for confirmation by the Finance Committee.

**Item # 29.02: To note action taken on the Minutes of the 28<sup>th</sup> Meeting of the Finance Committee held on May 02<sup>nd</sup>, 2014.**

Item	Subject	Action Taken
28.03	To consider the proposal related to the "Monitoring & Exploration of Helium" project	Office Order issued.
28.04 (a)	Authorization to the Registrar to sign on behalf of the Board of Governors as Principal Employer.	Office Order issued.
28.04 (b)	Automatic enhancement of rates of various allowances by 25% every time DA payable on the revised pay structure goes up by 50%.	Office Order issued.

**Item # 29.03: To consider the Plan and Non-Plan fund position of the Institute as on 31/03/2014.**

		(Rupees in lakhs)	
Sl.	Particulars	Plan	Non-Plan
1	Unspent Balance available as on 01.04.2013	238.03	-242.63
2	Total Grants received during 2013-2014		
	towards 1 <sup>st</sup> Installment	1950.00	1440.00
	towards 2 <sup>nd</sup> Installment	1000.00	2000.00
	towards 3 <sup>rd</sup> Installment	900.00	1360.00
	towards 4 <sup>th</sup> Installment	800.00	0.00
3	IRG / Interest earned during 2013-2014	0.00	2028.90
4	<b>Total funds available with the Institute [(1)+(2)+(3)]</b>	<b>4888.03</b>	<b>6586.27</b>
5	Actual expenditure up to 31.03.2014	5047.00	6320.00
6	<b>Unspent Balance as on 31.03.2014</b>	<b>(158.97)</b>	<b>266.27</b>

Submitted for kind consideration of the Finance Committee.



**Item # 29.04: To consider adoption of MHRD O.M. No. F.No.33-4/2014-TS.III dated 05<sup>th</sup> May, 2014 regarding revision of tuition fees structure of various programs in NIT Durgapur from 2014-015 as per decision of the of the Council of NITs.**

The Institute received a letter, MHRD O.M. No. F.No.33-4/2014-TS.III dated 05th May, 2014, regarding revision of tuition fees structure of various programs in NIT Durgapur as resolved in the 7th meeting of the Council of NITs (Annexure – II).

A committee of the Deans recommended an overall revision of the fee structure for the students. The report of the committee will be placed on the table.

Placed before the Finance Committee for approval and adoption.

**Item # 29.05: To consider fixation of pay of pensioners re-employed/ employed in NIT Durgapur who are getting pension from other Govt. Departments/ Organisations/ Autonomous bodies.**

The DOPT, GOI has issued O.M. No. 4/5/200\_P&PW (D) dated July, 2000 (Annexure-III B) dealing with fixation of pay of employed/reemployed pensioners in the autonomous body particularly conveying decision in relation to TIFR, Mumbai, an autonomous institution of GOI, which reads as follows:

A Central Govt. employee on absorption in a Central autonomous body is entitled to the second pension from the autonomous body. Wherever permanent absorption in a Central autonomous body has taken place on or after 31.3.87, pay of such an absorbed employee is not required to be re-fixed as re-employed pensioner in term of the instructions contained in DOPT O.M. No. 4(12)/85-P&PW dated 31.3.87 read with DOPT's O.M. No. 28016/5/85-Estt.(c) dated 31<sup>st</sup> January, 1986. (Annexure-III A)

The rules on re-employment for Government Officers also state as follows:-

*The Government Servant on retirement joining PSU's or Autonomous Bodies on contract are not considered re employed whether they have retired with or without pension and or gratuity or any other retirement benefits i.e. Contributory Fund etc. from a civil post or from the Armed Forces as per GOI Department of Personnel & Training No. 3/13/2008-Estt. (Pay-II) dated 11<sup>th</sup> November, 2008.*



The National Law University (NLU), Delhi had approved the provision of no deduction of pension from the salary of persons who came from other Govt./ Autonomous bodies/PSUs etc. The relevant resolution of the Executive Council of NLU is given below:

*“ In view of the judgment of the High Court in Delhi in W.P.(C). No. 2356/2002 dated 05.12.2008, the person(s) who join the University after retirement and are drawing pension from their previous employment, the pension so drawn may not be deducted from the salary paid to such person.”*

Accordingly the following is proposed for consideration of the Finance Committee in respect of NIT Durgapur:

“In view of the judgment of the High Court in Delhi in W.P.(C). No. 2356/2002 dated 05.12.2008 (Annexure-III C), DOPT O.M. No. 4/5/200\_P&PW (D) dated July, 2000 on TIFR, Mumbai and National Law University resolution of its Executive Council dated 25<sup>th</sup> July, 2009, item No.13, the persons who join NIT Durgapur after retirement on contract / tenure and are drawing pension from their previous employment in Govt. Departments/ Organizations/ Autonomous bodies etc., the pension so drawn may not be deducted from the salary paid to such persons”.

**Item # 29.06: To consider the downgradation of vehicles of NIT Durgapur.**

The report of the committee on downgradation of vehicles of the Institute is placed in Annexure IV for consideration of the Finance Committee.

**Item # 29.07: To consider the Report of the committee constituted to resolve the longstanding grievances of the employees of NIT Durgapur regarding their pay and allowances.**

The report of the committee constituted to resolve the longstanding grievances of the employees of NIT Durgapur regarding their pay and allowances is attached as Annexure – V for consideration of the Finance Committee.

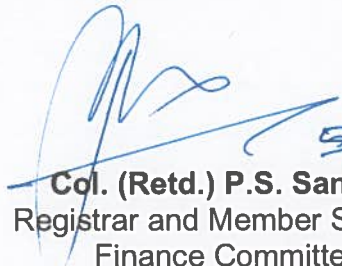
**Item # 29.08: Implementation of upgraded institute automation software.**

The upgraded institute automation software is at present in the process of being implemented in the administration area of the Institute. Trial running is being carried on. If successful, upgraded institute automation software will go live with effect from 01<sup>st</sup>, July, 2014.



Prof. Nirmal Kumar Roy, Chairman of the committee constituted for implementation of the upgraded institute automation software will give a presentation on this matter to the Board of Governors.

**Item # 29.09: Any other item with the permission of the chair.**



5/6/14.  
**Col. (Retd.) P.S. Sandhu**  
Registrar and Member Secretary,  
Finance Committee,  
National Institute of Technology,  
Durgapur

**AGENDA NOTES  
FOR**

**29<sup>th</sup> Meeting of Finance Committee to be held on June 14<sup>th</sup>, 2014**

**Item # 29.09: Any other item with the permission of the chair**

**(a) Modernization of the classrooms.**

The classrooms in the institute have become dated and are in urgent need of modernization with state-of-the-art teaching aids. One of the action points arising out of the recommendations by the President of India in the conference with the Directors of all the NITs held in Rashtrapati Bhavan on November 07-08, 2013 was construction of e-classrooms within a specified timeframe.

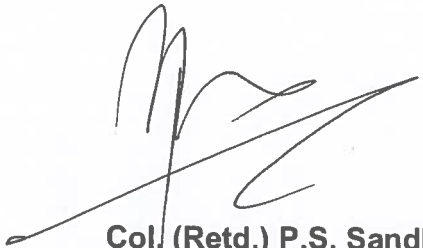
In view of the above a proposal has been received to modernize 26 lecture galleries/halls along with the Assembly Hall, Senate Room, Board Room and the Academic Board Room at an estimated cost of Rs.50 lakhs.

Placed before the Finance Committee for consideration.

**(b) To consider the proposal for one year extension for the research projects on "Exploration of Large Scale Helium and Geothermal resources" and "Earthquake Precursor Study".**

A proposal has been received for one year extension for the research projects on "Exploration of Large Scale Helium and Geothermal resources" and "Earthquake Precursor Study" at an estimated financial budget of Rs.59.304 lakhs.

Placed before the Finance Committee for consideration.



**Col. (Retd.) P.S. Sandhu**  
Registrar and Member Secretary,  
Finance Committee,  
National Institute of Technology,  
Durgapur

National Institute of Technology Durgapur

June 06, 2014

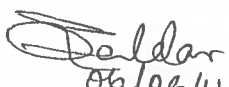
**Sub. Modernization of the classrooms**

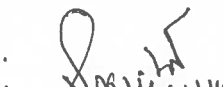
The classrooms in the institute have become dated and are in urgent need of modernization with state-of-the-art teaching aids. One of the action points arising out of the recommendations by the President in the conference of the Directors of NITs held in Rashtrapati Bhavan on November 07-08, 2013 needs construction of e-classrooms within a specified timeframe. In view of the same, it is proposed to modernize 26 lecture galleries / halls along with the Assembly Hall, Senate Room, Board room and the Academic Board room.

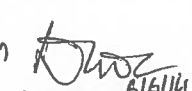
**Estimate:**


- |   |            |                    |
|---|------------|--------------------|
| 1. Fixed Multi-media projectors, high quality black and White boards, sliding projection screens and curtains | - 30 rooms | Rs 36 lakhs        |
| 2. Wi-fi connectivity in the Academic and Administrative block  | -          | Rs 14 lakhs        |
| <b>Total</b>  | -          | <b>Rs 50 lakhs</b> |


Placed for kind consideration by Director.


  
06/06/14  
Dean(P&D)

  
06/06/14  
Dean(FW)

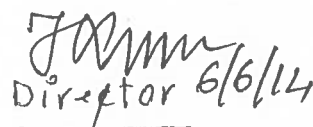
  
6/6/14  
Dean(Acad)

  
6/6/14  
Dean (Admin)

  
6/6/14  
Dean(SW)

  
6/6/14  
Dean(R&C)

Put up to fc/BOG

  
Director 6/6/14

Registrar  


May 13, 2014

Director  
NIT Durgapur (NITD)  
Mahatma Gandhi Avenue  
Durgapur - 713209

*Sub: Request for one year extension with an financial assistance of Rs. 59.304 lakh for the research projects on "Exploration of Large Scale Helium and Geothermal resources" and "Earthquake Precursor Study"*

Dear Sir,

As you know that Board of Governors (BOG) NITD in its 30<sup>th</sup> meeting held on 24<sup>th</sup> January, 2014 sanctioned an amount of Rs. 16,05,200/- towards the salary of the personnel, contingency, maintenance of the infrastructure, consumable, travel, AMC of equipment etc. This was essential for the on-going R&D activities on "Exploration of Helium and Geothermal Power" and "Study of Earthquake Precursor and Measurements of <sup>3</sup>He/<sup>4</sup>He isotopes" at three field laboratories at Bakreswar, WB, Tatta Pani, J&K and Baratang, A&N (copy enclosed-Annexure-1). The said financial assistance was given for six months only (January 01, 2014-June 30, 2014). However, most recently two separate research proposals on the above mentioned research activities have been submitted by us through NITD to different funding agencies such as MoES and SERB for necessary funding. Details are given in Annexure 2 & 3. Though these projects are in the pipeline, the substantial delay in funding procedure from MoES and SERB may indeed precipitate an embarrassing and difficult situation for us to further carry on the said research activities after June 30, 2014. The entire activity mentioned above will come to a grinding halt.


