

राष्ट्रीय प्रौद्योगिकी संस्थान मिजोरम
NATIONAL INSTITUTE OF TECHNOLOGY MIZORAM
 (An Institute of National Importance under Ministry of HRD, Govt. of India)
 CHALTLANG, AIZAWL, MIZORAM - 796012

**MINUTES OF THE 19TH MEETING OF BOARD OF GOVERNORS BY
 CIRCULATION DATED 17.04.2020**

BOG.19 CIR-1	PROPOSAL FOR APPROVAL OF THE TEQIP-III RELATED MATTERS															
	<p>Background:</p> <p>I. Ratification of Action Plan for 1st Qtr (April – June, 2020): The Action Plan till Jan. – Sept. 2020 was approved in the 18th BOG. However, a mail has been received from NPIU for submission of Micro Level for 1st Qtr (April- June, 2020) and the same was submitted with the approval of the Chairman BoG. Therefore, it is proposed that the Board may ratify the approval of the Chairman, BoG. Copy of the Action Plan for the 1st Quarter of 2020-21 is placed at Annexure-I</p> <p>II. Approval of Procurement Packages: Offers received from different firms for the following Procurement Packages approved by the FC/BoG have necessitated revision in the amount approved:</p> <p>A. Prices offered are higher than the approved estimates while in two cases, the prices offered are lower than the approved estimates. Hence, it is proposed that the Board may kindly approved the lowest offered rates with 5% GST as shown below:</p> <table><tr><th>Sl. No</th><th>Package Name</th><th>Estimated Amt approved by 18thBoG</th><th>Rate of the L1 Firm (including 5% GST)</th><th>Justification</th></tr><tr><td>1</td><td>NITMZ/ECE1C</td><td>29,58,000.00</td><td>34,93,980.00</td><td>Approval for issuing PO.</td></tr><tr><td>2</td><td>NITMZ/EEE1A (AC Network Analyser)</td><td>35,00,000.00</td><td>36,21,997.00</td><td>The Evaluation was made by the Departmental Purchase Committee (DPC) and Central Purchase Committee (CPC) without considering AMC for the said procurement. The DPC and CPC have recommended the firm M/S EdNex</td></tr></table>	Sl. No	Package Name	Estimated Amt approved by 18 th BoG	Rate of the L1 Firm (including 5% GST)	Justification	1	NITMZ/ECE1C	29,58,000.00	34,93,980.00	Approval for issuing PO.	2	NITMZ/EEE1A (AC Network Analyser)	35,00,000.00	36,21,997.00	The Evaluation was made by the Departmental Purchase Committee (DPC) and Central Purchase Committee (CPC) without considering AMC for the said procurement. The DPC and CPC have recommended the firm M/S EdNex
Sl. No	Package Name	Estimated Amt approved by 18 th BoG	Rate of the L1 Firm (including 5% GST)	Justification												
1	NITMZ/ECE1C	29,58,000.00	34,93,980.00	Approval for issuing PO.												
2	NITMZ/EEE1A (AC Network Analyser)	35,00,000.00	36,21,997.00	The Evaluation was made by the Departmental Purchase Committee (DPC) and Central Purchase Committee (CPC) without considering AMC for the said procurement. The DPC and CPC have recommended the firm M/S EdNex												

						being the L1 firm. Also, it may be highlighted that AMC amount was not included in the approved amount for the package in 18th BoG Meeting. Hence, approval to issue the PO exclusive of AMC for the package/procurement may be accorded.
		3	NITMZ/EEE1B (Power Electronics & Drives Experiment Bench Trainer)	8,00,000.00	5,38,650.00	The Evaluation was made by the Departmental Purchase Committee (DPC) and Central Purchase Committee (CPC) without considering AMC for the said procurement. The DPC and CPC have recommended the firm M/S Advance Instruments being the L1 firm. Also, it may be highlighted that AMC amount was not included in the approved amount for the package in 18th BoG Meeting. Hence, approval to issue the PO exclusive of AMC for the package/procurement may be accorded.

4	NITMZ/EEEID (Recurrent Surge Generator)	16,00,000.00	14,49,000.00	The Evaluation was made by the Departmental Purchase Committee (DPC) and Central Purchase Committee (CPC) without considering AMC for the said procurement. The DPC and CPC have recommended the firm M/SNeo Tele-TronixPvt. Ltd being the L1 firm. Also, it may be highlighted that AMC amount was not included in the approved amount for the package in 18th BoG Meeting. Hence, approval to issue the PO exclusive of AMC for the package/ procurement may be accorded.
5	NITMZ/CHEM	13,50,000.00	15,51,900.00	Approval for issuing PO.
6	NITMZ/ME1	9,88,890.00	10,08,105.00	Approval for issuing PO.

