

**AGENDA FOR THE 158<sup>TH</sup> GOVERNING BODY MEETING TO BE HELD ON 15<sup>TH</sup> JUNE, 2021 AT 11.30 A.M. IN THE CONFERENCE ROOM (3RD FLOOR) OF THE HON'BLE HFM'S OFFICE IN NIRMAN BHAWAN, NEW DELHI.**

**PART-II**

<b>GB-158/11</b>	To consider the representation of Dr. Biplab Mishra, Professor of Surgery, JPNATC, AIIMS for resolving his grievance in the matter of Inter-se-seniority at AIIMS, New Delhi	255-322
<b>GB-158/12</b>	To consider the representation of Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics, AIIMS, for reconsideration of his promotion to the next grade of Associate Professor under Assessment Promotion Scheme (APS) at AIIMS, New Delhi	323-343
<b>GB-158/13</b>	To consider ex-post-facto approval for the proposal of rationalization of the Administrative cadre and amendment in recruitment rules at the AIIMS, New Delhi	344-373
<b>GB-158/14</b>	To consider/ex-post-facto approval of the recommendations of the Standing Selection Committee meetings held in various phases during the months from May, 2019 to August, 2019:-  i. For recruitment of Assistant Professors & Lecturer-in-nursing; and  ii. Promotion of eligible existing faculty to the next higher grade under Assessment Promotion Scheme (APS) at the AIIMS, New Delhi	374-390
<b>GB-158/15</b>	To consider/ Ex-post-facto approval of the recommendations of the Standing Selection Committee meetings held on 11 <sup>th</sup> & 12 <sup>th</sup> January, 2020:-  i. For recruitment of Professor-cum-Principal (erstwhile Principal), College of Nursing and ii. Promotion of eligible existing faculty to the next higher grade under Assessment Promotion Scheme (APS) at the AIIMS, New Delhi	391-396
<b>GB-158/16</b>	To consider the proposal for change of nomenclature of the cadre of Data Entry Operator at the AIIMS, New Delhi	397-398
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<b>GB-158/18</b>	To consider the proposal for counting of past services rendered on ad-hoc basis by faculty member/employees for the purpose of extension of benefit of GPF and Old Pension Scheme in AIIMS, New Delhi.	404-506
<b>GB-158/19</b>	To consider the proposal for expansion of National Drug Dependence Treatment Centre (NDDTC) for establishment of Women & Adolescent Drug Abuse Treatment facilities and Private Ward at NDDTC, AIIMS, New Delhi	507-547
<b>GB-158/20</b>	Any other items for the permission of the Chair.	



**NOTE FOR THE GOVERNING BODY**

Item No. GB/11

TO CONSIDER THE REPRESENTATION OF DR. BIPLAB MISHRA, PROFESSOR OF SURGERY, JPNATC, AIIMS, FOR RESOLVING HIS GRIEVANCE IN THE MATTER OF INTER-SE SENIORITY AT AIIMS, NEW DELHI.

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**1. INTRODUCTION**

- 1.1 Dr. Biplab Mishra, Professor of General Surgery for Jai Prakash Narain Apex Trauma Centre, AIIMS, New Delhi made a representation before the National Commission for Scheduled Castes regarding "Service Harassment". Consequent to this a hearing was held by Dr. (Ms.) Swaraj Vidwan, Hon'ble Member of the Commission. This was attended by Director, AIIMS, Joint Secretary from Ministry of Health & Family Welfare, Deputy Director (Admn.), AIIMS and Dr. Anurag Srivastava, HOD, Surgery on 25.4.2019 at 02:00 PM in her Chamber ( Annexure-I ).
- 1.2 Subsequently an order was received from National Commission for Scheduled Castes, Govt. of India, dated 07.06.2019 for follow up action subsequent to hearing held on 25.04.2019. It was advised that the matter of inter-se-seniority of Dr. Biplab Mishra may be placed before the Governing Body of the Institute. Accordingly, the matter is being put up before the Governing Body. (Annexure-II ).

**2. ADMINISTRATIVE COMMENTS**

- 2.1 In the above context it is apprised that Dr. Biplab Mishra, Professor, General Surgery, Jai Prakash Narain Apex Trauma Centre of AIIMS, New Delhi was eligible to be considered for promotion to the grade of Additional Professor for the batch w.e.f. 01.07.2012 under Assessment Promotion Scheme. He was, along-with various other candidates, interviewed by the Standing Selection Committee. The Standing Selection Committee declared 17 candidates (including Dr. Biplab Mishra) 'UNFIT' for promotion. Copy of the minutes of the 149<sup>th</sup> meeting of Governing Body is enclosed as ( Annexure-III ).
- 2.2 These Faculty members made representation against the decision of the Standing Selection Committee. Their representations were placed before the Governing Body (the Appointing Authority) for consideration and further orders. The Governing Body in its 150<sup>th</sup> Meeting held on 28.02.2014 decided to refer back these cases to the Standing Selection Committee. Standing Selection Committee interviewed them again in April, 2014. Standing Selection Committee found 14 candidates out of 17 (including Dr. Biplab Mishra) declared 'FIT for Promotion'. ( Annexure-IV ).



- 2.3 The recommendations of the Standing Selection Committee were placed before the Governing Body in its 151<sup>st</sup> meeting held on 12<sup>th</sup> May, 2014. The Governing Body also considered the issue of inter se seniority of these faculty members (who were found fit after review interview) & Governing Body decided in this matter as below:-

**"Faculty members, who have been declared 'FIT' upon assessment by the Selection Committee, would be promoted to next grade from the date they were eligible. However, those faculty members who have been promoted following the review will be put below those who were declared 'FIT' from the respective dates in the first instance in 2013 and have already served in their respective higher grades for over one year"**

### 3. JUSTIFICATION

- 3.1 It is also pertinent to mention here that in the year 2010, 39 faculty members were found Unfit for promotion under Assessment Promotion Scheme by the Standing Selection Committee.

Consequently after the consideration of their representations, all of them were considered as FIT for the promotion to their respective next higher grades. While making this decision, Governing Body in its 147<sup>th</sup> Meeting held on 14.04.2012 had then also decided on inter-se-seniority of these faculty members as below:-

**"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 principle 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." However, it was also mentioned that those faculty members who have been promoted following the review will be put below those who were declared 'FIT' from the respective dates in the first instance in 2010 and have already served in their respective higher grades for over one year."**





- 3.2 The decision made by Governing Body in 151th Meeting about inter-se seniority of faculty members (who were found unfit by Standing Selection Committee in 2012, but were later declared fit by Selection Committee after assessing them in 2013) was in continuation of decision made in 147th Meeting of Governing Body) held on 14.04.2012).
- 3.3 Accordingly the seniority of the 17 faculty members including Dr. Biplab Mishra was fixed as per decision of G.B. More than 7 years have lapsed since this decision. In case a decision is made to make exception in one case, all others who were found fit after review in 2010 & 2013 will also demand for the same. This decision may have far reaching consequences on the issue of seniority & it will lead to significant change in Inter-se Seniority status of many faculty members.
4. **APPROVAL SOUGHT**

It can be seen that the same rationale has been used twice to decide upon the issue of inter-se-seniority of those who were declared unfit in first instance & were declared fit upon interview/ review by the Selection Committee/Governing Body.

The representation of Dr. Biplab Mishra, Professor of General Surgery for JPNA Trauma Centre of AIIMS, New Delhi is placed before the Governing Body in compliance of order of National Commission for Scheduled Castes for consideration and decision.

This proposal has been placed on behalf of Secretary, Health, MoH&FW, GOI as desired by the Hon'ble Members, National Commission for Scheduled Castes vide letter No. B-7/Health-2/2019/SSW-II dated 04.04.2019.

This has the approval of the Director, AIIMS, New Delhi.

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DEPUTY DIRECTOR (ADMN.)





The Governor

GENERAL SECTIONAL M.S.  
F.T.S. No. 578154  
DATED: 18/6/19

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Government of India

National Commission for Scheduled Castes

No. B-7/Health-2/2019/SSW-II

Floor Vth, Loknaya Bhawan,  
Khan Market,  
New Delhi-110003  
Dated:-07.06.2019

To

The Secretary  
M/o Health & Family Welfare  
Nirman Bhawan, New Delhi

The Head of Department (Surgery)  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi

The Director  
All India Institute of Medical Science  
Ansari Nagar  
New Delhi

RECEIVED  
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भारत किया/RECEIVED  
उप दिदेशक (प्रशा.) कार्यालय, अ.भा.अ.स.,  
Jy. Director (Admn.) Office A.I.I.M.S.  
17 JUN 2019

Sub : Rep. received from Dr. Biplab Mishra regarding service harassment.

Sir,

I am directed to forward proceedings of hearing held on 25.04.2019 before Dr. (Ms.) Swara Vidwan, Hon'ble Member of this Commission for taking necessary action and submission of action taken report.

The Hon'ble Member has fixed the next date of hearing for 17.07.2019 at 2.00 P.M. in her Chamber at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi.

Accordingly, you are requested to make it convenient to appear in person in the hearing before the Hon'ble Member as per schedule mentioned above at the Headquarters of National Commission for Scheduled Castes at New Delhi alongwith an upto date action taken report and all relevant documents including the relevant files, case diaries etc. to facilitate the hearing. The petitioner may also be asked to be present in the Commission on the day of hearing/discussion.

Yours faithfully,

(C.S. Verma)  
Director  
Ph. No. 011-24624185

Copy for information to the petitioner to attend the hearing in the Commission on 17.07.2019 at 2.00 P.M.:-

Dr. Biplab Mishra  
Professor of Surgery  
Room No. 224, JPNATC,  
AIIMS, New Delhi.

AO (Fe) - ij ij [11]

AO (AER) - ij Sna  
17/6/19

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18/6/19

THE HISTORY OF THE UNITED STATES OF AMERICA

CHAPTER I. THE DISCOVERY OF AMERICA

IN 1492, CHRISTOPHER COLUMBUS, AN ITALIAN MARINER, WAS THE FIRST EUROPEAN TO REACH THE AMERICAN CONTINENT.

HE WAS SPONSORED BY KING ISABELLA OF SPAIN AND SET SAIL ON SEPTEMBER 8, 1492.

AFTER A LONG AND DANGEROUS VOYAGE, HE LANDED ON THE ISLAND OF SAN SALVADOR IN THE BAHAMAS.

HE FOUND THE ISLANDS INhabITED BY NATIVE AMERICANS WHO CALLED THEMSELVES THE TAINO.

COLUMBUS BELIEVED HE HAD REACHED THE EAST INDIES AND NAMED THE ISLANDS THE WEST INDIES.

HE REMAINED ON THE ISLANDS FOR THREE MONTHS BEFORE SAILING BACK TO SPAIN.

ON OCTOBER 12, 1492, HE ARRIVED IN PALERMO, ITALY, AND REPORTED HIS DISCOVERY TO THE KING AND QUEEN.

THEY WERE IMPRESSED BY HIS REPORT AND DECIDED TO SPONSOR FURTHER VOYAGES.

COLUMBUS MADE THREE MORE VOYAGES TO THE AMERICAN CONTINENT IN 1493, 1498, AND 1499.

HE DISCOVERED THE MAINLAND OF NORTH AMERICA IN 1498 AND THE CARIBBEAN ISLANDS IN 1499.

HE WAS THE FIRST EUROPEAN TO ESTABLISH A PERMANENT SETTLEMENT IN THE AMERICAS.

THE SETTLEMENT WAS CALLED SAN PEDRO DE NUVENA AND WAS LOCATED ON THE ISLAND OF SAN PIERRE.

IT WAS THE FIRST EUROPEAN SETTLEMENT IN THE WEST INDIES.

COLUMBUS'S DISCOVERY OF AMERICA OPENED UP A NEW WORLD FOR EUROPEAN EXPLORATION AND SETTLEMENT.

IT WAS THE BEGINNING OF A NEW ERA IN THE HISTORY OF THE WORLD.

THE AMERICAN CONTINENT WAS DISCOVERED BY A EUROPEAN MARINER.

THE DISCOVERY OF AMERICA WAS A MAJOR EVENT IN THE HISTORY OF THE WORLD.

National Commission for Scheduled Castes  
Lok Nayak Bhawan, Khan Market, New Delhi

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The hearing of the case of Dr. Biplab Mishra, Professor, JPNATC, AIIMS, New Delhi regarding service harassment was held on 25.04.2019 in the Chamber of Dr. (Ms.) Swaraj Vidwan, Hon'ble Member, NCSC, New Delhi.

The following persons were present in the hearing: -

1. Dr. Biplab Mishra ----- Petitioner
2. Dr. Randeep Guleria ----- Director, AIIMS, New Delhi
3. Shri Sunil Sharma ----- Joint Secretary, M/o Health & Family Welfare
4. Dr. Anurag Srivastava ----- HoD (Surgery), AIIMS, New Delhi
5. Shri Subhashish Panda ----- Dy. Director (Admin.), AIIMS

2. All the authorities except Secretary, M/o Health & Family Welfare were present in the hearing. The petitioner was also present in the hearing.

3. The petitioner presented his case before the Commission. He has requested Commission for making power point presentation to submit fair facts before the Commission. Through ppt & representation he has submitted facts before the Commission. He informed that he is presently working as a Professor of Surgery in JPNATC (Trauma Center). He had joined the Institute AIIMS, New Delhi in 1991 as a MBBS student and has been working in the same Institute for almost all these years. He became Assistant Professor of Surgery in 2005 in Trauma Center (TC) under Department of Surgery with four other colleagues and he became the senior most among his peers inter-seniority wise. He has cited reference of surgeries that he has performed an unbelievable impalement case in 2008 (in this case a 3 x 3 inch iron angle went through and through, through the chest and abdomen of a 22 years old male). This case was highlighted by almost all prominent media in India. Japan made a documentary of the case, the USA had aired it in the Discovery Channel. This case was reported in a medical journal in Europe. Dr. Biplab Mishra reported this technique of surgery in a US based medical journal where he even coined a new medical term and technique called "Torso-tractotomy". Dr. Mishra further told that he was awarded "Shourya Puraskar" by a Bollywood group in Mumbai in 2010. He was also awarded "Delhi Ratan" by a NGO for such accomplishment in 2010. It is a rarity among Indian doctors to have a "medical entity" attributed to them. He has two medical entities against his name known as "Mishra phenomenon" and "Mishra's sign". He has credited more than 30 international publications to his name.

Dr. Mishra has submitted 03 main issues as under:-

*(A) Issue (I) - Wrongful and unfair denial of promotion (from Associate to Additional Professor declared on 19.07.2013) by declaring him unfit without reasons and subsequently even after finding him "FIT" in a Review (declared on 17.5.2014) unfair denial of inter-seniority to him, even denial of this issue to be taken up to the appellate authority by AIIMS administration.*

In the above issue, Dr. Mishra informed that he was unfairly made "unfit" in a 05 minutes APS (Assessment Promotion Scheme) interview from the post of Associate to Additional Professor on 20.4.2013. No reasons were given or cited for making him "unfit" based on his performance in Clinical Work, research, teaching or APAR. Dr. Mishra represented this case to the Appellate Authority (Governing Body) in the 150th meeting held on 28.02.2014. As a part of review Dr. Mishra was interviewed by the Standing Selection Committee (SSC) on 30.3.2014 and

was found "FIT". Subsequently Dr. Biplab Mishra was given promotion from the back date (from which it was due) but was selectively denied "inter-se seniority"

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Dr. Mishra also cited the reference of two letters of Shri Motilal Vora, Member Governing Body written to Prof. M.C. Mishra dated 21.5.2014 and to Shri J.P. Nadda, Minister for health & Family Welfare & President, AIIMS dated 01.02.2014 wherein Shri Vora clearly stated that "there was no mention about inter-se seniority (in the 150<sup>th</sup> GB) and clearly the intention was to restore their original positions". He also pointed out that "putting them below the candidates who were declared fit in the 1st instance in 2013 would tantamount to disagreeing with the decision of the 150<sup>th</sup> GB as much as those declared fit on review, if placed below those declared fit in 2013 would automatically stand superseded. There should be no sanctity/stress on the fact that they have already put in one year service in the higher grade. It is in fact a fait accompli". He also mentioned that "it also does not appear to the fault of the faculty that they were declared fit on review". He had also requested to Director, AIIMS to kindly take into account his observations while deciding the inter-se seniority of these faculty members 2013 & 2014 it all.

