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**I.K. GUJRAL**

**PUNJAB TECHNICAL UNIVERSITY**

**Table Agenda**

**76<sup>th</sup> Meeting of**

**BOARD OF GOVERNORS**



**ON**

**22<sup>nd</sup> JULY, 2022 AT 11:30 A.M.**

**AT**

**OFFICE OF THE CHAIRMAN**

**DIRECTORATE OF TECHNICAL EDUCATION**

**AND INDUSTRIAL TRAINING, PUNJAB**

**Item No. 76.18.1 To approve list of panel of subject experts for direct recruitment and promotion cases (under CAS).**

As per the directions of BOG, only BOG approved subject experts are to be nominated as subject experts used in various selection/screening/scrutiny committees for direct recruitment and CAS promotions. The list of BOG approved experts are enclosed as **Annexure XXVI & XXVII**. The already approved list of experts requires updation and new courses such as hotel management have been started in the University Campus. The new proposed panel of external subject experts (Professors) from higher education institutions IITs/NITs/IIMs/PEC/Central/State Universities etc. (retaining already approved subject experts) is attached as **Annexure-XXVIII**.

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



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**Item No. 76.18.2 To approve interview criteria for the selection of faculty through direct recruitment (Professors, Associate Professors and Assistant Professors) and promotion cases (under CAS for Associate Professor and above) for faculty positions as per UGC regulations 2018.**

As per the directions of BOG, IKGPTU has been using recruitment norms/procedures based on UGC regulations of 2010 and its subsequent amendments with due weightage to different UGC prescribed assessment parameters for the selection of faculty (Direct recruitment/CAS promotions), the copy of BOG approved selection procedure for faculty and procedure for CAS promotion is attached as **Annexure XXIX**. However, as per UGC recruitment norms of 2018, the direct recruitment for the posts of Assistant Professor, Associate Professor and Professor in the Universities and Colleges and Senior Professor in the Universities, in addition to satisfy minimum eligibility conditions/shortlisting criteria, shall be based only on the performance in the interview **Annexure XXX**.

The Selection Committees and Selection Procedure as well as the Assessment Criteria and Methodology for the Associate Professor and Professor either through direct recruitment or through the Career Advancement Scheme shall be the same as per UGC 2018 regulations. UGC 2018 regulations have not prescribed any criteria or parameters for evaluation in the selection committee interviews. Therefore, interview criteria for the selection of faculty through direct recruitment (Professor, Associate Professor and Assistant Professor) and promotion under CAS (for Professor and Associate Professor) is required for bringing more transparency. Accordingly, the newly proposed interview criteria to assess the Domain Knowledge, Teaching Skills, Communication Skills and Knowledge of ICT/Technology/ Technical Education for selection of faculty through Direct Recruitment and Promotion of faculty under CAS (For Associate Professor and above) in IKGPTU is attached at **Annexure XXXI**.

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



**Item No. 76.18.3 To approve/ratify the Revised Budget Estimates for the F.Y. 2020-21, Budget Estimate for the F.Y. 2021-22 & F.Y. 2022-23, and Audited Balance Sheets for the F.Y. 2019-20 & F.Y. 2020-21.**

The copy of Revised Budget estimates for F.Y. 2020-2021 Column (5) and Budget Estimates for F.Y. 2021-22 & 2022-2023 are placed at **Annexure XXXII.**

The above mentioned Budget Estimates have been duly approved by the then Hon'ble Vice Chancellor cum Chairman Finance Committee. Accordingly, execution is being done as per approval.

The Income & Expenditure statement and Balance Sheet and for the financial year 2019-20 & F.Y. 2020-21 have been audited by the University Auditors M/s. Anand Tarun & Co., Chartered Accountants, Jalandhar. The Audited Income & Expenditure and Balance Sheet with notes to accounts are placed at **Annexure XXXIII.**

The matter is placed before the Board for ratification/approval please.



**Item No. 76.18.4** To approve the minutes of meeting dated 05.07.2022 held under the Chairmanship of Hon'ble Principal Secretary Technical Education and Industrial Training, Punjab-cum-Vice Chancellor of IKGPTU Jalandhar regarding CWP No. 7133 of 2022 titled Dr. Prabhjot Kaur vs. I.K. Gujral PTU Jalandhar and others.

