

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

AGENDA

FOR THE 151ST EXTRA ORDINARY MEETING OF

GOVERNING BODY

TO BE HELD ON : 12TH MAY, 2014 (MONDAY)

TIME : 4.30 P.M.

PLACE : 3rd Floor, Committee Room,
Ministry of Health & Family
Welfare, Nirman Bhawan,
New Delhi.



ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

Dated: 06 MAY 2014

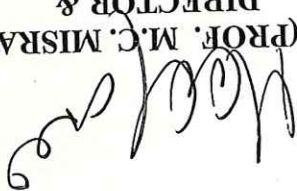
MEMORANDUM

Subject:-

151st Extra Ordinary Meeting of the Governing Body scheduled to be held on Monday the 12th May, 2014 at 4:30 P.M in the Committee Room, 3rd Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

Further to this office Memorandum of even number dated 02.05.2014 on the above mentioned subject, the *Agenda* for the Governing Body Meeting is enclosed.

(PROF. M.C. MISRA)
DIRECTOR &
MEMBER SECRETARY



Encl.: As above

The Chairman and all the
Members of the Governing Body.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

List of Governing Body members

1.	Shri Ghulam Nabi Azad Union Minister for Health & Family Welfare Nirman Bhawan, New Delhi-110011	Chairman
2.	Smt. Sushma Swaraj, M.P (Lok Sabha) 8, Sardarjung Lane, New Delhi-110011	Member
3.	Shri Motilal Vora, MP (RS) 33, Lodhi Estate, New Delhi-110011	Member
4.	Shri Ashok Thakur Secretary to the Govt. of India Department of Higher Education, Ministry of Human Resource Development Shastri Bhawan, New Delhi-110001	Member
5.	Shri Lov Verma, Secretary to the Govt. of India Ministry of Health & Family Welfare Nirman Bhawan, New Delhi-110011	Member
6.	Prof. K.K. Talwar Chairman, Board of Governors Pocket-14, Sector-8, Dwarka, Phase-I, New Delhi.	Member
7.	Dr. R.A Badwe Director Tata Memorial Hospital, Dr. F. Borges Road, Lower Parel, Mumbai	Member
8.	Dr. Jagdish Prasad Director General of Health Services Govt. of India Nirman Bhawan, New Delhi-110011	Member (Ex-Officio)
9.	Dr. S.P. Agarwal Secretary General, Indian Red Cross Society. Rafi Marg, New Delhi	Member

10. **Shri Gautam Guha**
Addl. Secretary and Financial Adviser
Govt. of India
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi-110011
11. **Prof. M.C. Misra**
Director, AIIMS

Member

Member Secretary

AGENDA FOR THE 15TH GOVERNING BODY MEETING TO BE HELD ON 12.05.2014 IN THE COMMITTEE ROOM, 3RD FLOOR, MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI

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Confirmation of the minutes of the 150th Governing Body meeting held on 28th February, 2014 in the Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi

ITEM NO. GB-151/1

NOTE FOR THE GOVERNING BODY

No.F.2-1/2014-Genl.

NOTE FOR THE GOVERNING BODY

ITEM NO. GB/151-1

CONFIRMATION OF THE MINUTES OF THE 150th GOVERNING BODY MEETING HELD ON 28th February, 2014 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The minutes of the 150th Governing Body meeting held on 28th February, 2014 were circulated vide Memo No. 2-1/2014-Genl. dated 28th March, 2014 to the Chairman and all the members of the Governing Body for observation if any, to be forwarded within two weeks from the date of issue of the memorandum.

In the above connection, an observation was received from Shri Motilal Vora, Hon'ble M.P.(R.S.) and Member of Governing Body vide letter dated 31-03-2014 (copy enclosed). The same has been in-corporated in the minutes with approval of the Chairman, Governing Body and the final minutes were circulated to the Chairman and all the Members of the Governing Body vide Memo. No.F.2-1/2014-Genl. dated 7-5-2014.

The said final minutes are placed before the Governing Body for confirmation.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Through Special Messenger
By Speed Post

Ansari Nagar, New Delhi-29
Dated: 07.05.2014

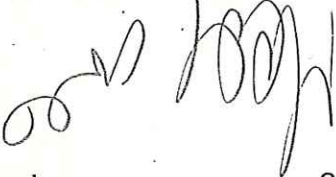
MEMORANDUM

Subject:- Final Minutes of the 150th Meeting of the Governing Body held on Friday, the 28th February, 2014 at 03:00 P.M. in the Committee Room, 3rd Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

Minutes of the Governing Body meeting held on 28th February, 2014 at 03:00 P.M. in the Committee Room, 3rd Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi duly approved by the President were circulated to all the Members of the Governing Body vide No.2-1/2014-Genl. dated 28.03.2014 inviting observations, if any, within **two weeks** from the date of issue of the memo.

Final Minutes as approved by Chairman after incorporating an observation received from Shri Motilal Vora, Hon'ble MP(RS), are being circulated for kind perusal and record.

(PROF. M.C. MISRA)
DIRECTOR &
MEMBER SECRETARY



Encl. As above

The Chairman and all the
Members of the Governing Body

**MINUTES OF THE 150TH MEETING OF THE
GOVERNING BODY HELD ON FRIDAY, THE 28TH
FEBRUARY, 2014 AT 3.00 P.M. IN THE
COMMITTEE ROOM, 3RD FLOOR, THE
MINISTRY OF HEALTH & FAMILY WELFARE,
NIRMAN BHAWAN, NEW DELHI.**

The 150th meeting of the Governing Body of AIIMS, New Delhi was held on Friday, the 28th February, 2014 at 3.00 P.M. in the Committee Room, 3rd Floor in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi. The following were present:-

1)	--	Chairman	Shri Ghulam Nabi Azad Union Minister of Health & Family Welfare, Nirman Bhawan, New Delhi-110 011.
2)	--	Member	Smt. Sushma Swaraj, Member of Parliament (Lok Sabha), 8, Safdarjung Lane, New Delhi-110 011
3)	--	Member	Shri Motilal Vora Member of Parliament (Rajya Sabha) 33, Lodhi Estate, New Delhi-110 003
4)	--	Member	Shri Lov Verma Secretary to the Govt. of India, Department of Health & Family Welfare, Nirman Bhawan, New Delhi-110 011
5)	--	Member	Dr. K.K. Talwar Pocket-14, Sector-8, Dwarka Phase-I, New Delhi.
6)	--	Member	Dr. Jagdish Prasad, Director General of Health Services, Department of Health & Family Welfare, G.O.I., Nirman Bhawan, New Delhi-110 011

7) Dr. S.P. Agarwal
Secretary General,
Indian Red Cross Society,
Rafi Marg, New Delhi-110011
-- Member

8) Prof. M.C. Misra,
Director,
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110 029
-- Member-Secretary

Shri Sundeep Kumar Nayak,
Joint Secretary to the Govt. of India,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi-110 011
-- Special Invitee

Dr. P.K. Julka,
Dean (Academic),
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110 029
-- Special Invitee

Dr. D.K. Sharma,
Medical Superintendent,
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi - 110 029.
-- Special Invitee

Dr. R.S. Shukla, Dy. Director (Admn.), AIIMS and Shri Sandeep Lall, Sr. Financial Advisor, AIIMS also attended the meeting.

Shri Ashok Thakur, Secretary to the Govt. of India, Ministry of Human Resource Development and Dr. R.A. Badwe, Director, Tata Memorial Hospital, Mumbai could not attend the meeting. Representative of the Ministry of Finance also could not attend the meeting as no such nomination could be made before the meeting.

At the outset, Chairman welcomed all esteemed members of the Governing Body to its 150th meeting. Chairman also extended his warm welcome to Sh. Lov Verma, Secretary, Health & Family Welfare and Prof. M.C. Misra, Director, AIIMS, New Delhi, who were attending G.B. meeting for the first time. Smt. Sushma Swaraj joined the Chairman in not only welcoming Prof.

M.C. Misra but also in saying that there were a lot of hopes from the present Director in taking the Institute to newer heights.

Chairman informed the members of the Governing Body that since the last G.B. meeting, which took place on 19th July 2013, the largest project of the Institute, namely National Cancer Institute (NCI) to be set up at an estimated cost of Rs. 2,035 crore on Thajjar Campus of AIIMS, had been approved by the Cabinet and the foundation stone of the N.C.I. was laid by Hon'ble Prime Minister of India on 3rd January, 2014.

He also mentioned that the foundation stones of the Surgical Block, at an estimated cost of Rs. 55 crore and Mother & Child Block at an estimated cost of about Rs. 200 crore, were laid by him on 3rd February 2014.

Further, he informed the members that the Convergence Block, constructed at a cost of Rs. 58 crore and the Pharmacy for supply of generic medicines, renovated at a cost of about Rs. 3 crore, were ready for inauguration.

Chairman said that before proceeding with discussion of agenda items, he would like to take this opportunity to express his heart-felt gratitude to all the members of G.B., particularly Smt. Sushma Swaraj, Hon'ble Leader of Opposition in Lok Sabha and Sh. Motilal Vora, Hon'ble Member of Parliament (Rajya Sabha) for their active participation, discussion and constructive suggestions in the course of various meetings of G.B. in the last 5 years.

Chairman also thanked the Director(s), Deputy Director(s), Medical Superintendent, Faculty, staff and students for their whole-hearted commitment and support and for always keeping the interests and welfare of the Institute uppermost in mind. He added that it is their collective effort which inspires faith of people from all over the country and fuels the Institute's continued excellence in teaching and research.

Chairman also reminded the members that since 26th November 2009, when he chaired the GB meeting of this premier Institute for the first time, this was the 8th GB meeting. He also added that 5 IB meetings had also been held during the same period.

Before concluding the opening remarks, Chairman reiterated that it had been an honour for him to be Chairman of G.B. and I.B. and President of AIIMS, New Delhi and be part of the unprecedented development and expansion activities of this Institute of national importance.

He, then, requested the Director to take up the agenda items listed for GB meeting.

Item No.GB-150/1

Confirmation of the final minutes of the 149th Governing Body meeting held on 19th July, 2013 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

The minutes of 149th meeting of the Governing Body circulated to all members vide Memo No. F.2-1/2013-Genl. dated 30.09.2013 were considered and confirmed.

Item No.GB-150/2

Action Taken Report on the final minutes of the 149th Governing Body meeting held on 19th July, 2013 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

The action taken report was presented by the Director before the Governing Body and the same was accepted.

Item No.GB-150/3

To consider the minutes of the 203rd meeting of the Standing Finance Committee held on 22nd August, 2013 in the Committee Room, 1st Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

The minutes of the 203rd meeting of the Standing Finance Committee were placed before the Governing Body and ratified.