**(B) Issue (2):-** Humiliation and discriminatory removal from the Department of Surgery Unit-III, on 19.04.2016 by the head of the Department (Dr. Anurag Srivastava) actively hampering his career in Thoracic Surgery that too when there was gross professional misconduct on the part of the colleague.

Regarding this issue Dr. Biplab Mishra informed that he was performing general surgery in Unit-III of the Department of Surgery since 2012 and even before he was performing trauma related thoracic surgeries in Trauma Center since 2007. He has narrated the whole story of dated 18.04.2016 of operation theater-4, how Dr. V. Seenu and Dr. Rajinder Parshad behaved unfair and unprofessional manner. Dr. Mishra made a complaint of this incident to the HOD (Dr. Anurag Srivastava) and later on to Director, AIIMS. The details of the matter can be seen in the representation of Dr. Biplab Mishra. In the matter neither HOD nor Director took any action against Dr. Seenu and as a result Dr. Mishra was humiliated and discriminated by his removal from the departmental of surgery, Unit-III on 19.04.2016.

**(C) Issue (3):-** Unfair downgrading of his APAR and making adverse remarks which were biased and not confirming to the rules.

In the matter, Dr. Mishra alleged that it is a matter of great shame for a reputed institute like AIIMS for victimizing him. He put the blame on the Director of AIIMS, Dr. Randeep Gulreia and HOD (Dr. Anurag Srivastava), who not only failed to give him justice but also had been instrumental for his sufferings and loss of dignity in his work place.

(4) Director, AIIMS along with the other officers submitted following points before Commission:-

(i) Dr. Biplab Mishra was found unfit for promotion by the Standing Selection Committee's meeting held on 19.07.2013. After that, the Governing Body (GB) had considered the representation by all those who were found unfit and referred the matter to SSC to interview them and decide on their representation. As regard the matter of inter se seniority, the matter was decided by the Governing Body. Both Governing Body & Selection Committee has Members who are from outside AIIMS except Members Secretary, therefore allegation of bias seems unjustified.

(ii) The issue raised by Dr. Biplab Mishra is with regard of working arrangements of faculty who are selected a discipline for which there is no department in the centers but exists in the main.



hospital or any other center. In this regard AIIMS had decided on the matter issued guidelines about working arrangement in 2014.

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(ii) In the matter of APAR, the representation submitted by Dr. Mishra was examined and it was noted that his overall grading was Very Good. His APAR had been reported by Head of the Department and then reviewed by Dean, Academic i.e. his performance had been reviewed at two level. Since his overall performance was matching bench mark, therefore, it was decided that there was no need to review his ACRs.

(5) The Commission heard the case in detail. The Commission has thoroughly examined the case and observed the following points.

- (i) Dr. Biplab Mishra is a brilliant and extra ordinary Doctor. He was stood first in his batch being a Scheduled Case community. He is the doctor who is known for two medical entities- "Mishra phenomenon" and "Mishra's sign". He has successfully performed an unbelievable impalement case in 2008, that was highlighted in media. Japan also made a documentary of the case, the USA had aired it in the Discovery Channel. Dr. Biplab Mishra got so many awards like "Shaurya Puraskar" and "Delhi Ratan". He has more than 30 international publications. Besides the above achievements, he has done hundreds of successful operation.
- (ii) A scholar Dr. Mishra was unfaily failed by the Selection Committee in interview and no reason was communicated to him on what ground he was failed for the post of Additional Professor on 19.07.2013. On his request his case was considered in Governing Body and he was declared fit in a review. He was given promotion but denied his inter-se-seniority. It is against the rule. If anybody declared fit, he should be given seniority also. The Commission is shocked to know that there is no clear cut guidelines in the charter of AIIMS that a person who has been declared fit on review, should be promoted but denied seniority. This is a serious issue and has been seriously viewed by the Commission.
- (iii) Two letters of Shri Moti Lal Vora, Member of Governing Body dated 01.05.2014 and 01.012.2014 addressed to Director, AIIMS and Hon'ble Minister for Health & FM & President, AIIMS which clearly indicate that there was no mention about inter-seniority (in the 150<sup>th</sup> GB) and clearly the intention was to restore their original position, He has clearly pointed out that "Putting them, below the candidates who were declared fit in the 1<sup>st</sup> instance in 2013 would tantamount to disagreeing with the decision of the 150<sup>th</sup> GB as much as those declared fit on review, if placed below those declared fit in 2013 would automatically stand superseded. There should be no sanctity/stress on the fact they have already put in the one year service in the higher grade. It is in fact a fait accompli.

**After the clear cut observation given by Shri Moti Lal Vora, even then the authority of AIIMS failed to restore the seniority of Dr. Biplab Mishra. This shows malafide intention of the authorities of AIIMS towards Dr. Biplab Mishra.**

- (iv) From the facts submitted by Dr. Mishra, it is clear that he was doing surgery in Unit-III since 2012. He was simply sacked on the complaint of the colleagues (Dr. V. Seenu & Dr. Rajinder Parshad) of Dr. Biplab Mishra. His OT was captured illegally by Dr. V. Seenu and humiliated him in front of patients.
- (v) As far as APAR is concerned, Dr. Mishra was rated Very Good and other fellow was rated outstanding. It is not clear from the facts submitted by AIIMS, what is the

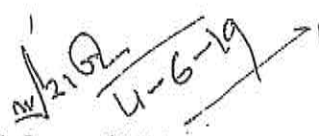
criterion of assessing of a officer in the AIIMS. The authorities of the AIIMS has to develop justified and transparent way of assessing of a officer.

- (vi) It has also observed that there is a planned conspiracy against Dr. Biblab Mishra by the authorities of AIIMS who don't want that he could achieved excellence in the field of Medical Science, so had tried to make him junior and humiliated him in front of patients also.

6. After examining the case, the Commission feels that a gross injustice has been done against Dr. Biplab Mishra by the Senior Doctors and Authorities of AIIMS. In this matter, a bright doctor who is the pride of the nation is just punning post to pillar to get the justice. This is really unfortunate that the authorities of the AIIMS are so insensitive that they are harassing a scholar of Scheduled Castes community. The authorities of AIIMS are advised that they should be more vigilant while dealing the matter of Scheduled Caste community, otherwise this type of matter comes under SC/ST POA Act, 1989 and they are dealt as per laws of the Commission.

The Commission has recommended the following points for immediate compliance:-

- (i) The matter of inter-se seniority of Dr. Biplab Mishra may be resolved by the Director, AIIMS, New Delhi within one month.
  - (ii) If Director, AIIMS, New Delhi fails to resolve the issue within given time, the matter of inter se seniority of Dr. Biblab Mishra only may be referred to Governing Body for positive consideration. The recommendations of AIIMS to GB to be intimated to Commission.
  - (iii) Since allegation have been made against Director, AIIMS/AIIMS Administration, the Commission advises the Secretary, M/o Health & Family welfare to present the case of Dr. Biplab Mishra in the upcoming Governing Body meeting and resolved the issue.
  - (iv) HOD, Department of Surgery is directed to submit relevant evidence/document to prove Dr. Mishra does not belong to the Department of Surgery and does not have the right to work in unit -III where he was already working.
  - (v) Director, AIIMS is directed to submit the APARs of Dr. Rajinder Parshad and Dr. Seenu for the year 2016 - 2017 and APARs of colleagues of Dr. Biplab Mishra (Dr. Sushma Sagar, Dr. Amit Gupta and Dr Subodh Kumar) for the years 2014-2015, 2015-2016 & 2016-2017.
7. The next date of hearing has been fixed on 17<sup>th</sup> July, 2019. at 2.00 P.M.

  
 Dr. (Ms.) Swaraj Vidwan  
 Member, NCSC, New Delhi

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Through Special Messenger  
By Speed Post

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

F.No. 2-1/2013-Genl.


Ansari Nagar, New Delhi-29  
Dated: 30.09.2013

MEMORANDUM

Subject:- Final Minutes of the 149<sup>th</sup> Meeting of the Governing Body held on Friday, the 19<sup>th</sup> July, 2013 at 12:00 P.M. in the Committee Room, 3<sup>rd</sup> Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

Minutes of the Governing Body meeting held on 19<sup>th</sup> July, 2013 at 12:00 P.M. in the Committee Room, 3<sup>rd</sup> 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.2-1/2013-Genl. dated 03.09.2013 inviting observations, if any, within two weeks from the date of issue of the memo.

Final approved minutes as approved by Chairman after incorporating an observation received from Smt Sumshma Sawraj, MP(LS) are being circulated with the approval of the Chairman, Governing Body, AIIMS for kind perusal and record.

  
(Prof. R.C. DEKA)  
DIRECTOR &  
MEMBER SECRETARY

30/9/13

Encl. As above

The Chairman and all the  
Members of the Institute Body.



MINUTES OF THE 149<sup>TH</sup> MEETING OF THE  
GOVERNING BODY HELD ON FRIDAY, THE  
19<sup>TH</sup> JULY, 2013 AT 12.00 NOON IN  
COMMITTEE ROOM, 3<sup>RD</sup> FLOOR, THE  
MINISTRY OF HEALTH & FAMILY WELFARE,  
NIRMAN BHAWAN, NEW DELHI.

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The 149<sup>th</sup> meeting of the Governing Body of AIIMS, New Delhi was held on Friday, the 19<sup>th</sup> July, 2013 at 12.00 Noon in the Committee Room, 3<sup>rd</sup> Floor in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi. The following were present:-

- |    |   |    |          |
|----|---|----|----------|
| 1) | Shri Ghulam Nabi Azad<br>Union Minister of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi-110 011.   | -- | Chairman |
| 2) | Smt. Sushma Swaraj,<br>Member of Parliament (Lok Sabha),<br>8, Safdarjung Lane,<br>New Delhi-110 011  | -- | Member   |
| 3) | Shri Motilal Vora<br>Member of Parliament (Rajya Sabha)<br>33, Lodhi Estate,<br>New Delhi-110 003   | -- | Member   |
| 4) | Shri Keshav N. Desiraju,<br>Secretary to the Govt. of India,<br>Ministry of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi-110 011                             | -- | Member   |
| 5) | Dr. Jagdish Prasad,<br>Director General of Health Services,<br>Ministry of Health & Family Welfare<br>Govt. of India,<br>Nirman Bhawan,<br>New Delhi-110 011.           | -- | Member   |
| 6) | Shri S.K. Srivastava,<br>Addl. Secretary & Financial Adviser,<br>Government of India,<br>Ministry of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi - 110 011. | -- | Member   |

Do

- |     |  |    |                  |
|-----|--|----|------------------|
| 7)  | Dr. R.A. Badwe,<br>Director,<br>Tata Memorial Hospital,<br>Dr. E. Borges Road, Lower Parel,<br>Mumbai  | -- | Member           |
| 8)  | Dr. K.K. Talwar<br>Pocket-14, Sector-8,<br>Dwarka Phase-I,<br>New Delhi.   | -- | Member           |
| 9)  | Prof. R.C. Deka,<br>Director,<br>All India Institute of Medical Sciences,<br>Ansarī Nagar,<br>New Delhi-110 029                                    | -- | Member-Secretary |
| 10) | Shri Sundeep Kumar Nayak,<br>Joint Secretary to the Govt. of India,<br>Ministry of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi-110 011 | -- | Special Invitee  |
| 11) | Dr. Shashi Wadhwa,<br>Dean (Academic),<br>All India Institute of Medical Sciences,<br>Ansarī Nagar,<br>New Delhi-110 029                           | -- | Special Invitee  |
| 12) | Dr. D.K. Sharma,<br>Medical Superintendent,<br>All India Institute of Medical Sciences,<br>Ansarī Nagar,<br>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. S.P. Agarwal, Secretary General, Indian Red Cross Society could not attend the meeting.

At the outset, Chairman welcomed the distinguished Members of the Governing Body of AIIMS, Special Invitees and the officials to the 149<sup>th</sup> meeting of the Governing Body. Warm welcome was also extended to Shri Keshav N. Desiraju, Secretary and Shri S.K. Srivastava, Addl. Secretary & Financial Adviser, Ministry of Health & Family Welfare, who were newly inducted members to the Governing Body and were attending the meeting of the Governing Body for the first time. Chairman apprised the Members that since the last



meeting of the Governing Body, which was held in October, 2012, there had been additions to the infrastructure of AIIMS, New Delhi such as Outreach OPD at Jhajjar, and underground parking with the capacity of over 400 vehicles and Masjid Moth. Besides, a multi-storied Convergence Centre, and the hostel blocks for accommodating 346 students were in the advance stage of completion. He added that the Convergence Block, a G+9-storey building with two basements, was expected to be completed by the end of September, 2013 and the hostel blocks by December 2013. He informed that the Master Plan of AIIMS, which had been submitted to the NDMC in February, 2010 was approved by Delhi Urban Art Commission (DUAC) in their meeting held on 10.7.13. However, the minutes of the DUAC meeting were awaited.

Chairman admired the excellent services being rendered by the doctors and staff of the AIIMS to the people of the country despite the manpower, space & infrastructure constraints in AIIMS. He also informed the Members that the agenda items, inter-alia, include consideration of the recommendations of the Standing Selection Committee for promotion of faculty under APS, guidelines for work standards for faculty, Institutional Bio-Design Centre etc., and welcomed valuable suggestions and inputs from the Members. He then invited the Member Secretary to proceed with the agenda items.

Before proceeding with the agenda items, the Member Secretary also extended his warm welcome to the Chairman and Members to the 149<sup>th</sup> meeting of the Governing Body. In his welcome address, he made a special mention of Shri Keshav N Desiraju, Health Secretary and Shri S.K. Srivastava, Addl. Secretary & FA, who is also the representative of Finance Ministry, as both these senior officers were the newly inducted members of the Governing Body and were attending the meeting of the Governing Body for the first time. With the permission of the Chair, the agenda items were taken up for discussion as follows.

#### Item No. GB-149/1

Confirmation of minutes of the 148<sup>th</sup> meeting of the Governing Body held on 22<sup>nd</sup> October, 2012 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

The minutes of 148<sup>th</sup> meeting of the Governing Body were placed before the GB for consideration and confirmation. The minutes were accordingly confirmed.

#### Item No. GB-149/2

Action Taken Report on the minutes of the 148<sup>th</sup> meeting of the Governing Body held on 22<sup>nd</sup> October, 2012 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

Dr. R.S. Shuka, Dy. Director (Admn.) presented the action taken report on the minutes of the 148<sup>th</sup> meeting of GB held on 22/10/2012.

Apart from the information given in the action taken report regarding the National Cancer Institute to be set up on the Jhajjar campus of AIIMS, it was informed by Dr. R.S.



Shukla that a meeting of the Committee in the Ministry was taken by the Health Secretary to review progress of the Jhajjar campus. The Health Secretary also stated that development of a master plan for the entire 300 hundred acres of land at Jhajjar was essential before individual centres/facilities were approved and set up. Keeping in view the urgency of setting up of a Cancer Institute, it was finally decided that a piece of 50 acre land should be kept aside and should not be the part of overall master plan which is time consuming.

Dr. Badwe stated that the Jhajjar campus would be a hub and spoke model with state-of-the-art conglomerate of specialty centres, research activities and services. He also informed that discussion had been held with the National Institute of Health, USA and there was a proposal to visit the NIH Centres dealing with non-communicable diseases for getting inputs for a unified approach towards the development of the campus at Jhajjar.

Smt. Sushma Swaraj desired to know about the time-frame for setting up the Jhajjar campus. Dr. R.A. Badwe replied that it would take about 3 years. The Health Secretary stated that master plan for the entire campus needed to be completed before specific activities for individual centres are taken up. On being asked about the time-frame for the master plan, Dr. R.S. Shukla informed that the prospective agencies have been shortlisted for the tendering and their bids would be received by September, 2013 and, thereafter selection of agency would follow in due course. The selected agency would require time to prepare the master plan.

Smt. Sushma Swaraj suggested that in order to expedite the setting up of above centres, the process for procurement of equipment etc. should also be taken up simultaneously. Dr. R.A. Badwe stated that the process of procurement would be initiated about 18 months before the expected completion of a centre/facility and the steps for creation of human resources would be taken up at the time of start of construction activity. Chairman suggested that the creation of posts should be ensured before placement of orders for equipment in the new facilities on Jhajjar Campus. Member Secretary informed the GB that outreach OPD at Jhajjar had been made functional.