Therefore an immediate action is required to continue the said research activities, all of which have national importance and fits very well in the current global research trend. The deliverables of the said projects are unique in terms of the R&D activities on helium, geothermal power and study of earthquake precursors in India. We assure you that the students of NITD will be greatly benefited by these research projects which are of first of its kind in India. This is to request you to kindly approve an extension for one year (July 01-2014 to June 30, 2015) for the aforesaid projects with a financial implication of Rs. 59.304 lakhs. Detail annual budget with financial break up is given in Annexure A.



Looking forward for your kind approval.

Best regards,

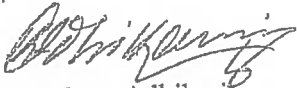
Yours sincerely,



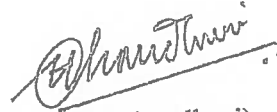
(Dr. Aniruddha Gangopadhyay)  
Member, Helium & Geothermal Project, NITD  
Professor, Dept. of Earth & Environmental Studies, NITD



(Dr. Nirmal Kr. Roy)  
Member, Helium & Geothermal Project, NITD  
Professor, Dept. of Electrical Engineering, NITD



(Dr. Kalyan Adhikari)  
Member, Helium & Geothermal Project, NITD  
Associate Professor,  
Dept. of Earth & Environmental Studies, NITD



(Dr. Hirok Chaudhuri)  
Member and Project Manager,  
Helium & Geothermal Project, NITD

CC: Registrar, NIT Durgapur

Enclo:

- |        |                   |   |
|--------|-------------------|---|
| (i)    | Annexure A        | Detail annual budget with financial break up  |
| (ii)   | Attachment I      | Proposed remuneration of the project personnel  |
| (iii)  | Attachment II - V | Detail budget for Consumable, Contingency, Travel and Maintenance charge for existing infrastructure, |
| (iv)   | Attachment VI     | Copy of the supporting documents for VSAT Tariff,   |
| (v)    | Attachment VII    | Copy of the supporting documents for Rent for PWD Bungalow,   |
| (vi)   | Attachment VIII   | Copy of the supporting documents for AMC of micro GC,   |
| (vii)  | Attachment IX     | Copy of the supporting documents for AMC of Alpha GUARD Radon Monitor                                 |
| (viii) | Annexure 1        | Copy of the sanctioned order from BOG NITD regarding six month Approval for the projects              |
| (ix)   | Annexure 2        | Copy of the projects submitted in MoES  |
| (x)    | Annexure 3        | Copy of the projects submitted in SERB  |

## Annual Budget with financial break-up

Sl. no	Head	Sub-total Amount (Rs. in lakh)	Details
1.	Salary	18.804	Attachment I
2.	Consumable	1.500	Attachment II
3.	Contingency	6.500	Attachment III
4.	Travel	9.000	Attachment IV
5.	Maintenance of existing Infrastructure at Bakreswar Bungalow site lab (WB), Bakreswar hot spring site lab, Tantloi hot spring site lab (Jharkhand), TattaPani hot spring site lab (J&K) and Baratang mud volcano site lab (A&N)	3.500	Attachment V
6.	Annual tariff for VSAT (satellite connectivity for internet) installed at Bakreswar (WB), TattaPani (J&K) and Baratang (A&N)	4.200	Attachment VI
7.	Annual Rent for PWD Bungalow at Bakreswar	1.300	Attachment VII
8.	AMC of Micro- GC (4 nos.) with charges of costly spare parts (ECG/Manifold Control and Pump)	5.500	Attachment VIII
9.	AMC of Alpha Guard Radon Monitor (2 nos.) with charges of costly spare parts (Exchange and Calibration of Ionization Chamber)	8.000	Attachment IX
10.	Replacement of 12 nos. batteries (12 v, 100A / 65 A) for existing 2 nos. UPS (3 KVA) at Bakreswar and Tatta Pani including transportation charges	1.000	Attachment X
<b>Grand Total</b>		<b>59.304 (Rs. in lakh)</b>	

**Remuneration of Project Personnel (Salary Head)**

Sl. No.	Name	Designation	Present Remuneration (in Rs.)	Proposed Remuneration (in Rs.)
<b>VECC, Kolkata site</b>				
1	Dr. Debasis Ghose	Scientific Adviser	15,000.00	Not Required
2	Dr. Hirok Chaudhuri	Research Associate III (Post-Doctoral Fellow)	31,200.00	31,200.00
3*	Amar Das	Attendant	5,000.00	10,000.00
4#	Sujoy Goswami	Office Assistant	*1,000.00	10,000.00
<b>Tantloi site, Jharkhand</b>				
5#	Prithwijit Roy	Technician	#2,500.00	12,500.00
5#*	Babushar Hansda	Watchman	#1,000.00	4,000.00
6#*	Lodo Murmu	Watchman	#1,000.00	4,000.00
<b>Bakreswar site, WB</b>				
7*	Robin Bagdi	Technician	10,000.00	15,000.00
8*	Mala Mirdha	Attendant	5,000.00	8,000.00
9*	Sushil Bagdi	Watchman	4,000.00	8,000.00
10*	Sridam Bagdi	Watchman	4,000.00	8,000.00
<b>Tatta Pani site, J&amp;K</b>				
11	Sumit Khajuria	Technician	10,000.00	10,000.00
12	Dhavinder Kumar	Attendant	5,000.00	5,000.00
13	Suresh Kumar	Watchman	4,000.00	4,000.00
14	Galib Hussain	Watchman	4,000.00	4,000.00
<b>Baratang, A&amp;N site</b>				
15	Filix Ekka	Technician	10,000.00	10,000.00
16	Kamil Baa	Attendant	5,000.00	5,000.00
17	Sudhir Kandulna	Watchman	4,000.00	4,000.00
18	Prakul Minj	Watchman	4,000.00	4,000.00
Total (Monthly)			1,20,200.00	1,56,700.00
Grand Total (Annually)			14,42,400.00	18,80,400.00

**Grand Total Rs. 18,80,400.00**

\* Monthly remuneration for the personnel is paid from contingency head so far, NOT from salary head.  
Request is made to kindly pay the remuneration of the above mentioned personnel from Salary Head.

\* Request for escalation of salary. These personnel are working since last 10 years with the low salary.

*Salary structure has been prepared in consultation with Prof. Bikash Sinha*

**NATIONAL INSTITUTE OF TECHNOLOGY**  
**DURGAPUR-713209, WEST BENGAL, INDIA**

Minutes of the 28<sup>th</sup> Finance Committee Meeting held on May 02<sup>nd</sup>, 2014 at  
Cryogenic Building, Conference Room, VECC, 1/AF Bidhan Nagar, Kolkata - 700064.

The following Members attended the Meeting:

- |  |   |                         |
|--|---|-------------------------|
| 1. <b>Prof. Bikash Sinha</b><br>Homi Bhabha Professor, DAE<br>Chairman, Board of Governors,<br>NIT Durgapur<br>and Director (Retd.)<br>Saha Institute of Nuclear Physics,<br>1/AF, Bidhan Nagar, Kolkata-700064. | - | <b>Chairman</b>         |
| 2. <b>Prof. T. Kumar</b><br>Director,<br>N.I.T.,<br>Durgapur   | - | <b>Member</b>           |
| 3. <b>Shri Rajesh Singh,</b><br>Director (NITs),<br>Dept. of Higher Education,<br>MHRD, Govt. of India   | - | <b>Member</b>           |
| 4. <b>Shri Navin Soi.</b><br>Director (Finance),<br>Integrated Finance Division,<br>Dept. of Higher Education,<br>MHRD, Govt. of India   | - | <b>Member</b>           |
| 5. <b>Col. (Retd.) P.S. Sandhu,</b><br>Registrar,<br>N.I.T.,<br>Durgapur   | - | <b>Member Secretary</b> |



The Chairman, Finance Committee, welcomed all the members to the meeting.

The Finance Committee appreciated the services rendered by Prof. Siddhartha Datta, Pro- Vice Chancellor, Jadavpur University, Kolkata, who completed his tenure as member of the Finance Committee, National Institute of Technology, Durgapur, on 09<sup>th</sup> March, 2014.

**Item # 28.01: To confirm the Minutes of the 27<sup>th</sup> Finance Committee Meeting held on February 21<sup>st</sup>, 2014.**

Confirmed.

**Item # 28.02: To note action taken on the Minutes of the 27<sup>th</sup> Finance Committee Meeting held on February 21<sup>st</sup>, 2014.**

Noted.

**Item # 28.03: To consider the proposal related to the "Monitoring & Exploration of Helium" project.**

(i) A research proposal regarding financial assistance of 92 lakhs for 5 (five) nos. 100 m bore-holes and 1 (one) no. 300 m bore-hole at Bakreswar-Tantloi geothermal area relating to exploration of helium and geothermal power was placed in the Finance Committee. The committee recommended to provide an elaborate justification for the 6 nos. bore-hole clearly mentioning the delay of funding procedure in the already submitted two research proposals in the mentioned subject from Govt. of India, Ministry of earth Sciences (MoES, 22.4 crore INR) and Science and Engineering Research Board (SERB, 3.2 crore INR). The committee further recommended to add up the associated expenditure apart from bore-holes related to this activity.

(ii) A technical presentation entitled "Exploration of large scale helium extraction and geothermal resources at Bakreswar-Tantloi geothermal area" was given by Dr. Hirok Chaudhuri. A detail discussion on the importance of the subject, helium crisis in India, helium exploration from Natural gas and hot spring gas and potential of the Bakreswar site was mentioned by Dr. Chaudhuri. The earlier involvement of DST, ONGC, DAE, SINP, VECC was also discussed. Research interest of DRDO and GSI was also discussed. Moreover Prof. Bikash Sinha, Chairman, Board of Governors, NITD, explained the history (involvement of legendary scientist Prof. S. N. Bose, FRS, Dr. S. D.



Chatterjee, Dr. P. K. Iyengar, Dr. M. R. Srinivasan, former Chairman of DAE, Dr. Ramamurty, Former Secretary of DST, Mr. R. S. Sharman, former Chairman of ONGC) of the Helium Activity at Bakreswar. Dr. T. Kumar, Director, NITD explained very briefly about the genesis of helium. Prof. N. K. Roy also explained the other two aspects of the project i.e. Geothermal power plant and Helium Plant with Argon Plant as by product. Prof. A. Gangopadhaya explained the geological aspect of the study area.