A meeting held on 05-07-2022 under the Chairmanship of Hon'ble Principal Secretary Technical Education and Industrial Training, Punjab cum Vice Chancellor of IKGPTU Jalandhar regarding writ petition (CWP No. 7133 of 2022) titled as Dr. Prabhjot Kaur Vs I.K Gujral PTU Jalandhar and Others.

Following was recommended:

**A) In case of Dr. Prabhjot Kaur**

1. Considering CWP No. 7133 of 2022 titled as Dr. Prabhjot Kaur VS IKGPTU, it was recommended that IKGPTU will contribute all retirement benefits (for the period of service rendered by her at IKGPTU) such as GPF, Leave Encashment and Gratuity to MRSPTU. Dr. Prabhjot Kaur be considered as repatriated and also be considered as deemed retired from IKGPTU.
2. MRSPTU to get back employee share of GPF contribution from Dr. Prabhjot Kaur along with interest as applicable, for the period such deductions were not made by the IKGPTU.
3. All retirement benefits including GPF-cum-Pension be given by MRSPTU and Hon'ble Court be informed accordingly.

**B) Other employees of GZSCET Bathinda who were transferred to IKGPTU**

To avoid future litigations on similar grounds, following is recommended:

1. All employees of GZSCET Bathinda who have been transferred to IKGPTU but not absorbed at IKGPTU till date, be repatriated.
2. IKGPTU will contribute (for the period of service rendered by these employees at IKGPTU) for GPF, Leave Encashment and Gratuity to MRSPTU.





3. MRSPTU to get back employee share of GPF contribution from these employees along with interest as applicable, for the period such deductions were not made by the IKGPTU.

A letter to this effect vide No. IKGPTU/REG/HRM-I/56 dated 19.07.2022 has been written to Registrar, MRSPTU, Bathinda to take up the matter with the competent authority for the implementation.

MOM are placed before the Board for approval (**Annexure XXXIV**).

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**Item No. 76.18.5 To deliberate adjustment of staff of Baba Hira Singh Bhattal Institute of Engg. & Tech., Lehragaga.**

Director, Technical Education & Industrial Training, Punjab, Chandigarh vide memo No. 270-271/S-2/ECC/2020 dated 17.03.2020 forwarded the copy of Govt. of Punjab order No. 02/02/2020-4 TE2/250 dated 05-03-2020, where in it was communicated that BOG of BHSBIET has approved the recommendations of committee of VCs of IKGPTU and MRSPTU that as a humanitarian gesture, possibility of adjustment of faculty & staff can be worked out in other Govt. promoted institutes depending upon the availability of vacant positions and requirement. It was also decided by BOG of BHSBIET that both the State Technical Universities will make serious and effective efforts to adjust the faculty and staff (Copy placed at **Annexure XXXV**).

An internal committee was constituted by University vide office order No. IKGPTU/REG/OO/808 dated 09.06.2020 to examine and map the qualifications and experience of the staff and faculty of Baba Hira Singh Bhattal Institute of Engg. & Tech., Lehragaga with that of IKGPTU viz a viz requirement (Copy placed at **Annexure XXXVI**).

The above committee was revised vide office order No. IKGPTU/REG/OO/1125 dated 09.10.2020 to prepare the overall response of IKGPTU along with detailed remarks regarding shifting of Lehragaga faculty/staff and put up its report in the form of draft Agenda Item to be taken to next BOG (Copy placed at **Annexure XXXVII**)

Once again, the details of proforma was received via whatsapp vide No TECH-ECC029 (16)/5/2021-ENGINEERING COLLEGE CELL-Part (1) 36156/2022 dated 27.03.2022 & reminder letter received via email vide Memo No 122/ECC/2022 dated 01-04-2022 (Copy placed at **Annexure XXXVIII**).



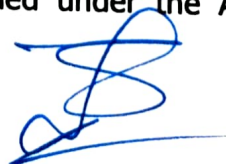
The Committee was again revised vide office order No. IKGPTU/REG/ OO/160 dated 28.03.2022 and held on 01.04.2022 and 06.04.2022 in the office of Dean (P&EP).