While taking up the action taken report on construction of new OPD block at Masjid Moth, Chairman desired to know the progress. Dr. R.S. Shukla informed that proposal for new OPD block had been examined by NDMC and forwarded to DUAC for their clearance. DUAC in their meeting held on 10/7/2013 took up the proposal and made some observations which are to be complied with by the next meeting of DUAC. Chairman desired timely compliance with the observations of DUAC by AIIMS and HSCC. Sh. Sundeep Nayak, Joint Secretary, informed the GB that EFC Memo on new OPD Block had been circulated. He also informed that a Committee had been set up with the approval of the Secretary (Health) to examine cost particulars in DPR of new OPD block.

It was informed by Dr. R.S. Shukla that as per the decision of GB projects costing more than Rs. 5 crore would be placed before the Estate Committee first and brought before the Standing Finance Committee and Governing Body for consideration thereafter.

As regards the demolition of the old private ward it was informed that in pursuance of the earlier decision of the GB, a separate agenda item (149/15) was being placed before the GB.





While discussing the action taken report regarding 'Censure' of Dr. O.P. Murty, it was observed by Sh. Sundeep Nayak, that the order of the 'Censure' was communicated after a long period of the GB decision taken in the last meeting on 22/10/12. Smt. Sushma Swaraj also desired to know the reason behind the delay. Dr. R.S. Shukla said that this needed to be checked from the records and the position in this regard would be reported in next meeting of GB!

As regards the report of Dr. Sneh Bhargava Committee for determining works standards for faculty, it was intimated that the Ministry of Health and Family Welfare had examined the report in consultation with the autonomous institutions. The Ministry has already forwarded guidelines on the report vide letter No.V-16020/57/2008-ME-I (Pt.) dated 15/5/2013. This was being brought as separate agenda item (149/5) for discussion.

It was also brought to the notice of Members that, a separate agenda item (149/11) was being placed before the Governing Body for consideration of the appeal of Ms. Sneh Lata, cx-ANS.

With reference to the Amendment of Schedule II of AIIMS Regulation, 1999, it was reported that as per suggestion of Smt. Sushma Swaraj, the decision of the last meeting of the Governing Body was implemented placing the erstwhile Group "D" employees under the jurisdiction of the authorities meant for Group "C", on their becoming Group "C" under the 6<sup>th</sup> CPC recommendations in respect of all relevant service matters.

As regards the representations of three faculty members of the Deptt. of CTVS concerning their seniority, it was informed that a Committee headed by former Secretary Sh. P.K. Pradhan was set up by the Governing Body. The Committee had submitted its report and the same was being placed as an agenda item No.GB-149/6.

Sh. Sundeep Nayak observed that the action taken report referred to only those decisions which were taken in the preceding meeting. He suggested that there should be a mechanism for tracking decisions of the previous GB meetings which had remained unattended. Smt. Sushma Swaraj also agreed with this observation and said that from the next meeting a report on previous decisions which were yet to be implemented should be placed before the GB along with reasons for non-implementation and status thereof.

With above observations the action taken report was approved.

#### Item No. GB-149/3

To approve the recommendations of the Standing Selection Committee based on the meetings held from 12<sup>th</sup> to 14<sup>th</sup> April, 2013 and from 18<sup>th</sup> to 20<sup>th</sup> April, 2013 under the Assessment Promotion Scheme (APS) at the AIIMS, New Delhi.

Before the agenda item GB-149/3 was taken up for consideration, the Member Secretary, with the permission of Chairman, requested all officers and staff, except the Members of the Governing Body, to leave the meeting room. The agenda item was then taken up and discussed only in the presence of Members of Governing Body.

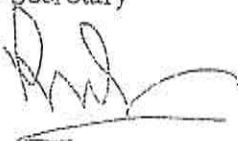
The minutes containing the recommendations of the Standing Selection Committee (SSC) were removed from sealed covers and copies of the minutes were given to each Member of GB for perusal and discussion. The Member Secretary then informed the Members about the procedures followed with regard to evaluation of candidates eligible in 2011 and 2012 under Assessment Promotion Scheme including the guidelines as approved by IB in 1997. The interviews were conducted from 12<sup>th</sup> to 14<sup>th</sup> April, 2013 and from 18<sup>th</sup> to 20<sup>th</sup> April, 2013. Two external experts from each discipline assisted the Standing Selection Committee in determining the suitability of candidates for promotion under Assessment Promotion Scheme. Director also mentioned about the guidelines as approved by IB in 1997 which were followed strictly in this APS. Besides subject experts giving grades (fit/unfit), members of SSC also assessed candidates and gave them grades (fit/unfit). Director, then requested the Chairman of the Standing Selection Committee, Dr. R.A. Badwe, to give his remarks and also to present the recommendations of SSC before the Governing Body. The summary of recommendations is as follows:

	Recommended	Not Recommended	Total
Level II to III (Associate Professor to Additional Professor) for the batch eligible on 01.07.2011	10	02	12
Level III to IV (Additional Professor to Professor) for the batch eligible on 01.07.2011	39	03	42
Level II to III (Associate Professor to Additional Professor) for the batch eligible on 01.07.2012	61	05	66
Level III to IV (Additional Professor to Professor) for the batch eligible on 01.07.2012	29	07	36
<b>TOTAL</b>	<b>139</b>	<b>17</b>	<b>156.*</b>

\*Out of a total of 158 candidates, two candidates, namely, Dr. O.P. Murty, Additional Professor of Forensic Medicine and Dr. Madhu Vajpayee, Additional Professor of Microbiology did not appear for the interview for promotion to the grade of Professors for the batch of 01.07.2012 and were not considered in-absentia for promotion under Assessment Promotion Scheme (APS) by the SSC.

This was followed by a detailed discussion in which the Members such as Smt. Sushma Swaraj and Shri Motilal Vora participated. After detailed discussions, the recommendations of the SSC were accepted and approved by the Governing Body.

In this context, a representation made by Dr. B.K. Khaitan, Additional Professor, Department of Dermatology, AIIMS was also examined and discussed. Both, Chairman and Director, were of the view that there was no merit in the points made by Dr. Khaitan in his representation. Director also presented before the GB, the records of assessment (such as



fit/unfit)) made by the subject experts as well as the members of SSC in case of Dr. Khaitan. He added that the selection process was as per guidelines and the subject experts, one from Lady Hardinge Medical College, New Delhi and the other from JIPMER, Puducherry, were eminent Professors in the field of Dermatology and they had made their independent assessment of the candidate. Director further added that these two professors had also served as domain experts in 2010 during the interview of Dr. Khaitan for his promotion from Associate Professor level to Additional Professor level. The Members of GB expressed their satisfaction at the assessment of Dr. Khaitan by the SSC. The representation of Dr. Khaitan was found to be devoid of any merit and was accordingly disposed off.

Director also took permission of Chairman of GB to issue promotion orders on 19/7/13 itself after the GB meeting and this request of Director was kindly acceded to by Chairman of GB.

#### Item No. GB-149/4

To consider the representations received from Faculty members for relaxation of number of chances beyond the limit of three chances to appear before the Selection Committee for promotion to the next grade under Assessment Promotion Scheme.

While discussing the Agenda Item 149/4, the Member Secretary informed that representations had been received from following faculty members who had availed three chances for promotion under A.P.S:

1. Dr. Krishna Dalal, Associate Professor of Biophysics
2. Dr. N.N. Sarkar, Associate Professor of Reproductive Biology
3. Dr. A.P. Bhalla, Assistant Professor of Anaesthesiology
4. Dr. Nepal Singh Raj, Assistant Professor of Clinical Pharmacology
5. Dr. Nanaji Kaw, Assistant Professor of Psychiatry (NDDTC)

Director briefed the Members about the Guidelines for Assessment Promotion Scheme and informed that three chances were available to a faculty member at each level to face the Selection Committee for promotion to the next higher grade. In the event a faculty member exhausted his/her first chance without promotion, he/she would be eligible for next chance after a gap of two years. During this intervening period of two years, he/she was expected to work towards improving performance. Even in the second chance if one does not get promoted, he/she would be eligible to get a third chance after a gap of three years. In the instant case, these faculty members had already exhausted all three chances and had been requesting for one more chance in relaxation of existing guidelines. He also mentioned about the recommendations of Dr. Sneh Bhargava Committee which suggested that three chances to appear before the Selection Committee for promotion should be conceded annually. DGHS stated that his views were similar to those of Director that three consecutive chances should be given in three years.

Smt. Sushma Swaraj endorsed the views of the Director to the extent that the chances should be given annually and added that the individuals whose representations were under consideration, should be given one more (4<sup>th</sup>) chance in relaxation, and this 4<sup>th</sup> chance should not be linked to the recommendations of Dr. Sneh Bhargava Committee. At this point

Chairman suggested that four annual chances should be given to all faculty members at each level in future, and, to this extent the Dr Sneh Bhargava Committee recommendations may be amended for acceptance.

After detailed discussion on the representations of the faculty members and the relevant recommendations by Dr. Sneh Bhargava Committee forwarded by the Ministry, it was decided as follows:

- (i) Faculty members, whose representations were being considered by the Governing Body, would be given one more chance to appear before Standing Selection Committee.
- (ii) Henceforth, all faculty members would be eligible to avail of three consecutive chances to appear before the SSC in 3 years.

Item No. GB-149/5

To approve the guidelines framed for work standards for faculty of Autonomous Institutions of Medical Education under the Department of Health & Family Welfare, Government of India for adoption at the AIIMS, New Delhi.

Dy. Director (Admn.) briefed the Members that a Committee headed by Dr. Sneh Bhargava, Ex-Director, AIIMS had been constituted by the Government and the Committee submitted its report to the Ministry of Health & Family Welfare. The Ministry of Health & Family Welfare circulated the recommendations of Dr. Sneh Bhargava Committee on work standards for faculty of autonomous Institutions of Medical Education on 15<sup>th</sup> May, 2013 after consultation with the various Institutions and suggested that these recommendations might be adopted by the respective Institutes. He added that these recommendations were related to allocation of faculty time for teaching, research and patient care; evaluation of faculty promotion under APS etc.

Chairman informed that these guidelines had been implemented in PGIMER, Chandigarh. Smt. Sushma Swaraj suggested that these recommendations should be uniformly made applicable to all the three Institutions viz AIIMS, New Delhi; PGIMER, Chandigarh and JIPMER, Pondicherry.

Participating in the debate, Dr. Badwe suggested that there should be some clear criteria for annual assessment.

The Director informed that for selection to the post of Asstt. Professor or Assoc. Professor under the mode of direct recruitment, there was a grading system (A+, A, B+, B & C) to be awarded by the members of the Selection Committee and the experts and as per guideline of IB, 1997 selected candidates on this basis were only appointed. He opined that if this system was also to be made applicable as per recommendations of Dr. Sneh Bhargava Committee for promotion to faculty posts, under APS, the same ought to be circulated amongst the faculty members in order to make them aware of the guidelines after their knowledge about the benchmark of fitness, we may implement after its ratification in due course of time.

Dr. K.K. Talwar expressed apprehension that despite a person being brilliant, he/she may not secure A\* from all the members and the experts and hence may be rejected for promotion. He suggested that majority decision of the members of the Selection Committee should prevail for promotion of a candidate (as per IB decision of 1997 as mentioned by the Director).

Dr Badwe, Director, TMH informed that in Tata Memorial Hospital, the promotion was on the basis of internal assessment as well as external assessment through selection committee while in AIIMS, New Delhi there was no such scheme of internal assessment and the internal assessment was synonymous with Annual Performance Report. Dr. Badwe suggested that the APR or ACR should be submitted before the Selection Committee and all the Heads of the Departments should be informed that they would invariably give grading to their subordinates and everyone should fill up one's self-appraisal.

After detailed discussions recommendations for work standards for faculty as circulated vide MoHFW OM letter No.V-16020/57/2008-ME-I (Pt.) dated 15/5/2013 were approved with the only modification as decided under Item No.GB-149/4 (i.e. faculty members would be given 3 consecutive chances in 3 years for qualifying for promotion under APS).

This decision will also be placed before IB for approval before initiating steps for its implementation.

#### Item No.GB-149/6

To consider the report of the Committee constituted to examine the facts/records with regard to the issue of seniority of Additional Professors in the Department of C.T.V.S. at AIIMS, New Delhi.

The Governing Body in its meeting held on 22<sup>nd</sup> 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 and 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 RC 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 the view that it would not be appropriate to sit in judgment 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.

Dr. Badwe observed that the issue of seniority of Professors could be addressed by introducing the system of Rotation of Headship. At this stage, Chairman desired to know the progress made by the Committee set up by the Governing Body under the Chairmanship of Dr. M. K. Bhan. It was reported to him that the Committee was yet to submit its recommendations. Chairman desired that the Committee should be asked to submit its report within one month.

Smt. Sushma Swaraj pointed out that the Rotation of Headship would also involve the question of placing Professors in the next higher grade. The Member Secretary informed the Members that earlier 25% of sanctioned posts of Professors were operated in higher grade but it was raised by the Government upto 40% after the 6<sup>th</sup> Pay Commission. He added that there was a lack of clarity about the pool of Professors from which 40% Professors could be placed in the next higher grade. Therefore, this matter had been referred to the Ministry for clarification.

Chairman observed that at the time of implementing the scheme of Rotation of Headship, parameters like leadership, administrative and decision making qualities, besides academic performance should also be taken into account. He said that this issue would be further debated after the report of the Dr. Bhan Committee on the issues of Rotation of Headship at AIIMS, New Delhi was placed before the Governing Body in due course.

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 SSC.

Item No. GB-149/7

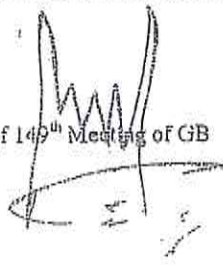
To consider the proposal for grant of Voluntary Retirement to Dr. B.K. Mohanti, Professor of Radiotherapy from the service of this Institute w.e.f. 21.02.2013 (A.N.) at the AIIMS, New Delhi.

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Considered and Approved.

Member Secretary



Minutes of 149<sup>th</sup> Meeting of GB



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Item No. GB-149/8

To consider the proposal for grant of voluntary retirement to Dr. Vinod Raina, Professor & Head, Department of Medical Oncology from the service of this Institute w.e.f. 10.04.2013 (A.N.) at the AIIMS, New Delhi.

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 Considered and Approved.

Item No. GB-149/9

To consider the proposal for grant of voluntary retirement to Dr. Rasik B. Vajpayee, Professor of Ophthalmology from the service of this Institute w.e.f. 01.01.2013 (F.N.) at the AIIMS, New Delhi.

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 Considered and Approved.

Item No. GB-149/10

Relaxation in maximum upper age limit for the post of Senior Resident in the Department of Hospital Administration i.e. from 33 years to 40 years.

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 The Member Secretary briefed about the agenda item and informed the Members that one of the reasons for seeking age relaxation was that Senior Residents in Hospital Administration were mostly sponsored candidates from the States or various agencies. Such candidates put in a number of years of service before being sponsored for this course, as such when they apply for this course, they fail to meet the eligibility criterion of upper age limit. He further informed that generally the upper age limit for recruitment as Senior Residents was 33 years.

Supporting the contention of the Director, Dr. K.K. Talwar said that the age limit in PGIMER, Chandigarh for Sr. Residents in Hospital Administration was 35 years and in this discipline mostly the sponsored candidates were being taken. Dr. K.K. Talwar added that the proposal of the Institute deserved to be approved.

Shri Sundeep Nayak said that the normal candidates were difficult to find and only the sponsored candidates are recruited in this discipline, therefore, the upper age limit should also be enhanced in PGIMER, Chandigarh and JIPMER, Puducherry. Chairman said that if such a proposal was brought from other Institutes, the same would be considered.

In view of above, the proposal to relax the upper age limit up to 40 years for recruitment as Senior Residents in Hospital Administration was approved. In response to the Member Secretary's suggestion regarding starting of a new course on MD in Hospital Management, it was advised that it should be examined by the Academic Committee first, and, thereafter by SFC before any view was taken.

Item No. GB-149/11

To consider the appeal of Ms. Sneh Lata, Ex-ANS against the penalty of "Compulsory Retirement" under Rule 14 of CCS (CCA) Rules, 1965.