(iii) The Finance Committee deliberated on the proposal and recommended that six wells be drilled with depths ranging from 100 meters to 800 meters as proposed and the geochemical and geophysical data be monitored. The Institute may collaborate with GSI or any other agency for this requirement.

**(iv) The Finance Committee further recommended to submit two separate proposals to MHRD for (i) Center of Excellence on Large Scale Helium Exploration (ii) Center of Excellence on Geothermal Power. Funding may be provided from MHRD was also mentioned.**

(v) A visit to Bakreswar Laboratory has been proposed by BOG. The visit could be made on June 14, 2014 during next BOG meeting. All the members expressed their interest to visit the said site.

(vi) The Finance Committee further recommended that facilities of accommodation for the project should be explored in the vicinity of NIT Durgapur. The facilities of the closed down public sector undertakings/entities may be considered for the purpose.

The proposal is recommended for consideration of the Board of Governors.

**Item # 28.04: Any other item with the permission of the chair.**

**(a) Authorization to the Registrar to sign on behalf of the Board of Governors as Principal Employer.**

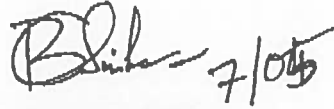
Approved and recommended for consideration of the Board of Governors.



(b) Automatic enhancement of rates of various allowances by 25% every time DA payable on the revised pay structure goes up by 50%.

Approved and recommended for adoption by the Board of Governors.

There being no other point, the meeting ended with a vote of thanks to the Chair.



**Prof. Bikash Sinha**  
Chairman,  
Finance Committee,  
National Institute of Technology,  
Durgapur



**Col. (Retd.) P.S. Sandhu**  
Registrar and Member Secretary,  
Finance Committee,  
National Institute of Technology,  
Durgapur

05 May 2014

ITEM # 29.04

June 06, 2014

National Institute of Technology Durgapur

Sub. Proposed Revision of Tuition Fee (per semester)

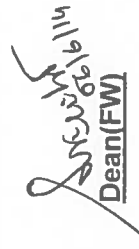
Ref. Revision of tuition fees based on the MHRD order (No. F. No. 33-4/2014-TS.III dated May 05, 2014)

Revised tuition fees per semester are proposed by a committee consisting of all Deans of the Institute constituted for the purpose.

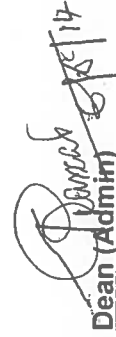
Item	Existing Rates	Revised Rates	Remarks
B Tech, MCA and M Tech programmes (Indian students)	Rs 17500	Rs 35,000	Proposed as per MHRD office order
B Tech, M Tech programmes (MEA- wards of Government Officials)	Rs 17500	Rs 35,000	Proposed as per MHRD office order
B Tech, M Tech programmes (MEA- SAARC)	\$ 1,750	\$ 1,750	Same as existing fee
B Tech, M Tech programmes (MEA- Non-SAARC)	\$ 3,500	\$ 3,500	Same as existing fee
B Tech, M Tech programmes (ICCR)	\$ 1,500	\$ 1,500	Same as existing fee
B Tech, M Tech programmes (DASA- SAARC)	\$ 1,750	\$ 1,750	Same as existing fee
B Tech, M Tech programmes (DASA- Non-SAARC)	\$ 3,500	\$ 3,500	Same as existing fee
M Sc programme	Rs 17500	Rs 7,500	Proposed as per MHRD office order
MCA programme	Rs 17500	Rs 35,000	Proposed as per MHRD office order
MBA programme	Rs 25000	Rs 37,500	Proposed
PhD programmes (Indian)	Rs 3000	Rs 7,500	Proposed as per MHRD office order
PhD programmes (Indian nationals residing / working abroad on temporary basis)	Rs 17500	Rs 35,000	Proposed
PhD programmes (Foreign students - Non SAARC)	\$ 3,000	\$ 3,000	Same as existing fee
PhD programmes (Foreign students - SAARC)	\$ 1,500	\$ 1,500	Same as existing fee

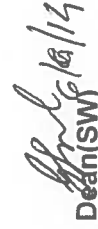
Submitted to Director for kind consideration.

  
Dean (P&D)  
06/06/14

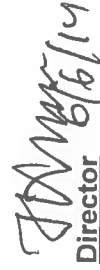
  
Dean (FW)  
06/06/14

  
Dean (Acad)  
6/6/14

  
Dean (Admin)  
05/06/14

  
Dean (SW)  
6/6/14

  
Dean (R&C)  
6/6/14


  
Director  
6/6/14





Revised fees for various academic documents are proposed by a committee consisting of all Deans of the Institute constituted for the purpose.

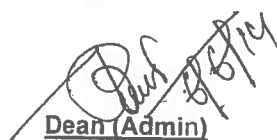
Categories of Document	Existing Approved Fee	Proposed Fee
Registration Certificate, Grade Card, Degree Certificate, Identity Card ----- for originals	Free of Cost	Free of Cost
Registration Certificate, Identity Card ----- for duplicates ----- with Police FIR and Non-Traceability Certificate from Police	Rs. 500.00	Rs. 500.00 (for existing students) Rs. 1000.00 (for pass out students)
Grade Card (for each duplicate) ----- with Police FIR, Non-Traceability Certificate from Police and Affidavit	Rs. 1000.00	Rs. 1000.00 (for existing students) Rs. 2000.00 (for pass out students)
Certificates including Migration (except degree certificate) ---- in original	-	Rs. 1000.00 (for pass out students)
Certificates (except degree certificate) ---- for each duplicate ---- with Police FIR, Non-Traceability Certificate from Police and Affidavit	Rs. 1000.00	Rs. 1000.00 (for existing students) Rs. 2000.00 (for pass out students)
Degree certificate ---- in duplicate with Police FIR, Non-Traceability Certificate from Police and Affidavit	Rs. 2000.00	Rs. 3000.00
Bona fide certificate	Rs. 100.00 (for two)	Rs. 200.00 (for six at a time)
Transcript (a set of three)	Rs. 500.00 (for existing students) Rs. 1000.00 (for pass out students)	Rs. 1000.00 (for existing students)  Rs. 3000.00 (for pass out students)
Verification of degree/ other certificates	Rs. 1000.00	Rs. 2,500.00

Submitted to Director for kind consideration and necessary action.

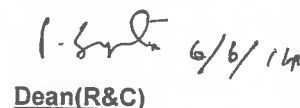
  
06/06/14  
Dean(P&D)

  
06/06/14  
Dean(FW)

  
6/6/14  
Dean(Acad)

  
6/6/14  
Dean (Admin)

  
6/6/14  
Dean(SW)

  
6/6/14  
Dean(R&C)

  
6/6/14  
Director

F.No.33 – 4 / 2014 – TS.III  
Government of India  
Ministry of Human Resource Development  
Department of Higher Education

Shastri Bhawan, New Delhi,  
dated, the 5<sup>th</sup> May, 2014

ORDER

**Subject:- Enhancement in the fees structure of various programmes in National Institutes of Technology (NITs) from 2014 – 2015 as per decision of the Council of NITs – regarding.**

Ministry of HRD vide its Order dated 6<sup>th</sup> November, 2012 constituted a Committee to review the fee structure of various programmes in the National Institutes of Technology (NITs) as per recommendations of the Standing Committee of the Council of NITs.

2. The report of the aforesaid Committee was placed before the Standing Committee of the Council of NITs in its 3<sup>rd</sup> meeting held on 15.10.2013. The Standing Committee considered the issue and recommend to the Council of NITs for an appropriate decision.

3. The Council of NITs in its 7<sup>th</sup> meeting held on 18.10.2013 unanimously decided following based on the recommendations of the Fee Committee and the Standing Committee of the Council of NITs:-

- (i) Tuition Fee for B.Tech., MCA and M.Tech. Programmes may be revised to Rs.70,000/- per student per year.
- (ii) In order to encourage studies in Science, tuition fee per student per year for two year M.Sc. programmes may be revised to Rs.15,000/-
- (iii) The tuition fee per student per year for Ph.D. programme may be revised to Rs.15,000/-
- (iv) Tuition fee to be charged for M.B.A. and five – year M.Sc. programmes may be decided by concerned NIT – because of variation in entry behavior.

4. The same has been examined in this Ministry and the following is informed in this regard:-

- (i) As per Section 6 (1) (d) of the National Institutes of Technology, Science Education and Research (NITSER) Act, 2007 (as amended in June, 2012), the power "to fix, demand and receive fees and other charges," lies with the Institutions; and


... contd./-

-: 2 :-

- (ii) As per Statutes No.37 (i) of the First Statutes, the tuition fee and the hostel fee in NITs to comprise of two parts, (a) fees determined by the NITs Council which shall be common for all NITs, and (b) fee which will be determined by the concerned Board of Governors which shall be applicable to the concerned Institutes.

5. Therefore, as per provisions cited above, National Institutes of Technology (NITs) are advised to charge the common fee as per recommendations of the Council of NITs from the academic year 2014 – 2015. There will be no change in the existing exemptions of tuition fees for SC / ST students.

6. This issues with the approval of the competent authority.


  
[Rajesh Singh]  
Director (NITs)  
Tel: 23073687

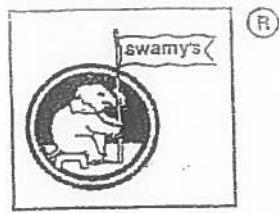
To

Directors of all the 30 NITs

Copy for information to:-

- (i) PS to Hon'ble HRM
- (ii) PS to Hon'ble MOS (HRD)
- (iii) PSO to Secretary (HE), MHRD
- (iv) PSO to AS (TE), MHRD.
- (v) PS to JS & FA, MHRD.
- (vi) Web Master, MHRD.
- (vii) Guard File.

  
[Rajesh Singh]  
Director (NITs)  
Tel: 23073687



**SECOND FREE SUPPLEMENT TO  
SWAMY'S COMPILATION  
of  
Central Civil Services  
REVISED PAY RULES, 2008  
(SIXTH PAY COMMISSION)**

Cat. No. C-66 [ *English Edition only* ]

*G.I., Dept. of Per. & Trg., No. 3/13/2008-Estt. (Pay II), dated 11-11-2008*

**Applicability of CCS (RP) Rules, 2008 to persons re-employed  
in Government Service after retirement and whose pay is  
debitable to Civil Estimates**

Persons re-employed in Government service after retirement have been excluded from the purview of the Central Civil Services (Revised Pay) Rules, 2008 *vide* Rule 2 (2) (vii) thereof. The question of extension of the benefit of the revised pay rules to these persons and the procedure to be followed for fixing their pay in the revised scales has been considered by the Government. The President is pleased to decide that, in partial modification of the Rule 2 (2) (vii) of the Central Civil Services (Revised Pay) Rules, 2008, the provisions of these rules shall apply to such persons also who were in re-employment on 1st January, 2006 subject to the orders hereinafter contained. This decision will cover all Government servants re-employed in Central Civil Departments other than those employed on contract, whether they have retired with or without a pension and/or gratuity or any other retirement benefits, e.g., contributory fund etc., from a civil post or from the Armed Forces. A

2 (i). The initial pay of a re-employed Government servant who elects or is deemed to have elected to be governed by the revised pay scale from the 1st day of January, 2006 shall be fixed in the following manner namely.—

According to the provisions of Rule 7 of the CCS (RP) Rules, 2008, if he is—

- (i) a Government servant who retired without receiving a pension, gratuity or any other retirement benefit and
- (ii) a retired Government servant who received pension or any other retirement benefits but which were ignored while fixing pay on re-employment.