Item No.GB-150/4

To consider the minutes of the 204th meeting of Standing of Finance Committee held on 27th September, 2013 in the Committee Room, 1st Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

The minutes of the 204th meeting of the Standing Finance Committee were placed before the Governing Body and ratified.

Item No.GB-150/5

To consider the minutes of 138th meeting of Standing Estate Board Committee held on 05.11.2013 in Dr. Ramalingaswami Board Room, AIIMS, New Delhi.

The minutes of the 138th meeting of Standing Estate Committee were placed before the Governing Body and ratified.

Item No.GB-150/6

To consider the minutes of 109th meeting of Academic Committee held on 14.09.2013 at AIIMS, New Delhi.

The minutes of the 109th meeting of Academic Committee were placed before the Governing Body and ratified.

Item No.GB-150/7

To consider the minutes of 110th meeting of Academic Committee held on 13.01.2014 at the AIIMS, New Delhi.

The minutes of the 110th meeting of Academic Committee held on 13.01.2014 were placed before the Governing Body and ratified.

Item No.GB-150/8

To consider the Representations of Faculty Members who have been declared unfit by the Selection Committee for promotion to their respective higher grade under Assessment Promotion Scheme at AIIMS, New Delhi.

Director informed the members that there were 17 faculty members who were found "not fit" for promotion to their respective higher grade under the Assessment Promotion Scheme. Standing Selection Committee had carried out assessment of 156 eligible faculty members in April 2013. A total of 139 faculty members were found "fit" for promotion and the remaining 17 "not fit" by the Selection Committee. The Governing Body in its meeting held on 19th July approved the recommendations of the Standing Selection Committee. The representations received from such faculty members who were found "not fit" have been placed before the Governing Body for consideration and further directions.

Governing Body discussed this matter in great detail. Several members expressed concerns about the choice of some experts to serve on the Selection Committee, as well as insufficient time devoted for the assessment of some candidates by the Standing Selection Committee. However, it was added that views expressed by G.B. members were no reflection on the functioning and performance of Standing Selection Committee. After detailed discussion following decisions were taken:-

- a.) The entire matter should be referred back to the Selection Committee for review of assessment of 17 faculty members for promotion to respective higher grades.
- b.) New experts should be invited to participate in the process of review of said 17 faculty members.
- c.) Sufficient time (15-20 minutes) should be devoted to assess each candidate by the Standing Selection Committee in the course of review.

Director informed the G.B. that the Selection Committee was scheduled to meet in March, April and May 2014 for interviews to select new Asstt. Professors in various Departments and the all 17 cases would also be taken up for review by the Selection Committee keeping in view the suggestions of the Governing Body. He sought the permission of the

due course.

Nayak and advised the Institute to bring similar proposals for approval of Governing Body in The Governing Body approved the proposal and also approved the suggestion of Mr.

should bring similar proposals for other cadres as well for the approval of Governing Body. respect of which similar anomaly in Recruitment Rules prevails. He suggested that AIIMS Sh. Sundeep Nayak, Joint Secretary, MOHFW pointed out that there were other cadres in

approval of Governing Body for accepting the proposal.

DPT guidelines only 3 years of experience is permissible. Therefore he requested for the AIIMS there was a requirement of 5 years of experience in the feeder grade while under the the Institute was being resorted to. He added that as per the existing Recruitment Rules of Officers at AIIMS and appointment of Administrative Officers on Deputation basis from outside DPT guidelines in this regard. He also informed that there was dearth of Administrative Recruitment Rules for the post of Administrative Officer which was in conformity with the Dy. Director (Admn.) briefed the members about the proposal for amendment to

To consider the proposal for amendment of Recruitment Rules for the post of Administrative Officer at AIIMS, New Delhi.

Item No. GB-150/9

the matter of APS Selections.

be given to confidential reports / annual performance appraisal reports of the candidates in transparent selection process. It was also decided that, among other things, weightage would that Director on his own may also incorporate other names in the panel keeping in view fair and Departments, and Director selects two names from the panels. Chairman and members suggested explained that the panels of these experts are sought from the HOD of the respective On the question of technical/external experts assisting the Selection Committee, Director

faculty members became eligible for promotion.

following the review process would be granted promotion from their respective dates when these proposal of Director. It was also agreed by G.B. that those faculty members who are found fit approval of the minutes of the Governing Body meeting. The Governing Body agreed to the Governing Body to initiate the process for inviting 17 candidates without waiting for the

Shri Sundeeep Nayak informed that there was a litigation in the Hon'ble CAT for regularization of these ad-hoc employees. He also informed that a case of regularization of the ad-hoc employees working in PGIMER, Chandigarh was referred to the DoPT which was turned down. Smt. Sushma Swaraj responded by saying that once the services of these ad-hoc employees were regularized, the litigation pending before CAT would automatically stand resolved.

The proposal was strongly and vociferously supported by Smt. Sushma Swaraj, Shri Motilal Vora and other members. Smt. Sushma Swaraj informed that these employees had been working in the Institute for a long period of time and they had been shouldering the responsibilities of their respective posts as those of regular employees of the Institute. Many of these employees had been in the age group of 40-45 years and also many of them were the sole bread earners of their family. She added that dispensing with their services at this advance stage of their life would be inhuman. Shri Motilal Vora said that these ad-hoc employees had also actively contributed to the progress and development of the Institute and strongly advocated for regularization of their services.

Dy. Director (Admn.) explained that the proposal for regularization of ad-hoc employees emanated from the pressing demand of the various sections of employees of the Institute who had been working on ad-hoc basis over a considerable period of time and this was a very long-pending issue. It was also brought to the notice of G.B. that this proposal had been earlier brought before the S.F.C. as well as G.B. The G.B. had decided that such employees should be given relaxation in age but should be asked to go through the prescribed selection process alongwith other open candidates for respective posts. The Institute had acted on the advice of G.B. but the said employees had gone to C.A.T. and obtained a stay on the proceedings leading to disruption of the selection process. This resulted in a stalemate. Therefore the Institute brought this proposal of regularization of ad-hoc employees for reconsideration of G.B.

To consider the proposal for Regularization of Group "B" & "C" employees working on ad-hoc basis at the AIIMS, New Delhi.

Item No. GB-150/10

The Chairman wanted to know the number of ad-hoc employees to be regularized and the period of services rendered by them in the Institute. It was clarified that there were 193 such employees working on ad-hoc basis and they had rendered the services in the Institute ranging from 10 years to 15 years. The list of such employees was attached as Annexure-I of the agenda item. The Chairman said that if this was the situation, then many of such employees would be on the verge of retirement within next decade.

After detailed deliberations, the Governing Body unanimously approved the regularization of the services of 193 employees working on ad-hoc basis in Group "B" and "C" categories of posts at the AIIMS, New Delhi (the list of such employees is attached as Annexure-I of the agenda item).

Item No. GB-150/11

To consider the proposal to authorize the Director, AIIMS, New Delhi to appoint Assistant Professors on contract basis at the AIIMS, New Delhi.

Director briefed the members and stated that the proposal to authorize the Director for making appointment to the post of Asstt. Professor on contract basis, was based on need and was in the interest of patient care services. He also informed that the Institute had not been resorting to ad-hoc appointments of faculty for a long time.

Chairman was of the view that the contractual appointment should be for a specified period and the files should not be brought to President for extension, from time to time. Director informed that though the contractual appointment was being made for a specified period, extension was being sought as the process of regular appointment usually had been taking at least one full year once an advertisement was issued. The Chairman suggested that the contractual appointment to such posts should be for one year which could be extended for one more year i.e. for a maximum period of two years. He said that extension should not be a matter of right and the period of contractual appointment should only be extended in extreme urgency. DGHS suggested that the interests of SC & ST communities should also be taken care of in such contractual appointments.

Shri Sundeep Nayak suggested that there should be well defined procedure laying down educational qualifications, methodology, selection process etc. for such contractual appointments which should be resorted to strictly against the sanctioned posts.

Director clarified that the educational qualifications for making contractual appointment to the posts of Asstt. Professor would be same as for making Direct Recruitment on regular basis and the Selection Committee would consist of Director as its Chairman with Head of the Department as Internal Expert, one Representative of SC/ST, one Representative of minority community and one External Expert.

In view of above deliberations, the proposal was approved as under:-

1) Contractual appointments to the post of Asstt. Professor would strictly be made against the sanctioned posts.

2) Educational qualifications and required experience for recruitment to the post of Asstt Professor on contractual basis would be the same as applicable for such posts under Direct Recruitment on regular basis.

3) The Selection Committee would consist of Director as its Chairman, one representative of SC/ST, one representative of Minority community, Head of the concerned Department as Internal Expert and one External Expert.

4) The approval of the President, AIIMS would be required before making appointment on contract basis for one year. Extension for a maximum of one more year would also be given with the prior approval of President, AIIMS.

Item No.GB-150/12

To consider the proposal for allotment of C-I type accommodation to Dr. Shakti Kumar Gupta, Medical Superintendent, Dr. R.P. Centre for Ophthalmic Sciences, AIIMS, New Delhi.

Director explained the issue of allotment of C-I type accommodation to Dr. Shakti Kumar Gupta, Medical Superintendent, Dr. R.P. Centre for Ophthalmic Sciences and mentioned that Dr. D.K. Sharma and Dr. Shakti Kumar Gupta were appointed to the two posts of Medical Superintendent on the same date. Dr. D.K. Sharma was appointed in the Main Hospital while Dr. Shakti Kumar Gupta was appointed for Dr. R.P. Centre for Ophthalmic Sciences. Dr. D.K. Sharma was allotted C-I Type accommodation with the prior approval of the Governing Body.

Dr. Shakti Kumar Gupta had also represented for allotment of C-I Type accommodation to him on the analogy of allotment of C-I type accommodation to Dr. D.K. Sharma. The Governing Body also approved the allotment of C-I type accommodation to Dr. Shakti Kumar Gupta in its meeting held on 19th July, 2013, but, the same could not be allotted to him due to resentment amongst the faculty members for allotment of C-I type accommodation to the faculty members on out of turn basis while there was a long waiting list for allotment of such type of accommodation and the faculty members particularly the Professors and the Faculty Association had been raising their voice against such allotments.

Director further informed that the post of Medical Superintendent was equivalent to that of the post of Professor and Dr. Shakti Kumar Gupta had been residing in S-III accommodation allotted to him by the Institute in Asiad Village. He suggested that the post of Medical Superintendent should be included in the wait list of Professor for the purpose of allotment of C-II & C-I type accommodations and such incumbents should be allotted these types of accommodation strictly on their turn.

Keeping in view the above deliberations, the Governing Body reviewed its earlier decision taken on 19.07.2013 and decided to revoke the same. It was also decided that two D Type accommodation could be reserved for Medical Superintendents. However, it was added that the current incumbents would not be asked to vacate the accommodation they were presently occupying.