While considering the appeal of Ms. Sneh Lata, the Governing Body in its last meeting desired some additional information relating to remaining period of her service, exact period of her unauthorized absence and details of notices and warning issued to her. Accordingly additional information was placed before the GB under this agenda item

DGHS expressed some reservations about the quantum of penalty imposed on Ms. Sneh Lata for the unauthorized absence for 14 days. Sh. S.K. Srivastava, AS & FA, observed that Medical Superintendent was a very important person in running the show in a hospital and his views should be taken into consideration.

The Medical Superintendent, Dr. D.K. Sharma, who was present in the meeting, informed that Ms. Sneh Lata was posted in the Emergency/Casualty Department and disciplinary proceedings were initiated against her for unauthorized absence for 14 days. He further, added that her behavior in the casualty area was not in conformity with professional ethics adversely affecting patient care services. Dr. Sharma also informed that she did not vacate the hostel while all the nurses vacated premises and kept two rooms under her possession unauthorizedly. Further, during her unauthorized absence, she had kept the keys of the cupboard in her possession and it created problems in Emergency/Casualty area.

Participating in the discussion, Dr. Badwe expressed the view that it was not a matter of mere 14 days unauthorized absence, but it was also a matter of her absence from Casualty which was more disturbing. He added that casualty was a sensitive area of patient care and every hour was important for saving lives. Therefore the period of her unauthorized absence for 14 days should not be compared with the absence of an ordinary civil servant as she was a professional nurse and the gravity of her misconduct was far more intense than that caused by the unauthorized absence of an ordinary civil servant.

After detailed discussion, GB decided to reject the appeal of Ms. Sneh Lata, Ex. ANS.

Item No. GB-149/12

Request for allotment of C-I type residential accommodation in AIIMS Residential Complex – Dr. Shakti Kumar Gupta, Medical Superintendent Dr. R.P. Centre & HOD, Hospital Administration.

Director briefed the members about the genesis of the issue and the precedence quoted by Dr. Shakti Kumar Gupta for allotment of C-I type accommodation to him. He also informed that both Dr. D.K. Sharma and Dr. Shakti Kumar Gupta were appointed to the posts of Medical Superintendent on the same date. Dr. D.K. Sharma was appointed as Medical Superintendent in the Main Hospital while Dr. Shakti Kumar Gupta was appointed in Dr. R.P. Centre for Ophthalmic Sciences. He added that Dr. Shakti Kumar Gupta is also working





as Head of the Deptt. of Hospital Administration and is currently also functioning as Medical Superintendent for Jhajjar campus at Badsha.

Chairman sought the views from Dr. K.K. Talwar as to what was the status of Medical Superintendent in PGIMER, Chandigarh. Dr. K.K. Talwar informed that there was a post of Medical Superintendent in existence in PGIMER, Chandigarh. Smt. Sushma Swaraj was of the view that if there was a proposal from the Institute to allot C-I type accommodation to Dr. Shakti Kumar Gupta being one of the two Medical Superintendents, he should be allotted the same, and accordingly GB approved the proposal.

Item No.GB-149/13

To consider the minutes of the Academic Committee meeting held on 04.09.2012 at AIIMS, New Delhi.

Noted.

Item No.GB-149/14

To consider the minutes of 137<sup>th</sup> meeting of the Standing Estate Committee held on 15<sup>th</sup> February, 2013 at AIIMS, New Delhi.

Noted.

Item No.GB-149/15

To consider the proposal regarding construction of private ward at AIIMS, New Delhi.

Briefing about the agenda item Director informed the Members that earlier there was a proposal for demolishing the Private Ward located in rather a new building which was popular as "Old Private Ward". In the meantime, many Hon'ble Members of Parliament represented that the Old Private Ward should not be demolished as it would cause lots of problems in VIP treatment and accordingly the demolition exercise was postponed. Later on, it was felt that the "New Private Ward", which was transformed from Nurses Hostel, was located in a relatively old building which was proposed to be demolished and the Governing Body in its last meeting desired that possibility of demolition of new private ward should be explored. Director also informed that the existing New Private Ward block, which was situated in an old building, was comprising of private wards, Geriatrics Ward, Wards & OPDs of the Deptt. of Pulmonary Medicine & Sleep Disorders, kitchen services, Railway Reservation Counter, Central Admission Office, etc. In view of this a new proposal was brought for construction of a stand alone building adjacent to the "New Private Ward" building. The Director informed that a detailed proposal would be first placed before Estate Committee and then brought before SFC and GB for consideration and approval. The agenda item was accordingly approved.

Item No.GB-149/16

To consider enhancing the monetary value of the penalties up to 7-8 lakhs for discontinuing PG course at AIIMS, New Delhi.

Director briefed that there were instances in the Institute that the students admitted to PG Courses had left the course in the middle or immediately after their admission thereby not only depriving other candidates of admission but also causing the Institute to suffer monetary loss and run the course with vacant seats for some considerable time. For this purpose, a nominal penalty of Rs.50,000/- for abandoning the course before one year and Rs.1 Lakh for abandoning the course after one year was being imposed. In order to stop the candidates from leaving the course midstream, the proposal for enhancement of penalty was brought before GB after it was approved by the Academic Committee.

Participating in the discussion, Dr. K.K. Talwar stated that sometimes the candidates were constrained to leave the course for genuine reasons and advised that enhancement of such penalty should not be harsh on students. After detailed discussion, it was decided by GB that a penalty of Rs. 1 lakh should be imposed on PG students leaving within six months and a penalty of Rs. 5 lakh on those leaving after 6 months.

Item No.GB-149/17

To discuss the modalities of Inter-Institutional Biodesign Centre between three Institutes i.e. AIIMS, New Delhi; IIT-Delhi and THSTI, Faridabad.

Considered and Approved.

Item No.GB-149/18

To consider the proposal for initiating minor penalty proceedings against Dr. O.P. Murty, Additional Professor of Forensic Medicine, AIIMS, New Delhi in the light of the recommendations of Medical Council of India.

GB was informed that the proposal under consideration was brought on the recommendation of the Medical Council of India for imposition of penalty of "Censure" on Dr. O.P. Murty, Additional Professor of Forensic Medicine for his misrepresentation as Professor of Forensic Medicine to MCI. Director pointed out that the penalty of "Censure" had been imposed on Dr. Murty on an earlier occasion for his unauthorized absence from AIIMS, New Delhi.

Governing Body after discussion accepted the recommendation of MCI and imposed the penalty of "Censure" on Dr. O.P. Murty, Additional Professor of Forensic Medicine.



Item No. GB-149/19

Vigilance Case regarding imposition of penalty – ratification thereof (Confidential).

The President, AIIMS, being also Chairman of Governing Body (which is Disciplinary Authority in this case for imposition of major penalty), considered the case of Shri S.S. Bhaduria, Stores, Officer, C.N. Centre, AIIMS regarding imposition of a penalty on the conclusion of disciplinary proceedings initiated against him under Rule 14 CCS (CCA) Rules, 1965 and approved the penalty of compulsory retirement along with withdrawal of 50% of his pension for a period of two years. The President, AIIMS also advised that the said case should be placed before the Governing Body for ratification. Accordingly, a proposal to this effect was placed before the Governing Body.

Various queries were raised by the Members of the Governing Body in the matter and Shri Sanjiv Chaturvedi, Dy. Secretary & Chief Vigilance Officer and the Director, AIIMS clarified the issues. The present status of the case in the CBI Court; where charges have been framed against Shri S.S. Bhaduria along with the other accused, was also intimated. In the detailed discussion various options were explored by the Members of the Governing Body. The proposal put up before the Governing Body, as mentioned above, was compulsory retirement along with withdrawing of 50% of his pension for a period of two years. But after detailed discussion, a consensus emerged that ends of justice would be met in this case, if along with compulsory retirement 50% of pension is withdrawn for a period of five years. Accordingly, the said proposal was approved by the Governing Body imposing the penalty of compulsory retirement along with withdrawing of 50% pension for a period of 5 years on Shri S.S. Bhaduria, Store Officer, C.N. Centre.

Item No. GB-149/20

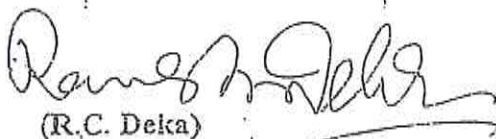
To consider mechanism for monitoring the court cases at AIIMS, New Delhi.

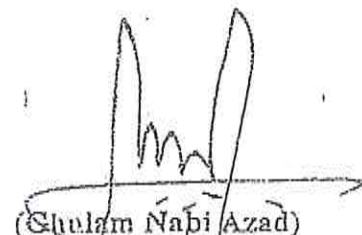
This item was placed on table in pursuance of directions of Ministry of H&FW vide their letter No.C-18018/6/2013-ME-I dated 15<sup>th</sup> July, 2013.

The details of the court cases pending in the different courts as on 15/7/2013 were presented before the GB. A total of 177 such cases were pending as on 15/7/2013. The GB was also informed about mechanism for monitoring such court cases. The information provided by the Institute was noted by GB regular follow up and reporting was advised.

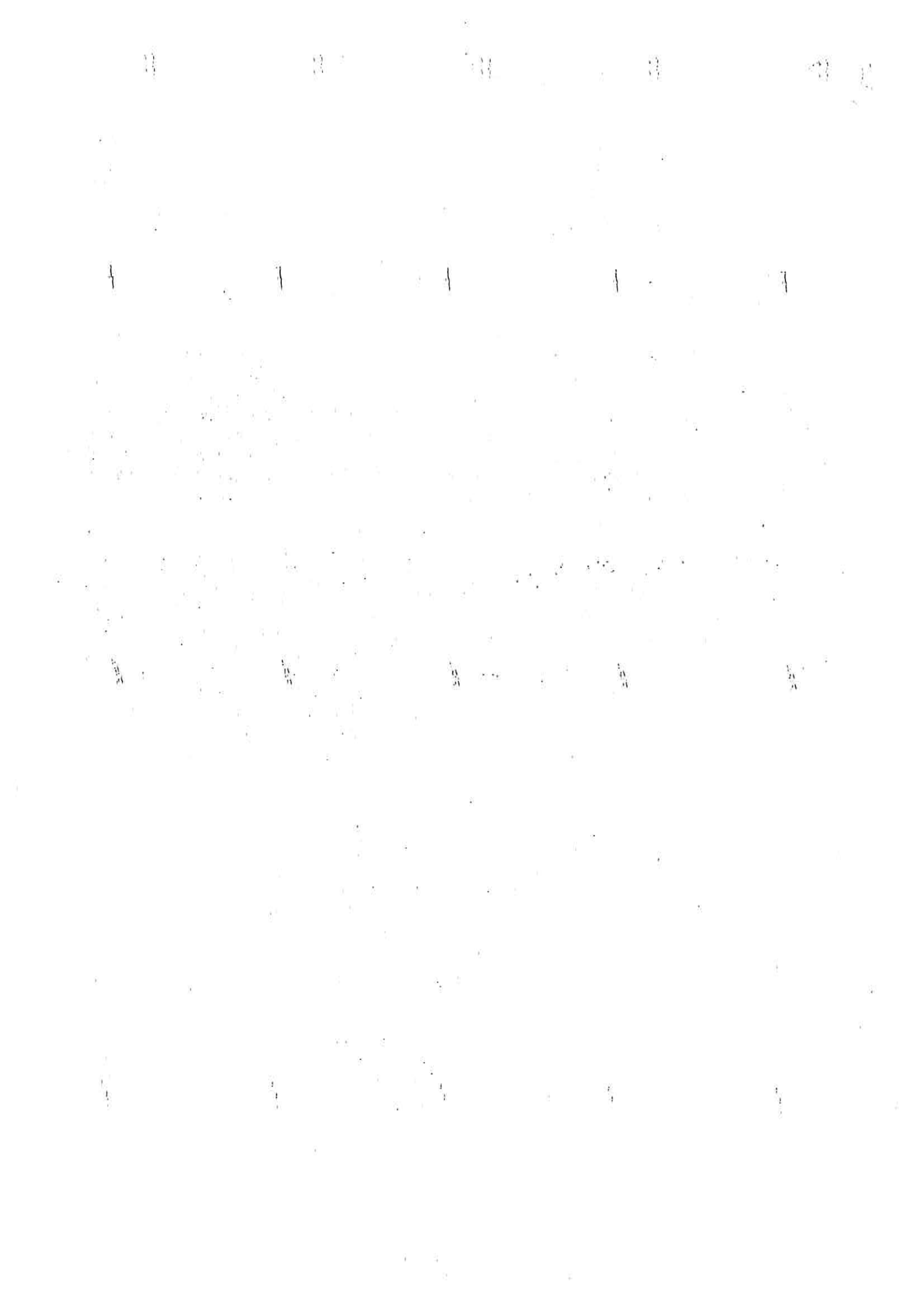
The meeting ended with a vote of thanks to all present.

APPROVED

  
(R.C. Deka)  
Director  
Member Secretary

  
(Ghulam Nabi Azad)  
Health & FW Minister  
Chairman





Annexure-IV

Through Special Messenger  
By Speed Post

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29

Dated: 07.05.2014

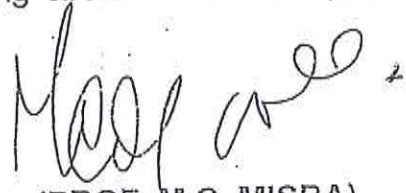
F.No. 2-1/2014-Genl.

MEMORANDUM

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

Minutes of the Governing Body meeting held on 28<sup>th</sup> February, 2014 at 03:00 P.M. in the Committee Room, 3<sup>rd</sup> 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

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

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

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

*Mally me*

- 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 150<sup>th</sup> 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 19<sup>th</sup> 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 Jhajjar 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 26<sup>th</sup> November 2009, when he chaired the GB meeting of this premier Institute for the first time, this was the 8<sup>th</sup> 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 149<sup>th</sup> Governing Body meeting held on 19<sup>th</sup> July, 2013 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.**

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The minutes of 149<sup>th</sup> 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 149<sup>th</sup> Governing Body meeting held on 19<sup>th</sup> July, 2013 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.**

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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 203<sup>rd</sup> meeting of the Standing Finance Committee held on 22<sup>nd</sup> August, 2013 in the Committee Room, 1<sup>st</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.**

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

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

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

Item No. GB-150/5

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

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

Item No. GB-150/6

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

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

Item No. GB-150/7

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

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



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.

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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 19<sup>th</sup> 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



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.B. that those faculty members who are found fit following the review process would be granted promotion from their respective dates when these faculty members became eligible for promotion.

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.

### Item No.GB-150/9

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

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

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

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

Item No. GB-150/10

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

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Dy. Director (Admh.) 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.

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.

Shri Sundeep 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 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.**

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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 19<sup>th</sup> 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 service of 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.

Item No.GB-150/14

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.

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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.

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 consideration and approval.

Item No.GB-150/15

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.

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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 un-implemented except one decision taken in its 146<sup>th</sup> meeting for constitution of a Committee for redressal of grievances of SC/ST. He also informed the G.B. that a Committee



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 146<sup>th</sup> 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).**

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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).**

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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. Chandralekha, Prof. & Head, Department of

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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).

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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.

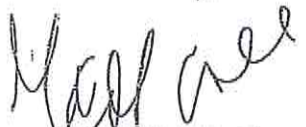
Item No. GB-150/19


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

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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

Through Special Messenger  
By Speed Post

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES

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

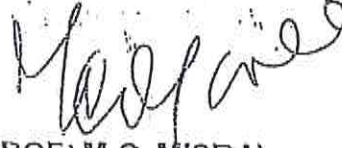
Ansari Nagar, New Delhi-29

Dated: 19.05.2014

MEMORANDUM

Subject:- Minutes of the 151<sup>st</sup> Extra ordinary Meeting of the Governing Body held on Monday, the 12<sup>th</sup> May, 2014 at 4:30 P.M. in the Committee Room, 3<sup>rd</sup> Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

Minutes of the extra ordinary meeting of Governing Body held on 12<sup>th</sup> May, 2014 at 4:30 P.M. in the Committee Room, 3<sup>rd</sup> Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi as approved by the Chairman are circulated to Chairman and all the Members of the Governing Body for information. Observations, if any, may kindly be communicated to the undersigned *within two weeks* from the date of issue of this memorandum.