1. Committee members discussed the details of proforma which was received via whatsapp vide No TECH-ECC029 (16)/5/ 2021-ENGINEERING COLLEGE CELL-Part(1) 36156/ 2022 dated 27.03.2022 & reminder letter received via email vide memo No 122/ECC/2022 dated 01-04-2022.
2. The Committee also discussed the representation submitted by Association of Non-Teaching employees and Teachers of IKGPTU dated 05.11.2020 and 06.11.2020 respectively, against the absorption/adjustment of Faculty/Staff of BHSBIET, Lehragaga which is run by a society as it is against their Career interests. Both the unions of the university mentioned in their letters that there is no ground of adjust/merge of the employees of BHSBIET, Lehragaga and it has been emphasized in the letters that any such action to adjust/merge these employees against the interest of IKGPTU employee's will not be acceptable at any cost.
3. The present Committee has gone through the minutes of the previous Committee. Taking into consideration the latest update, the Committee submits as under:

In reference to the meeting dated 28.03.2022 the Legal cell has provided the details of Writ Petitions related to BHSBIET, Lehragaga. The petitioners had filed the following CWPs against the state of Punjab & others.

• **CWP No. 4193 of 2021: Kulwinder Kaur & others Vs State of Punjab & others;**

- i) The petitioner has mentioned that the Institute run by BHSBIET, Sunam Jakhal road, Lehragaga, a society which does not have any relation with the respondent PTU.
- ii) The respondent State Government is trying to adjust the employees of the respondent Institute in the respondent University without following any proper procedure as enshrined under the Act and the law





settled by the Hon'ble Supreme Court in the case of Secretary, State of Karnataka and other Vs Uma Devi and Others 2006 (2) SCT, 462, wherein it was held that the no mandamus can be issued to regularize or absorb those candidate/persons in regular service who were engaged in violation of Constitutional mandates.

It is prayed by the petitioners before the Hon'ble High Court to quash of the order dated 29.05.2020 vide which the respondent/University has been directed to adjust the faculty and staff of the respondent No.7 Institute i.e BHSBIET Lehragaga. A notice of motion has been issued by the Hon'ble High Court on 06-12-2021.

• **CWP No. 19211 of 2020 Punjab Technical University Non-Teaching Employees Association Jalandhar Vs State of Punjab and others:**

- a. The petitioner has mentioned that Baba Hira Singh Bhattal Institute of Engineering and Technology, Lehragaga is run by autonomous society named BHSBIET and has failed to pay salaries to its employees for long period of time. Now, without any basis, the University is being compelled to fulfill the liabilities of said college.
- b. That the Under Secretary, TE&IT ordered that the Vice Chancellors of both state Technical Universities (IKGPTU and MRSPTU) to make serious and effective efforts to adjust the faculty and staff (Baba Hira Singh Bhattal Institute of Engineering and Technology, Lehragaga) rather than considering any fresh recruitment.
- c. That on the basis on a meeting held between the faculty/staff of BHSBIET and the cabinet Minister, TE&IT 25.02.2019, a committee was constituted look into the matter of adjusting the faculty and staff of BHSBIET.
- d. That the coercive measures of the State Government is clear from the fact that a letter was sent by DTE&IT



to all Committee members constituted on 25.02.2020 to look after the adjustment of faculty and staff of BHSBIET. The Committee members have been asked to submit the report at the earliest and have been threatened that each member of the committee will be responsible for any unfortunate incident if it happens due to the delay in submission of final report. Copy of letter sent by the Principal BHSBIET, Director TE&IT is annexed herewith as Annexure P-48.

It is submitted that there is no basis for the State Government to give directions of this manner to the University, which is governed by its statute and has no responsibility or liability towards the financial health of the colleges, especially those affiliated to other Universities. The Government has to bear the financial burden of the Engineering Institutes established by it, whereas it is forcing IKGPTU take such burden without any regard to its own financial health. The IKGPTU has its own norms for appointment of faculties/staff and there is no provision to merge the staff/faculty from some other autonomous Institute with IKGPTU and hence the Government has no mandate to order such things. The arbitrary conduct of the state government is clear from the fact that is not managing its colleges and has granted Rs. 20 crores as interim relief to Punjabi University Patiala.

