

**PUNJAB TECHNICAL UNIVERSITY
KAPURTHALA**

Subject: Minutes of the 23rd Meeting of the PTU Human Resource Committee held on 24.03.2014 in the office of the Director General, Pushpa Gujral Science City, Chandigarh.

The following was present in the meeting:

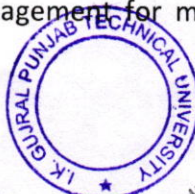
1. Dr. R.S. Khandpur, Chairman
2. Dr. D.K. Patnaik, Registrar, Thapar University, Patiala
3. Sh. Mohanbir Singh, Additional Director, DTE&IT
4. Dr. Buta Singh, Dean (Academics), PTU
(Through Telephonic Record Available)
5. Dr. Rajneesh Kant Sachdev, Officiating Registrar, PTU

The Registrar informed the Committee that the issue of regularization of the staff of PTU under directions of the Hon'ble High Court to the present Board of Governors was deliberated in the PTU Board of Governors meeting held on 20.03.2014 vide Agenda Item No. 52.8. The Board of Governors had discussed the recommendations of the HR Committee made in its meeting held on 13.03.2014. The Board had advised that the matter may be reconsidered by the HR Committee having the Principal Secretary, Technical Education or his nominee in the Committee. Accordingly, Sh. Mohanbir Singh, Additional Director, DTE&IT attended the present meeting as nominee of the Principal Secretary, Technical Education.

The Committee discussed the whole issue once again in detail and categorized the regularization process in the broad three categories:

A) C & D Category

1. It is evident that at the time of inception of the University, there have been number of ad hoc appointments particularly in C&D category in order to start and run the university during its initial phase. The appointments were made in different categories on ad hoc/contract/fixed salaries/DC Rates during the years 1997 to 2002. The said appointments came under the scanner of Vigilance Bureau as criminal case was registered against the then University Management for making such appointments.



The said appointees approached the Hon'ble Punjab & Haryana High Court to get themselves regularized, particularly in view of the law laid down in the Supreme Court judgement on Secretary, State of Karnataka V/s Umma Devi. However, in view of the Vigilance case, no effective one time measure could be evolved or implemented in order to regularize the services of the said employees. These employees were well covered under the above judgement of the Hon'ble Supreme Court and could have been regularized under the above mentioned judgement much earlier i.e. in 2004 itself.

2. During this period, the employees who were working on ad hoc arrangements were agitating and bringing the University to a non-functional level due to often held strikes and demonstrations. The matter was discussed in the various BoG meetings and it was decided that a high level Committee may be formed to look into this issue for permanent solution. For this purpose, a committee under the Chairmanship of Dr. S.P. Singh, Former Vice Chancellor, Guru Nanak Dev University was formed.
3. Dr. S.P. Singh Committee observed that in view of the long service of employees and the interest of the University, they should be regularized as per the procedure laid down by the University / State Govt. The Committee also recommended that this exercise of regularization shall be a one-time offer. However, relaxation in norms and some weightage should be given to employees already working (in any capacity) in the University.
4. The Report of Dr. S. P. Singh Committee and Recruitment Proposal prepared by the University for C & D category posts was considered by the Human Resource Committee. The Committee recommended the recruitment criteria to the BoG broadly based on the suggestions of the Dr. S. P. Singh Committee.
5. The recommendations of the HR Committee were considered by the PTU Board of Governors in its 36th Meeting held on 23.11.2009. The meeting of the BoG was chaired by the then Chief Secretary to Govt. of Punjab in which Principal Secretary, Technical Education and Secretary (Expenditure), Deptt. of Finance were also present. The norms



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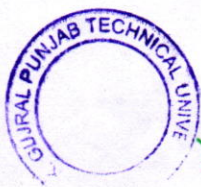
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for recruitment developed by the University and recommended by the HR Committee were thoroughly discussed and approved in the meeting .

In view of the long services rendered by the employees when no other regular employee was available in the University, the BoG approved the norms and the University accordingly took further action for recruitment under a transparent method by advertising the vacancies in the press and constituting selection committees of the experts.