Item No. GB-150/13

**To grant ex-post-facto permission for voluntary retirement to
Dr. Sanjay Gupta, Professor of Nephrology at the AIIMS, New
Delhi.**

Director informed that Dr. Sanjay Gupta, Professor of Nephrology had been repeatedly requesting for grant of voluntary retirement to him from the Institute and was finally granted voluntary retirement from the service of the Institute w.e.f. 14.12.2013 with the prior approval of the President, AIIMS as such the proposal under consideration was for ex-post-facto approval.

In view of above, the proposal was approved.

Dy. Director (Admn.) informed that in the last meeting of the Governing Body held on 19.07.2013, it was suggested that a mechanism for tracking the decisions of previous meetings of the Governing Body, which remained unattended, should be put in place. He also informed that the Institute Administration had carried out an exercise in this regard and found that there was no decision of the extant Governing Body during its preceding seven meetings that remained unattended or unimplemented except one decision taken in its 146th meeting for constitution of a Committee for redressal of grievances of SC/ST. He also informed the G.B. that a Committee

To consider the review report in respect of last six meetings of existing Governing Body decision which were yet to be implemented and reason thereof, at the AIIMS, New Delhi.

Item No.GB-150/15

consideration and approval.

Shri Sundeep Nayak informed that the report was examined at the level of Ministry of Health & Family Welfare and it was being placed before the Governing Body for information. He however, suggested that the AIIMS, New Delhi should be directed to process the course of action suggested by the Ministry and bring specific proposals before Governing Body for its

Initiating the discussion, Dy. Director (Admn.) informed that Shri P.K. Pradhan Committee was set-up by the Ministry to examine the issue arising out of the advertisement issued by the AIIMS, New Delhi for recruitment to the posts of Professor. The report had since been submitted to the Ministry of Health & Family Welfare and the Ministry had conveyed the same to the Institute vide their letter dated 29.11.2013 with suggested course of action. The report was being placed before Governing Body for information and further direction.

To consider the Report of Sh. P.K. Pradhan Committee along with comments of the Ministry of Health & Family Welfare communicated vide letter No. V.16020/2013-ME.I dated 29.11.2013.

Item No.GB-150/14

for the redressal of the grievances of SC/ST and OBC has been set up by the Institute in compliance with the said decision taken in the 146th meeting of Governing Body. Accordingly, the report of the Institute on the subject was accepted by Governing Body. He added that implementation of this decision could not be reported in the current Agenda at the time of its circulation amongst the Members of the Governing Body and added that the said decision had also been implemented.

Accordingly, the Review Report was accepted by the Governing Body.

Item No. GB-150/16

Vigilance Case – Regarding imposition of penalty in a disciplinary case (Confidential).

The details of case were placed on table in a sealed cover during meeting and were explained to the Governing Body including the earlier order relating to cancellation of appointment of Dr. Vijender Singh, Veterinary Officer, the decision of Hon'ble CAT setting aside the said order and giving liberty to the Institute for proceeding further after following due procedure. Governing Body was also apprised of the conclusion of the Inquiry Report and the CVC advice regarding "Removal from service which shall not be a disqualification for future employment under Government". After discussion, the Chairman and other members of the Governing Body decided to impose the penalty of "Removal from service which shall not be a disqualification for future employment under Government" on Dr. Vijender Singh, Veterinary Officer.

Item No. GB-150/17

Vigilance Case – Regarding imposition of penalty in a disciplinary case (Confidential).

The details of case were placed on table in a sealed cover during meeting. The case was explained to the members of the Governing Body. After detailed discussions, in view of the facts of the case and nature of misconduct and advice of CVC the Governing Body decided to impose the penalty of "Censure" on Dr. Chandralakha, Prof. & Head, Department of

Anaesthesiology, AIIMS. Regarding the second proposal of ascertaining the roles of other Committee members including the then Director, AIIMS, the Governing Body advised to proceed as per advice of CVC.

Item No.GB-150/18

To consider an appeal against the order of imposition of penalty (Confidential).

The details of case were placed on table in a sealed cover during meeting. The issue was explained before the Governing Body. After the discussions about the case and quantum of punishment/penalty imposed on Dr. C.S. Bal, Professor, Department of Nuclear Medicine, the Governing Body decided that, already the smallest penalty had been imposed on Dr. C.S. Bal and there was no need to make any change in the same. Accordingly, the appeal dated 24.09.2013 of Dr. C.S. Bal was rejected by the Governing Body.

Item No.GB-150/19

To consider an appeal against the order of imposition of penalty (Confidential).

The details of case were placed on table in a sealed cover during meeting. The appeal of Shri S. P. Vashishth, Ex-sanitation Officer, was presented before the Governing Body and it was also intimated that presently the said matter is sub-judice before the Hon'ble CAT, Delhi as Shri S.P. Vashishth had filed an O.A. No. 174/2014 in the Tribunal against the imposed penalty of "Compulsory Retirement". In view of the matter being sub-judice, the Governing Body decided to keep the said appeal in abeyance till the outcome of the judicial proceedings.

The meeting ended with a vote of thanks to all present.

Member-Secretary
Governing Body
AIIMS, New Delhi

Chairman
Governing Body
AIIMS, New Delhi

To consider the case of Dr. O.P. Murty, Addl. Professor of Forensic Medicine regarding his promotion to the next higher grade under Assessment Promotion Scheme in the light of imposition of penalty of 'Censure'

ITEM NO. GB-151/2

NOTE FOR THE GOVERNING BODY

NOTE FOR GOVERNING BODY

Item No. GB/15/12

TO CONSIDER THE CASE OF DR. O.P. MURTY, ADDITIONAL PROFESSOR OF FORENSIC MEDICINE REGARDING HIS PROMOTION TO THE NEXT HIGHER GRADE UNDER ASSESSMENT PROMOTION SCHEME IN THE LIGHT OF IMPOSITION OF PENALTY OF "CENSURE."

INTRODUCTION

1.

1.1 Dr. O.P. Murty is working as Additional Professor of Forensic Medicine w.e.f. 01.07.2000. He became eligible for promotion to the grade of Professor for the batch of 01.07.2007 as his first chance under Assessment Promotion Scheme. He was, however, not found fit for promotion by the Standing Selection Committee.

1.2 He was permitted for a foreign assignment at Malaysia for a period of six months w.e.f. 16.11.2007 to 15.05.2008 as per his entitlement at that point of time under the guidelines. However, he left the said assignment in between and proceeded to Saudi Arabia un-authorizedly w.e.f. 07.04.2008. He continued working at Saudi Arabia un-authorizedly for a period up-to 16.08.2009 ignoring communications from the AIIMS for reporting back to his duty. He joined back his duty in the Institute on 17.08.2009. Thus, he remained absent un-authorizedly w.e.f. 16.05.2008 to 16.08.2009.

1.3 As such, Dr. O.P. Murty was found responsible for negligence of duty and gross misconduct and having acted in a manner unbecoming of an Institute employee, thereby contravening Rule 3 (1) of the CCS (Conduct) Rules, 1964 and accordingly vide office letter No. F.6-20/92-Estt.I dated 11.05.2011, a penalty of 'Censure' was imposed on him under Rule 15 of the CCS(CCA) Rules, 1965 read with Regulation 33(2) of the AIIMS Regulations 1999 (as amended) for his un-authorized absence as well as his un-authorized visit to Saudi Arabia from 16.05.2008 to 16.08.2009 and the said period of his un-authorized absence was treated as "Dies-non.

1.4 A request of Dr. O.P. Murty to revoke the penalty of 'Censure' imposed on him by the Institute was placed before the Governing Body in its meeting held on 22.10.2012. The Governing Body, however, rejected his request.

1.5 The Medical Council of India (MCI) also recommended for imposition of penalty of 'Censure' on Dr. O.P. Murty for misrepresenting himself as a Professor of Forensic Medicine. Accordingly, a proposal to initiate minor penalty proceedings against Dr. O.P. Murty in the light of the recommendations of MCI was placed before the Governing Body in its meeting held on 19.07.2013. The Governing Body after discussion accepted the recommendations of MCI and accordingly the penalty of Censure was imposed on Dr. O.P. Murty vide Order No.F.6-20/92-Estt.I dated 07.08.2013.

1.6 Dr. O.P. Murty, again became eligible to be considered for promotion to the grade of Professor for the batch of 01.07.2009 as his second chance under APS. The Standing Selection Committee in its meetings held during Nov-Dec, 2010 considered candidates of 251 faculty members (including Dr. O.P. Murty) for promotion to next higher grades under APS. However, 39 faculty members (including Dr. O.P. Murty) were not found fit for promotion by the Standing Selection Committee. The recommendations of the Standing Selection Committee were approved by the Governing Body (Appointing Authority) in its 145th meeting held on 01.03.2011.

1.7 The faculty members, who were not found fit for promotion under APS to the next respective higher grades by the Standing Selection Committee represented to various quarters including President, AAIMS and Ministry of Health and Family Welfare. Thereafter, the Ministry of Health and Family Welfare vide their letter No. V.16020/15/2011-ME-I(Pt.) dated the 9th August, 2011 issued a direction under Section 25 of AAIMS Act that the similar method may be adopted by the Standing Selection Committee as done in past and the findings of the review may be placed before the Governing Body for a final decision.

1.8 Accordingly, a meeting of the Standing Selection Committee was convened on 6th January, 2012 to review the cases of those faculty members who were not found fit for promotion under APS. The Committee (SSC) reiterated its earlier decision on the fitness or otherwise contained in the minutes/recommendations of the SSC, held in 2010. The minutes of the Standing Selection Committee meeting held on 6th January, 2012 were placed before the Governing Body in its 146th meeting held on 16th January, 2012 vide Item No. GB-146/15 and considering all the aspects, the G.B. decided as under:

"..... The Governing Body also decided that since this was the last batch under old APS Guidelines, these people should be promoted to their next higher grade from the date their batchmate were promoted, and the same should not be quoted as precedence for future reference."

1.9

However, the Governing Body in its 147th meeting held on 14.04.2012 vide Item No. GB-147/1 while ratifying the minutes of the 146th meeting of the Governing Body again discussed the issue at length and decided as under:

"There was considerable discussion on the issue of promoting 39 faculty members, who had not been recommended for promotion by the Standing Selection Committee. It was pointed out that this would set a bad precedent and would send a wrong signal that promotions in the Institute could be obtained on considerations other than merit. At the same time, it was felt that in view of the significant shortage of doctors at faculty level and the long years of service rendered by the faculty in question, it would be appropriate to promote them by taking a lenient view. Considering all these aspects, the Governing Body by consensus decided in principal to promote all the 39 faculty to their respective higher grades. It was categorically stipulated that this decision was in no way a reflection on the Standing Selection Committee and that this will be a onetime relief measure not to be quoted as precedent. The matter was accordingly resolved."