The above facts clearly establish the continued inference and illegal depletion of funds of the University at the hands of the State Government.

It has been prayed in the petition that during the pendency of the present petition, the illegal diversion of funds and operation of the impugned provisions may be stayed. The latest order of Hon'ble High Court dated 23-02-2022 regarding the CWP is reproduced as below

"To be listed for regular hearing in January, 2023. Any funds used which are of the University shall be subject to the final decision of the Writ Petition. Liberty is granted to



file an application regarding the transfer of funds with better details. (Copy placed at **Annexure XXXIX**).

4. The brief of other Writ Petitions of the similar nature are as under:

- **CWP No. 5157 of 2019 (O&M) Mohinder Kumar Shah and others v/s I.K. Gujral Punjab Technical University and others.**

A Civil Writ Petition vide CWP No 5157 of 2019 was filed by the faculty & staff of PTU-Nalanda School of TQM & Entrepreneurship Society in the Honourable Punjab & Haryana High Court. The school was run by PTU-Nalanda Society and notably, this Society was fully taken over by IKGPTU in the year 2013. Vice Chancellor IKGPTU is Ex-officio President of Society and four Officials of university are Ex-officio members of Society. The process of closure of this Society is on way; however, IKGPTU has taken specific stand in the Honourable High Court that this Society is a separate legal entity under Societies Registration Act 1860 and the service conditions of staff are governed by the bye-laws and rules of Society. The said CWP is still pending before the Honourable Punjab & Haryana High Court and IKGPTU has not absorbed any faculty or staff.

**This case is listed for hearing on 07-09-2022.**

- **CWP No. 23 of 2017 Neeraj Awasthi, Jodh Singh, Anil Kumar Vs PTU & others**

I.K. Gujral Punjab Technical University and CAPARO India Pvt. Ltd. entered into MoU on 03-07-2005 to start a joint venture, and PTU CAPARO Society was registered under the Societies Registration Act, 1860 on 31-08-2006. The Society decided to run PTU CAPARO School of Manufacturing and Material Technology. The representationists were selected and appointed based on the advertisement. 90 students were admitted in three different streams for the academic session 2007-08. Later an Inspection Committee pointed deficiencies in running



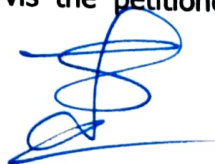


the academic programs. The Society/Management realized that it would not be in the interest of the students to continue in the school. And in their academic interest, students were shifted in the third semester to another institution, namely DAVIET Jalandhar w.e.f 25-08-2008.

A circular notice was issued dated 22-09-2008, it was intimated that no academic activities are being carried out in this school w.e.f 25 Aug 2008 and hence faculty & staff are not required. Therefore, all faculty members and staff of the school may feel free to find suitable jobs elsewhere, since there is uncertainty over the reopening of this school in near future. Further who were occupying quarters in the campus were requested to vacate the same as early as possible, but not later than 25 Sep, 2008. Director of the School, communicated that the faculty and staff members would not be required vide a notice 24-09-2008.

Representationists filed a CWP 5561/2009 in the hon'ble High Court of Punjab and Haryana at Chandigarh, which was disposed off on 20-07-2010. They again approached the hon'ble High Court vide CWP No. 26652/2014 which was dismissed as withdrawn on 13-03-2015 with the liberty to pursue the matter with the respondents amicably for redressal to their grievances.

These three Representationists then filed CWP No 23 of 2017 before hon'ble Educational Tribunal, Punjab SAS Nagar Mohali. Tribunal disposed off the petition vide order dated 20-09-2017 by directing PTU in terms of clause(4) of document titled as 'Termination of MoU', recorded between the PTU and M/S CAPARO group decide the petitioners' representation within a period of three months from receipt of a fresh comprehensive representation. The PTU would be at liberty to records its opinion in relation to the rights of the petitioners, as well as rights of the PTU and CAPARO group, vis-a'-vis the petitioners, including





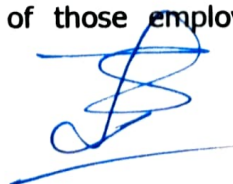
liability, if so required. The petitioners would be at liberty to file affidavits and shall be afforded an opportunity of hearing. The needful be done within two months of the receipt of a certified copy of this order.