6. It requires consideration that it was only after the decision of criminal trial in the Vigilance Case (whereby all the accused were acquitted) that the above referred comprehensive policy dated 23.11.2009 for the appointment through proper procedure was devised primarily to accommodate the said ad hoc employees who were working in the University since the last more than 10 years. This could have been otherwise one time measure – which also in fact was in compliance of the judgment of Hon'ble Supreme Court in Umma Devi's Case. However, it was clear that the said Recruitment Policy, 2009 was only a one time measure and not to govern future appointments made in the University. The said policy has never been the basis of any further recruitments in the University.
7. The members of the HR Committee were of the opinion that the action taken by the University with the approval of the Board of Governors was prudent and taken in the extraordinary circumstances of University facing a difficult situation of not having a single regular staff member.
8. Sh. Mohanbir Singh, Additional Director, DTE&IT (nominee of Principal Secretary Technical Education, Govt. of Punjab) observed that the 2009 policy adopted by PTU for recruitment of staff did not provide level playing field for the employees of the University and general applicants. This is different from general norms of recruitment in the Government.
9. The Committee considered the observations of Sh. Mohanbir Singh and observed that since the policy was adopted by the University only after it was approved by the Board of Governors, in which senior functionaries of the Govt. were present, the HR



Committee recommends to the Board to approve the procedure followed by the University for regularization of the C & D category Staff and their appointments in the University.

B) ADHOC EMPLOYEES (A & B Category)

10. Regarding 8 ad hoc appointments, it was explained that these were made for meeting the urgent requirements of the University under the powers vested in the Vice Chancellor. 5 out of the 8 appointees have already been relieved as the nature of work allotted to them stands completed. However, 3 posts have been got sanctioned from the BOG and have been advertised for regular recruitments. The process has been presently withheld in view of code of conduct applicable on account of the upcoming Lok Sabha Elections. The 3 ad hoc employees shall be relieved as soon as the regular appointments on the above said posts are made.

C) 12 ADHOC EMPLOYEES (C & D CATEGORY)

11. The Registrar gave the background of the case with regard to 12 employees who did not take advantage of the Recruitment Policy dated 26.11.2009, and instead approached the Hon'ble Punjab & Haryana High Court seeking regularization of their employment. The said employees have been working on ad hoc appointments since the year 1997-98 and even could have been covered after the one time scheme to regularize the ad hoc employees as laid down by Hon'ble Supreme Court in Umma Devi's judgment in 2004. The said employees could not be regularized, firstly in view of pendency of the criminal case of the Vigilance Bureau and subsequently in view of the pendency of writ petition CWP No. 20050 of 2009 titled as Arjun Singh and others versus state of Punjab and another which was eventually disposed off on 9.10.2013 wherein the Hon'ble High Court directed the Board of Governors to take a final decision for the said employees as well.
12. After in depth deliberations, it has been deemed appropriate that the said employees be given the benefit of regularization of the employment as a one time measure being the first opportunity in their case for implementation of the verdict of the Hon'ble



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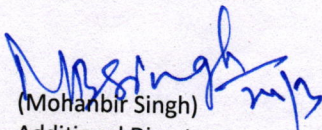
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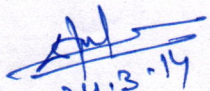
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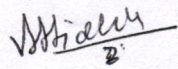
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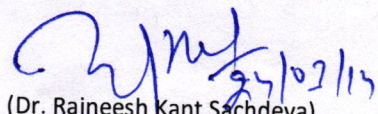
Supreme Court. Thus it is recommended that the services of the said employees be regularized only as one time measure taking into account their long service rendered to the University for more than 15 years and the law laid down by Hon'ble Supreme Court.

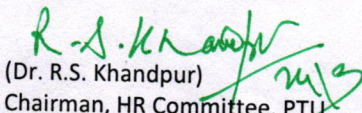
HR Committee reiterates its recommendations on items A & B and further recommends that the Board may take judicious and considered view on item C in view of the long service rendered by the employees and the judgement of the Hon'ble Supreme Court in Umma Devi's Case 2004.

