

Minutes of the 57th Meeting of the Board of Governors of the Central Institute of Higher Tibetan Studies, (Deemed to be University), Sarnath, Varanasi held on April 11, 2019 at 10.00 a.m. in the Committee Room of the Academic Building of the Institute at Sarnath, Varanasi.

The following members attended the meeting:-

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| 1. Prof. Geshe N. Samten
Vice-Chancellor
CIHTS, Varanasi. | Chairman |
| 2. Shri Padma Lochan Sahu, IAS
Joint Secretary, Government of India
Ministry of Culture, New Delhi. | Member (MOC) |
| 3. Ms. Deepika Pokharna
Director(IFD)
Govt. of India
MoC New Delhi | Member |
| 4. Ven. Geshe Lhakdor
Director(LTWA)
Dharmasala.(H.P. | Member |
| 5. Prof. R.R. Tripathi
Varanasi. | Member |
| 6. Dr. Deo Raj Singh
CIHTS, Sarnath
Varanasi | Member |
| 7. Dr. R.K. Upadhyay
Registrar
CIHTS, Sarnath, Varanasi. | Non-Member Secretary |

Dr. Amit Telang, IFS, Director (EA), MEA., Govt. of India, New Delhi, , Prof. K.T.S. Sarao, Nominee of the Govt. of India, New Delhi, Dr. Amarjiva Lochan, Nominee of the Govt. of India, New Delhi and Prof. Lobsang Tenzin, CIHTS, Varanasi could not attend the meeting.

At the outset, the Chairman welcomed the august members- particularly to Shri Padma Lochan Sahu, Jt. Secretary, Government of India, Ministry of Culture, New Delhi, Ms. Deepika Pokharna, Director (IFD), Govt. of India, MoC, New Delhi for coming and attending the Meeting at Varanasi in spite of other hectic schedules in the Ministry. He also thanked Ven. Geshe Lhakdor, Director LTWA, Dharamsala (H.P.) for coming such a long way for the cause of the Institute as well as to




Prof. Ram Raksha Tripathi who in spite of his health problem came to the Institute for attending the Board of Governors meeting. He reposed confidence in the guidance of the luminaries, which would certainly let the Institute lead up for further progress.

Thereafter, the Board took up the agenda item-wise and resolved as under:

Agenda Item No. 57.1 Confirmation of the Minutes of the last (56th) meeting of the Board of Governors held on September 03, 2018 in the Committee Room of the Academic Building of the Institute at Sarnath, Varanasi.

The Board was apprised that while giving offer of appointment to the candidates selected on various positions of the Institute, undertakings were executed depicting therein that "the offer of appointment is issued with condition that it would be subject to the final decision of the Hon'ble Supreme Court against SLPs' filed by MHRD and UGC in the case of Writ Petition WPA No. 43260 of 2016". The Supreme Court in its decision dated 27-02-2019 has rejected the SLPs' filed by MHRD and UGC in the case of Writ Petition WPA No. 43260 of 2016.

The Board on observing the decision of the Hon'ble Supreme Court against the SLP © and Review Petition (Civil) resolved that in the light of the aforesaid decisions of the Hon'ble Supreme Court, the undertakings obtained from the candidates at the time of issuing offer of appointments order, now stands null and void.

With above observations, the Board confirmed the Minutes of the last (56th) meeting of the BOG held on September 03, 2019. .

Agenda Item No. 57.2 Action taken/present position on the resolution of the Governing Body taken at its last (56th) meeting held on September 03, 2018.

- The matter relating to promotions of Shri S. Bhattacharya, Shri S.K. Chaudhury and Shri K.N. Shukla was discussed. The Board was apprised by the Registrar of the Institute that as a case of promotion was subjudice ,(WP. No. A/25241) the last (56th) Board had resolved to keep the matter in abeyance. He further clarified that the basic issues amongst these employees were with regard to their inter-se-seniority which led to the above cited WP.

R. Shukla

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After observing the resolution of the last (56th) Board relating to the issues, the employees concerned started approaching to the competent authority with request to get the issue of seniority resolved and were of the view that they would not raise any objection, what-so-ever decisions are taken by the competent authority to establish their seniorities effecting promotional issues. They also assured to withdraw the court case in the matter.

Looking all these changing state of affairs in their views, the competent authority decided to solve the seniorities issues effecting their promotions in order to support their feelings of cooperation with each other –leading to better and peaceful work culture.

Taking a precaution in the matter, first of all written undertakings were obtained from all the three staff stating therein that they would remain satisfied with the decisions of the authority and would not create any incongenial atmosphere in future. Accordingly, they were promoted. However, no payments, incurred on account of promotions, have so far been released. It would only be released if the promotions, so given, are endorsed by this Board. Query in respect of the withdrawal of the Court Case was sought by the Board. On which, the Registrar stated that Mr. Bhattacharya had already submitted an application before the High Court for withdrawal of the case and it is hoped that in the very first hearing the case would be withdrawn. The Board directed to take prompt steps in getting the court case withdrawn.