1.10

The Governing Body in its aforesaid meeting held on 14.04.2012 vide a separate agenda item No. GB-147/2 while considering Action Taken Report on the minutes of the Governing Body meeting held on 16.01.2012, in respect of agenda item No. 146/15 decided to promote those 39 faculty members to higher grades.

1.11

In view of the aforesaid decision of the Governing Body, promotion letters to 35 faculty members (excluding Dr. O.P. Murty & other 03 faculty members who had left the Institute by that time) were issued. However, the promotion letter to Dr. O.P. Murty was not issued on the grounds as enumerated at the foregoing paras that he has been imposed the penalty of 'Censure'.

1.12

Further, on a note thereby apprising the status of 04 faculty members who were not issued promotion orders including that of Dr. O.P. Murty was sent to the Honble Union Minister of Health & Family Welfare & President, AIIMS, it was instructed from the office of the President, AIIMS that before the case is put up to President, AIIMS, the opinion from DoPT be taken and accordingly a reference was made to the Ministry of Health & FW vide this office letter dated 25.10.2012 requesting to obtain clarifications on the matter from DoPT. Since nothing was heard from the Ministry on the matter, a reminder was sent to the Ministry on 21.12.2012. However, on various queries raised by the Ministry from time to time in the matter, replies were forwarded to the Ministry. The reply from the Ministry is, however, awaited and the matter is still pending.

2. ADMINISTRATIVE COMMENTS

- 2.1 Pending the clarifications from the Ministry of Health and Family Welfare on the subject matter, Dr. O.P. Murty was called for appearing before the Standing Selection Committee during its meeting held on 13.04.2013 for his promotion to the grade of Professor for the next batch of 01.07.2012 as his third and final chance. However, he did not appear for interview even after a specific request made vide O.M. No.F.6-20/92-Estt.1 dated 12.04.2013 and his candidature was not considered accordingly.
- 2.2 Dr. O.P. Murty was again called for appearing before the Selection Committee for his promotion to the grade of Professor for the batch of 01.07.2013 as his third and final chance during its meeting scheduled on 26.02.2014 as per the existing APS guidelines. He vide his letter dated 18.02.2014 (copy enclosed), however, represented by stating that since he has already been promoted to the grade of Professor for the batch of 01.07.2009 in principle by Governing Body as a part of group consisting 39 faculty members and there is nothing adverse against him in GB decision, invitations thereafter cannot be equated as a last chance to his disadvantage. He has further stated that in case of the worst and adverse outcome of the case from Ministry/DoPT, his eligibility for promotion to Professor grade should have been considered after-adjusting dies-non period till pending final outcome.
- 2.3 Since clarifications sought by the Institute regarding promotion of Dr. O.P. Murty, Additional Professor of Forensic Medicine to the next higher grade of Professor under Assessment Promotion Scheme, have not so far been received from the Ministry of Health and Family Welfare in spite of various correspondences/reminders, the competent authority has decided to place the matter before the Governing Body for consideration and orders as the Governing Body is the Appointing Authority for faculty posts in accordance with Item No. 19(ii) of Schedule-I of the AIMS Regulations, 1999 (as amended). It may, however, be mentioned that Dr. O.P. Murty belongs to reserved category of Scheduled Caste.
- 2.4 It may be relevant to mention that Department of Personnel & Training (DoPT) vide its letter No. 22011/4/2007-Estt.(D) dated 28th April, 2014 has issued guidelines on treatment of penalties on promotion - role of Departmental Promotion Committee. Para 7 (g) of the aforesaid letter provides as under:
- "7 (g) In assessing the suitability of the officer on whom a penalty has been imposed, the DPC will take into account the circumstances leading to the imposition of the penalty and decide whether in the

light of general service record of the officer and the fact of imposition of penalty, the officer should be considered for promotion. The DPC, after due consideration, has authority to assess the officer as 'unfit' for promotion. However, where the PC considers that despite the penalty the officer is suitable for promotion, the officer will be actually promoted only after the currency of the penalty is over (para 13 of DoPT OM dated 10.04/89)."

A copy of the aforesaid letter issued by the DoPT is enclosed for ready reference.

APPROVAL SOUGHT

3.

3.1

Keeping in view the fact that the Governing Body in its 147th meeting decided to promote 39 faculty members including Dr. O.P. Murty but he could not be promoted for the reasons enumerated at foregoing paragraphs and also the clarifications requested from DoPT through Ministry of Health & Family Welfare have not been received, the matter regarding grant of promotion to Dr. O.P. Murty, Additional Professor of Forensic Medicine to the next higher grade of Professor w.e.f. 01.07.2009 under Assessment Promotion Scheme is placed before the Governing Body for kind consideration and decision as the minor penalty of 'censure' has no currency beyond the date of its imposition.

4. The procedure and guidelines to be followed for promotion of Government servants against whom disciplinary/court proceedings are pending or whose conduct is

3. Further this Department's O.M. No. 22034/5/2004-Estt (D) dated 15.12.2004 provides that a Government servant, on whom a minor penalty of withholding of increment etc. has been imposed, should be considered for promotion by the Departmental Promotion Committee which meets after the imposition of the said penalty and after due consideration of full facts leading to imposition of the penalty, if he is still considered fit for promotion, the promotion may be given effect after the expiry of the currency of the penalty.

2. It further provides that an officer whose increments have been withheld or who has been reduced to a lower stage in the time scale, cannot be considered on that account to be ineligible for promotion to the higher grade as the specific penalty of withholding promotion has not been imposed on him/her. The suitability of the officer for promotion should be assessed by the DPC as and when occasions arise for such assessment. In assessing the suitability, the DPC will take into account the circumstances leading to the imposition of the penalty and decide whether in the light of the general service record of the officer and the fact of the imposition of the penalty he should be considered suitable for promotion. However, even where the DPC considers that despite the penalty, the officer is suitable for promotion, the officer should not be actually promoted during the currency of the penalty.

The Department of Personnel & Training had in its O.M. No. 22011/5/86-Estt (D) dated 10.04.1989 issued consolidated instructions on Departmental Promotion Committee and matters related thereto. Para 6.2.3 of said O.M. provides that "before making the overall grading after considering the CRS for the relevant years, the DPC should take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any superior officer or authority has been conveyed to him as reflected in the ACRs." These guidelines further provide that "the DPC should not be guided merely by the overall grading, if any, that may be recorded in the ACRs (now APARs) but should also make its own assessment on the basis of entries in the CRS (now APARs) because it has been noticed that sometimes the overall grading in a ACR (now APAR) may be inconsistent with the grades under various parameters or attributes".

Subject: Guidelines on treatment of effect of penalties on promotion - role of Departmental Promotion Committee

OFFICE MEMORANDUM

North Block, New Delhi,
Dated the 28th April, 2014

No. 22011/4/2007-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

6. It has been brought to the notice of this Department that DPCs have been adopting varying criteria in assessment of officials undergoing penalty that are not

“...it is now more or less well settled that the evaluation made by an Expert Committee should not be easily interfered with by the Court which do not have the necessary expertise to undertake the exercise that is necessary for such purpose.”

While delivering the above judgement, the Division Bench has observed that:

“DPC enjoyed full discretion to devise its method and procedure for objective assessment of suitability and merit of the candidate being considered by it. Hence interference by High Court is not called for.”

In UOI & Anr. vs. S.K. Goel & Ors. (Appeal (Civil) 689/2007-SLP@-2410/2007), the Hon'ble Supreme Court has held that:

“An employee has no right to promotion. He has only right to be considered for promotion. The promotion to a post and more so, to a selection post, depends upon several circumstances. To qualify for promotion, the least that is expected of an employee is to have an unblemished record. That is the minimum expected to ensure a clean and efficient administration and to protect the public interest. An employee found guilty of misconduct cannot be placed on par with the other employees, and his case has to be treated differently..... In fact, while considering an employee for promotion his whole record has to be taken into consideration and if a promotion committee takes the penalties imposed upon the employee into consideration and denies him the promotion, such denial is not illegal and unjustified.”

been imposed and has held that:

(b) *In Union of India vs. K.V. Jankiraman case (AIR 1991 SC 2010), the Supreme Court has taken cognizance of role of DPC the case of an officer on whom a penalty has*

“the guidelines give a certain amount of play in the joints to the DPC by providing that it need not be guided by the overall grading recorded in the CRS, but may make its own assessment on the basis of the entries in the CRS. The DPC is required to make an overall assessment of the performance of each candidate separately, but by adopting the same standards, yardsticks and norms. It is only when the process of assessment is vitiated either on the ground of bias, malafide or arbitrariness, the selection calls for interference. Where the DPC has proceeded in a fair, impartial and reasonable manner, by applying the same yardstick and norms to all candidates and there is no arbitrariness in the process of assessment by the DPC, the court will not interfere”.

observed:

(a) *In A.K. Narula case (AIR 2007 SC 2296), the Hon'ble Supreme Court has*

Court in some of the important cases are summarized as under:

5. The role of Departmental Promotion Committee(DPC) in assessment of the officers being considered for promotion, including the officer(s) against whom a chargesheet has been issued or on whom a penalty has been imposed, has been examined by the Supreme Court in several judgments. The observations of Supreme

under investigation has been laid down in this Department's O.M. No.22011/4/91-Estt (A) dated 14.9.92 and O.M. No.22034/4/2012-Estt (D) dated 02.11.2012 and 23.1.2014.

consistent with the extant instructions of the DOP for e.g., downgradation of grading in ACR/APAR, denying promotion for specified number of years, etc.