2 (ii). The initial pay of a re-employed Government servant who retired with a pension or any other retirement benefit and whose pay on re-employment was fixed with reference to these benefits or ignoring a part thereof, and who elects

or is deemed to have elected to be governed by the revised scales from the 1st day of January, 2006 shall be fixed in accordance with the provisions contained in Rule 7 of the Central Civil Services (Revised Pay) Rules, 2008. In addition to the pay so fixed, the re-employed Government servant would continue to draw the retirement benefits he was permitted to draw in the pre-revised scales, as modified based on the recommendations of the Sixth Central Pay Commission, orders in respect of which have been issued separately by the Department of Pension and Pensioners Welfare. However, an amount equivalent to the revised pension (excluding the ignorable portion of pension, wherever permissible), effective from 1-1-2006 or after, shall be deducted from his pay in accordance with the general policy of the Government on fixation of pay of re-employed pensioners. Annual increments will be allowed in the manner laid down in Rule 10 of Central Civil Services (Revised Pay) Rules, 2008 on the entire amount of pay as if pension had not been deducted.

3. Re-employed persons who become eligible to elect revised scales in accordance with these orders should exercise their option in the manner laid down in Rule 6 of the Central Civil Services (Revised Pay) Rules, 2008 within three months of the date of issue of these orders or in cases where the existing scales of pay of the posts held by them are revised subsequent to the issue of these orders, within three months of the date of orders/notification revising the scales.

4. Where a re-employed Government servant elects to draw his pay in the existing scale and is brought over to revised scale from a date later than the 1st day of January, 2006, his pay from the later date in the revised scale shall be fixed in accordance with the provisions of Rule 11 of the Central Civil Services (Revised Pay) Rules, 2008.

5. Further, the existing ceiling of Rs. 26,000 for drawal of pay *plus gross* pension on re-employment is enhanced to Rs. 80,000, the maximum salary payable to the Secretary to the Government of India under Central Civil Services (Revised Pay) Rules, 2008.

6. The President is also pleased to enhance the ignorable part of pension from Rs. 1,500 to Rs. 4,000 (Rupees four thousand) in the case of Commissioned Service officers and civil officers holding Group 'A' posts who retire before attaining the age of 55 years. The existing limits of civil and military pensions to be ignored in fixing the pay of re-employed pensioners will, therefore, cease to be applicable to cases of such pensioners as are re-employed on or after 1-1-2006. In the case of persons who are already on re-employment, the pay may be fixed on the basis of these orders with effect from 1-1-2006, provided they opt to come under these orders. If they so opt, their terms would be determined afresh as if they have been re-employed for the first time from 1-1-2006. The option should be exercised in writing within three months from the date of issue of these orders. The option once exercised is final.

7. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders are being issued after consultation with the Comptroller & Auditor-General of India.

---

**SWAMY PUBLISHERS (P) LTD.**

Chennai - 600 028 — New Delhi - 110 002

---

Printed at MULTIFOLD, Chennai — 600 085.



FAX : 011-3012432 (N.B.)  
011-3013142 (E.O.)  
011-4624821 (L.N.B.)  
011-4360862 (Trg. Div.)  
011-4361230 (P.E.S.B.)  
Telex : 62826 (N.B.)  
66366 (Trg. Div.)

भारत सरकार  
GOVERNMENT OF INDIA  
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
पेंशन और पेंशनभोगी कल्याण विभाग  
DEPARTMENT OF PENSION AND PENSIONER'S WELFARE  
नई दिल्ली  
NEW DELHI

NO. 4/5/2000-P&amp;PW(D)

Dated the

July 2000

OFFICE MEMORANDUM

Subject:- Request from Shri B.L. Bhargava, Chief Engineer, Technical Services, Tata Institute of Fundamental Research (TIFR) regarding pensionary benefits -

The undersigned is directed to refer to the Deptt. of Atomic Energy L.D. Note No. 1346/98/R&D-II/251 dt. 22nd June 2000 on the subject cited above and to clarify the issues raised in para 6 (a) and (b) as under:-

2. A Central Govt. employee on absorption in a Central autonomous body is entitled to the second pension from the autonomous body. Wherever permanent absorption in a Central autonomous body has taken place on or after 31.3.87, pay of such an absorbed employee is not required to be re-fixed as a re-employed pensioner in terms of the instructions contained in this Deptt.'s O.M. No. 4(12)/85-P&PW dated 31.3.87 read with DOPT's O.M. No. 23016/5/85-Estt.(C) dt. 31st Jan. 86.

(SUJIT DATTA)  
DIRECTOR (PW)

To

The Deptt. of Atomic Energy,  
(Smt. Sudha Bhavs, Joint Secretary (R&D),  
Anushakti Bhawan,  
CSM Marg,  
Mumbai - 400 001

Item No. AC:2:2010:7

**NATIONAL LAW UNIVERSITY, DELHI****Prof. (Dr.) Ranbir Singh**  
*Vice-Chancellor*

August 27, 2010

Dear *Prof Jai Rup Singh*

I am sending you a copy of the judgement and also the resolution passed by the Executive Council stating that the pension drawn from the previous employment will not be deducted from the salary of the faculty member(s) or employee (s) in the University.

With warm regards &amp; best wishes

Yours sincerely,

  
(Ranbir Singh)

Encls: As above

Prof. (Dr.) Jai Rup Singh  
Vice Chancellor  
Central University of Punjab  
Camp Office, D-13, Civil Station  
Bathinda-151 001,  
Phone: 0164-2430586

IN THE HIGH COURT OF DELHI AT NEW DELHI

3  
LPA 242/2009 and CM Nos. 7652-7654/2009

UOI ..... Appellant  
Through: Mr. V.S.R. Krishna, Advocate

versus

E. SREEDHARAN ..... Respondent  
Through: Mr. Tarun Johri, Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE MANMOHAN

ORDER  
07.07.2009

Learned counsel appearing for the petitioner/UOI seeks leave to withdraw the appeal. Leave is granted.  
Appeal is dismissed as withdrawn. The judgment of learned Single Judge is confined to the facts of the present case.

CHIEF JUSTICE

MANMOHAN, J  
JULY 07, 2009  
js



## NATIONAL LAW UNIVERSITY DELHI

MINUTES OF THE EXECUTIVE COUNCIL MEETING HELD ON 25.07.2009 AT 11.00 A.M. IN MEETING HALL, EXTENSION BUILDING 3<sup>RD</sup> FLOOR, AT DELHI HIGH COURT

The meeting of the Executive Council was held on 25.07.2009 at Delhi High Court.

Present:-

1. Hon'ble Mr. Justice A.K. Sikri, In Chair  
Delhi High Court,  
Sher Shah Suri Road,  
New Delhi.
2. Prof. (Dr.) Ranbir Singh,  
Vice-Chancellor,  
National Law School University,  
Delhi.
3. Mr. Jagdev, Advocate,  
Flat No.13,  
Sweet Home Society,  
Sector-14, Rohini,  
Delhi-85.
4. Mr. Harish Bhatia,  
Chamber No.210  
Delhi High Court,  
Sher Shah Suri Road,  
New Delhi.
5. Sh. V.V. Bhat,  
Principal Secretary Finance,  
Govt. of N.C.T. of Delhi  
A-Wing, 4<sup>th</sup> Level,  
Delhi Secretariat, I.P. Estate,  
New Delhi.
6. Dr. G. Narendra Kumar,  
Secretary(Higher Education),  
Room No. 702, C-Wing,  
7<sup>th</sup> Floor, Delhi Secretariat,  
I.P. Estate, New Delhi-110002.



		<p>above recommendations of the Academic Council. The Executive Council further decided to approve following modifications/additions in the list of Centres:-</p> <p>Sr. No.2 " Centre for Leadership and Justice" be named as " Centre for Leadership and Access to Justice"</p> <p>Sr.No.14 "Centre for Family Law" be named as "Centre for Gender Justice".</p> <p>Sr.No.16 "Centre for WTO Studies" be named as "Centre for WTO Studies and International Trade".</p> <p>One more centre named "Centre for Law and Urban Development" be added at Sr.No.21 in the list.</p>
10	Approval to start one year P.G. Diploma Course in Forensic Science and Law.	Approved.
11	Approval of regulations on curbing the menace of ragging.	Approved.
12	Report on admissions to B.A.,LL.B.(Hons.) programme for the Academic Session 2009-10.	Noted.
✓ 13	Fixation of pay of the pensioners re-employed/employed in National Law University, Delhi who are getting pension from other Govt. Departments/Organizations/Autonomous	After detailed deliberations all the members were of the opinion that to meet the requirement of competent and senior faculty members and in view of judgment of High Court of Delhi in W.P.(C.) No. 2356/2002 dated 05.12.2008, the person(s) who join the University after retirement and are drawing

*gouge*

	bodies etc.	<p>pension from their previous employment, the pension so drawn may not be deducted from the salary paid to such person.</p> <p>It is therefore, resolved by the Executive Council that the pension drawn from the previous employment will not be deducted from the salary of the faculty member(s) or employee(s) in the University.</p>
14	Approval of payment/ reimbursement of mobile phone charges of Rs.500/- p.m. to the Proctor, -Chief Warden, Wardens, Assistant Registrar, Estate Officer, P.S. to Vice-Chancellor, P.S. to Registrar, Caretaker and Rs.250/- p.m. to Drivers.	Approved.
15	Approval of the Medical Insurance facility for the employees of the University subject to a ceiling of Rs.10,000/- p.a. premium	Approved.
16	Appointment of Dr.(Mrs.) Loveleen Kacker(IAS) as Visiting Professor.	Noted.
17	Sanction of interest free loan to the Faculty Members for purchase of laptop.	Approved.

*George*

## IN THE HIGH COURT OF DELHI AT NEW DELHI

SUBJECT : SERVICE MATTER

W.P. (C.) No.2356/2002 05.12.2008

Date of Decision: 05.12. 2008

Shri E. Sreedharan .