B. With the vetting of Experts done after obtaining the approval of the estimates from the FC/BoG, the revised estimates are therefore, proposed for approval as per the recommendation of the Experts:

Sl. No	Package Name	Estimated Amt approved by 18 th BoG	Revised Estimate	Justification
	NITMZ/DESKTOP	73,50,000.00	89,25,000.00	The specifications were vetted by the experts with the rate per unit of Rs. 85,000.00 for 105 nos of desktop and it is proposed that it may be purchased through GeM Portal

	NITMZ/ WORKSTATION	1,05,00,000.00	-	The specifications were vetted by the experts and it is proposed that it may be purchased through GEM Portal for 21 nos of workstation @ Rs. 5,00,000.00
	NITMZ/Xerox Machine	1,55,000.00	-	The specifications were revised by Local Purchase committee and it is proposed that it may be purchased through Shopping method.
	NITMZ/Printer	1, 60, 000.00	-	The specifications were revised by Local Purchase committee and it is proposed that it may be purchased through Shopping method.

III. Reallocation of Fund: The status of TEQIP-III Fund utilization for the entire period as on 12.04.2020 is as follows:

Sl. No	Head	Allocated Amount (INR)	Utilized Amount (INR)	%
1	Procurement	90000000.00	35412914.00	39.35
2	Academic	45000000.00	45179560.00	100.39
3	IOC	15000000.00	9938664.00	66.26
	Total	15,00,00,000.00	90531138.00	60.35

The allocated fund under Academic Head is fully exhausted. It is no longer possible to execute the different activities under this head.

However, as per TEQIP-3 Financial Management Manual, Section-5: Budgeting and flow of funds, it is mentioned that "*Fund from Procurement and IOC Head of Expenditure can also be re-appropriated to Head of expenditure for academic activities but not vice versa*". Hence, the Director may be authorized to re-appropriate fund from Procurement Head and IOC head to Academic Head as when as required as per the provision of TEQIP III.

The matter is therefore placed before the BoG for consideration and approval.

BoG.19 CIR-II	<p>Proposal for grant of one year lien retention to Dr Basil Kuriachen, Assistant Professor, (Level 10) Department of Mechanical Engineering, NIT Mizoram on his appointment as Assistant Professor, Grade II (Level 11) on Contract Basis at the NIT Calicut.</p>
	<p>Background:</p> <p>The services of Dr. Basil. Kuriachen stands confirmed against the post of Asst Prof, Dept of Mechanical Engineering in NIT Mizoram w.e.f. 21.12.2015 and is therefore a permanent teacher and holding lien against the regular substantive post in the Institute.</p> <p>Dr Basil Kuriachen has been selected by NIT Calicut as the application was forwarded/provided NoC by NIT Mizoram, being a permanent/regular employee against a substantive post at NIT Mizoram. Therefore, it is a given that the said faculty member may be released to join NIT Calicut with one year lien retention, as sought by him, vide the <u>Govt. of India's Orders under F.R. 9, "the benefits of having a lien in a grade will thus be enjoyed by all officers who are confirmed in the grade of entry or who have been promoted to a higher post declare as having completed the probation where it is prescribed....."</u>, copy at Annexure-I and vide <u>F.R. 14-A and Clause (d) of the same F.R., a Govt. servant when rendered permanent/confirmed in a regular post immediately holds lien against the said post and is required to hold that lien unless he/she acquires lien on another post, outside the cadre on which he is borne. "A Govt servant's lien on a post may in no circumstances be terminated, if the result is to leave him without a lien upon a regular post"</u>, copy at Annexure-II.</p> <p>If he is not granted lien retention at NIT Mizoram, [or for that matter, any other regular employee acquiring jobs elsewhere through proper channel] it would imply that NIT Mizoram is leaving him without a lien, thereby implying that the Institute is contravening the extant Fundamental Rules of the Govt. of India; sacrosanct for Govt servants whose pay is debitable to Civil Estimates etc.</p> <p>Vide the Govt of India's Orders under F.R. 13 (2), the procedure to be followed is <i>"in the case of permanent Govt. servants, their lien may be retained in the parent Department/ Office for a period of two years. He should either revert to the parent Department/ Office within that period or resign from the parent Department/ Office at the end of that period. An undertaking to abide by these conditions from them at the time of forwarding the applications...."</i>. Copy placed at Annexure-III.</p> <p>The said teacher has currently asked for one-year lien retention while the maximum limit for lien retention is three years. When an application has already been forwarded through proper channel</p>

leading to positive selection in another organization, it is upon the Institute to release its employees with lien retention, as and when sought for.