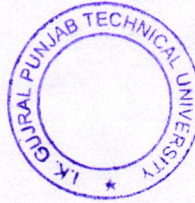

(Mohanbir Singh)
Additional Director,
DTE&IT


24.3.14
(Dr. D.K. Patnaik)
Registrar,
Thapar University, Patiala


(Dr. Buta Singh)
Dean (Academics), PTU


24/02/14
(Dr. Rajneesh Kant Sachdeva)
Officiating Registrar, PTU


24/3
(Dr. R.S. Khandpur)
Chairman, HR Committee, PTU



AGENDA ITEM FOR CONSIDERATION OF BoG

Background

The High Court of Punjab and Haryana has passed judgments in five cases relating to the appointments made in the past:

1. Anti Corruption Society
2. Amrish Kumar and others
3. Rashpal Singh
4. Priyanka; and
5. Arjun Singh and others (existing employees who want regularisation).

The Court has ordered that the whole matter be placed before the new BoG for consideration and if there is any infirmity, the Board may suggest appropriate action. The Court has expressed the view the aspects arising from these allegations and denials be also examined by the new BOG and for consideration of the same, the pleadings of the present case be taken into account.

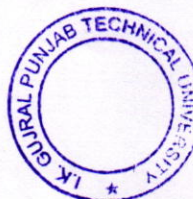
The orders have been passed with regard to two categories.

1. New appointments; and
2. Existing employees

The matter was referred to the Chairman, HR Committee to go through and his recommendations are as below:

1. The Chairman, HR Committee after going through the details, has come to conclude that the decisions taken for all the appointments were prudent in the circumstances. It is recommended that the new Board ratifies the decisions taken from time to time in the past.
2. After detailed review, out of 12 ad hoc employees one has been selected as AR in PTU, one has been terminated and one has resigned, it is recommended that the existing 9 ad hoc employees C and D category be given another chance as per the criteria adopted for other employees as approved by BOG in 36th meeting.
3. The issue of 8 ad hoc officers has been examined. It has been found that 5 out of these 8 have been relieved. The process of regular appointments to the remaining ad hoc posts has been initialised and the 3 existing ad hoc employees will be relieved after regular appointments are made.

The matter is placed before the Board for consideration and approval.



RECOMMENDATIONS OF CHAIRMAN, HR COMMITTEE

Key Issues

1. a. The objections that were made for A&B category of employees were that:
 - i. A large number of posts were created, which were not required, and these appointments put financial strain on the University.
 - ii. Some ad hoc appointments were made.
- b. The objections that were made for C&D category of employees were that the criteria designed for appointing these employees was not appropriate.
2. 12 adhoc C&D category employees had gone to the Court for regularisations.
3. 8 ad hoc officers were appointed in different categories.

Observations:

1. a. **A&B category:**

- There were only few Permanent Officers who were running the administrative and academic affairs of the University but with passage of time the number of students increased to four lacs approx, the number of affiliated colleges increased to 400 approx. and number of learning centres under distance education increased to 2100 approx. To cater the need of such a large volume of students, colleges, learning centres there was an urgent requirement of Permanent officers in different capacities at different levels to look into academics, examination, administrative and related activities.
- The then HR committee assessed the requirements of the University, and appointments were done accordingly. The Board was kept informed.
- For the ad hoc appointments, VC used the powers that were vested in him. The ad hoc appointments were made for a limited period and the employees were relieved or reappointed as per the requirements of the University. The Board was kept fully informed of all these appointments and decisions.

b. **C&D category:**

- The matter regarding staff appointed by the University at various stages during 1997-2004 in different categories on ad-hoc/ contract/ fixed salary/ DC rates was placed in the 25th Meeting of the BoG held on 27.03.2007. The matter was also discussed in the 26th Board Meeting held on 17.07.2007.
In the 27th Meeting of the BoG held on 13.02.2008, it was informed that a committee has been formed under Dr. S.P. Singh, former Vice Chancellor, GNDU, Amritsar to look into these appointments and suggest a solution to this vexed problem.
- The BoG in its 29th Meeting held on 20.11.2008 was informed that the Committee formed under the Chairmanship of Dr. S.P. Singh had observed as follows:



- The committee studied in depth all the relevant proceedings of BoG and observed that, in general, the BoG has accepted that, in view of long service of employees and the interest of the University, they should be regularised as per the procedure laid down by the University/State Govt. The committee has recommended that this exercise of regularization shall be a one-time offer. However, relaxation in norms and some weightage should be given to employees already working (in any capacity) in the University.
- The Report of Dr. S.P. Singh Committee and Recruitment Proposal for C&D category Posts was considered by the Human Resource Committee which was of the view that present employees can't be regularized in their present jobs on in-situ basis and hence, the University should make direct regular recruitment for C&D posts. However, relaxation in norms and some weightage should be given to employees already working (in any capacity) in the University as per recommendations of the Dr. S.P. Singh Committee were subsequently approved by the BoG.
- The demands and requirements of the existing employees and the University were the primary factors kept in mind while deciding the criteria as per due approval of the Board.
- The existing employees were given weightage because of their experience and knowledge of the working of the University and to avoid the ongoing unrest.
- The bureaucratic and political leadership were kept informed of these decisions.
- It took 6 months long process to make these appointments, but no one objected to the process while it was happening. Only disgruntled individuals who have not been benefitted have filed cases later.
- This was an ongoing matter of the University which has been continuing for past more than 13 years.
- In view of the above, the process of regularisation of the ad-hoc staff was carried out in a transparent manner giving due weightage to the relevant experience of the employees who have been working for a long time in the system.

2. **12 ad hoc employees C and D category :**

- These employees were given a chance for regular appointment by the University, but they did not even participate in the interviews and went to Court instead.

3. **8 ad hoc employees/ officers:**

- 8 ad hoc officers were appointed as per the norms and requirements of the University.
- 5 of these officers have already been relieved.

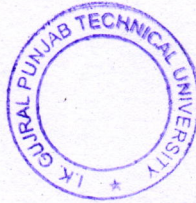
Recommendations

1. The decisions taken by the HR Committee and the former BOG for all the appointments were prudent under the difficult circumstances in which the University was working. It is recommended that the new Board ratifies the decisions taken for all the appointments by the HR Committee and the former BoG from time to time in the past.

2. After detailed review, out of 12 ad hoc employees one has been selected as AR in PTU, one has been terminated and one has resigned, it is recommended that the existing 9 ad hoc employees C and D category be given another chance for regularization as per criteria adopted for other employees as approved by BOG in 36th meeting.
3. The issue of 8 ad hoc officers has been examined. It has been found that 5 out of these 8 have been relieved. It is recommended that regular appointment to the remaining ad hoc posts be made and the 3 existing ad hoc employees be relieved thereafter. This is because these employees are engaged in the utmost important work, which is of continuous nature and preferably not to be disturbed.

R. S. Khandpur

Dr. R. S. Khandpur
Chairman, HR Committee



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**PUNJAB TECHNICAL UNIVERSITY
KAPURTHALA**

Ref. No :- PTU / Reg / Note / 346

dated : 27.3.2014

In compliance to item no 52.8 of the 52nd meeting of BOG PTU dated 20.3.2014. The meeting of the PTU Human Resource Committee including nominee of Principal Secretary Tech. Education and Industrial Training, Govt. of Punjab was held on 24.3.2014.

The issues related to recruitment of PTU staff under the directions of the Hon'ble Punjab & Haryana High Court, Chandigarh were reconsidered in this meeting. The Minutes of the 23rd Meeting of PTU Human Resource Committee held on 24.3.2014 are hereby enclosed.

The Board in its 52nd meeting has authorized the Chairman BOG to take decision in respect of ratification of the earlier decisions taken by the HR Committee and old BOG from time to time.

Kindly approve the Minutes (as enclosed) so that Hon'ble Punjab & Haryana High Court, Chandigarh can be informed accordingly by 31.3.2014.

Submitted for final approval as above.

*Approved based on the
recommendation of the Human Resource Committee*

(Sh. Sunil Kant Munjal)
Chairman, BOG

28/3/14

27/03/14
(Dr. Rajneesh Kant Sachdev)
Secretary BOG