Petitioner

Through: Mr. Tarun Johri Advocate Versus

Union of India and Others .

Respondents

Through: Mr. V.S.R. Krishna Advocate for  
respondent nos. 1 to 3. Mr. Atul Chitale with Ms.  
Shweta Majumdar and Ms. Smreti Rajgarhia  
Advocates for Respondent no.4.

ANIL KUMAR, J.

1. The petitioner seeks a Writ of Mandamus/Certiorari for deleting the words Less Rs.4000/- as pension in the second line of para (iii) of respondent No.1s letter dated 18th September, 1992 and for release of all the withheld amounts with interest.
2. Brief facts to comprehend the controversies are that the petitioner retired from Indian Railways on 30th June, 1990. After his retirement, through a process of selection by Public Enterprises Selection Board, which was approved by Appointments Committee of the Cabinet, the proposal for the appointment of the petitioner as CMD, Konkan Railway Corporation was approved. According to the Appointments Committee of the Cabinet, his scale of pay was to be in terms of Schedule A of pay of Rs.9000-10000 for a period of five years or till the completion of the Konkan Railway Project, whichever was earlier. The D.O.No.90/E(O)/II/7/22 dated 30th October, 1990 regarding the decision of the Appointments Committee of the Cabinet is as under:- The Appointments Committee of the Cabinet have approved the proposal for appointment of Shri E. Sreedharan as CMD, Konkan Railway Corporation Limited in Schedule A scale of pay of Rs.9000-10,000 for a period of five years or till the completion of the Konkan Railway Project, whichever is earlier.
3. In terms of the decision of the Appointments Committee of the Cabinet, an order No.90/W2/KRC/1 dated 31st October, 1990 was issued which also stipulated that in pursuance of Article 65 of the Memorandum and Article of Association of the Konkan Railway Corporation Limited, New Delhi, the petitioner, retired Member Engineering, Railway Board, is appointed as Chairman- cum- Managing Director of Konkan Railway Corporation in Schedule A of scale of pay of Rs.900-250-10000 for a period of five years

from the date he takes over or till the completion of the Konkan Railway Project, whichever is earlier.

4. The Public Enterprises Selection Board has a selection procedure and guidelines and the relevant eligibility criteria for short listing candidates are as under:- Eligibility Criteria for short-listing candidates Following eligibility criteria with regard to pay scales and age of the candidates have been presently laid down:- Schedule A Pay scales: Rs.13,000-500-15,000 (pre-revised)/Rs.27,750-750-31,500 (revised) Eligibility criteria: Candidates from PSEs should be holding posts in the pay scales of Rs.8,250-9,250 (Pre-1.1.1992 scale)/ (Rs.10,500-400-13,500-(post 1.1.1992 scale)/23750-28550 (post 1.1.1997 scale) and above with IDA or equivalent with central government DA formula for minimum period of two years. In the case of internal candidate, the qualifying service in the above grade is one year. Government officers in the rank of Additional Secretary to the Government of India, holding posts in the equivalent scale of pay with adequate experience in the relevant field will be eligible for consideration. In the case of Defence Service Officers, Lt.General in Army and equivalent in other services are eligible.

5. The petitioner joined as the Chairman-cum-Managing Director of Konkan Railway Corporation with effect from 31st October, 1990. He was, however, issued a letter after two years of joining by an Under Secretary (D), Railway Board, dated 18th September, 1992 conveying the sanction of the President to the appointment of petitioner as Chairman-cum-Managing Director of KRC with effect from 31st October, 1990. The said letter No.90/E(O)II/7/22 dated 18th September, 1992 had a stipulation regarding pay, being clause 1(iii), whereby the basic pay of the petitioner was reduced by Rs.4,000/- per month on account of pension he was receiving. Clause 1(iii) of the said letter dated 18th September, 1992 is as under:- iii) Pay: Shri Sreedharan will draw basic pay of Rs.9000/- less Rs.4000/- as pension per month in the revised scale of Rs.9000-250-10000 (Schedule A) from the date of his assumption of office as CMD/KRC.

6. The petitioner aggrieved by reduction of his pay by Rs.4,000/- per month on account of pension made a representation dated 9th November, 1992. The petitioner categorically stated in his representation made to the Secretary, Railway Board, that if his pension of Rs.4,000/- is reduced from his pay at the lowest stage of Rs.9,000, he would be left with a pay of Rs.5,000/- only, from which also provident fund of Rs.750/-; house rent of Rs.500/-; car conveyance at the rate of Rs.400/- and income tax of Rs.2,000/- would be deducted and, therefore, an amount of Rs.3,850/- will be deducted besides other recoveries, such as electric charges of about Rs.170/-, water charges of Rs.50/- and professional tax of Rs.50/- which will leave only a salary of Rs.1,080/- which would be also without the contribution towards VPF which is necessary to reduce the incidents of income tax.

7. It was categorically represented by the petitioner in his representation sent immediately after receiving the said letter dated 18th September, 1992, as to how the Government expected him to function as the Chief Executive of an important public sector undertaking which has an annual turnover of Rs.400 crores with a take home salary of Rs.1,080/-. It was pointed out that the take home salary of a full-time Director

of the same organization is approximately Rs.7,300/- and the take home salary of other Heads of Departments is more than Rs.5,000/-. In the circumstances, it contended that while appointing him, he was given a salary of Rs.9000-250-10000 there was no proposal for the decision to deduct the alleged amount of Rs.4,000/- pension from his salary. The petitioner very categorically pleaded that the salary drawn by the Chief Executive of the said organization could not be less than the salary drawn by nearly half of the executives in the same organization.

8. The petitioner also contended that as a Member (Engineering), Railway Board, he was drawing a salary of Rs.8000/- plus dearness allowance of Rs.2,000/-, and thus, he was getting a total salary of Rs.10,000/- and therefore he could not be posted to a post where salary was less than the salary he was drawing while in service. In that context, it was pleaded that the case of the petitioner is of appointment and not of re-employment or extension of service. The petitioner claimed that his pay should be fixed as Rs.10,000/- in the grade of Rs.9000-250-10000 and no deductions towards pension should be made.

9. No reply to the pleas and contention raised by the petitioner in his representation was given. The petitioner, therefore, made another representation dated 6th October, 1993 referring to his earlier representation dated 9th November, 1992. The representation dated 6th October, 1993 was made to the Department of Public Enterprises, Ministry of Industry, Government of India.

10. Despite the categorical representations made by the petitioner, his pleas and contentions were not adjudicated and the petitioner retired from Konkan Railway Corporation Limited on 14th December, 1997. From the correspondence filed by the parties, it appears that a decision declining the request of the petitioner was conveyed by letter dated 15th January, 1998, however, the copy of the said letter has not been placed on record by either of the parties.

11. In 1997, an Office Memorandum of Ministry of Industries, Department of Public Enterprises, dated 10th December, 1997 was issued stipulating that in order to grant greater operational freedom to the public sector enterprises and with a view to rationalize and simplify the existing set of guidelines to public enterprises, the Government has cancelled 696 guidelines issued over a period of time by Bureau of Public Enterprises and the Department of Public Enterprises on various aspects of operation by public sector enterprises. It appears that the deduction of Rs.4000/- as pension from the salary of the petitioner was made on the basis of an Office Memorandum, i.e., BPE No.2(57)/68-BPE(GM) dated 23rd September, 1969 which also stood cancelled pursuant to the Office Memorandum dated 10th December, 1997.

12. The Office Memorandum dated 23rd September, 1969 had been in respect of re-employment of retired Government Officers in public enterprises. The OM contemplated that the limits of pre-retirement pay of Rs.3,000/- per month will cease to apply and such retired persons will be allowed pay in the prescribed salary scale less pensionary equivalent to retirement benefits. The said OM also stipulated that it will not be applicable to those Government Officers who had exercised their option in terms of

Ministry of Finance OM of even number dated 26th February, 1969 and who had been permanently absorbed in public enterprises and that they will draw their pay in addition to the pro rata pension according to the provisions of OM of even number dated 26th April, 1969.

'A'

13. The Department of Personnel and Training had issued yet another OM dated 21st September, 2000 stating that fixation of pay on re-employment are applicable only to persons who are re-employed in civil services and posts in connection with the affairs of the Union Government and the orders including Ministry of Railways OM No.97/PL/68/32-Pt dated 7th July, 2000 is not applicable to Central Government employees who are re-employed in public sector undertakings/autonomous bodies after their retirement from the Government service. It was also clarified that in case Konkan Railway Corporation had adopted orders on fixation of pay on re-employment in principle and policy only then will the pay of the pensioner be regulated in terms of OM dated 31st July, 1986 and 19th November, 1997 on re-employment. In view of these OMs dated 10th December, 1997 and 21st September, 2000, the petitioner again made representations and challenged the decision communicated to the petitioner vide communication dated 15th January, 1998. In his representation which was made on 6th February, 2001 to Secretary, Railway Board, and representation dated 12th July, 2001, it was contended that the case of the petitioner is not of re-employment or extension of service, rather it was a case of appointment which was approved by Appointments Committee of the Cabinet. It was categorically asserted that the Railway Board's letter dated 18th September, 1992 stipulating deduction of Rs.4,000/- as pension from his pay was not in order and sought refund of the amount already deducted with interest. The representations by the petitioner by letters dated 6th February, 2001 and 3rd May, 2001 were rejected by the letter dated 14th September, 2001 bearing D.O.No.19/90/E(O)II/7/22 on the ground that the orders of DoPT on fixation of pay of retired Government officials for their re-employment in Government offices are not applicable in case of appointment in public sector undertakings and the fixation of pay of retired Government officials on their re-employment was to be governed by OM dated 23rd September, 1969 and, therefore, the pay of the petitioner was rightly fixed by deducting Rs.4,000/- as pension from his salary. Against the decision dated 14th September, 2001, the petitioner made representations dated 28th September, 2001 and 21st January, 2002, however, the claims of the petitioner were rejected and the decision communicated by letter dated 7th February, 2002 stating that the OMs dated 23rd March, 1969; 29th October, 1996 and 6th March, 1989 were withdrawn in December 1997 and that the cancellation did not envisage cancellation retrospectively and consequently the petitioner is not entitled to fixation of pay without deduction of Rs.4,000/- as pension.

14. After the respondents finally declined the request of the petitioner by order dated 7th February, 2002, the writ petition was filed by the petitioner on 12th April, 2002. In the writ petition after reply was filed, the petitioner filed rejoinder and thereafter additional affidavits dated 2nd November, 2003 and 19th April, 2006 along with the relevant documents. The respondent No.1 through the Ministry of Railways filed the reply to the writ petition and other replies dated 13th August, 2004 and 1st November, 2006 to the additional affidavits filed by the petitioner.