- Further, the matter relating to the amendment in the Recruitment Rules, with regard to the post of Assistant Registrar was discussed. It was stated by the Registrar that as per decision of the last (56th) Board, the Recruitment Rules in respect of the post of Assistant Registrar were uploaded inviting objections, if any, within 15 days from the date of uploading the said recruitment rules. He also apprised the Board that Mr. S. Bhattacharya has submitted his objection in the matter and the said objection was read out in the BOG meeting. The Board was further apprised that the Board of Governors in its 53rd meeting held on 08-08-2015 had directed (Agenda Item No. 53-13) for an amendment in the relevant Recruitment Rules (RRs) for promotion to the post of Assistant Registrar by treating Private Secretary equally eligible along with Section Officer.



In the light of the facts stated above, the Board noted that for promotion to the post of Assistant Registrar both: the Section Officer as well as Private Secretary is equally eligible on the basis of seniority and other applicable factors for promotions from their respective category. In this regard, the Board advised the competent authority to draw a combined seniority list of SO & PS before a fresh DPC is conducted for promotion to the post of Assistant Registrar, in accordance with the extant RRs for the post of Assistant Registrar, on the basis of seniority cum fitness. The process of holding of D.P.C. may be completed within a period of one month and the selected candidate be given the notional benefit of promotion w.e.f. from the date of occurrence of vacancy of Assistant Registrar. The promotion of the selected candidate may be got ratified in the upcoming BoG meeting. With above observations the Board endorsed the action taken report.

**Agenda
Item No.**

Reporting Items:

57.3

57.3.1 Promotion of Shri S. Bhattacharya, S.A. to the post of Section Officer w.e.f. 01-01-2010.

The Board discussed the matter and in the light of its observation made under action taken report in respect of promotion of Shri S. Bhattacharya endorsed it.

57.3.2 Promotion and MACP given to Shri S.K.Chaudhury, Sr. Astd.

The Board discussed the matter and in the light of its observation made under action taken report in respect of promotion etc. of Shri S.K. Chaudhury endorsed it.

57.3.3 Promotion and MACP Given to Shri K.N. Shukla, Sr. Astd.

The Board discussed the matter and in the light of its observation made under action taken report in respect of promotion etc. of Shri K.N. Shukla endorsed it.



57.3.4 Considering re-constitution of Executive Committee of Alumni Association, CIHTS.

The Board observed the Notification No. CIHTS/ADM/REG/CIR/512/2019 dated 19th March, 2019 relating re-constitution of Executive Committee of Alumni Association of CIHTS and endorsed the same

57.4. Audited Statement of Account for the year 2017-2018.

The Board of Governors approved the Annual Audited Statement of Account for the year 2017-18 in the light of the recommendation of the F.C. made in its 52nd meeting held on April 10, 2019.

57.5 Annual Report of the Institute for the year 2017-18.

The Board discussed the Annual Report of the Institute for the year 2017-18 placed separately during the meeting and approved the same.

57.6 Promotion under CAS both: Teacher and Research.

The BOG discussed the matter elaborately for opening of sealed envelope containing the recommendations for promotions under CAS. But, observing the ongoing code of conduct imposed by the Election Commission in the matter of Lok Sabha, Election, 2019 BOG authorized the Vice-Chancellor, the Chairman of the BOG to open the sealed envelope relating recommendations for promotion under CAS after the expiry of the said code of conduct and report the matter in the next Board meeting.

57.7 Recommendation of Selection Committees received in sealed envelope for appointment on the posts of Dy. Registrar and Astd.Registrar.

The BOG discussed the matter elaborately for opening of sealed envelope containing recommendation of the Selection Committees for the post of Dy. Registrar and Astd.Registrar. But, observing the ongoing code of conduct imposed by the E.C. in connection with Lok Sabha Election, 2019 the BOG authorized the Vice-Chancellor, the Chairman of the board to open the sealed envelope containing recommendations of the Selection Committees for the post



of Dy. Registrar and Assistant Registrar after the expiry of the said code of conduct and report the same in the next Board meeting.

57.8 Considering re-entrustment of Audit of the Central Institute of Higher Tibetan Studies, Sarnath, Varanasi to C & AG for further five years from F.Y. 2019-20.

The BOG discussed the matter in detail and approved the re-entrustment of Audit of the CIHTS, Sarnath, Varanasi to C & AG for further five years from F.Y. 2019-20 in the light of the recommendation of the 52nd F.C. meeting held on 10th April, 2019.

57.9 Hiring of services of Chartered Accountant for the next three years starting from 2019-20.

The BOG discussed the matter in detail and accorded its approval for the re-engagement of M/s. Bisen & Associates for further three years starting from 2019-20 on the basis of the recommendation of the 52nd F.C. meeting under Agenda Item no. 52.6 held on April 10, 2019.