7. The matter has been examined in consultation with the Department of Legal Affairs. It is a settled position that the DPC, within its power to make its own assessment, has to assess every proposal for promotion, on case to case basis. In assessing the suitability, the DPC is to take into account the circumstances leading to the imposition of the penalty and decide, whether in the light of general service record of the officer and the effect of imposition of penalty, he/she should be considered suitable for promotion and therefore, downgradation of APARs by one level in all such cases may not be legally sustainable. Following broad guidelines are laid down in respect of DPC:

a) DPCs enjoy full discretion to devise their own methods and procedures for objective assessment of the suitability of candidates who are to be considered by them, including those officers on whom penalty has been imposed as provided in DOP O.M. dated 10.4.89 and O.M. dated 15.12.2004.

b) The DPC should not be guided merely by the overall grading, if any, that may be recorded in the ACRs/APARs but should make its own assessment on the basis of the entries in the ACRs/APARs as it has been noticed that sometimes the overall grading in a ACR/APAR may be inconsistent with the grading under various parameters or attributes. Before making the overall recommendation after considering the APARs (earlier ACRs) for the relevant years, the DPC should take into account whether the officer has been awarded any major or minor penalty. (Refer para 6.2.1(e) and para 6.2.3 of DOP O.M dated 10.04.89)

c) In case, the disciplinary/criminal prosecution is in the preliminary stage and the officer is not yet covered under any of the three conditions mentioned in para 2 of DOP O.M. dated 14.09.1992, the DPC will assess the suitability of the officer and if found fit, the officer will be promoted along with other officers. As provided in this Department's O.M. dated 02.11.2012, the onus to ensure that only person with unblemished records are considered for promotion and disciplinary proceedings, if any, against any person coming in the zone of consideration are expedited, is that of the administrative Ministry/Department.

d) If the official under consideration is covered under any of the three condition mentioned in para 2 of O.M. dated 14.09.1992, the DPC will assess the suitability of Government servant along with other eligible candidates without taking into consideration the disciplinary case/criminal prosecution pending. The assessment of the DPC including 'unfit for promotion' and the grading awarded are kept in a sealed cover. (Para 2.1 of DOP O.M dated 14.9.92).

e) Para 7 of DOP O.M dated 14.09.92 provides that a Government servant, who is recommended for promotion by the DPC, but in whose case, any of the three circumstances on denial of vigilance clearance mentioned in para 2 of ibid O.M. arises after the recommendations of the DPC are received but before he/she is

actually promoted, will be considered as if his/her case had been placed in a sealed cover by the DPC. He/she shall not be promoted until he/she is completely exonerated of the charges against him/her.

f) If any penalty is imposed on the Government servant as a result of the disciplinary proceedings or if he/she is found guilty in the criminal prosecution against him/her, the findings of the sealed cover/covers shall not be acted upon. His/her case for promotion may be considered by the next DPC in the normal course and having regard to the penalty imposed on him/her (para 3.1 of DoPT OM dated 14.9.92).

g) In assessing the suitability of the officer on whom a penalty has been imposed, the DPC will take into account the circumstances leading to the imposition of the penalty and decide whether in the light of general service record of the officer and the fact of imposition of penalty, the officer should be considered for promotion. The DPC, after due consideration, has authority to assess the officer as 'unfit' for promotion. However, where the DPC considers that despite the penalty the officer is suitable for promotion, the officer will be actually promoted only after the currency of the penalty is over (para 13 of DoPT OM dated 10.4.89).

h) Any proposal for promotion has to be assessed by the DPC, on case to case basis, and the practice of downgradation of APARs (earlier ACRs) by one level in all cases for one time, where a penalty has been imposed in a year included in the assessment matrix or till the date of DPC should be discontinued immediately, being legally non-sustainable.

i) While there is no illegality in denying promotion during the currency of the penalty, denying promotion in such cases after the period of penalty is over would be in violation of the provisions of Article 20 of the Constitution

j) The appointing authorities concerned should review comprehensively the cases of Government servants, whose suitability for promotion to a higher grade has been kept in a sealed cover on the expiry of 6 months from the date of convening the first Departmental Promotion Committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also every six months. The review should, inter alia, cover the progress made in the disciplinary proceedings/criminal prosecution and the further measures to be taken to expedite the completion. (Para 4 of O.M. dated 14.09.1992)

k) In cases where the disciplinary case/criminal prosecution against the Government servant is not concluded even after the expiry of two years from the date of the meeting of the first DPC which kept its findings in respect of the Government servant in a sealed cover then subject to condition mentioned in Para 5 of this Department's O.M. dated 14.09.1992, the appointing authority

(Arunoday Goswami)
Under Secretary to the Govt. of India
Tele: No. 23040339



1. The President's Secretariat, New Delhi.
2. The Vice-President's Sectt, New Delhi
3. The Prime Minister's Office, New Delhi.
4. The Cabinet Secretariat, New Delhi.
5. The Raja Sabha Secretariat, New Delhi.
6. The Lok Sabha Secretariat, New Delhi.
7. The Comptroller and Audit General of India, New Delhi.
8. The Secretary, Union Public Service Commission, New Delhi
9. The Secretary, Staff Selection Commission, New Delhi.
10. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
11. All Officers and Sections in the Department of Personnel and Training.
12. Establishment(D) Section, DOP&T (10 copies)
13. NIC for updation on the website.

Copy to:-

All Ministries/Departments of the Government of India

(Mukta Goel)
Director
Tele: No. 23092479



9. All Ministries/Departments are, therefore, requested to keep in view the above guidelines while convening DPC for promotion of the Government servants on whom either penalty has been imposed or where there are adverse remarks in the reckonable ACRs/APARs.

8. All the administrative authorities in the Ministries/Department are advised to place relevant records, including chargesheet, if any, issued to the officer concerned, before the DPC/ACC who will decide the suitability of officer for promotion keeping in view the general service records of the officer including the circumstances leading to the imposition of the chargesheet or penalty imposed. If such an officer is found suitable, promotion will be given effect after the currency of the penalty is over.

may consider desirability of giving him ad-hoc promotion (Para 5 of this Department's O.M. dated 14.09.1992).

To approve the recommendations of the Standing Selection
Committee meeting held in various phases during the
months from February to May, 2014 at the AIIMS,
New Delhi!

ITEM NO. GB-151/3

NOTE FOR THE GOVERNING BODY

NOTE FOR GOVERNING BODY

Item No. GB/1513

**TO APPROVE THE RECOMMENDATIONS OF THE STANDING
SELECTION COMMITTEE MEETING HELD IN VARIOUS PHASES
DURING THE MONTHS FROM FEBRUARY TO MAY 2014 AT AIIMS,
NEW DELHI**

INTRODUCTION

1.1 Various posts of Assistant Professor/Lecturer in Nursing were advertised through three advertisements as per details given below:-

No. & Date of Advt.	Last date of Receipt of Applications	Name of posts of advertised	No. of Posts	No. of applications received					Total
				UR	SC	ST	OBC	Total	
03/2012-(FC) 30.09.2012	31.01.2013	Asstt. Professor	103	759	135	37	123	1054	
04/2012-(FC) 13.10.2012	31.01.2013	Asstt. Professor	30	372	65	06	70	513	
05/2012-(FC) 21.10.2012	31.01.2013	Asstt. Professor Lecturer in Nursing	05 10	20 136	06 37	-- 13	05 70	31 256	
Total			148	1287	243	56	268	1854	

1.2 The Screening Committee of the Institute screened the aforesaid applications. Number of candidates recommended for interview and number of candidates appeared for interview is as under:-

Name of posts of applications received	SC	ST	OBC	UR	TOTAL	No. of candidates recommended for interview							
						Total	Nursing	Lecturer in	Asstt. Professor	Total			
	176	33	159	961	1329	1854	256	22	09	36	62	1023	1458

1.3 In addition to the above, following numbers of faculty members were also eligible to be considered for promotion under Assessment Promotion Scheme for the batch of 01.07.2013:-

- | | | | |
|----|---|----|----|
| 1. | Additional Professor to Professor | -- | 26 |
| 2. | Associate Professor to Additional Professor | -- | 10 |

1.4 Besides, as per decision of the 14th meeting of the Governing Body held on 19.07.2013, the following faculty members who had exhausted all the three chances to appear for promotion in their respective next higher grades under Assessment Promotion Scheme, were given one more chance to appear before the Standing Selection Committee:

1. Dr. Krishna Dalal, Associate Professor of Biophysics
2. Dr. A.P. Bhalla, Assistant Professor of Anaesthesiology
3. Dr. Nepal Singh Raj, Assistant Professor of Cl. Pharmacology
4. Dr. Nanaji Kaw, Assistant Professor of Psychiatry, NDDTC

However, out of total of 40 candidates eligible to be considered for promotion in their respective next higher grades under Assessment Promotion Scheme, 02 candidates namely Dr. O.P. Murty, Additional Professor of Forensic Medicine & Dr. Anushree Gupta, Associate Professor of Biotechnology did not appear for interview at their discretion.

1.5 Apart from above, the Governing Body vide Item No. GB-150/8 in its 150th meeting held on 28.02.2014 while considering the representations of 17 faculty members who were not found fit for promotion by the Standing Selection Committee in their respective next higher grades under Assessment Promotion Scheme as per interviews held in April, 2013 deliberated as under:

".....Governing Body discussed this matter in great detail. Several members expressed concerns about the choice of some experts to serve on the Selection Committee, as well as insufficient time devoted for the assessment of some candidates by the Standing Selection Committee. However, it was added that views expressed by G.B. members were no reflection on the functioning and performance of Standing Selection Committee. After detailed discussions following decisions were taken:

a) The entire matter should be referred back to the Selection Committee for review of assessment of 17 faculty members for promotion to respective higher grades.

- b) New experts should be invited to participate in the process of review of said 17 faculty members.
- c) Sufficient time (15-20 minutes) should be devoted to assess each candidate by the Standing Selection Committee in the course of review.

The Director informed the G.B. that the Selection Committee was scheduled to meet in March, April and May 2014 for interviews to select new Asstt. Professors in various Department and the all 17 cases would also be taken up for review by the Selection Committee keeping in view the suggestions of the Governing Body. He sought the permission of the Governing Body to initiate the process for inviting 17 candidates without waiting for the approval of the minutes of the Governing Body meeting. The Governing Body agreed to the proposal of Director. It was also agreed by G.. that those faculty members who are found fit following the review process would be granted promotion from the respective dates when these faculty members became eligible.

On the question of technical/external experts assisting the Selection Committee, Director explained that the panels of these experts are sought from the HOD of the respective Departments, and Director selects two names from the panels. Chairman and members suggested that Director on his own may also incorporate other names in the panel keeping in view fair and transparent selection process."

1.6 In accordance with the aforesaid decision of the Governing Body, they were called to appear for interview before the Standing Selection Committee. All the 17 candidates appeared and were interviewed by the Selection Committee.

1.7 The meetings of the Standing Selection Committees were held in different phases to interview the above mentioned candidates as per details given below:

- | | |
|---------------|--------------------------|
| 1. 1st Phase: | 25.02.2014 to 27.02.2014 |
| 2. 2nd Phase: | 13.03.2014 to 15.03.2014 |
| 3. 3rd Phase: | 28.03.2014 to 30.03.2014 |
| 4. 4th Phase: | 11.04.2014 to 13.04.2014 |
| 5. 5th Phase: | 24.04.2014 to 27.04.2014 |
| 6. 6th Phase: | 02.05.2014 to 03.05.2014 |

A copy of the Assessment Promotion Scheme is enclosed (Annexure-I).

ADMINISTRATIVE COMMENTS

2.

2.1 The Resident Doctors' Association, AIIMS, New Delhi filed a writ petition on the issue of prescribed time-frame for conducting the interviews after last date of receipt of applications in the Hon'ble High Court of Delhi which was referred to the Central Administration Tribunal by the Hon'ble Court. The CAT while hearing the OA No. 769/2014 passed the following interim orders:

"Hear proxy counsel for the respondent on the prayer of the interim relief. Since it is a general examination, no stay can be granted regarding on the interviews which have already commenced since 25.02.2014. Now, at this advanced stage, any general directions affecting the conduct of interviews would be adverse to such persons who have appeared and are awaiting the result of the selection process. However, having regard to the prayer made by the applicants we would direct that any selection made shall be subject to the final outcome of the OA."