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

Encl. As above

The Chairman and all the  
Members of the Governing Body.



MINUTES OF THE 151<sup>ST</sup> EXTRA-ORDINARY MEETING OF THE GOVERNING BODY HELD ON MONDAY, THE 12<sup>TH</sup> MAY, 2014 AT 4.30 P.M. IN THE COMMITTEE ROOM, 3<sup>RD</sup> FLOOR, THE MINISTRY OF HEALTH & FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The 151<sup>st</sup> extra-ordinary meeting of the Governing Body of AIIMS, New Delhi was held on Monday, the 12<sup>th</sup> May, 2014 at 4.30 P.M. in the Committee Room, 3<sup>rd</sup> Floor in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi. The following were present:-

- |    |  |    |          |
|----|--|----|----------|
| 1) | Shri Ghulam Nabi Azad<br>Union Minister of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi-110 011.                          | -- | Chairman |
| 2) | Smt. Sushma Swaraj,<br>Member of Parliament (Lok Sabha),<br>8, Safdarjung Lane,<br>New Delhi-110 011                                 | -- | Member   |
| 3) | Shri Motilal Vora<br>Member of Parliament (Rajya Sabha)<br>33, Lodhi Estate,<br>New Delhi-110 003                                    | -- | Member   |
| 4) | Shri Lov Verma,<br>Secretary to the Govt. of India,<br>Department of Health & Family Welfare,<br>Nirman Bhawan,<br>New Delhi-110 011 | -- | Member   |
| 5) | Dr. K.K. Talwar<br>Pocket-14, Sector-8,<br>Dwarka Phase-I, New Delhi.  | -- | Member   |
| 6) | Dr. R.A. Badwe<br>Director<br>Tata Memorial Hospital,<br>Dr. E. Borges Road, Lower Parel,<br>Mumbai                                  | -- | Member   |

*M. N. V.*

- 7) Dr. Jagdish Prasad, -- Member  
 Director General of Health Services,  
 Department of Health & Family Welfare, G.O.I.,  
 Nirman Bhawan,  
 New Delhi-110 011
- 8) Dr. S.P. Agarwal -- Member  
 Secretary General,  
 Indian Red Cross Society,  
 Rafi Marg, New Delhi-110011
- 9) Shri Gautam Guha -- Member  
 Addl. Secretary and Financial Adviser  
 Govt. of India  
 Ministry of Health & Family Welfare  
 Nirman Bhawan, New Delhi -- 110011
- 10) Prof. M.C. Misra, -- Member-Secretary  
 Director,  
 All India Institute of Medical Sciences,  
 Ansari Nagar,  
 New Delhi-110 029.
- Shri Sundeep Kumar Nayak, -- Special Invitee  
 Joint Secretary to the Govt. of India,  
 Ministry of Health & Family Welfare,  
 Nirman Bhawan,  
 New Delhi-110 011
- Dr. P.K. Julka, -- Special Invitee  
 Dean (Academic),  
 All India Institute of Medical Sciences,  
 Ansari Nagar,  
 New Delhi-110 029
- Dr. D.K. Sharma, -- Special Invitee  
 Medical Superintendent,  
 All India Institute of Medical Sciences,  
 Ansari Nagar, New Delhi - 110 029

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

Medic



Shri Ashok Thakur, Secretary to the Govt. of India, Ministry of Human Resource Development and could not attend the meeting.

Chairman welcomed the members present in the meeting, and added that he would like to reserve his opening remarks for the 147<sup>th</sup> IB meeting which was slated at 5.30 PM. He then requested Director to take up the agenda items for discussion.

### Item No. GB-151/1

Confirmation of the minutes of the 150<sup>th</sup> Governing Body meeting held on 28<sup>th</sup> February, 2014 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

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The minutes of 150<sup>th</sup> meeting of Governing Body circulated vide Memo No. F.2-1/2014-Genl. dated 06.05.2014 were confirmed.

### Item No. GB-151/2

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'.

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Governing Body took note of the fact that Dr. O.P. Murty, Addl. Prof. of Forensic Medicine, was among 39 faculty members whose promotion was approved by the Governing Body in its 146<sup>th</sup> meeting held on 16<sup>th</sup> January, 2013. Governing Body also noted that the minor penalty of "Censure" was imposed on Dr. O.P. Murty with the approval of G.B. by an order No.F.6-20/92-Estt.I dated 11.05.2011, 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 16.5.2008 to 16.08.2009 and the said period of his un-authorized absence was treated as Dies-non. Therefore, the promotion was not given to Dr Murty, and matter was referred to the Ministry. No decision had been received from Ministry. Meanwhile, DoPT issued comprehensive instructions on 28<sup>th</sup> April 2014 on how penalties imposed on employees should be treated in the context of their promotion. Considering all the

facts of the case and in view of guidelines/clarifications given in the said Office Memorandum No. 22011/4/2007-Estt.(D) dated 28/04/14 of DoPT, Governing Body decided to grant promotion to Dr. O.P. Murty to the grade of Professor from 1<sup>st</sup> July 2011 i.e. immediately after the conclusion of the disciplinary proceedings.

**Item No. GB-151/3**

To approve the recommendations of the Standing Selection Committee meetings held in various phases during February to May, 2014 at the AIIMS, New Delhi.

Prof. M. C. Misra, Director, AIIMS presented the minutes of the standing selection committee meetings held in 6 Phases starting 25<sup>th</sup> February 2014 and completed on 3<sup>rd</sup> May 2014 as per details below:

- 1<sup>st</sup> PHASE: 25 – 27 February 2014
- 2<sup>nd</sup> PHASE: 13 – 15 March 2014
- 3<sup>rd</sup> PHASE: 28 – 30 March 2014
- 4<sup>th</sup> PHASE: 11 – 13 April 2014
- 5<sup>th</sup> PHASE: 24 – 27 April 2014
- 6<sup>th</sup> PHASE: 02 – 03 May 2014

Selection Committee met for a total 18 days Sitting. At the outset, Director acknowledged the immense contribution of the following Hon'ble Selection Committee Members:

- Chairman: Dr. R A Badwe
- Member: Dr. Jagdish Prasad
- Member: Dr. M K Bhan
- Member: Dr. K K Talwar
- Member: Dr. Rama Kant Panda
- Member: Dr. Abdul Hamid Zargar
- Member- Secretary: Dr. M.C.Misra

A. These faculty posts were advertised vide Adv. No. 03,04,05/2012 for 148 Faculty positions of Assistant Professors in 41 departments at AIIMS, New Delhi. The category wise break – up is given below:

Category	Number of Posts
UR	75
SC	27
ST	10
OBC	36
Total	148

The details of number of applications received, number of applicants called for interview after screening, number of candidates appeared in the interview and selected are depicted in the table with ratio as below:

Details of the Applicants					
	UR	SC	ST	OBC	Total
No. of applicants/ Posts	1267/73	237/25	56/10	263/34	1823/142
Ratio	17.35:1	9.48:1	5.6:1	7.74:1	12.83:1
Number of candidates called for Interview					
No. of applicants /Posts	1023/73	198/25	42/10	195/34	1458/142
Ratio	14:1	7.92:1	4.2:1	5.74:1	10:1
Number of Candidates Interviewed for 39 Departments					
No. of applicants /Posts	560/73	116/25	26/10	103/34	805/142
Ratio	7.67:1	4.64:1	2.6:1	3:1	6.54:1

Total number of candidates interviewed as per details below:

Candidates Interviewed	Number of Candidates
Direct Recruitment to Assistant Professor	805
Assessment Promotion Scheme (APS) 01/07/2013 Batch	16
APS REVIEW as per GB.....	17
APS Review 4 <sup>th</sup> and Last Chance as per GB.....	04
<b>TOTAL</b>	<b>842</b>

1<sup>st</sup> Phase of Interviews were conducted on 25 – 27 February 2014 for the following departments:

- Department of Anaesthesiology
- Department of CTVS (Intensive Care)
- Department of Gastroenterology and HNU
- Department of Forensic Medicine
- Department of Urology
- Department of Medical Oncology

- Department of Cardiac Anaesthesiology
- Department of Neuro-Anaesthesiology
- Department of Community Medicine

2<sup>nd</sup> Phase of Interviews were conducted on 13 – 15 March 2014 for the following departments:

- Department of Dermatology and Venerology
- Department of Otorrhynolaryngology (ENT)
- Department of Nephrology
- Department of Biostatistics
- Department of Pulmonary Medicine
- Department of Geriatric Medicine
- Department of Medicine
- Department of Obstetrics & Gynaecology

3<sup>rd</sup> Phase of Interviews were conducted on 28 – 30 March 2014 for the following departments:

- Department of Paediatrics
- Department of Nuclear Medicine
- Department of PMR
- Department of Haematology (APS Review)
- Department of Laboratory Medicine (APS Review)
- Department of Orthopaedics
- Department of Endocrinology and metabolism (APS Review)
- Departments of Neuroanaesthesia, Anaesthesia (APS Review)
- Department of Surgical Disciplines

4<sup>th</sup> Phase of Interviews were conducted on 28 – 30 March 2014 for the following departments:

- Department of Cardiac Radiology
- Department of NMR (Review APS)
- Department of Radiodiagnosis
- Department of Paediatric Surgery
- Department of Radiotherapy including APS
- Department of Psychiatry including APS
- Department of Neurosurgery Including APS
- Department of Reproductive Biology + APS

5<sup>th</sup> Phase of Interviews were conducted on 24 – 27 April 2014 for the following departments:

- Department of Biophysics Including APS
- Department of Ophthalmology + APS
- Department of Neurology, Clinical Neurophysiology (APS)
- Department of Physiology including APS
- Department of Microbiology including APS
- Department of Psychiatry (NDDTC) +
- Department of Biochemistry + APS
- Department of Anatomy + EM + APS
- Department of Laboratory Medicine

6<sup>th</sup> Phase of interviews were conducted on 2 - 3 May 2014 for the following departments:

- Department of Pharmacology + 4<sup>th</sup> Chance APS Review
- Department of Pathology
- College of Nursing

Lists of selected and waitlisted candidates, as presented before the Hon'ble Chairman and Members of Governing Body, were approved.

Out of the 142 posts, 121 posts were filled, for 21 unfilled posts either "NO CANDIDATE WAS FOUND SUITABLE" or "NO CANDIDATE WAS AVAILABLE" as per table below:

Number of Candidates Selected					
Category	UR	SC	ST	OBC	TOTAL
Number	70/73	21/25	06/10	24/34	121/142
%	96%	84%	60%	70.59%	85%
NFS*	03	02	03	06	14
NA**	00	02	01	04	07
TOTAL	03	04	04	10	21
* NFS (NOT CANDIDATE FOUND SUITABLE)					
** NA (CANDIDATE NOT AVAILABLE)					

Shri Ghulam Nabi Azad, Chairman and Smt. Sushma Swaraj expressed the view that the direct posts of Assistant Professors, which could not be filled due to either "Non-availability of candidates (NA)" or "Non-availability of suitable candidates (NFS)" as above, should be advertised immediately.

#### B. Review of 17 Candidates

- The Governing Body in its 150<sup>th</sup> meeting held on 28<sup>th</sup> February, 2014 vide agenda item no. GB-150/8 considered the representation of 17 faculty members who were not found fit by the Standing Selection Committee in their meeting held in April, 2013. The Governing Body referred back all those 17 cases to the Standing Selection Committee for review. Accordingly, the candidate interviewed with new subject experts. On the basis of performance during the interview, out of 17 candidates, 13 faculty members were decided "FIT" and Four faculty members were declared "UNFIT" as shown in Table below:

*Handwritten signature*

Sr. No.	Names of Candidate/date of Interview	Designation/Batch	FIT/UNFIT
1.	Dr. BINOD KUMAR KHAITAN (Interviewed on 13 <sup>th</sup> March, 2014)	PROFESSOR OF DERMATOLOGY & VENERELOGY/01.07.2011	FIT
2.	DR. SHEFFALI GULATI (Interviewed on 28 <sup>th</sup> March, 2014)	PROFESSOR OF PAEDIATRICS/ 01.07.2012	FIT
3.	DR. SEEMA TYAGI (Interviewed on 30 <sup>th</sup> March, 2014)	PROFESSOR OF HAEMATOLOGY/01.07.2012	FIT
4.	DR. SUBHADRA SHARMA (Interviewed on 30 <sup>th</sup> March, 2014)	PROFESSOR OF LABORATORY MEDICINE (HAEMATOLOGY)	*UNFIT
5.	DR. RAJENDRA SINGH CHAUHAN (Interviewed on 30 <sup>th</sup> March, 2014)	PROFESSOR OF NEURO ANAESTHESIA	*UNFIT
6.	DR. CHHAVI SAWHNEY (JPNATC) (Interviewed on 30 <sup>th</sup> March, 2014)	ADDITIONAL PROFESSOR OF ANAESTHESIOLOGY/01.07.2012	FIT
7.	Dr. RASHMI RAMACHANDRAN (Interviewed on 30 <sup>th</sup> March, 2014)	ADDITIONAL PROFESSOR OF ANAESTHESIOLOGY/01.07.2012	FIT
8.	DR. VIVEKA P. JYOTSNA (Interviewed on 30 <sup>th</sup> March, 2014)	ADDITIONAL PROFESSOR OF ENDOCRINOLOGY & METABOLISM/01.07.2011	FIT
9.	DR. BIPLAB MISHRA (Interviewed on 30 <sup>th</sup> March, 2014)	ADDITIONAL PROFESSOR OF GENERAL SURGERY (JPNATC)/01.07.2012	FIT
10.	DR. RAMA JAYASUNDAR (Interviewed on 11 <sup>th</sup> April, 2014)	PROFESSOR OF NUCLEAR MAGNETIC RESONANCE	*UNFIT
11.	Dr. S. SENTHIL KUMARAN (Interviewed on 11 <sup>th</sup> April, 2014)	ADDITIONAL PROFESSOR OF NUCLEAR MAGNETIC RESONANCE/01.07.2012	FIT

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Sr. No.	Names of Candidate/date of Interview	Designation/Batch	FIT/UNFIT
12.	DR. SUSHMITA PATHY (Interviewed on 12 <sup>th</sup> April, 2014)	ADDITIONAL PROFESSOR OF RADIOTHERAPY/01.07.2011	FIT
13.	DR. GURU DUTTA SATYARTHEE (Interviewed on 13 <sup>th</sup> April, 2014)	ADDITIONAL PROFESSOR OF NEURO-SURGERY (JPNATC)	*UNFIT
14.	DR. NALIN MEHTA (Interview on 25 <sup>th</sup> April, 2014)	PROFESSOR OF PHYSIOLOGY /01.07.2012	FIT
15.	DR. IMMACULATA XESS (Interviewed on 25 <sup>th</sup> April, 2014)	PROFESSOR OF NETOMOLOGY (DEPARTMENT OF MICROBIOLOGY)/01.07.2011	FIT
16.	DR. S. VIVEKANANDHAN (Interviewed on 26 <sup>th</sup> April, 2014)	PROFESSOR OF NEURO BIOCHEMISTRY (NEURO SCIENCES CENTRE)/01.07.2012	FIT
17.	DR. TAPOSH K. DAS (Interviewed on 27 <sup>th</sup> April, 2014)	PROFESSOR OF ELECTRON MICROSCOPE (DEPARTMENT OF ANATOMY)/01.07.2011	FIT

\* Candidates who were declared "UNFIT", detailed reasons were recorded in the minutes of the Selection Committee.

It was also decided by the Governing Body that appointment letters be issued pending finalization of minutes of 151<sup>st</sup> Extra-ordinary GB Meeting but only after the 16<sup>th</sup> May 2014.

There was detailed deliberation upon the issue of inter se seniority of those 17 Faculty Members, whose representations were accepted and Governing Body had decided to refer back the cases to Selection Committee for review with new set of external experts. It was unanimously decided that of the 17 faculty members, who have been declared "FIT" upon assessment by the Selection Committee, would be promoted to next grade from the date they were eligible. However, those faculty members who have been promoted following the review will be put below those who

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were declared "FIT" from their respective dates in the first instance in 2013 and served in their respective higher grades for over one year.