57.10 Considering Extension of fellowship in the favour of Ven. Beri Jigme Wangyal for further period of two years starting from 20-07-2019 to 19-07-2021 as well as enhancement in honorarium for Fellowship on the basis of the enhancement of honorarium of Guest Faculty for academic work.

The BOG discussed the issue relating to Extension of fellowship in favour of Ven. Beri Jigme Wangyal in the light of the recommendation of F.C. taken in its 52nd meeting held on 10th April, 2019 under Agenda Item no. 52.9 for further two years starting from 20-07-2019 to 19-07-2021 on the earlier terms and conditions without increase in honorarium for the time being, as has been decided in the case of Guest Faculty for academic work and approved the same .



57.11 Considering the appeal of Shri L.K. Mishra, S.A. (Account) suspended.

The BOG went through the appeal of Shri L.K. Mishra, S.A. (Account) and found that initially he was served with charge Sheet in a case of financial embezzlement, followed inquiry by an retired Hon'ble Judge of High Court. The inquiry report was based on the available records and arguments made with Shri L.K. Mishra providing sufficient time and opportunities to him to put his clarification in the matter of charges imposed on him as well as information received from M/S Bisen and Associates and witness submitted by Shri K.N. Shukla. Further, the board was apprised by the Registrar that on receipt of the inquiry report of the retired Hon'ble Judge, legal opinion was sought in order to know the amount of punishment to be levied on the basis of the inquiry report of the said Hon'ble Judge.

Based on the legal opinion, order dated 10-12-2018 bearing no. CIHTS/ADM/REG/DIS.C/2018-2614 was issued, against which Shri L.K. Mishra has appealed before the BOG for consideration.

Observing all the facts stated above the BOG was satisfied with the procedures adopted by the Institute's competent authority to come to the conclusion stated in the order referred above (CIHTS/ADM/REG/DIS.C/2018-2614 dated:10-12-2018) against which Shri L.K. Mishra has appealed. Thereafter, the BOG discussed the matter elaborately on the appeal of Shri L.K.Mishra and rejected the appeal made by him and endorsed the action taken by the Institute's competent authority to settle the case of the said financial embezzlement with direction that Shri L.K.Mishra be communicated with the decision of the BOG relating to rejection of his appeal placed before the BOG. Further, that he also communicated separately to deposit the loss caused to the institute due to the embezzlement/misfeasance/defalcation of the amount of Rs.18,57,000/- resulting from the gross dereliction of duty and gross negligence together with interest @ 4% p.a. .



57.12 Considering for enhancement of the Rates of Honorarium of Guest faculty.

The BOG discussed the matter relating to enhancement of the Honorarium of Guest faculty and deferred the matter for the time being on the basis of the recommendation of the 52nd F.C. meeting held on 10-04-2019.

57.13 Revised Plan Proposal for the development of the Institute- particularly Sowa-Rigpa (Tibetan Medical System).

The BOG discussed the matter and approved it on the line of the decision taken by Planning & Monitoring Board in its meeting held on 5-04-2019.

57.14 Minutes of the 29th Academic Council Meeting held on August 07, 2018 & Minutes of the Special Meeting of the Academic Council held on 23rd October, 2018.

The BOG discussed the Minutes of the 29th Academic Council Meeting held on August 07, 2018 & Minutes of the Special Meeting of the Academic Council held on 23rd October, 2018 and approved the same.

57.15 Any other item with the permission of the Chair.

57.15.1 : Minutes of the first meeting of the re-constituted Planning & Monitoring Board held on 5th April, 2019.

The BOG discussed the minutes of Planning & Monitoring Board held on 5th April ,2019 and approved it.

57.15.2 : Minutes of the 52nd meeting of the F.C. held on 10th April, 2019.

The BOG discussed the minutes of F.C. held on 10th April, 2019 and approved the same.



57.15.3 : Considering the issue relating Contractual employees.

The Registrar apprised the BOG that the Institute has engaged some employees on contract basis to cope with the required works. Such employees on the contract basis are engaged usually for three to six months and after expiry of the said periods they are given break of a minimum period of three days and again thereafter, given extension of their services for another six months. These employees have been engaged for the last many years (more than 10 years). Sometime back, the Institute had advertised some Group 'B' & 'C' posts against which these employees too have applied. It has been observed that they are performing the duties given to them diligently and honestly and as such, the Institute is of the view that they should be given relaxation (grace marks) @ 2 marks each year with sealing of 20 marks while observing their performance during test/interview. On which some BOG members suggested that age relaxation should also be given to such employees.

Observing all these facts expressed before the BOG, the BOG resolved that the institute would get prepared a detailed list of such contractual employees giving details in respect of : (1) Name (2) Age (3) Qualifications (4) Details in respect of Engagements periods (5) Post against which their services are being utilized on contract basis etc. and submit all these information in the next BOG meeting for consideration.

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


(Dr. R.K. Upadhyay)
Registrar


(Prof. N. Samten)
Vice-Chancellor

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