However, it has been observed that the appointment of Assistant Professor, Grade II (Level 11) given to Dr Basil Kuriachen, Assistant Professor (Level 10), Department of Mechanical Engineering, NIT Mizoram by the NIT Calicut stands on contractual basis for a period of maximum of three years from the date of joining duty, copy of NIT Calicut Agreement Format is at **Annexure-IV**.

It may be highlighted that the appointment offered by NIT Calicut is as per Schedule 'E' of the Recruitment Rules- Amendments in the First Statutes of NITs vide No. F. No 35-5/2017-TS.III dated 28/31.07.2017, copy at **Annexure-V**. while the clarification from the Govt. of India, vide letter No. F. 35-9/2011-TS.III dated 13.09.2017 indicates that an Assistant Professor with AGP 7000/- [equivalent to Level 11] are to be designated as Assistant Professor without appending 'on contract', copy at **Annexure-VI**.

On the probable joining of Dr. Basil Kuriachen at NIT Calicut, he is now liable to be appointed on contractual basis and the subsequent release on lien retention from NIT Mizoram. Even though the services at NIT Calicut is on contractual basis, it is apparent that the post is against regular substantive vacancy and the probability of service confirmation/regularization at NIT Calicut is a given situation, Dr. Basil Kuriachen may be released with 1 year lien retention, initially, from NIT Mizoram.

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

Decision of the BoG:

Queries on the above two agenda were received from Joint Secretary & FA, a member of the Board. The queries and the clarification furnished by the Institute are given below:

BoG 19 CIR-1: "Purchase Orders for purchase of some of the equipment have been proposed to be issued without AMC. The Institute is requested to explain how maintenance of the equipment would be ensured to avoid wastage of resources".

Clarification: The need for Annual Maintenance Contract (AMC) is to be addressed as and when the warranty period of the equipments expire. Separate advertisement shall be floated for the AMC and order shall be given to the lowest quoted firm. Till that time, if TEQIP-III project is still

in operation, the AMC cost will be borne from the TEQIP-III Fund. If TEQIP-III is not extended, the Institute will bear the cost of AMC.

BoG 19 CIR-II: "It has been stated that Dr. Basil Kuriachen, Asst. Professor (In Level 10, earlier AGP 6000?-) is confirmed against the post of Asst. Professor w.e.f 21.12.2015 and is holding lien against the regular substantive post. In this regard, the Institute is requested to furnish copy of his initial appointment order, copy of the terms and conditions issued at the time of his initial appointment and copy of the confirmation order issued in his case so that the case could be examined further".

Clarification: Dr. Basil Kuriachen, Asst.Prof (ME) was offered appointment on 13.11.2015 and he joined the Institute on 21.12.2015. copy of the Appointment Order and Joining Report is enclosed for kind information (Annexure-I & II)

Further, his service confirmation on 21.12.2017 was notified vide Order No. NITMZ/Estt./34/FACULTY/2018/32 dated 10.01.2020 consequent to the approval of the 18th BoG meeting on 06.12.2019. Copy of the Order is enclosed for information (Annexure-III).

Further comment and approval of the JS & FA is given below:


1. **On ratification of Action Plan under TEQIP-III for 1st Quarter (April-June,2020):** The TEQIP-III Action Plan may be ratified subject to the condition that it has been prepared duly following the TEQIP-III Guidelines.
2. **Approval of Procurement Packages under TEQIP-III:** The proposals may be approved subject to the condition that these are in compliance with the TEQIP-III Guidelines.
3. **Head-wise reallocation of fund under TEQIP-III:** As proposed, the Director may be authorized for the purpose subject to the condition that the Head-wise reallocation is permissible under the TEQIP-III Guidelines
4. **Proposal for grant of one year lien retention to Dr. Basil Kuriachen, AP (Level 10), Deptt of ME, NIT Mizoram on his appointment as Asst. Professor Grd-II (Level 11) on Contract Basis at NIT Calicut. :** It is seen from the offer of appointment issued to Dr. Kuriachen by NIT Mizoram that while he was offered the appointment on contract basis, he was also placed on probation for a period of two years. After completion of the 2 years probation period in December 2017, he was confirmed with the approval of the BoG in December 2019.

In view of the facts and circumstances of the case, the proposal to grant one year lien to Dr. Basil Kuriachen, AP (Level 10), Deptt of ME,

	NIT Mizoram on his appointment as Asst. Professor Grd-II (Level-11) on Contract Basis at NIT Calicut may be agreed with.
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	All other members of the Board agreed and conveyed their approval to the proposals by return mail.
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Copies of the email are maintained in the concerned file.


(Dr. LALTHANCHAMI SAILO)
Registrar & Secretary, BoG
NIT Mizoram