C. 4<sup>th</sup> and last Chance in APS

- The Governing Body in its 149<sup>th</sup> meeting held on 19<sup>th</sup> July 2013 vide agenda item no. GB-149/4 considered the representation of Dr. Krishna Dalal, Dr. A.P. Bhalla, Dr. Nanaji Kaw and Dr. Nepal Singh Raj for relaxation of number of chances beyond the limit of three chances for promotion under APS. The Governing Body, after detailed discussion, decided to give them one more chance to appear before the Selection Committee. Accordingly, the candidates were interviewed as per details given in table below:

Sr. No.	Name of the Candidate/Date of Interview	Designation/Batch	FIT/UNFIT
1.	DR. AMAR PAL BHALLA 30/03/2014	ASSOCIATE PROFESSOR OF ANAESTHESIA/01.07.2013	FIT
2.	DR. NANAJI KAW 12/04/2014	ASSOCIATE PROFESSOR OF PSYCHIATRY (NDDTC) /01.07.2013	FIT
3.	DR. KRISHNA DALA 24/04/2014	ADDITIONAL PROFESSOR OF BIOPHYSICS / 01.07.2013	FIT
4.	DR. NEPAL SINGH RAJ 02/05/2014	ASSOCIATE PROFESSOR OF CLINICAL PHARMACOLOGY	*UNFIT

\*The Candidate who was declared "UNFIT", detailed reasons were recorded in the minutes of the Selection Committee.

The candidate who have been declared "FIT" as above, shall be put below the current batch i.e. 01/07/2013.

It was also decided by the Governing Body that appointment/promotion letters be issued pending finalization of minutes of 151<sup>st</sup> Extra-ordinary GB meeting but only after the 16<sup>th</sup> May, 2014.

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Item No.GB-151/4

To consider the proposal for ex-post facto approval in respect of Voluntary Retirement taken by Dr. R.V. Azad, Chief, Dr. R.P. Centre for Ophthalmic Sciences, AIIMS, New Delhi w.e.f. 21.03.2014 (FN).

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The Governing Body granted ex-post facto approval for voluntary retirement of Dr. R.V.Azad from the service of the Institute w.e.f. 21.3.14 (FN).

Item No.GB-151/5

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

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The agenda was discussed in detail and it was acknowledged that with the increasing number of faculty members there was a need for modifying the existing reporting/reviewing and accepting arrangement in respect of Annual Performance Appraisal Reports (APARs) of faculty. The proposal contained in para 1.5 of the agenda item was approved with the modification that in respect of Chief of Centres, Director will be the Reporting officer and President; AIIMS will be the Reviewing and Accepting Authority.

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.

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After discussion, the Governing Body reiterated its decision taken in the 149<sup>th</sup> meeting of G.B. held on 19<sup>th</sup> July, 2013. It was unanimously decided that, this matter need not be discussed again.

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Item No. GB-151/7

To consider an appeal of Shri Rajesh Kumar, Store Keeper at AIIMS 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.

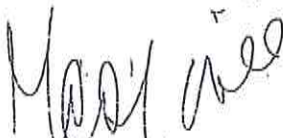
The Governing Body was apprised of the facts of the case arising from the appeal of Sh. Rajesh Kumar, Store Keeper at AIIMS against the penalty of "Reduction to four stages in the time-scale of pay, for a period of four years, during which he will not earn increments, but which will not have the effect of postponing the future increments" imposed on him under Rule 15 of CCS (CCA) Rules, 1965. The penalty was imposed on Sh. Rajesh Kumar after the conclusion of disciplinary proceedings under Rule 14 of CCS (CCA) Rule 1965 in the matter of unauthorized absence from duty for the period from 31<sup>st</sup> January, 2008 to 12<sup>th</sup> June 2009 vide Memorandum No. 39-11/09-Estt/Legal Cell dated 10<sup>th</sup> April 2012. Governing Body also took note of the order of Hon'ble CAT, New Delhi dated 3<sup>rd</sup> February 2014 directing the Institute to decide his appeal within 3 months. Considering the facts that the unauthorized absence from the duty for over a year is detrimental to smooth running of services at AIIMS, New Delhi, Governing Body decided that the penalty already imposed on Sh. Rajesh Kumar was appropriate and there was no fresh ground for considering his appeal. Governing Body accordingly rejected the appeal.

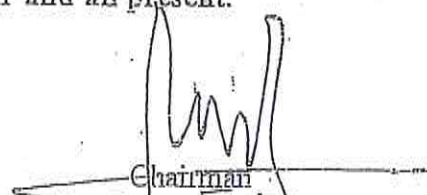
Item No. GB-151/8

Any other item with the permission of the Chair.

No subject matter was considered under this item.

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

  
Member Secretary  
Governing Body  
AIIMS, New Delhi

  
Chairman  
Governing Body  
AIIMS, New Delhi

Through Special Messenger  
By Speed Post

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ALL INDIA INSTITUTE OF MEDICAL SCIENCES

F. No.2-1/2012-Genl.

Ansari Nagar,  
New Delhi-110029

2<sup>nd</sup> July, 2012

3rd

MEMORANDUM

**Sub:** Minutes of the 147<sup>th</sup> meeting of the Governing Body held on 14<sup>th</sup> April, 2012 in the Committee Room, 3<sup>rd</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

Minutes of the Governing Body meeting held on 14<sup>th</sup> April, 2012 in the Committee Room, 3<sup>rd</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi as approved by the Chairman, are circulated to the Chairman and all the Members of the Governing Body for information. Observations, if any, kindly be communicated to the undersigned latest by 16<sup>th</sup> July, 2012.

2012

  
(PROF. R.C. DEKA)

DIRECTOR &  
MEMBER SECRETARY

3/7/12

To

The Chairman and all the  
Members of the Governing Body.

Encl: as above





MINUTES OF THE 147<sup>TH</sup> MEETING OF THE GOVERNING BODY  
HELD ON 14<sup>TH</sup> APRIL, 2012 IN THE MINISTRY OF HEALTH &  
FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The 147<sup>th</sup> meeting of the Governing Body was held on  
14<sup>th</sup> April, 2012 in the Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi. The following were present—

- 1) Shri Ghulam Nabi Azad, - Chairman  
Hon'ble Union Minister of Health & F.W.  
Nirman Bhawan,  
New Delhi.
- 2) Smt. Sushma Swaraj, - Member  
Hon'ble Member of Parliament(LS),  
8, Safdarjung Lane,  
New Delhi.
- 3) Shri Motilal Vora, - Member  
Hon'ble Member of Parliament(RS),  
33, Lodhi Estate,  
New Delhi.
- 4) Shri P.K. Pradhan, - Member  
Secretary,  
Government of India,  
Ministry of Health & F.W.,



- Nirman Bhawan,  
New Delhi-1100108
- 5) Ms. Vibha Puri Das, - Member  
Secretary,  
Government of India,  
Department of Higher Education,  
Ministry of Human Resource Development,  
New Delhi-110001.
- 6) Dr. Jagdish Prasad, - Member  
Director General of Health Services, (Ex-Officio)  
Government of India,  
Nirman Bhawan,  
New Delhi-110011.
- 7) Shri R.K. Jain, Member  
Addl. Secretary & Financial Adviser,  
Government of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan,  
New Delhi-110108.
- 8) Dr. S.P. Agarwal, - Member  
Secretary General,  
Indian Red Cross Society,  
Rafi Marg,  
New Delhi-110001.
- 9) Shri R.A. Badwe, - Member



Director,  
Tata Memorial Hospital,  
Mumbai.

- 10) Dr. K.K. Talwar, - Member  
President,  
National Academy of Medical Sciences,  
Ansari Nagar,  
New Delhi-110029.
- 11) Dr. R.C. Deka, Member Secretary  
All India Institute of Medical Sciences,  
Ansari Nagar,  
New Delhi-110029.

Shri Vineet Chawdhry, Dy. Director (Admn), AIIMS, Dr. Rani Kumar, Dean, Shri Sandeep Lall, Sr. Financial Adviser, AIIMS and Dr. D.K. Sharma, MS, Main Hospital, AIIMS also attended the meeting.

The Chairman called the meeting to order. It was noted that all the 11 members were present. Hence the quorum was complete.

The Chairman welcomed all members, invitees and officials to the 147<sup>th</sup> meeting of the Governing Body and requested the Director, AIIMS to initiate discussions on the agenda.



Director, AIIMS thanked the Chairman for convening the meeting of the Governing Body and also welcomed all the members to the 147<sup>th</sup> meeting. Thereafter, the agenda was taken up for discussion.

**Item No. GB-147/1 – Confirmation of the minutes of the Governing Body meeting held on 16<sup>th</sup> January, 2012 in the Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.**

The Governing Body was informed that the minutes of the 146<sup>th</sup> meeting of the Governing Body held on 16<sup>th</sup> January, 2012 were circulated on 21.2.2012. Comments had been received from Smt. Sushma Swaraj, Hon'ble Member of Parliament, Shri Motilal Vora, Hon'ble Member of Parliament and Shri R.K. Jain, AS&FA, Ministry of Health and Family Welfare. Smt. Sushma Swaraj and Shri Motilal Vora had made observations regarding item nos. GB/146/15 and GB/146/24, while Shri R.K. Jain had suggested changes in the minutes against item nos. GB/146/12 and GB/146/24.

The Chairman observed that it was for the first time during his tenure that the confirmation of minutes was being debated in the GB. He emphasised that the minutes should be precise and must reflect the decisions correctly. Smt. Shushma Swaraj pointed out that the minutes as recorded appeared to suggest that the entire case had been advocated by one particular member which was not the correct position. Many members had participated in the discussion whose views had not been reflected in the minutes. Moreover, the media had reported the decision in a manner







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that conveyed the impression as if the three politicians in the Governing Body had pushed for the decision in this item. Dr. RC Deka Director AIIMS maintained that the minutes had been correctly recorded. He clarified that the minutes are not intended to be a verbatim recording of the discussions but were expected to capture the essence of the discussions. Sh. Moti Lal Vohra pointed out that the contents of his letters to the President AIIMS had been reported by the Press. It was undesirable for such communications to be released to the media.

After considerable discussion, it was agreed that though the item had been discussed at length in the meeting the decision had been arrived at by consensus. It was, therefore, agreed that minutes recorded against item no.GB/146/15 should be recast to read 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 principle to promote all the 39 faculty to their respective higher grades. It was categorically

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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."

**Item No.GB/146/12** – It was decided to amend the minutes as proposed by Shri R.K. Jain. The amended minutes would read as under:-

"The Institute Body would meet at least once a year, preferably in the month of October that would enable the Institute to finalize all budgetary and plan proposals before the Budget Session of the Parliament. The Governing Body shall meet at least thrice a year, preferably in the months of January, May and September. Regulation 4.1 and Regulation 8.1 would be amended accordingly."

**Item No.GB/146/24** - It was agreed that the minutes would be amended to read as under:-

"Governing Body approved in principle the proposal for regularization of all ad-hoc employees working in the Institute, after examination of full facts."

The minutes of the 146<sup>th</sup> meeting of the Governing Body were accordingly confirmed with these amendments.



Item No. GB-147/2 -- Action Taken Report on the minutes of the Governing Body meeting held on 16<sup>th</sup> January, 2012 in the Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

Item No. GB.144/3 (1) Progress of creation of 2393 posts.

The Governing Body took note of the action taken and the approval accorded by the President AIIMS for appointment of faculty following the recently held SSC meetings. It advised that results of the posts in a particular cadre should be declared together. All results should finally be brought before the Governing Body for ratification and harmonization of issues of seniority.

Item No. 146/15 -- Review of promotion of faculty of AIIMS, New Delhi under Assessment Promotion Scheme for the batches/years 2007, 2008, 2009 and 2010.

It was brought to the notice of the Governing Body that the Institute administration had placed before the President AIIMS the implications of promoting the 39 faculty members who had not been recommended by the Standing Selection Committee for promotion. Of these 39 faculty members 8 were considered in the year 2007 for promotion from Associate Professor to Additional Professor. As per the Assessment Promotion Scheme as applicable in 2007 there was a cap that not more than 75% of the Associate Members found fit for promotion would actually be promoted. The remaining would get their promotion in the next year. In the



year 2007, 42 faculty members had been promoted and 6 though fit had been promoted in 2008 due to the operation of the cap. Now, if the 8 faculty members who had not been recommended for promotion by the SSC in 2007 were promoted in terms of the decision of the GB, then at least 4 faculty members who had already been promoted would have to be reverted and promoted in 2008. This was likely to cause resentment and possibly lead to litigation as well.

The matter was discussed in detail and members of the Governing Body expressed their view points on the subject.

Taking all these aspects into consideration, the Governing Body reconsidered the matter in view of the facts now placed before it and by consensus decided that the 39 faculty members should be promoted/placed in the higher grades. However, the faculty so promoted would be placed immediately below the last faculty member of their respective year of eligibility already promoted, without affecting the batch wise seniority of those faculty members already promoted on the basis of the recommendations made by the SSC in 2010.

Item No.146/24 – Any other item with the permission of the Chair – Regularisation of ad-hoc employees

The Governing Body noted that certain facts about the status of the ad-hoc employees including recent decisions of the Supreme Court had not been placed before the Governing Body in the last meeting. Hence, the matter had

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now been brought before the GB as a separate item and would be considered accordingly.

Consideration of the action taken on the remaining items was deferred to the next meeting of the Governing Body.

**Item No. GB-147/3 - To consider the proposal for grant of voluntary retirement to Dr. Arvind Kumar, Professor of Surgical Disciplines and Dr. H.H. Dash, Professor & Head, Department of Neuro-Anaesthesia and Chief of N.S. Centre at the AIIMS, New Delhi.**

The Governing Body approved the proposal for grant of voluntary retirement from the service of the Institute to the following faculty members on the date as indicated against each:-

Sl. No.	Name and designation of the faculty members	Date of voluntary retirement
01	Dr. Arvind Kumar, Professor of Surgical Disciplines – Ex-post facto approval.	03.03.2012 (afternoon)
02	Dr. H.H. Dash, Professor & Head, Department of Neuro-Anaesthesia and Chief of Neuro Science Centre	30.06.2012 (afternoon)





**Item No. GB-147/4 – To consider the appeal of Shri Kulwant Singh, Ex-Statistician in the Department of Biostatistics against his termination from the services of the Institute in terms of the Hon'ble CAT order dated 25.05.2010 in O.A. No. 2477/2009.**

The Governing Body considered the appeal of Shri Kulwant Singh, ex-Statistician and rejected the same.

**Item No. GB-147/5 - Status note for regularization of Group 'C' employees working on ad-hoc basis at the AIIMS, New Delhi.**

The Governing Body perused the agenda note placed before it. Attention of the Governing Body was drawn to the decision of the Hon'ble High Court of Delhi in the matter of Sandeep Agarwala and Others vs. UOI, wherein the Court had examined the issue of regularization and observed that there was no provision in the AIIMS Act vesting powers in the Institute either to regularize services of ad-hoc appointees or to relax relevant Recruitment Rules to convert ad-hoc appointment into a regular one. The attention of the Governing Body was also invited to the recent decision of the Hon'ble Supreme Court in the matter of State of Karnataka & Ors vs ML Kesari & Ors [Civil Appeal arising out of SLP (C) No.15774/2006], wherein the court had discouraged regularisation of ad hoc appointees and had categorised these appointments into illegal and irregular. Where appointments had been made without availability of vacancies, without notifying the vacancies and without

  
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adhering to the requirement of the recruitment rules such appointments were illegal and could not be regularised. Only irregular appointments could be regularised that too if the employee(s) had put in ten years of continuous service upto 2006. The GB also noted that the SFC had considered the issue in 2004 and 2010 and had decided that ad-hoc appointees could not be regularised without going through a proper recruitment process. The GB was also informed that the karamchari union and the lab technicians had filed applications in CAT for the regularisation of ad-hoc appointees.

Attention of the Governing Body was also drawn to the recently formulated recruitment scheme that did not require the ad-hoc employees of the Institute to undergo the screening test for short-listing of candidates. The Governing Body was, however, informed that some of the employees had become over-age, even after they were given relaxation as permissible under the rules. These could be debarred from the selection process.

The Governing Body noted that these facts had not been brought to its notice in the 146<sup>th</sup> meeting of the GB. It had also not been informed that some of the ad-hoc employees had gone to the Hon'ble CAT on this matter. While this issue was now before the CAT, no stay on the recruitment process had so far been ordered by the CAT.