15. The respondents have contested the petition mainly contending that the matter was examined in the Ministry of Railways in consultation with the Department of Public Enterprises which is the nodal department for such orders and it has been decided that the pay of the petitioner had been fixed correctly. The respondent No.1 stated that under the rules there is no provision for fresh appointment, applicable to the persons who retire from the Government service on attaining the age of superannuation and the orders of DOP and T on fixation of pay of retired Government official on their re-employment in Government offices, are not applicable in the cases of appointments in public sector undertakings. It is contended that the fixation of pay of retired Government officials on their re-employment in public enterprises is governed by the circulars and office memorandums issued by Bureau of Public Enterprises now renamed as Department of Public Enterprises. According to respondent No.1 the base instructions as contained in Cabinet Secretariat O.M No.2(57)/68-BPE(GM) dated 23rd September, 1969 and others office memorandums, being O.M No.BPE-3/3/85- SandA Cell dated 29th October, 1986 and O.M No.1/1/86-SandA Cell dated 6th March, 1989 are relevant.

16. According to O.M dated 23rd June, 1969 the pay of retired Government officials on re-employment in public enterprises is to be fixed in the prescribed scale minus the pension. Regarding the O.M No.20(5)/95-DPE(GM) dated 10th December, 1997 relied by the petitioner, it was contended that even though by virtue of this OM, the OM dated 23rd June, 1969 had been withdrawn it is not with retrospective effect and, therefore, the case of the petitioner could not be reopened on the basis of the same. It was categorically contended that the appointment of the petitioner in a public sector undertaking is re-employment or extension of service which is to be regulated by instructions laid down by the Department of Public Enterprises. Regarding Public Enterprises Selection Board it was alleged that the procedure laid down does not speak about pay fixation on appointments and, therefore, the plea of the petitioner that there is no mention, in his order of appointment, about deduction of pensionary benefits drawn by him, is irrelevant. The respondents also relied on (2001) 4 SCC 31, V.S.Mallimath v. Union of India and Anr to contend that the case of the petitioner is of re-employment and not of fresh appointment and the pensionary benefits are liable to be deducted from his basic salary.

17. I have heard the learned counsel for the parties in detail and have also perused the writ petition, reply, rejoinder, additional affidavits filed along with the documents and replies to the additional affidavits. The learned counsel for the respondents has also raised the plea of delay and laches in the written submission. However, from the perusal of the replies filed and the replies to the additional affidavits, it is apparent that no such plea had been taken earlier by the respondent for declining the relief to the petitioner.

18. This cannot be disputed that the Konkan Railway Corporation Ltd is a public company, an independent entity and the appointment of the petitioner as Chairman-cum-Managing Director was in accordance with Article 65 of Memorandum of Association. Nothing has been produced to show that the Konkan Railway Corporation which is an independent Corporation had adopted the rules and orders of Ministry of Personnel. The office memorandums dated 21st September, 2000 contemplates that its orders on fixation



of pay on re-employment are applicable only to persons who are re-employed in Civil services and posts in connection with the affairs of the Union government. It further states that the orders are not applicable to Central Government employees who are re-employed in Public sector undertakings/autonomous bodies after their retirement from the Government Services. This OM dated 21st September, 2000 refers to the Office Memorandum of the Ministry of Railways dated 7th July, 2000. It also clarifies that the orders about fixation of pay on re-employment, in principle and policy, shall be applicable to Konkan Railways Corporation only if the said corporation adopts them. From the reading of this office memorandum it is apparent that it has been clarified that the orders on fixation of the pay on re-employment were to be applicable only if they had been specifically adopted by the Konkan Railways. It does not contemplate that, after a particular date, the orders on fixation of the pay on re-employment shall be applicable only if they are adopted specifically by the Konkan Railways and prior to that date the orders were applicable without being adopted by the Konkan Railways Corporation.

19. This is apparent that the Appointments Committee of the Cabinet in its order dated 31st October, 1990 had approved the proposal for Appointment. The respondent No.1 on the basis of OM dated 23rd September, 1963 wants to contend that the proposal for 'Appointment' was in fact a proposal for 'Re-employment' of the petitioner as there could not be an 'Appointment' after retirement from Ministry of Railway to the Konkan Railway.

20. What was the proposal before the Appointments Committee of the Cabinet, is not apparent from the record and has not been established. Learned counsel for the respondent No.1 has rather contended that the proceedings of Appointments Committee of the Cabinet are confidential and even the respondent No.1 is not aware of the same. He also admitted that the Appointments Committee of the Cabinet, despite the office memorandum dated 23rd September, 1969, could have approved the appointment without applying the same.

21. From the representations made by the petitioner against the deduction of the amount of pension from his salary as the CMD of respondent No.4, it is contended that no such proposal was given to him that while appointing him as the CMD of respondent No.4, the amount of his pension, would be deducted from his emoluments as CMD of the respondent no.4 as that would have left him with the salary as the CMD of Konkan Railway less than many of the Directors and other employees of the same Corporation. If, according to the petitioner, no such proposal was given to him then it is necessary to know as to what was the proposal considered by the Appointments Committee of the Cabinet. The respondents since 1992, when the letter dated 18th September, 1992 was issued stipulating that the amount of pension which he was receiving shall be deducted from his salary as the CMD of Konkan Railway, has not made any endeavor to know as to what was the proposal before the Appointment Committee of the Cabinet and what was approved by the Committee. If the plea of the learned counsel for the Railways is to be believed then they never had any access to the proceedings of the Committee. If that be so then how can respondent No.1 continuously contend that the amount of the pension

✓ which is received by the petitioner is to be deducted from his salary as the CMD of respondent No.4 pursuant to the office memorandum.

22. Though this Court does not have before it the proposal which was considered by the Appointment Committee of the Cabinet, there can be only two eventualities. If the Office Memorandum dated 23rd September, 1969 was before the Appointments Committee of the Cabinet pursuant to which there could only be re-employment of the petitioner with the respondent No.4, the Committee would not have used the word approved the proposal for Appointment in place of proposal for re-employment. If the appointment was in terms of Office Memorandum dated 23rd September, 1969 pursuant to which the amount of pension was to be deducted from the salary of the petitioner as CMD of respondent No.4, then while stipulating the scale of pay as Rs.9000-10000, the Appointments Committee of the Cabinet would have categorically incorporated that the amount of pension received by the petitioner shall be deducted from his salary. The Committee is the highest body approving the appointments and it is not expected that they would use the word 'Appointment' in place of 'Re-employment' and while approving the pay scale and fixing the pay scale, if they had approved reduction of amount of pension from the salary approved by them, not mention so.

23. At the time of consideration of the proposal for appointment, if the Appointments Committee of the Cabinet had not considered the reduction of the amount of pension from the scale of pay approved by the Committee in terms of the office memorandum dated 23rd September, 1969, in that case the respondent No.1 without approaching the Appointments Committee of the Cabinet could not amend or modify the approval of the proposal for appointment of the petitioner. Despite the matter being argued on various dates, no effort has been made by respondent No.1 to produce anything to show that any clarification was even tried to be taken from the Appointments Committee of the Cabinet whether the salary payable to the petitioner as CMD would be after deducting the pension which the petitioner was receiving. The petitioner had been appointed to a prestigious post of a Corporation which was given a prestigious project and in the circumstances what transpired before the Appointments Committee of the Cabinet could not be modified or amended by the respondent No.1, Ministry of Railways, on the basis of its own presumptions. The respondent no.1 cannot amend the approval granted by the Appointment Committee of the Cabinet nor can contend that the effect of office memorandum should have been considered by the said committee.

24. Learned counsel for respondent no. 1 has very emphatically relied on V.S. Malimath (supra) which was a case pertaining to the salary of a Member of National Human Rights Commission. In the said case, it was held that the services rendered by a Member of National Human Rights Commission is to be treated as service in connection with the affairs of Union and, therefore, the pension received for such service was held to be deductible under Rule 3 of the Salaries, Allowances and other conditions of Services Rules, 1993. Proviso to Rule 3 contemplates that if the Member of the National Human Rights Commission is in receipt of the pension other than the disability or war pension in respect of any previous service under the Government or the Union or the Government of the State, then his salary in respect of service as a Member shall be reduced by the

amount of pension. Apparently, the case of the V.S. Mallinath (supra) is clearly distinguishable as Rule 3 of (Salaries, Allowances and Other Conditions of Services) Rules, 1993 specifically contemplated deduction of pension from the salary payable to the Member of National Human Rights Commission whereas there is no such rule of Konkarn Railway Corporation that the salary of the Chairman-cum-Managing Director shall be reduced by the pension, if any, received by such Chairman-cum-Managing Director for the services rendered by him to the Union Government. The service of a member to the National Human Rights Commission cannot be equated with the service in a Corporation. On the basis of ratio of said judgment it cannot be inferred that the service as CMD of respondent no.4 has to be treated as service in connection with the affairs of the Union.

25. The ratio of said decision does not substantiate the plea of the respondent no.1. A decision is only an authority for what it actually decides. What is of the essence in a decision is its ratio and not every observation found therein nor what logically follows from the various observations made in it. The ratio of any decision must be understood in the background of the facts of that case. It has been said long time ago that a case is only an authority for what it actually decides, and not what logically follows from it. It is well settled that a little difference in facts or additional facts may make a lot of difference in the precedential value of a decision. In *Ambica Quarry Works v. State of Gujarat and Ors.* (1987) 1 SCC 213a the Supreme Court had observed:- "The ratio of any decision must be understood in the background of the facts of that case. It has been said long time ago that a case is only an authority for what it actually decides, and not what logically follows from it." Similarly in *Bhavnagar University v. Palitana Sugar Mills Pvt Ltd* (2003) 2 SC 111 (vide para 59), the Supreme Court had observed:- "It is well settled that a little difference in facts or additional facts may make a lot of difference in the precedential value of a decision." 26. Learned counsel for the Railways has also very emphatically contended that the services of persons who retire from Government service on attaining the age of superannuation are normally utilized as an extension of service or re-employment in service and there is no provision or rule prescribing fresh appointment. Learned counsel for the petitioner refuting the contention of the counsel for the Ministry of Railways had contended that re-employment is when an employee who has worked earlier and who superannuates and whose settlement dues are paid and if such a person is appointed on the same post or similar post in the same Department and in the same channel of promotion. Whereas extension of service is allowing a person to continue after superannuation in the same post on the same terms and conditions, perks and privileges as he was getting before superannuation, and in case of extension of service his settlement entitlements are not paid.