2.2 The Governing Body is the Appointing Authority for faculty posts in accordance with Item No. 19(ii) of Schedule-I of the AIIMS Regulations, 1999 (as amended).

2.3 The details of numbers of candidates appeared for interview for the posts of Assistant Professor/Lecturer in Nursing under direct recruitment during the above phases of meetings are as under:

No. of candidates appeared for interview.				
UR	SC	ST	OBC	TOTAL
520	104	19	84	727
40	12	07	19	78
560	116	26	103	805

2.4 The Standing Selection Committee of the Institute is consisting of the following members of the Institute Body:

- | | | | |
|----|------------------------|---|------------------|
| 1. | Dr. R.A. Badwe | : | Chairman |
| 2. | Dr. Jagdish Prasad | : | Member |
| 3. | Dr. Ashok Thakur | : | Member |
| 4. | Dr. M.K. Bhan | : | Member |
| 5. | Dr. K.K. Talwar | : | Member |
| 6. | Dr. Ramakant Panda | : | Member |
| 7. | Dr. Abdul Hamid Zargar | : | Member |
| 8. | Dr. M.C. Misra | : | Member-Secretary |

The recommendations of the Standing Selection Committee have been kept in sealed cover and will be placed on the table.

3.

APPROVAL SOUGHT

Accordingly, the recommendations of the Standing Selection Committee meetings held in six phases as enumerated at Para 1.7 above for making appointments under direct recruitment to the posts of Assistant Professor/Lecturer in Nursing and promotion under Assessment Promotion Scheme, are placed on the table in a sealed cover for consideration and approval.

The Government of India, Ministry of Health & Family Welfare vide their D.O. letter No.V.16020/35/89-MB(PG) dated the 24th December, 1991 conveyed their approval for implementation of the revised Assessment Promotion Scheme for the faculties of AIIMS. While conveying the revision of scales of pay of the faculty members of AIIMS, New Delhi/PGI, Chandigarh, Government of India, Ministry of Health & Family Welfare vide letter No.V.16020/41/97-MB(PG) (Vol.II) dated the 10th March, 2000, has also conveyed their approval for extension of Assessment Promotion Scheme from Additional Professors to Professors w.e.f. 01.07.2000. Further, the Government of India, Ministry of Health & Family Welfare vide their letter No. V.16020/57/2008-MB-I dated the 12th January, 2011 and No. V.16020/11/2009-MB-I dated the 30th March, 2011 conveyed the revised Promotion Scheme which shall be effective from 01.07.2008 notionally subject to condition that pay fixation and other financial benefits shall be from 31.12.2008. The salient features of the Assessment Promotion Scheme are as under:-

- i) Assistant Professors with three years of service will be eligible for appointment to the post of Associate Professor subject to clearance of the prescribed selection process.
- ii) Associate Professors with three years of service will be eligible for appointment to the post of Additional Professor subject to clearance of the prescribed selection process.
- iii) Additional Professors with four years of service will be eligible for appointment to the post of Professor subject to clearance of the prescribed selection process.

2. APPLICATION

These Guidelines will apply to promotions to the faculty posts in the grades of Associate Professor, Additional Professor and Professor.

3. ELIGIBILITY

Assistant Professors & Associate Professors with 3 years and Additional Professors with 4 years of regular service in the respective grades in AIIMS are eligible for Promotion as Associate Professor, Additional Professor and Professor respectively. No other conditions, e.g. higher qualifications as for direct recruits, need be fulfilled.

**IMPLEMENTATION OF NEW ASSESSMENT PROMOTION
SCHEME FOR THE FACULTY OF AIIMS - GUIDELINES AS
APPROVED BY THE GOVERNING BODY ON 25.04.1992
AND 5TH MARCH, 2001.**

PERIODICITY AND CRUCIAL DATE

4.

The Assessment Board will meet once a year and considered the fitness of all persons who have completed the requisite eligibility service as on 30th June of that year. All promotions under the Scheme will be effective from 1st July.

6.

SENIORITY LIST

As per the rules in force, there can be direct recruitment to all grades of the faculty and selection on each occasion could be for appointment to be made at the same time but in more than one discipline. The combined seniority list of the Institute shall be worked out as follows:-

i)

The seniority of employees of the Institute in each category shall be determined by the order of merit in which they were selected for appointment to the grade in question, those selected on an earlier occasion being ranked senior as a block to those selected later (Regulation 26 of AIMS Regulations, 1958).

ii)

The preparation of a seniority list of persons selected in the same selection committee would involve the following steps:-

STEP-I

Draw up list of persons on the basis of their date of joining those joining on an earlier date being placed above those joining on a later date.

STEP-II

In the list prepared as above, those who join on the same date may be arranged in order of age—those born earlier being placed above those born later.

STEP-III

For those joining on the same date and adjusted as in step II above according to their age, further re-arrangement may be carried out so that the original inter-seniority of the Institute employees in the Lower Post/Grade maintained. This operation may be done by pulling down the junior in the previous combined seniority list immediately below his senior in that list now appearing in this list even though he may be elder in age.

The above list may now be further modified to carry corrections of violation of departmental merit/seniority laid down by the selection committee. This will be done by pulling the junior down immediately below his senior in merit.

NOTE:- In cases where a junior in the combined & seniority list is being considered for assessment, all persons senior to him/her in the seniority list will also be considered even though the seniors do not have the requisite years of service. The senior if found fit will be given notional promotion with effect from the date of promotion of his/her junior and for purpose of pay etc., it would be granted to him/her with effect from the date of actual promotion i.e. the date on which he completes 4 years service on the grade at the AIMS, provided the following two conditions are fulfilled:-

- a) Probation should have been completed by him/her successfully.
- b) The total period of extension granted to join the service should not have exceeded 6 months.

7. ASSESSMENT PROCESS

The Assessment Board shall take into consideration its recommendations of the Head of the Department/Unit, the performance of the faculty members with reference to annual confidential reports and his/her performance in the interview for deciding his fitness for promotion to the next higher grade. However, the Board may consider in absentia the candidature of such faculty members as are unable to present themselves for interview.

8. NUMBER OF CHANCES

Faculty members would be eligible to avail of three consecutive chances to appear before the Standing Selection Committee in 3 (three) years.

(Authority :- Agenda Item No. GB-149/4 of the Governing Body meeting held on 19.07.2013).

<p>Assistant Professor</p> <p>Pay Band - 3 (Rs. 15600-39100) subject to minimum Pay being Rs.30000/- and Academic Grade Pay of Rs. 8000/- After three years, Assistant Professor will move to Pay Band -4 (Rs. 37400-67000) with Academic Grade Pay of Rs. 8700/-.</p>	<p>Associate Professor</p> <p>Pay Band - 4 (Rs. 37400-67000) subject to minimum Pay being Rs.42800/- and Academic Grade Pay of Rs. 9000/-</p>
<p>Additional Professor</p> <p>Pay Band - 4 (Rs. 37400-67000) subject to minimum Pay being Rs.46000/- and Academic Grade Pay of Rs. 9500/-</p>	<p>Professor</p> <p>Pay Band - 4 (Rs. 37400-67000) subject to minimum Pay being Rs.51600/- and Academic Grade Pay of Rs.10500/-</p>

App- guideline-1

NOTE FOR THE GOVERNING BODY

ITEM NO. GB-151/4

To consider the proposal for grant of voluntary retirement
to Dr. R.V. Azad, Chief of Dr. R.P. Centre for Ophthalmic
Sciences from the service of this Institute
w.e.f. 21.03.2014 (FN)

NOTE FOR THE GOVERNING BODY

Item No. G.B/1514

TO CONSIDER THE PROPOSAL FOR GRANT OF VOLUNTARY RETIREMENT TO DR. R.V. AZAD, CHIEF OF DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES FROM THE SERVICE OF THIS INSTITUTE W.E.F. 21.03.2014 (F.N.).

1. INTRODUCTION

1.1 Dr. R.V. Azad, Chief of Dr. R.P. Centre for Ophthalmic Sciences had requested vide his letter dated 14th March, 2014 for grant of voluntary retirement from the service of this Institute w.e.f. 21.03.2014 (forenoon).

1.2 Dr. R.V. Azad, Chief of Dr. R.P. Centre for Ophthalmic Sciences joined the Institute on 01.10.1980 as a faculty member and worked till 21.03.2014 (forenoon). His period of service rendered from 01.10.1980 to 21.03.2014 has been verified by the Accounts Section (Audit), AIIMS stating that he has availed 3 years & 11 months of Extra Ordinary Leave Without Pay in different spells. Therefore, he has completed more than 29 years of service at this Institute. Hence, he possesses requisite qualifying service for seeking voluntary retirement from the services of the Institute. Neither he was under bond and nor any disciplinary proceedings/vigilance case was pending against him, as per office records. His date of birth is 01.07.1950 and he was due for superannuation from the service of the Institute w.e.f. 30.06.2015 (65 years).

1.3 In accordance with the Schedule-II of the AIIMS Regulations, 1999 (as amended), the Governing Body is the appointing authority of Group 'A' Officers & hence competent authority to permit the faculty members to seek voluntary retirement from the service of the Institute.

1.4 As the meeting of the Governing Body was not scheduled at that time, Dr. R.V. Azad was granted voluntary retirement from the service of the AIIMS w.e.f. 21.03.2014 (forenoon), with the approval of the President, AIIMS (Chairman, Governing Body) with the condition that ex-post-facto approval of the Governing Body be obtained.

2.1 The Regulation 30 (4) of the AIMS Regulations, 1999 (as amended) provides that "any Institute employee may, by giving notice of not less than three months in writing to the appointing authority, retire from service after he/she has attained the age of 50 years, if he/she is in Group 'A' or Group 'B' service post and had entered the service of the Institute before attaining the age of thirty-five year, and in all other cases after he/she has attained the age of 55 years".

2.2 However, Rule-48-A of the CCS (Pension) Rules, 1972 a Government servant after completing 20 years of qualifying service can seek voluntary retirement from the service by giving notice of not less than three months in writing to the Appointing Authority. The Appointing Authority at its discretion can accept a notice of less than three months, but commutation of pension can be applied for only after the expiry of normal notice period of three months. Dr. R.V. Azad had qualifying service of more than 29 years as on 21.03.2014. Hence, he possesses the requisite qualifying service for seeking voluntary retirement from the services of the Institute. No vigilance case is pending against him.