Taking all these aspects into consideration, the Governing Body decided that in view of the judgment of the



Supreme Court, the regularization of ad-hoc employees at the Institute should be processed as per the recruitment scheme already formulated and explained in the agenda. The Governing Body also decided that ad-hoc employees, who had become overage should be given the necessary age relaxation to participate in the recruitment process.

**Item No. GB-147/6 – To consider the representation submitted by Dr. A.K. Bisoi, Professor of CTVS and Dr. U.K. Choudhary, Professor of CTVS against the seniority of Dr. Shiv Kumar Choudhary, Professor of CTVS for re-fixation of their seniority in the Department of CTVS, AIIMS, New Delhi.**

The Governing Body considered the representations submitted by Dr. A.K. Bisoi and Dr. U.K. Choudhary. It also considered the judgement of the Delhi High Court of 9<sup>th</sup> January, 2012 in the case of filed by Dr. Dalip Kumar Parida. After examining all aspects including the Institute Body's Resolution dated 15.1.1997, 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 Kumar 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.





Item No. GB-147/7 :- To consider the proposal regarding implementation of expenditure management -- economy measures and rationalization of expenditure at the AIIMS, New Delhi.

The Chairman expressed concern over the time already being taken for creation of posts in the health sector and thereafter the delay in the selection process. He pointed out that hospitals provide patient care services and could not brook delays in the creation of posts. Govt. medical institutions all over the country had to cater to a heavy patient load. Delays in post creation only increased the sufferings of the common man. Secretary (HRD) suggested that the Institute should follow a norm based system for post creation which was already prevalent in the IITs. The Governing Body expressed concern over the delay that is likely to be caused in creation of posts at AIIMS and in other teaching institutes of the Ministry on account of the instructions of the Ministry of Finance. It was, therefore, decided that the Ministry of Health and Family Welfare would take up the matter with the Department of Expenditure for relaxation of economy instructions under reference in respect of creation of posts in these institutes.

**Any Other Item with the permission of the Chair:**

The Governing Body was apprised about the situation arising from the suicide committed by Shri Anil Kumar



Meena, 1<sup>st</sup> year MBBS student of AIIMS on 4<sup>th</sup> March, 2012. Remedial measures taken were explained in brief as also the relief granted to the family of the deceased student. Dr. IRC Deka Director AIIMS emphasised the need for setting up of a Department for Communication Skills and English to help the students who had difficulty in coping with the English language, because their earlier teaching had not been in English. This was one of the deptts to be established as per the provisions of the AIIMS Act(1956). The Governing Body decided that an appropriate proposal should be brought before it for its consideration.

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

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Submitted before the  
Chairman, G.B. for consideration  
& signature

*[Signature]*  
18/03/12  
(Member-secy)  
G.B. / ✓  
Director  
AIIMS

The chairman, G.B./  
Minister / President,  
AIIMS, New Delhi

*[Signature]*  
19/3/12

## NOTE FOR THE GOVERNING BODY

Item No. GB/12

TO CONSIDER THE REPRESENTATION OF DR. BISWAROOP CHAKRABARTY, ASSISTANT PROFESSOR OF PAEDIATRICS, AIIMS, FOR RECONSIDERATION OF HIS PROMOTION TO THE NEXT GRADE OF ASSOCIATE PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.

\*\*\*\*\*

### 1. INTRODUCTION

- 1.1 Dr. Biswaroop Chakrabarty was appointed in the Department of Paediatrics on 20.05.2014 in the capacity of Assistant Professor, Department of Paediatric, AIIMS, New Delhi.
- 1.2 Dr. Biswaroop Chakrabarty become eligible for the promotion to the next grade i.e. Associate Professor of Paediatrics for the batch of 01.07.2017 after completion of a period of 3 years service and accordingly appeared before the Standing Selection Committee for the promotion to the grade of Associate Professors under Assessment Promotion Scheme (APS) on 09<sup>th</sup> May, 2019.
- 1.3 However, he was not found fit by the Standing Selection Committee for promotion to the grade of Associate Professor of Paediatrics, AIIMS.
- 1.4 Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics vide his representation letter dated 03.10.2019 has informed that he participated in the interview scheduled for the promotion to the next grade of Associate Professor of Paediatrics under Assessment Promotion Scheme (APS) everything went fine with Selection Committee's members and his interview was good but in the declared list by the Faculty Cell of AIIMS, New Delhi his name was not mentioned in the selected candidates list for the promotion to the post of Associate Professor of Paediatrics under APS. He concluded his representation that his case should be reviewed on fair basis for extending him the promotion to the post of Associate Professor of Paediatrics. (Annexure-I)

### 2. ADMINISTRATIVE COMMENTS

- 2.1 The reason of non-promoting Dr. Biswaroop Chakrabarty as recorded by the Standing Selection Committee's meeting in their meeting's minutes to the next grade of Associate Professor for the batch 01.07.2017 and found unfit because of following reasons as recorded in the proceedings of the meeting:- (Annexure-II)

"It was observed by the Committee that there have been complaints of insubordination, harassment and intimidation by Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics towards the Head of the Unit under whom he has been working. Keeping this in mind the Committee has declared him unfit"

- 2.2 In the above context, it is to be informed that Dr. Sheffalli Gulati, Professor of Paediatrics had lodged a complaint against Dr. Biswaroop Chakrabarty before an Internal Complaints Committee for Sexual Harassment of Women at the work place. This committee had examined this complaint & submitted the report (Annexure-III)

The extracts of observation & recommendations of this Committee are as under:-

Findings:-

1. There has been a long professional association of the aggrieved woman and the accused, which has turned sour due to strong interpersonal conflict and academic rivalry. The incident of 13.09.2018 was sparked off by a mutual dissatisfaction towards each other due to differences in the organization of a conference in pediatric neurology, where both sides failed to live up to the expectations of the other in terms of inclusiveness/participation. This led to a heated exchange of words which upset both the aggrieved woman and the accused. There were witnesses present during the exchange, both male and female, who heard the entire exchange but did not describe it as having any explicit or implicit sexual connotations, both, in terms of body language or words, though they admitted that Dr. Biswaroop's voice was emotionally charged and raised and he told Dr. Sheffali that 'she was lying'.
2. There were other incidents mentioned in the complaints where Dr. Biswaroop had shown his resentment towards the alleged high handedness of Professor Sheffali Gulati, but where, again, no proof of sexual harassment could be found.
3. A detailed examination of the witnesses also showed that the work place environment in the department is not made hostile or intimidatory towards Dr. Sheffali Gulati in particular, or towards female staff/faculty in general, by Dr. Biswaroop Chakrabarty.
4. It was, however, observed by the ICCSHWW that the departmental committee formed by the Head, Department of Pediatrics, should have probed the complaints made by Professor Sheffali Gulati instead of focussing only on the interpersonal conflict between the two faculty members, and should have handled its investigation with greater sensitivity. Their approach is suggestive of a desire to afford a truce between the two faculty members without exploring the cause of dissonance of the aggrieved lady, which resulted in her escalating a purely administrative issue to the ICCSHWW.

Recommendations:-

1. The Department of Pediatrics would be well advised to handle interpersonal issues in a more sensitive and impartial manner so that the faculty of the department, do not feel alienated and do not have to resort to committees like the ICCHWW to be heard.
2. The Committee also feels that interpersonal issues should be settled in an amicable manner, with Dr. Biswaroop Chakrabarty showing proper respect for his senior instead of raising his voice, and Dr. Sheffali Gulati should reciprocate with magnanimity and good will, and be more inclusive and democratic in her approach to her juniors. Advisories to this effect may be issued to both, the aggrieved women and the accused.

3. JUSTIFICATION

- 3.1 In this regard, it is to be informed that an Agenda Item No. IB/5 for the Institute's Body meeting held on 15.01.1997 was placed before IB for their Consideration and order, accordingly the relevant part of agenda & decision of the Institute Body in the matter of making appeals is being reproduced below Annexure- IV:-

Content of agenda based on recommendation of Sub-Committee:-

"In case of appeals, the Governing Body should scrutinize the appeals as to whether they should be entertained. If any appeal/ representation has a reasonable basis, the same should be referred back to the full Selection Committee for reconsideration and the experts assisting the Committee during reconsideration, should not be the same who participated in the original selection.

The appellant should invariably be given an opportunity of personal hearing by the Selection Committee".

- 3.2. The relevant portion of the recommendation/approval of the Institute Body given in this regard is here as under Annexure-V:-

"The report of the Sub-Committee along-with the suggestions made in the agenda note was approved. The Institute Body, however, felt that in appeal(s), when the cases are referred back to the Selection Committee by the Governing Body the individual may be interviewed with new technical experts."

The aforesaid decision was confirmed by the Institute Body in its meeting held on 17.06.1998"

- 3.3 Guidelines of Assessment Promotion Scheme (APS) (copy enclosed) have elaborated on Assessment Process to be followed by Selection Committee. This is re-produced as under:-

"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."

Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics, appeared in the APS interview held in the year 2019 was due for his promotion to the next level of Associate Professor. However, the observations of Selection Committee were as below:-

"It was observed by the Committee that there have been complaints of insubordination, harassment and intimidation by Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics towards the Head of the Unit under whom he has been working. Keeping this in mind the Committee has declared him unfit"


Accordingly, Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics, AIIMS, New Delhi was not promoted to the next level under Assessment Promotion Scheme (APS) held in the year 2019

Dr. Biswaroop Chakrabarty had appeared for APS again in 2020 & he was interviewed by the Selection Committee and found "FIT" to be promoted to the next level of Associate Professor. He has been promoted to the post of Associate Professor of Paediatrics, AIIMS, New Delhi w.e.f. 01.07.2018 vide O.M. No. F.11-2/2018-Estt.-I dated 29.02.2020

4. APPROVAL SOUGHT

In view of the above submissions, the representation of Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics, AIIMS is placed before the Governing Body for their consideration & orders please.

This has the approval of the DIRECTOR, AIIMS, NEW DELHI.

  
DEPUTY DIRECTOR (ADMINISTRATION)

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Annexure-I

संलग्नक नं./Attachment No. 10-10-19  
दिनांक/Date 3/8/19

Through Proper Channel

3<sup>rd</sup> October 2019

Director  
All India Institute of Medical Sciences  
New Delhi

Subject: Request for an objective & fair review of my application / interview for promotion to the post of Associate Professor, AIIMS, New Delhi.

Dear Sir

I, Dr. Biswaroop Chakrabarty, Assistant Professor, Department of Pediatrics, AIIMS, New Delhi have written this letter requesting you for an objective & fair review of my application / interview for promotion to the post of Associate Professor, AIIMS, New Delhi. I am extremely disappointed, sad and disillusioned as my name was not in the list of promoted Assistant Professors to the post of Associate Professors which was revealed on 18<sup>th</sup> September, 2019. I fail to understand the reason that despite giving my best as a professional, I have been denied this promotion.

I was selected as an Assistant Professor in the Department of Pediatrics, AIIMS, New Delhi, and joined on 20<sup>th</sup> May, 2014. Prior to this, I had completed DM in Pediatric Neurology in June 2012 from AIIMS, New Delhi and continued working as a Senior Research Associate till 19<sup>th</sup> May, 2014 at AIIMS, New Delhi.

I have worked hard and put my heart and soul into my profession since the time I have joined. I am summarising below my professional achievements during this entire period.

Handwritten notes and signatures on the left margin, including 'ACR/APP', 'S', and 'on file pl'.

- **Outstanding ACRs/APPRs:** I have been working and conducting myself throughout to the best of my abilities which have been reflected in all the Annual Confidential Reports/ Annual Professional Performance Review Reports till date. With utmost humility I would like to state that in all the APPR/ACRs till date (2014-15 to 2017-18), I have been adjudged as an outstanding faculty by my Head of the Department and agreed upon by higher authorities (copies of ACRs/APPRs attached).
- **Publications and Research:** Currently, I have 68 research publications in indexed journals of which 57 have appeared since May 2014. I have contributed 17 chapters in various books of which 12 are since May 2014. I have made an earnest attempt in identifying few research areas and started working in those directions. I have one ongoing intramurally funded research project on Neurocysticercosis. (copy of resume and publications attached)

on file pl

Sus  
9/10/19

Handwritten signature and initials, possibly 'S' and '6/X', with 'CAO' written below.

Handwritten signature and initials, possibly 'D.A.', with '1/10' written below.

Handwritten signature and initials, possibly 'R.L.', with '1.10/19' written below.

- **Community service:** I have always volunteered for community services, viz., serving in Pulwama in 2014 for 2 weeks during Kashmir floods and in Muzaffarpur during recent encephalopathy outbreak in 2019 for 6 days.
- **Academics:** I have sincerely and diligently contributed to all the teaching and training of MBBS, MD and DM students as well as Nursing students. With keen interest and zeal, I have participated in educational symposiums within AIIMS, New Delhi and outside at the national level. To the best of my abilities I have mentored DM and MD residents and undergraduate residents in research and thesis work. (details in attached resume)
- **Clinical care:** With utmost sincerity, I have fulfilled my clinical responsibilities at the inpatient, outpatient and laboratory services. I am part of the core team which has established and operationalised the Sleep Laboratory in the Department of Pediatrics.
- **Miscellaneous:** I have always strived to contribute beyond routine duties and responsibilities, viz., being part of the team that compiles the annual report of the Department and being part of the AIIMS cultural committee participating and organising various cultural activities at AIIMS, New Delhi.

Inspite of giving my best as a professional, I have been denied promotion to the post of Associate Professor, the reasons for which are not apparent to me. The interaction with the Selection Committee had gone on well, I responded well in the interview and highlighted my work during the period under consideration. It is extremely demotivating, painful and agonising that in spite of putting so much of effort, I have not been promoted. It is my humble appeal and plea to you Sir to consider and facilitate a fair review of my promotion to the post of Associate Professor.

Thanking you,

Yours sincerely,

*Biswaroop Chakrabarty*

Biswaroop Chakrabarty  
Assistant Professor  
Department of Pediatrics  
AIIMS, New Delhi

Encl:

1. Copies of ACRs/APPRs
2. Brief CV
3. List of Publications

Forwarded for  
reconsideration

AKD 2019  
5/10/2019



डॉ. अशोक कु. देवराई  
Dr. Ashok K. Deorari, MD, FAMS  
आचार्य एवं विभागाध्यक्ष / Professor & Head  
बालरोग चिकित्सा विभाग / Department of Pediatrics  
अ.भा.आ.सं., नई दिल्ली / A.I.I.M.S., New Delhi-110029



MINUTES OF 2<sup>ND</sup> PHASE OF THE MEETING OF THE STANDING SELECTION  
COMMITTEE HELD FROM 8<sup>TH</sup> MAY TO 9<sup>TH</sup> MAY, 2019 IN THE COMMITTEE  
ROOM OF THE DIRECTOR, A.I.I.M.S., NEW DELHI

CONTAINING ITS RECOMMENDATIONS

PROCEEDINGS OF DAY TWO - THURSDAY, THE 9<sup>TH</sup> MAY, 2019

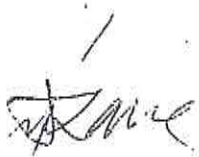

The following is the composition of the Standing Selection Committee:-

01	Dr. D. S. Rana	Chairman
02	Dr. S. Venkatesh	Member
03	Prof. Deelip Govind Mhaisekar	Member
04	Dr. M. K. Bhan	Member
05	Dr. Mahesh B. Patel	Member
06	Shri R. Subrahmanyam	Member
07	Dr. N. Gopalakrishnan	Member
08	Dr. Randeep Guleria	Member-Secretary

The following members could not attend the meeting:-

01	Dr. S. Venkatesh	Member
02	Dr. M. K. Bhan	Member
03	Shri R. Subrahmanyam	Member
04	Dr. N. Gopalakrishnan	Member

Contd.....Page-2

Sl. No.	Name	Batch	Recommendations (FIT/UNFIT)
01.	DR. BISWAROOP CHAKRABARTY	01-07-2017	UNFIT
02	DR. ADITI SINHA	01-07-2017	FIT
03	DR. NEERJA GUPTA	01-07-2017	FIT
04	DR. M. JEEVA SANKAR	01-07-2017	FIT
05	DR. JHUMA SANKAR	01-07-2017	FIT
06	DR. KANA RAM JAT	01-07-2017	FIT
07	DR. P RAMESH MENON (PAEDIATRIC NEONATOLOGY FOR C.T.V.S.)	01-07-2018	FIT
08	DR. RAJNI SHARMA	01-07-2018	FIT

It was observed by the Committee that there have been complaints of insubordination, harassment and intimidation by Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics towards the Head of the Unit under whom he has been working. Keeping this in mind the Committee has declared him unfit.