27. The petitioner superannuated from the Railways as the Technical Member of the Railway Board. Admittedly, he was not given extension of service as he had not continued as a Member of the Railway Board. For re-employment, the employment should be on the same post or similar post in the same Department or in the same channel of promotion. This cannot be disputed that Konkarn Railway Corporation, whose Memorandum of Association is on the record of the case, is a distinct legally entity. The Chairman-cum-Managing Director of such an independent Corporation cannot be termed

equivalent to a Member of the Railway Board in the present facts and circumstances nor can such a post be treated as similar. In any case, if the Appointment Committee of the Cabinet had to 're-employ' the petitioner as a Chairman-cum-Managing Director of Konkan Railway, they would have specified that the petitioner is 're-employed' as the Chairman-cum-Managing Director of the Konkan Railway Corporation in their order dated 30th October, 1990. The said order of the Appointment Committee of the Cabinet use the word 'appointment' and even the Ministry of Railways in its order dated 30th October, 1990 issued pursuant to the decision of the Appointments Committee of the Cabinet used the word appointment. The committee which is the apex body for approval of appointments would not use 'Appointment' when they were allegedly approving 'Re-employment. Two years thereafter, while allegedly sending the letter of employment to the petitioner, the Ministry of Railway could not contend that the case of the petitioner was of 're-employment' and not of 'appointment' and that from the pay approved by the Appointments Committee of the Cabinet, the amount of pension was liable to be deleted. The Ministry of Public Grievances and Pension, Department of Personnel and Training and the Department of Public Enterprises are the parties to the petition. However, no counter affidavit or any reply has been filed by them nor has it been disclosed as to what was the proposal put up before the Appointment Committee of the Cabinet which was approved by the committee and whether the proposal included reduction of pay by the amount of pension received by the petitioner. In absence of any of these things, pleas taken by the respondent No.1 are just without any basis. Though the appearance has been put on behalf of Konkan Railway Corporation Limited, however, even the said respondent where the petitioner was employed as Chairman-cum-Managing Director, has not filed any reply nor have they refuted the pleas and contentions raised by the petitioner. The petitioner in its earliest representation dated 9th November, 1992 to the impugned letter dated 18th September, 1992 of the Ministry of Railways had categorically raised the plea and had contended that on being appointed as the Chairman-cum-Managing Director of Konkan Railway Corporation, which was entrusted with a prestigious task to build the Konkan Railways, the Chairman could not be expected to have a salary of Rs.5,000/- whereas full time Directors of the same organization were drawing a salary of about Rs.7,300/-. Even from the sum of Rs.5,000/-, other amounts were deductible which was leaving the petitioner only with a salary of Rs.1,080/-. None of the representations of the petitioner and the pleas raised therein were properly considered and by communication dated 15th January, 1998, after the retirement of the petitioner, his request not to deduct the amount of pension was rejected. While rejecting the request of the petitioner not to deduct the amount of pension, the respondents had not relied on their own office memorandum dated 10th December, 1997 because of which other representations were made by the petitioner seeking to set aside the order dated 15th January, 1998. The copy of order dated 15th January, 1998 declining the request of the petitioner has not been filed despite the fact that the writ petition was vehemently argued on various dates. The respondents have also failed to file the copies of O.M No. BPE-3/3/85-SandA Cell dated 29th October, 1986 and O.M No. 1/1/86-SandA Cell dated 6th March, 1989.

28 The representations were decided by the respondents by decision dated 7th February, 2002 and the writ petition was filed on 12th April, 2002. Therefore the

respondent no.1 cannot even succeed on the plea of delay and laches which has also not been taken by them in the pleadings. Though this ground that the petitioner is not entitled for any relief in the writ petition on account of delay and laches has not been taken specifically, but considering the entirety of facts and circumstances, the plea has been considered and it has to be held that the relief cannot be denied to the petitioner on account of alleged delay and laches.

29. The plea of the learned counsel for the petitioner that deduction of amount of pension from the pay scale of the petitioner in case of an independent entity like Konkan Railway Corporation would also lead to very anomalous situations cannot be rejected outright. It was contended that had the tenure of the petitioner continued till after 5th Pay Commission which was applicable from 1st January, 1996 under which the amount of the pension was increased substantially, on account of deduction of the amount of pension, which was more than the amount of the salary, if the plea of the respondents are to be accepted then such a re-employed employee would be working without getting any thing, as his pension would be more than his salary and the amount of pension is to be deducted from his salary.

30. For the forgoing reasons the inevitable inference is that the petitioner appointment as CMD of an independent Corporation was not re-employment in Civil Services or on a post in connection with the affairs of the Union Government. The petitioner was Appointed to the post of CMD of the Respondent no.4 and his salary was fixed as Rs.9000-10000 and the amount of pension which was received by the petitioner was not deductible from his salary. Consequently all the amounts which have been deducted by the respondents from the salary of the petitioner were illegal and the respondents are liable to refund all the amounts to the petitioner. 'B'

31. In the facts and circumstances and for the foregoing reasons, therefore, clause 3 of letter No.90/E(O)II/722 dated 18th September, 1992 stipulating deduction of Rs.4,000/- as pension per month from the revised scale of Rs.9,000-250-10,000 is set aside holding that the respondents were not entitled to deduct any amount on account of pension from the scale of pay of the petitioner of Rs.9000-250-10000. Consequently, the respondents are also directed to pay the entire amount deducted by them, on account of pension, from the pay of the petitioner as Chairman cum Managing Director of Konkan Railway Corporation and pay the entire amount along with simple interest at the rate of 12% per annum within four weeks. Considering the facts and circumstances, the respondent No.1 shall also pay a costs of Rs.30,000/- to the petitioner. With these directions the writ petition is allowed.

December 05, 2008

Sd./-  
ANIL KUMAR, J.



# राष्ट्रीय प्रौद्योगिकी संस्थान, दुर्गापुर

NATIONAL INSTITUTE OF TECHNOLOGY, DURGAPUR

MAHATMA GANDHI AVENUE, DURGAPUR-713209

(West Bengal), INDIA, [www.nitdgp.ac.in](http://www.nitdgp.ac.in)

An Autonomous Institution of the Govt. of India under MHRD

Ref. NITD/EST/Vehicle/18/14

Date: 29.05.2014

Meeting of newly constituted committee for disposal of Institute Vehicles is held on 27.05.2014 at 1100 hrs. in the chamber of Prof. J. P. Sarkar.

### Members present:

1. Prof. J. P. Sarkar, Dean (Admn.), Chairman
2. Prof. I. Basak, Chairman, Committee for the Maintenance of College Vehicle, Member
3. Prof. S. Saha, Prof. of CE Deptt. & Convenor IFC, Member - **Granted leave of absence.**
4. Dr. A. Layek, Associate Professor, ME Deptt., Member
5. Dr. P. S. Bhowmik, Asst. Professor, EE Deptt., Member
6. Shri Goutam Dutta, Technical Officer, Member
7. Shri A. K. Chattopadhyay, Dy. Registrar (Establishment), Member
8. Shri U. C. Mukherjee, Dy. Reg. (F&A), Member
9. Shri A. Kumar, Dy. Reg. (P&S), Member
10. Shri A. K. Bhagat, Security Officer & I/C Estate Section, Convenor

### Resolutions Taken:

- I. The committee has gone thorough the technical report submitted by Station Workshop EME, Panagarh, and scrutinized the Log Books, Registration Papers, Insurances, Road Tax and other necessary documents of each vehicle which is attached as Annexure-I.
- II. The committee members have widely looked into the matter of Ambassador which is under Audit Query and still pending. Committee members opined that before disposal of Institute Ambassador bearing Registration No. WNK-8581, Audit Channel may be asked for clearance / necessary action.
- III. Based on the final inspection report submitted by Station Workshop EME, Panagarh, the mechanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vehicle even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more than 50% of the value of the vehicle, hence recommends for disposal.
- IV. Committee recommends for the disposal of vehicles (Sl. No. 1 to 7 of Annexure-I) through Auction.

(Shri G. Dutta)

(Shri A. K. Chattopadhyay)

(Shri U. C. Mukherjee)

(Shri A. Kumar)

(Shri A. K. Bhagat)

(Prof. J. P. Sarkar)

(Prof. I. Basak)

(Dr. A. Layek)

(Dr. P. S. Bhowmik)

Registrar

1. Ref note a/c
2. The vehicles held by NIT Durgapur as per list given in the annexure are to be downgraded and sold/disposed off by auction as per rules on the subject.
3. Mr up for permit and.

approval please.

*[Signature]*  
5/6/14.

Director

Recommended to be  
placed in the PC/BOA.

*[Signature]*  
5/6/14

## Details of Institute Vehicles with technical remarks:

Sl. No.	Nature of Vehicle	Details of Vehicles	Date of Purchase	Book Value	KM run	Present Insured Value	Remarks (Technical inspection report by Station Workshop EME, Panagarh)
1	Pick up van (Diesel)	Regn. No. WB-39-2320, Maker's: TATA, Class of Vehicle: Mini Truck, Type of Body: Mini Truck, Chassis No: 357010901300, Engine No: 497SP21836361	21.08.1986	Rs. 1,42,976.00**	72563 as on 11.01.13	81300.00 As on 17.03.2014	Final inspection is carried out as per EO-3. The mechanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vehicle even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more than 50% of the value of the vehicle, hence recommended for discard.
2	Ambassador (Diesel)	WNK - 8581, Maker's: Hindustan Motors Ltd., Class of Vehicle: LMV (CAR), Type of Body: Saloon, Chassis No: 111-516738, Engine No: 6EH-011077	01.03.1986	Rs. 0,86,000.00** (initial value) Modified: - Diesel Engine, Air Conditioner power window in March 2008 @389780.00.	26733 as on 31.10.12 Up to 21131 before modified as on 31.03.99	65700.00 as on 21.10.14	Final inspection is carried out as per EO-3. The mechanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vehicle even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more than 50% of the value of the vehicle, hence recommended for discard.
3	Ambulance (Petrol)	WB-39-6724, Maker's: M. U. Ltd., Type of Body: Ambulance, Class of Vehicle: LMV, Chassis No: 886380, Engine No: 665654	10.01.1992	Rs. 1,60,000.00**	56010	60000.0 as on 17.03.2014	Final inspection is carried out as per EO-3. The mechanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vehicle even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more than 50% of the value of the vehicle, hence recommended for discard.