2.3 According to Rule of 10 of CCS (Pension) Rules, 1972 if a pensioner who, immediately before his/her retirement was a member of the Central Service Group 'A' wishes to accept any commercial employment before the expiry of one year from the date of his/her retirement, he/she shall obtain the previous sanction of the Government of such acceptance by submitting an application in Form-25.

2.4 Regulation 35 of the AIMS Regulations, 1999 (as amended) provides as under:-

"In respect of matters not provided for in these regulations, the rules as applicable to the Central Government servants including the general condition of service, pay, allowances including travelling and daily allowances, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the Central Government from time to time shall apply to the employees of the Institute".

3. APPROVAL SOUGHT

In view of the above, ex-post-facto approval of the Governing Body may kindly be accorded for grant of voluntary retirement from the service of this Institute to Dr. R.V. Azad w.e.f. 21.03.2014 (forenoon), subject to the condition that he will be required to take 'No Objection' from the Institute in the event of his accepting any commercial employment within one year from the date of his voluntary retirement in accordance with the Rule of 10 of CCS (Pension) Rules, 1972 and Regulation No. 35 of the AIMS Regulations, 1999 (as amended).

To consider the proposal to review the existing reporting systems/methodology of the Annual Performance Appraisal Report of the faculty members working at the AIIMS, New Delhi

ITEM NO. GB-151/5

NOTE FOR THE GOVERNING BODY

NOTE FOR THE GOVERNING BODY

Item No. G.B/151) 5

TO CONSIDER THE PROPOSAL TO REVIEW THE EXISTING REPORTING SYSTEMS/METHODOLOGY OF THE ANNUAL PERFORMANCE APPRAISAL REPORT OF THE FACULTY MEMBERS WORKING AT THE AIIMS, NEW DELHI.

1. INTRODUCTION

1.1 The AIIMS, New Delhi with the approval of the President, AIIMS vide O.M.No.F.20-26/71-Estt. I. dated 12.08.1975 (copy enclosed) issued procedure for filling-up in Annual Confidential Report (ACR) of the faculty members of the Institute which states as under:-

i) The Reporting Officer (s) and the Reviewing Officer (s), who will be required to fill the Part-II and Part-III of the pro-forma respectively, will be as follows:-

a) In the case of Director, the report will be written by the President, AIIMS.

b) In the case of Professors & Heads of the Departments, Centres the reports will be written by the Director and reviewed by the President, AIIMS.

c) In the case of Additional Professors, Associate Professors and Assistant Professors, who are independent Heads of the Departments/Units, the report will be written by the Director and reviewed by the President, AIIMS.

d) In the case of clinical Departments having more than one Professorial/Associate Professorial Units, the Officer reported upon will prepare two copies of the Confidential Report by filling in Part-I on both copies of the proforma and send one copy each independently to the Head of the clinical unit (designated as such and approved by the Director) and Head of the Department, who in their turn, will fill in Part-II of the proforma to the extent applicable and independently send their copies to the Director for review. However, if the Head of the clinical unit and Head of the Department is the same person, only one copy need be prepared by the officer reported upon and send to the Head of the Department for further action.

e) In the case of Lecturers/Assistant Professors and Associate Professors, the reports will be written by the Head of the Department and reviewed by the Director.

1.2 Similarly, vide office order No.F.20-48/71-Estt. I. dated 27.04.1983 issued regarding working relationship between AIIMS and Dr. R.P. Centre for Ophthalmic Sciences and other Superspeciality Centers in respect of the filling-up their Annual Confidential Reports which stated as under:-

“The standing orders for filling-up of the Confidential Reports (CRs) of the faculty will continue to be followed. The Chief of the Centers will be the Reporting Officer for faculty members including Professors on the pay rolls of the respective Centers. For those, the Director will be the Reviewing Officer and the President, AIIMS will be the Accepting Officer. For Chief of Centers and Professors of the Main Institute, the Director will be Reporting Officer and President, AIIMS will be the Reviewing and Accepting Officer”.

1.3 As stated above the aforesaid procedure was issued in 1975 i.e. about 39 years back and the sanctioned strength of the faculty has been increased from 110 to 830. Moreover, the Government has also introduced Annual Performance Appraisal Report (AAPR).

1.4 Therefore, existing procedure for reporting, reviewing and accepting systems is also required to be revised. Over the years, the Institute has grown-up and independent Departments and Centres has been established. In Centers also independent Departments have been created. Accordingly, it is essential to review the existing procedure for faculty members.

1.5 In view of the above, it is proposed that the reporting, reviewing and accepting of Annual Performance Appraisal Report (AAPR) in respect of faculty at AIIMS may be as under:-

RANK	REPORTING OFFICER	REVIEWING OFFICER	ACCEPTING OFFICER
Asst. Prof. Assoc. Prof. Addl. Prof. Professors	Head of the Department	Respective Chief of Centre/Dean (Academic)	Director
HODs/MS	Respective Chief of Centres/ Dean (Academic)	Director	President, AIIMS
Chief of Centres	Dean (Academic)	Director	President, AIIMS
Director	President, AIIMS	President, AIIMS	President, AIIMS

2. APPROVAL SOUGHT.

38

The above proposal is placed before the Governing Body for kind consideration and approval.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES.

Ansar Nagar, New Delhi.
Dated the 12.8.75

No.F.20-56/71.Estt.I

M E M O R A N D U M

Subject :- Procedure for filling in the annual
confidential reports of the Faculty
Members of the Institute.

For quite some time it has been felt that the existing Annual
Confidential Report Proforma in respect of the teaching staff
does not analyse in sufficient depth the quality of the contri-
butions made by each member of the Faculty during a particular
year towards teaching, research, patient care and other academic
and corporate activities of the Institute. This matter had been
under consideration for some time past and the assessment forms
which are being used in other comparable institutions in the
country such as the Bhabha Atomic Research Centre, the Indian
Institute of Sciences, Bangalore, etc. were studied. On the
basis of the study and as a result of discussions within the
Faculty, a revised proforma has been drawn up which is enclosed
as Appendix 'B'. This proforma has been approved for adoption
by the Institute at their meeting held on 1st March, 1975.

With the adoption of the revised proforma, the following
procedure as approved by the President of the Institute will
be followed henceforth (confidential reports for the year
1974-75 onward) for recording confidential reports of the
members of the Faculty of the Institute :-

1. The revised proforma has been divided into three parts,
The part I is to be filled in by the Officer himself/herself
to be reported upon. The part II is to be filled in by the
Reporting Officer and the Part III by the Reviewing Officer.

2. The Reporting Officer(s) and the Reviewing Officer(s), who
will be required to fill in Part II and Part III of the Proforma
respectively, will be as follows :-

(a) In the case of Director, the report will be written
by the President, AIIMS.

(b) In the case of Professors & Heads of the Departments,
Centres the reports will be written by the Director
and reviewed by the President, AIIMS.

(c) In the case of Associate Professors and Assistant
Professors, who are independent heads of departments/units,
the report will be written by the Director and reviewed
by the President, AIIMS.

* * * * *

1. All Heads of the Deptts./Units.
2. The Dean, AIMS.
3. The Chief Organizer & Professor of Orthopaedic Surgery,
- Dr. Rajendra Prasad Centre for Orthopaedic Sciences.
4. The P.S. to Director.
5. All Faculty members (by name)

DISTRIBUTION :

sd/-
(ISHWAR DAS)
DEPUTY DIRECTOR (ADMN.)

This is circulated for information and guidance of all concerned.

The procedure already circulated in this office memorandum of even number dated the 27th March, 1974 on this subject may be treated as cancelled.

(e) In the case of Lecturers/Assistant Professors and Associate Professors, the reports to be written by the Head of the Department and reviewed by the Director.

(d) In the case of clinical departments having more than one Professorial/Associate Professorial Units, the officer reported upon will prepare two copies of the Confidential Report by filling in Part I on both copies of the proforma and send one copy each independently to the head of the clinical unit designated as such and approved by the Director) and head of the department, who in their turn, will fill in part II of the proforma to the extent applicable and independently send their copies to the Director for review. However, if the head of the clinical unit and head of the department is the same person, only one copy need be prepared by the officer reported upon and sent to the head of the department for further actions.

2 :

NOTE FOR THE GOVERNING BODY

ITEM NO. GB-151/6

**To consider the representation of Dr. A.K. Bisoi, Professor
of CTVS regarding his seniority to the post of Additional
Professor under the mode of direct recruitment at AIIMS,
New Delhi**

NOTE FOR GOVERNING BODY

Item No. GB/151/6

TO CONSIDER THE REPRESENTATIONS OF DR. A.K. BISOI, PROFESSOR OF C.T.V.S REGARDING FIXATION OF SENIORITY AMONG THE PROFESSOR IN THE DEPARTMENT OF C.T.V.S AT THE AIMS, NEW DELHI.

INTRODUCTION

The members of the Standing Selection Committee including experts in its meeting held on 12.09.2015 while considering the candidatures of the applicants for the post of Additional Professor in the Department of C.T.V.S. under the mode of direct recruitment, graded the candidates as under:

Members of the Selection Committee including Experts (7 in numbers)						
Dr. S.K. Choudhary	A+	A+	A+	A+	A+	A+
Dr. Ujjwal K. Chowdhury	A+	A+	A+	A+	A+	A+
Dr. A.K. Bisoi	A+	A+	A+	A+	A+	A+

However, the order of merit of the candidates drawn by the Standing Selection Committee was as under:

1. Dr. S.K. Choudhary
2. Dr. U.K. Chowdhury
3. Dr. A.K. Bisoi

The aforesaid recommendations of the Standing Selection Committee were approved by the Governing Body in its meeting held on 23.09.2005.

1.2 Dr. A.K. Bisoi, however, represented from time to time for his seniority over Dr. S.K. Choudhary & U.K. Choudhary to the post of Additional Professors appointed under the mode of Direct Recruitment on the basis of grading secured by him from the members of the Selection Committee including experts. His representations have been examined by the Governing Body four times. The deliberations of the Governing Body on the aforesaid issue on all four occasions are as under:

1.3 The representation of Dr. A.K. Bisoi on the subject matter was firstly placed before the Governing Body vide Item No. GB-146/1(S) in its meeting held on 16.01.2012. The Governing Body decided as under:

"The representation were discussed at length and the GB found merit in the claim of Dr. A.K. Bisoi as he was rated best among three Additional Professor recruited to the post of under direct recruitment with him in the year 2005. However, few members were of the view that they did not get enough time to go through the agenda as the same was circulated during the meeting itself and they needed to examine the claim in detail before taking a decision. A recent court order in a similarly placed case also needed to be examined. Hence the item will be placed again in the next GB."