Representationists, made representation on 13-12-2017 followed by a reminder dated 04-04-2018. The university turned down their request of absorption on the ground that the petitioners were the employees of Society and they were appointed by the Society vide letter no IKGPTU/REG/1718 dated 13-07-2018. (Copy placed at **Annexure XXXX**).

**The stand taken by IKGPTU in above two petitions is that both the petitions were independent legal entities under the Societies Registration Act 1860 which were governed by their own respective bye-laws and so that employees can't be adjusted by IKGPTU.**

Three employees of PTU CAPARO School of Manufacturing & Materials Technology recently submitted their request dated 17-03-22 to Registrar IKGPTU received on 31-03-2022 vide eoffice file (Computer no 65674). The employees have requested to take a decision to either appoint them in IKGPTU/PIT (Main Campus) and continue their services or relieve them (Copy placed at **Annexure XXXXI**).

5. The committee discussed that some employee/faculty members were transferred from Giani Zail Singh PTU Campus Bathinda to IKGPTU Jalandhar in year 2012 and the matter of their absorption in IKGPTU is still pending. Their absorption case is being considered as per the decision of BOG, IKGPTU in its 69<sup>th</sup> meeting vide item no 69.7 held on 09-01-2019 & action taken report was put up in its 72<sup>nd</sup> meeting held on 23-01-2020 (Copy placed at **Annexure XXXXII**). Further, one of those employees Prof. (Dr.)



Prabhjot Kaur requested for repatriation to her parent institute. But somehow parent institute declined her request & IKGPTU had to relieve her from University on attaining age of superannuation on 30-11-2021. University has received a legal notice from her Advocate on 29-12-2021 regarding non grant/non release of pension. A CWP No. 7133 of 2022 has been filed by Prof. (Dr.) Prabhjot Kaur in the Hon'ble Punjab & Haryana High Court (Copy placed at **Annexure XXXXIII**).

6. As desired in the para no 3 of letter received from DTE&IT vide No 36156/2022 dated 27.03.2022, the desired information has been sent to DTE vide letter No. IKGPTU/DR/HRM/3476 dated 13.04.2022. (Copy placed at **Annexure XXXXIV**). The existence of designation, required qualification for the designation, availability of vacant post for the staff of BHSBIET was checked with IKGPTU eligibility conditions, however adjustment of all of them is not possible due to lack of availability of vacant positions and requirements in the concerned categories. For faculty final eligibility is subject to verification of requirements of API Score and Research Publications as per UGC norms.
7. In response to letter No. IKGPTU/DR/HRM/3476 dated 13.04.2022 of IKGPTU, a letter No. I/355754/2022 TECH-ECC029 (16)/5-2021-ENGINEERING COLLEGE CELL) dated 06.05.2022 has been received from Deputy Director (Office of Director Technical Education and Industrial Training, Punjab, Technical Education Wing, Chandigarh (Copy enclosed at **Annexure XXXXV**).
8. In reference to the para 3.0 of letter of DTE mentioned on point No. 7, a Screening Committee has been constituted with the approval of Competent Authority for complete the verification of API and Research publication score of faculty BHSBIET, Lehragaga vide No. IKGPTU/DR/HRM/4904 dated



23.05.2022 (Copy enclosed at **Annexure XXXVI**). After that, a letter has been sent to Principal, BHSBIET, Lehragaga vide No. IKGPTU/DR./HRM/2022/4909 dated 25.05.2022 (Copy enclosed at **Annexure XXXVII**). After the verification of documents of faculty of BHSBIET, Lehragaga, report of Screening Committee (Copy enclosed at **Annexure XXXVIII**) submitted by Recruitment Cell which has been sent to Competent Authority for directions.

It is pertinent to mention that the above said matters are subjudice in the Hon'ble High Court of Punjab and Haryana at Chandigarh and accordingly, the matter is placed before the Board of Governors for deliberations and decision please.

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