(Shri Goutam Dutta)

(Shri A. K. Chattopadhyay)

(Shri U. C. Mukherjee)

(Shri A. K. Kumar)

(Shri A. K. Bhattacharya)

Contd..P/2

(Prof. J. P. Sarkar)

(Prof. S. Saha)

(Dr. A. Layek)

(Dr. P. S. Bhowmik)



Sl. No.	Nature of Vehicle	Details of Vehicles	Date of Purchase	Book Value	KM run	Present Insrued Value	Remarks (Technical inspection report by Station Workshop EME, Panagarh)
4	Qualis (Diesel)	WB-40E-9698, Maker's: Toyota Kirlaskar Motor Ltd., Type of Body: Closed, Class of Vehicle: LMV, Chassis No: LF50-104754811/01, Engine No: 2L971853 I	11.01.2002 Invoice No. 9510, dated 31.01.2001	463478.00 for ST Record	259582 as on 11.03.13	137400.00 as on 03.02.14	Final inspection is carried out as per EO-3. The meachanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vechile even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more that 50% of the value of the vehicle, hence recommended for discard.
5	Esteem (Petrol)	WB-40E-9911, Maker's: M. U. Ltd., Type of Body: Saloon, Class of Vehicle: LMV Maruti Esteem, Chassis No: MA-3EBE41500288788, Engine No: G13BBN-131724	07.05.2002	Could not be traced.	53980 as on 21.09.13	157560.00 as on 28.05.2014	Final inspection is carried out as per EO-3. The meachanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vechile even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more that 50% of the value of the vehicle, hence recommended for discard.
6	Mini Bus (Diesel)	WNP-5353, Maker's: Mahendra & Mahendra, Type of Body: Jeep Omni Bus, Class of Vehicle: Omni Bus, Chassis No: FC-360-D-2-M-104861S, Engine No: 11-104861-S	01.10.1982	Rs. 1,30,000.00**	7555 as on 01.07.2009	75000.00 as on 12.10.2011	Final inspection is carried out as per EO-3. The meachanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vechile even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more that 50% of the value of the vehicle, hence recommended for discard.
7	Bus (Diesel)	WMH-3287, Maker's: TATA Motors, Type of Body: Bus, Class of Vehicle: Chassis No: 3440506701818, Engine No: 28351	28.06.1976	Rs. 1,74,000.00** Renovation of Rs. 350000.00 on 07.03.2008	27250	353160.00 as on 03.02.14	Final inspection is carried out as per EO-3. The meachanical condition of vehicle is unreliable and strongly recommended to discard from service. Retention of the vechile even after rectifying the above mentioned major and minor defects is not warranted being un-economical to the state considering both the cost of spare and repair aspects. Also the repair cost of the vehicle is more that 50% of the value of the vehicle, hence recommended for discard.

\*\* Amount shown could be seen in initial insurance documents.

(Shri Goutam Dutta)  
03/05/14

(Shri A. K. Chattopadhyay)  
05/29/14  
Nawm 29/5/14  
(Prof. I. Basak)

(Shri U. C. Mukherjee)  
LDA  
(Prof. S. Saha)

(Shri A. Kumar)  
23/5/14  
(Dr. A. Layek)

(Shri A. K. Bhagat)  
24/5/14  
(Dr. P. S. Bhowmik)

NITD/ESTT/PA/04/2014

Date: 29-05-2014

Summary of The Report of the Committee

Ref.NoNITD/ESTT/PA/02/2014 dated: 06-02-2014

The following members of the committee were present at the senate room of NITD:-

Dr. Gunasekharan,	Registrar, Viswa Bharti University,
Col.Retd. MM Mitra,	Director, Con'td Education, Viswa Bharti University,
Sri AP Trivedi,	Finance Officer Viswa Bharti University,
Sri Asit Kumar,	Dy. Registrar (P/S) ,NIT, Durgapur,
Sri AK Chattopadhyay	Dy. Registrar (Estt) ,NIT, Durgapur,

All the representations received from the various employees were considered by the committee. The committee discussed on all the cases in detail, referred the previous Mapping-report, expert committee-report, 6<sup>th</sup> pay commission pay fixation's report, MACP guide-lines etc and have then following opinion / observation , which is given below- :

<b>i) Case of Sri Gautam Bhattacharya_UDA:-</b>	
<u>Grievance</u>	<u>Recommendation</u>
Promoted to the Post of UDA, but had not received financial benefit of promotion.	Since the time-gap between the adoption date of central govt. Pay scale (5 <sup>TH</sup> CPC) and the date of promotion is only one month and 10 days the committee recommends that Sri Gautam Bhattacharya may be allowed to get the onetime benefit of replacement of UDA's scale (though the UDA's GP is Rs. 2400/-) with grade pay of Rs. 2800/- (in PB-2, 6 <sup>th</sup> CPC notionally) on completion of 6 years of service as per RRs and the fixations may be considered from the date of effect 6 <sup>th</sup> CPC. It is also emphasised that the said recommendation is made as one time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation will be entertained on this subject in future.

<b>Case of Sri Subrata Chakraborty, UDA</b>	
<p>Promoted to the Post of UDA, but had not received financial benefit of promotion.</p>	<p>The time-gap between the adoption date of central govt. Pay scale (5<sup>TH</sup> CPC) and the date of promotion is one year eleven months and three days (considering total number of years of service put by the incumbent) the committee recommends that Sri Subrata Chakraborty may be allowed to get the benefit of replacement of UDA's scale of pay with grade pay of Rs. 2800/- (in PB-2, 6<sup>th</sup> CPC) scale with effect from 03.06.2007 (on completion of 09 years as LDA).</p> <p>It is also emphasised that this recommendation is made as one time measure for individual's (Sri Subrata Chakraborty) case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.</p>
<b>Case of Sri Probodh Kumar Das UDA</b>	
<p>Promoted to the Post of UDA, but had not received financial benefit of promotion.</p>	<p>Since the time-gap between the adoption date of central govt. Pay scale (5<sup>TH</sup> CPC) and the date of promotion is two years the committee recommends that Sri Probodh Kumar Das may be allowed to get the benefit of replacement of UDA's scale of pay with Grade Pay of Rs. 2800/- (in PB-2, 6<sup>th</sup> CPC) scale w.e.f. 01.04.2006 (on completion of 09 years of LDA).</p> <p>It is also emphasised that this recommendation is made as one time measure for individual's (Sri Probodh Kumar Das) case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.</p>



**Case of Sri.Dipankar Chakraborty, Junior Computer Operator**

- a) He was not allowed to exercise option second time.
- b) He was not given the suitable Grade Pay while considering the MACPs,

- a) His case doesn't have merit for consideration.
- b) The committee recommends that the incumbent should be allowed to get his grade pay of Rs.4800 as 2<sup>nd</sup> MACPs from on 1.9.2008 as he had completed 20 years of service on 29-03-2007 but by the reason of the effective date of MACP scheme from 1.9.2008.

It is also emphasised that the said recommendation is made as one, time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.

**Case of Sri. Sabyasachi Banerjee, Junior Computer Operator**

- a) He was not allowed to exercise option second time,
- b) He was not given the suitable Grade Pay while considering the MACPs,

- a) His case doesn't have merit for consideration.
- b) The committee recommends that the incumbent should be allowed to get his grade pay of Rs.4800 as 2<sup>nd</sup> MACPs from on 1.9.2008 as he had completed 20 years of service on 13-03-2007 but by the reason of the effective date of MACP scheme from 1.9.2008.

It is also emphasised that the said recommendation is made as one time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.



**Case of Sri. Anup Kumar Sen , Technical Assistant**

- a) He was not allowed to exercise option second time,
- b) He was not given the suitable Grade Pay while considering the MACPs,

- a) His case doesn't have merit for consideration.
- b) The committee recommends that the incumbent should be allowed to get his grade pay of Rs.4800 as 2<sup>nd</sup> MACPs from on 1.9.2008 as he had completed 20 years of service on 01-09-2006 but the effective date of MACP scheme from 1.9.2008.

It is also emphasised that the said recommendation is made as one time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.

**Case of Sri R.P.Ganguly Engg. Asstt**

- a) He was not allowed to exercise option second time,
- b) He was not given the suitable Grade Pay while considering the MACPs,

- a) His case doesn't have merit for consideration.
- b) The committee recommends that the incumbent should be allowed to get his grade pay of Rs.4800 as 2<sup>nd</sup> MACP from on 1.9.2008 as he had completed 20 years of service on 06-01-2005 but by the reason of the effective date of MACP scheme from 1.9.2008.

It is also emphasised that the said recommendation is made as one time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.



<b>Sri. Anup Kr. Choudhury, L.D.A</b>	
Employee joined in REC (NITD) after Sri Choudhury, drawing more Grade Pay than him eg. Sri D. Naskar, Smt. Rajlakshmi Mahanta. Request for pay protection.	The case is reviewed and it is recommended that the 1st ACP should be given/considered on completion of 12 years of service in this institute.
<b>Case of Sri. Sri Jayanta PodderTech. Asstt.</b>	
Not received the facilities of state Govt. CAS though completed 08 years of service. On 31.12.2003 and which was due for CAS from 01.01.2004. But due to conversion from REC to NIT the ACP became effective from 01.01.2004 (CAS was valid till 31.12.2003).	Institute may review the case and if required the case may be taken up with BOG, NITD for consideration.
<b>Case of Sri. Purna Chandra Kari, Mistry Instructor/Asst. Foreman</b>	
He should be given the present scale of Skilled Staff.	The Committee is not inclined to consider the case favourably at this stage as the incumbent himself opted for the post of Mistry Instructor. This case may be dealt with separately with detail study keeping in view the future implications.
<b>Case of Sri. Sri Debasish Dutta, Sanitary Inspector</b>	
He is likely to be given 3 <sup>rd</sup> MACP with GP Rs. 4800/-w.e.f 18.11.12 as per MACP chart, (as mentioned in Sri Dutta's application dtd 22.03.12 & 24.07.12), where as his juniors who have joined in 1996 & 1999 (in the same entry level scale as of his) have got GP of Rs.4600 as 1 <sup>st</sup> MACP from 2008 & 2009. As per him this is a clear anomaly and he should be placed in proper up-gradational position with proper Grade Pay so that his seniority is maintained.	The Committee recommends that Sri D Dutta may be granted benefit of availing the 2 <sup>nd</sup> MACP from the date 01-9-2008 in consideration of the appeal in favour of the applicant, Sri D Dutta, Sanitary Inspector.  It is also emphasised that the said recommendation is made as one time measure for individual's case only and same cannot be cited as precedence for any other case. An undertaking may be taken from the incumbent that it is an onetime benefit given to him and no further representation from the incumbent will be entertained on this subject in future.
<b>Case of Sri. Ananda Kr. Dey Asstt. Foremen</b>	
He is likely to be given 3 <sup>rd</sup> up-gradation (MACP) with GP Rs. 4600/-w.e.f 01.12.13 as per MACP chart, (as mentioned in Sri Dey's application dtd 22.03.12 & 11.09.12), where as his junior who has joined in 1989 (in the same entry level scale as of his) have got GP of Rs.4600 as 2 <sup>nd</sup> MACP from 25.01.2009. As per him this is a clear anomaly and he should be placed in proper up-gradational position with proper Grade Pay so that his seniority is maintained.	The Committee is of the opinion that due procedure has been followed, hence not inclined to consider the appeal in favour of the applicant, Sri Ananda Kr. Dey, Assistant Foreman.