1.4 The representation of Dr. A.K. Bisoi along-with another representation received from Dr. Ujjwal K. Chowdhury on the issue under reference, were again placed before the Governing Body vide Agenda Item No. 147/6 in its meeting held on 14.04.2012. The Governing Body decided as under:

"The Governing Body considered the representations submitted by Dr. A.K. Bisoi and U.K. Choudhary. It also considered the judgement of the Delhi High Court of 9th January, 2012 in the case of filed by Dr. Dalip Kr. Parida. After examining all aspects including the Institute Body's Resolution dated 15.01.1997, the advice of the Director, the representations submitted by Dr. A.K. Bisoi and Dr. U.K. Choudhary, the Governing Body decided that inter-se-seniority of Dr. Shiv Kr. Choudhary, Dr. U.K. Choudhary and Dr. A.K. Bisoi would be maintained as had been recommended by the Standing Selection Committee in the year 2005."

1.5 The Governing Body vide agenda item No. GB-148/8 in its meeting held on 22.10.2012 while taking note of the Action Taken on the decision of the Governing Body dated 14.04.2012 on the issue in question, however, decided as under:

"The Director informed that the issue was considered by the Governing Body in its earlier meeting and the decision was conveyed to the person concerned, but, Dr. A.K. Bisoi has again made a representation. Smt. Sushma Swaraj was of the view that the issue should be re-visited. She suggested that a Committee consisting of Health Secretary and the Director, AAIMS should be constituted to look into the matter. Dr. S.P. Agarwal expressed concern that if this issue was re-visited, then there may be large number of representations for revisiting other similar issues. Smt. Sushma Swaraj opined that the Governing Body should consider and decide the issue for a logical conclusion. In view of the above deliberation, it was decided by the Governing Body that a Committee

consisting of i) Health Secretary; ii) Director, AIIMS; and iii) Dr. S.P. Agarwal would examine the facts/records and place their report before the Governing Body."

As per the aforesaid decision of the Governing Body, a Committee consisting of the members as directed by the Governing Body under the Chairmanship of Sh. P.K. Pradhan, the then Secretary (Health), was constituted. The Committee met on 23rd January, 2013 and 29th January, 2013 at the Chamber of the then Secretary (Health) and discussed the issue in detail.

1.6

The Committee submitted its report and the same was placed before the Governing Body vide Item No. GB-149/6 in its meeting held on 19.07.2013 for consideration. The Governing Body decided as under:

1.7

"The Governing Body in its meeting held on 22nd October, 2012 had constituted a Committee consisting of Health Secretary, Director, AIIMS, New Delhi and Dr. S.P. Agarwal to examine facts/records on this issue and place their report before the Governing Body. The said report was placed for consideration.

Initiating the discussion on the subject, Smt. Sushma Swaraj observed that the mandate of the Committee was to examine the facts/records with regard to issue of seniority of Additional Professors in the Department of CTVS and to place the report before the Committee. This Committee was not required to give any recommendations and therefore, the Committee had gone beyond its mandate by giving recommendations like the Rotation of Headship of Departments. Smt. Swaraj added that the Committee had clearly stated that grading of Dr. A.K. Bisoi, if the grading of experts were taken into consideration, was bit higher than that of Dr. U.K. Choudhary & Dr. S.K. Choudhary. However, the Committee observed that it was not an isolated case, but the Committee was not in a position to provide an explanation for the decision taken by the Standing Selection Committee in the year 2005. Smt. Swaraj concluded that Dr. A.K. Bisoi had a claim to seniority as per facts/records mentioned in the Committee Report.

Chairman observed that this was not the only isolated case and there were other cases where the sum of grades given by SSC members and the final outcome of the Standing Selection Committee did not match. Dr. R.C. Deka, Director added that it appeared that the Standing Selection Committee, in this case, did not follow the guidelines approved by the Institute Body in 1997. He also submitted that in a direct selection only merit was counted in defining seniority at each level of selection.

The majority of Members present in the Governing Body meeting held view that it would not be appropriate to sit in judgement over the decision of Standing Selection Committee taken 7-8 years ago.

Smt. Sushma Swaraj pointed out that the issue here is of correct fixation of seniority strictly in accordance with the binding policy decision of 1997. In this case, neither the merit list nor the seniority was ever formally published or confirmed by the Governing Body. The issue of seniority can be raised by any faculty at any point of time after the appointment. This is the usual practice followed everywhere in the Government Institutions and Departments. The Governing Body has followed this decision and correctly fixed the seniority in a similar case earlier. As such, there is no reason why the same should not be done in the present case.

x x x x x

It was accordingly decided not to make any changes nor to redefine seniority of the 3 Professors which was decided by then GB on the basis of the recommendations of the Standing Selection Committee."

Further, a reference vide letter dated 23.08.2013 forwarding therewith a letter of PMO along-with representation submitted by Dr. A.K. Bisoi on the issue of inter-se-seniority in the Dept. of CTVS was received from the MOHFW for para-wise comments. Accordingly, a para-wise reply was prepared and forwarded to the Under Secretary, Ministry of Health & Family Welfare vide this office letter No. F.20-5/2013(A)-Estt.I dated 05.03.2014.

ADMINISTRATIVE COMMENTS

It is evident from the above submission that the representations of Dr. A.K. Bisoi, Professor of C.T.V.S. on the issue of fixation of his seniority among the Professors in the Department of C.T.V.S. have been considered and examined by the Governing Body on four occasions and decision thereon has been taken as enumerated in foregoing paragraphs.

Recently, the Ministry of Health and Family Welfare, Govt. of India vide their letter dated 02.04.2014 has, however, forwarded a copy of PMO ID No: 520/31/C/75/2011-ES-II dated 07.03.2014 wherein the Ministry, with the approval of the Secretary (HFM), has directed that the matter be decided by the Governing Body of AIIMS, New Delhi and action taken report in the matter be furnished to the Ministry within one fortnight (Annexure-I).

Dr. A.K. Bisoi has also represented vide his letter dated 05.05.2014 that his seniority to the post of Additional Professor (CTVS), appointed under the mode of Direct Recruitment may be corrected and formal order to this effect may be issued (Annexure-II).

2.3

2.2

2.1

2.

1.8

APPROVAL SOUGHT

3.

In view of the aforesaid directives of the Government of India, Ministry of Health and Family Welfare, the matter regarding fixation of seniority of Dr. A.K. Bisoi, Professor of CTVS among the Professors in the Department of CTVS, appointed to the post of Additional Professor under the mode of Direct Recruitment at the AIIMS is, once again, placed before the Governing Body for consideration and further orders.

Copy to:
Prime Minister's Office
(Dr. P. Shakti Ahamed, Director)
South Block, New Delhi

Encls: As above: 01 page

Under Secretary to Govt. of India
(S.N.Sharma)
Ph: 23061883

Yours faithfully,

The matter has been examined in this Ministry and it is directed with the approval of Secretary (HFW) that the matter be decided by the GB of AIMS, New Delhi. It is, therefore, requested that urgent steps be taken and action taken report in the matter be furnished to this Ministry within one fortnight.

Sir,
I am directed to forward herewith a copy of PMO ID No.520/31/C/75/2011-ES-II dated 7.3.2014 regarding representation of Dr. A.K. Bisoi, Professor, CTVS Department for fixation of seniority, wherein it has been observed by PMO that "after examination of the complaint and response received from the Ministry, it appears that prima facie, there is reason to revisit the case based on the guidelines/binding norms approved by the Institute Body in 1997". PMO have desired that the issue be revisited and action taken report submitted within a month.

Sub: PMO reference regarding seniority issue and violation of selection/promotion procedures for faculty at AIMS, New Delhi -regarding.

To
The Director
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110029

Nirman Bhawan, New Delhi
Dated, the 2nd of April, 2014

(MB-I Section)
Ministry of Health & Family Welfare
Government of India

No. V-16020/C/2012-MB-I

Eq - 70257
4/14/14

03 APR 2014



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File No. B1682
Date. 10/31/14

Office of Secretary (H&FW)
S/680/14
10/03/14
Date.....

PRIME MINISTER'S OFFICE

SOUTH BLOCK
NEW DELHI-110 101

Subject: Representation of Dr. A.K. Bisoi, Professor, CTVS Department, AIIMS, New Delhi - fixation of seniority

Reference is invited to Ministry of Health & Family Welfare's OM No. V-160203/3/2012-ME-1 dated 21.2.2014 on the above subject.

2. The undersigned is directed to convey that after examination of the complaint and the response received from the Ministry, it appears that prima facie, there is reason to revisit the case based on the guidelines/binding norms approved by the Institute Body in 1997.

3. The Ministry is, therefore, requested to revisit the issue and submit an action taken report in a month.

WGP
(Dr. P. Shakil Ahamed)
Director
Tel: 23012613

Secretary, Department of Health & Family Welfare
PMO ID No. 520/31/C/75/2011-ES-II
Dated: 7.3.2014

AIIMS
Professor, CTVS
(Dr. A.K. Bisoi)

While respectfully reiterating my complaint / representation for fixation of my seniority correctly and issuance of formal orders in that behalf, I am once again requesting you to provide me all the relevant communications / directions through which the Institute is obliged and has been required to revisit the instant issue on the basis of the binding norms stipulated by the Institute Body in 1997.

It is re-emphasized that its stands affirmed on the record of the Institute that having secured highest grades in a direct selection process, I am entitled to be the senior most candidate in the list of the selected candidates. There is error made by the Selection Committee while making recommendation for appointment in 2005. Now it is obligatory on the part of AIIMS Administration to carry out the ministerial exercise of correcting the seniority and to issue formal orders in this behalf notifying my name as the senior most Additional Professor selected directly in the year 2005 and to continue to maintain the same seniority at the level of Professor.

I had requested for making available the copies of the relevant documents regarding the decision of the competent authority to revisit the entire case of correct fixation of my seniority being agitated by me through my representations including my representation dt. 14.11.13.

In continuation of my representations on the above-mentioned subject including my representation dated 14.11.13, I had met your goodself to know further progress in this regard. I was informed that the authorities have reaffirmed merit in my case and the issue is being revisited by the competent authority on the basis of the binding norms approved by the Institute Body in 1997 and the decision on my representation shall be intimated to me shortly.

Sir,

05 MAY 2014
E.O. - 72661
5/5/14

Ref: My representations dated 14.11.2013 and 11.04.2014

Sub : Correct fixation of seniority of Additional Professors in the Cardio-Thoracic and Vascular Surgery Department at AIIMS

The Director
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110 029.

RECEIVED
5/5/14
DIRECTOR OFFICE
2014 MAY 05

Dated : 05th May, 2014

Annexure - II

NOTE FOR THE GOVERNING BODY

ITEM NO. GB-151/7

To consider an appeal of Shri Rajesh Kumar, Store Keeper at AIMS against the penalty of "Reduction to four stage in the time-scale of pay, for a period of four years, during which he will not earn increments, but which will not have the effect of postponing the future increments" imposed on him under rule 15 of CCS (CCA) Rules, 1965

(To be placed on table in sealed cover)