#### 10. ASSISTANT PROFESSOR OF PAEDIATRICS

Dr. Praveen Kumar, Professor, Department of Paediatrics PGIMER, Chandigarh - 160 012 and Dr. Kuldeep Singh, Dean (Academics), Professor & Head, Department of Paediatrics, AIIMS, Jodhpur - 342 005 and assisted as Technical Advisors/Experts and Dr. A.K. Deorari, Professor & Head, Department of Paediatrics, AIIMS, New Delhi assisted as Internal Expert.

01 Post - (SC) of Assistant Professor of Paediatrics was advertised vide advt. no. 03/2018(FC).

The details of the candidate applied, called and appeared for the interview are as under:-

Sl. No.	Post	No. of Applications received	No. of Candidates called for interview	No. of candidates appeared	No. of candidates Absent
01.	Assistant Professor of Paediatrics	20	18 (SC)	12 (SC)	06 (SC)

The details of the candidates appeared for interview and absent are mentioned in Appendix - IV.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 110029

No. F. CSHW/8-20 /2019

Dated 01.04.2019

निदेशक सचिवालय, अ.भा.आ.वि.सं.  
Director's Secretariat, A.I.I.M.S.

ई.आफिस सं./E-Office No. 559193

दिनांक/Date 8/4/19

The Director  
AIIMS, New Delhi

Subject: Final report for the case of Dr. Sheffali Gulati, Professor,  
Paediatrics, AIIMS

Dear Sir,

Please find enclosed the final report of the Internal Complaints Committee for Sexual Harassment of women at the work place for the case of Dr. Sheffali Gulati, Professor, Paediatrics, AIIMS

Yours Sincerely

*Chitra Sarkar*

Dr. Chitra Sarkar 3/4  
Chairperson  
Sexual Harassment Committee

*Nirupam Madaan*  
Dr. Nirupam Madaan  
Member Secretary  
Sexual Harassment Committee

Enclosures: 39 pages

Dean (Acad)

For necessary action as  
recommended by the committee

*R. Gulati*  
8/4/19



ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI - 110029

Dated 07.03.2019

No. F. CSHW/8-19/2019

Subject: Report of complaint filed by Dr. Sheffali Gulati, Professor,  
Paediatrics AIIMS.

The Internal Complaints Committee for Sexual Harassment of women at work place (ICSHWW) met on different occasions on 15.01.2019, 13.02.2019 and 05.03.2019 over the past three months to look into the complaints of sexual harassment filed by Dr. Sheffali Gulati, Professor Deptt. of Pediatrics, against Dr. Biswaroop Chakrabarty, Assistant Professor, Department of Pediatrics.

The committee reviewed the various complaints made by Prof. Sheffali against Dr. Biswaroop in light of the following provisions of the Act

3(iv) : 'interference with her work or creating an intimidating or offensive or hostile work environment for her'.

3(v) : 'humiliating treatment likely to affect her health or safety'.

The Internal Complaints Committee for Sexual Harassment of Women at Work place at AIIMS went through the various complaints made by Professor Gulati, addressed to her Head of Department, Director AIIMS and Chairperson of the ICShWW on different occasions. The Internal Complaints Committee for Sexual Harassment of Women at Work Place also examined various staff and faculty members mentioned in the complaints or submitted by the complainant as her witnesses to ascertain the facts of the incident of 13.09.2018 and related incidents which may have had a bearing upon 3 (iv) & 3 (v) above.

The committee also looked into the action initiated by the Department of Pediatrics in response to Dr. Sheffali Gulati's complaints and came to the following conclusions:

The bottom of the page contains several handwritten signatures and initials. From left to right, there is a signature that appears to be 'Jandip', followed by 'Kamlesh', 'Sudh', 'Kishore', 'Anu', and a large signature that looks like 'Kalyan'. There are also some smaller initials and marks scattered around.

Findings:

Recd  
Th  
ir

(1) There has been a long professional association of the aggrieved woman and the accused, which has turned sour due to strong interpersonal conflict and academic rivalry. The incident of 13.09.2018 was sparked off by a mutual dissatisfaction towards each other due to differences in the organisation of a conference in pediatric neurology, where both sides failed to live up to the expectations of the other in terms of inclusiveness/participation. This led to a heated exchange of words which upset both the aggrieved woman and the accused. There were witnesses present during the exchange, both male and female, who heard the entire exchange but did not describe it as having any explicit or implicit sexual connotations, both, in terms of body language or words, though they admitted that Dr. Biswaroop's voice was emotionally charged and raised and he told Dr. Sheffali that 'she was lying'.

(2) There were other incidents mentioned in the complaints where Dr. Biswaroop had shown his resentment towards the alleged high handedness of Professor Sheffali Gulati, but where, again, no proof of sexual harassment could be found.

(3) A detailed examination of the witnesses also showed that the work place environment in the department is not made hostile or intimidatory towards Dr. Sheffali Gualti in particular, or towards female staff/faculty in general, by Dr. Biswaroop Chakrobarty.

(4) It was, however, observed by the ICCSHWW that the departmental committee formed by the Head, Department of Pediatrics, should have probed the complaints made by Professor Sheffali Gulati instead of focussing only on the interpersonal conflict between the two faculty members, and should have handled its investigation with greater sensitivity. Their approach is suggestive of a desire to afford a truce between the two faculty members without exploring the cause of dissonance of the aggrieved lady, which resulted in her escalating a purely administrative issue to the ICCSHWW.

A collection of handwritten signatures and initials in black ink, including names like 'Sudip', 'Sns', 'Kamlesh', 'Ansh', 'Kamlesh', and '1.11'.

**Recommendations:**

The Department of Pediatrics would be well advised to handle interpersonal issues in a more sensitive and impartial manner so that the faculty of the department, do not feel alienated and do not have to resort to committees like the ICCSHWW to be heard.

The committee also feels that interpersonal issues should be settled in an amicable manner, with Dr. Biswaroop Chakrobarty showing proper respect for his senior instead of raising his voice, and Dr. Sheffali Gulati should reciprocate with magnanimity and good will, and be more inclusive and democratic in her approach to her juniors. Advisories to this effect may be issued to both, the aggrieved women and the accused. Advisory to both ←

*Chitra Sarkar*  
Dr. Chitra Sarkar  
Dept. of Pathology  
Chairperson  
3/4

*Renu Saxena*  
Dr. Renu Saxena  
Head, Dept. of Hematology  
Member

*Anita Saxena*  
Dr. Anita Saxena  
Prof, Dept. of Cardiology  
Member

*Mamta Sood*  
Dr. Mamta Sood  
Prof. Dept. of Psychiatry  
Member

*Sanjay Arya*  
Dr. Sanjay Arya  
Prof. Dept. of Hospital  
Administration  
Member

*Neena Khanna*  
Dr. Neena Khanna  
Prof. Dept. of Dermatology &  
Venereology  
Member

*Nirupam Madaan*  
Dr. Nirupam Madaan  
Assoc. Prof, Dept. of Hosp. Admn.  
Member Secretary

*Sudip Sen*  
Dr. Sudip Sen  
Assoc. Prof., Dept. of Biochemistry  
Member

*Renu Bhardwaj*  
Mrs. Renu Bhardwaj  
Administrative Officer  
Member

*Kalyani Raj*  
Mrs. Kalyani Raj  
Secretary General  
India Women's Conference  
Member

*Kamlesh Chandel*  
Mrs. Kamlesh Chandel  
Chief Nursing Officer  
Member

*Kiran Bala Singh*  
Mrs. Kiran Bala Singh  
Chief MSSO, Dr. R.P. Centre  
Co- Member Secretary





NOTE FOR THE INSTITUTE BODYItem No. IB/ 5

TO CONSIDER THE SUGGESTIONS OF THE SUB-COMMITTEE FOR MAKING THE SELECTIONS TRANSPARENT AND MORE PARTICIPATORY AT THE A.I.I.M.S., NEW DELHI.

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- 1) The recommendations of the Sub-Committee and the procedures to be followed by the Selection Committee for making the selections transparent and more participatory at the AIIMS, New Delhi was placed before the Institute Body at its meeting held on 15.01.1997 and the same was approved. However, the Institute Body, on 15.04.1997, while confirming the minutes of its meeting held on 15.01.1997 decided as under:-

"With the permission of the Chair the minutes of the Institute Body Meeting held on 15.01.1997 were circulated to all the Members. Minutes were confirmed except for Item No. IB/5. While confirming the minutes it was noted that the minutes did not clearly reflect the correct position with regard to the recommendations made by the Sub-Committee vis-a-vis the administrative comments thereon. It was therefore decided that when the minutes of the meeting held on 15.01.1997 are taken up under the Item 'Action taken' in the next meeting of I.B., the clear position may be put up to the Institute Body for their consideration and confirmation."

- 2) The President, AIIMS in the meeting of the Institute Body held on 21st August, 1996 while considering the action taken on the minutes of the Institute Body meeting held on 28.12.1995, informed that a Group had been constituted with the following members to come up within 15 days with suggestions for making selections transparent and more participatory:-

- i) Dr. L.K. Bhutani, Director, AIIMS
- ii) Dr. Narendra Behari, DGHS.
- iii) Shri Vijay Singh, JS(FA).
- iv) Smt. Sunila Basant, JS(SB).

The Sub-Committee submitted its recommendations to the President, AIIMS and the Minister of State for Health & Family Welfare/President, AIIMS has approved the same as conveyed by the Ministry of Health & Family Welfare vide D.O. No.V.16020/66/96-ME(PG) dated the 28th October, 1996. Copy of the letter and the recommendations are at ANNEXURE-L.

3. The report of the sub-committee may be accepted by the Institute Body.

To facilitate implementation of the recommendations the

- i) All the members of the Selection Committee as well as the Technical Experts may be asked to give, confidentially, gradings/markings to each candidate in the following manner:-
- a) A<sup>+</sup>
  - b) A
  - c) B<sup>+</sup>
  - d) B
  - e) C
- ii) The gradings given by all the members of the Selection Committee and the Technical Experts, may be placed before the Chairman, Selection Committee and final selection of the candidates may be made on the basis of the gradings/markings given by the Members of the Selection Committee and the Technical Experts as mentioned above. In case, there is a 'tie' in the gradings in respect of any candidate, the final decision for the selection in case of such a candidate may rest with the Chairman of the Selection Committee after discussions with other Members of the Selection Committee.
- iii) The above grading system will be made applicable for selection to be made under Assessment Promotion Scheme as well as through direct recruitment.
- iv) The gradings/markings given by the members of the Standing Selection Committee including the Technical Experts, should be kept as record which can be scrutinized by the Governing Body, if required.
- v) Regarding appeals, the Sub-Committee has recommended 'personal hearing' to the appellants by the Standing Selection Committee with fresh experts.

It is felt that in such a case, there may be a plethora of representations virtually leading to a series of "re-interview" which may lessen the importance of the selection committee's decisions.

It is therefore submitted that the Institute Body may consider a modification in the recommendations to the effect that the re-scrutiny by the selection committee may be done on the basis of records as is being done at present.

The recommendations of the Sub-Committee alongwith the above procedure/suggestions are submitted for consideration.

\*\*\*\*\*

c/harish/n

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GOVERNMENT OF INDIA  
MINISTRY OF HEALTH & FAMILY WELFARE  
NEW DELHI-110011Mrs. Sunila Basant  
Joint Secretary  
Tele: 301-6730D.O.No. V.16020/66/96-ME(PG)  
Dated: 28th October, 1996

Dear Dr. Dave.

As you may be aware that in the meeting of the Institute Body of AIIMS held on 21st August, 1996. The President, AIIMS informed that a Group had been constituted with the following members to come out within 15 days with suggestions for making selections transparent and more participatory:

1. Dr. L.K. Bhutani, Director, AIIMS (since retired)
2. Dr. Narendra Behari, DGHS
3. Shri Vijay Singh, JS (FA)
4. Smt. Sunila Basant, JS(SB)

I enclose herewith a copy of the recommendations of the Group. The recommendations have been approved by the Minister of State for Health & Family Welfare/President, AIIMS.

I would request you to take necessary action to implement the recommendations under intimation to this Ministry at the earliest.

With regards..

Yours sincerely,

sd/-  
(SUNILA BASANT )Dr. P.K. Dave,  
Director  
AIIMS,  
New Delhi.

In the meeting of the Institute Body of AIIMS held on 21.8.96, the President, AIIMS informed (IB/3) that a group had been constituted with the following members to come up within 15 days with suggestions for making the selections transparent and more participatory:-

1. Dr. L.K. Bhutani, Director, AIIMS
2. Dr. Narendra Bihari, DGHS
3. Shri Vijay Singh, JS (FA)
4. Smt. Sunila Basant, JS(SB)

Accordingly Dr. Bhutani, Dr. Bihari, Shri Singh and Smt. Bantsant met on two occasions. We noted the provisions of the AIIMS Act, Rules and Regulations that the Governing Body is the appointing authority for Group 'A' posts (other than the Director). There is a Standing Selection Committee for making selections. The services of outside experts are also taken while making selections. The recommendations of the Standing Selection Committee are advisory in nature.

We considered the functioning of the Selection Committee. As per the present practice only the experts give gradings. Perhaps the members of the Selection Committee could also give markings/gradings. The experts leave after giving the gradings before the selection is made. It is suggested that the experts should remain till the selection process is over. To make selections more transparent, the gradings/markings given by the members of the Standing Selection Committee should be kept as records which could be scrutinised by the Governing Body in case of need.

In case of appeals the Governing Body should scrutinise the appeals as to whether they should be entertained.

If any appeal/representation has a reasonable basis, this should be referred back to the full Selection Committee for reconsideration. The experts assisting the Committee during reconsideration should not be the same who participated in the original selection. The appellant should invariably be given the opportunity of a personal hearing by the Selection Committee.

The alternative of setting up another ad hoc Committee to go into appeals would not be advisable in view of likely legal complications.

(DR. L.K. BHUTANI)  
Director  
A.I.I.M.S.  
(since retired)

Sd/-  
(DR. NARENDRA BIHARI)  
Director General of  
Health Services

Sd/-  
(VIJAY SINGH)  
Joint Secretary(FA)  
M/o Health & F.W.

Sd/-  
(SUNILA BASANT)  
Joint Secretary (SB)  
M/o Health & F.W.



MINUTES OF THE 119TH INSTITUTE BODY MEETING HELD ON 18TH SEPTEMBER 1997 AT 2.00 P.M. IN THE BOARD ROOM AT AIIMS, NEW DELHI

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The following were present:

- |  |                  |
|--|------------------|
| 1. Smt. Renuka Chowdhury<br>Minister of State for Health &<br>Family Welfare | President        |
| 2. Prof. J.S. Bajaj<br>Member-Planning Commission                            | Member           |
| 3. Dr. Krupasindhu Bhoi<br>Member of Parliament                              | Member           |
| 4. Shri Suresh Pachouri<br>Member of Parliament                              | Member           |
| 5. Shri P.P. Chauhan<br>Secretary, Ministry of Health &<br>Family Welfare    | Member           |
| 6. Shri P.R. Dasgupta<br>Secretary   | Member           |
| 7. Dr. S.P. Agarwal<br>D.G.H.S.  | Member           |
| 8. Dr. M.G. Muthukumarasamy<br>Vice-Chancellor                               | Member           |
| 9. Prof. P. Chandra  | Member           |
| 10. Prof. C.M. Habibullah  | Member           |
| 11. Dr. P.L. Nawalakha   | Member           |
| 12. Dr. S.N.P. Sinha<br>Vice-Chancellor                                      | Member           |
| 13. Prof. P.N. Srivastava  | Member           |
| 14. Shri Vijay Singh<br>Joint Secretary (FA)                                 | Member           |
| 15. Dr. P.K. Dave<br>Director, AIIMS   | Member-Secretary |
| 16. Smt. Sunila Basant<br>Joint Secretary, Min. of H & FW                    | Special Invitee  |

17. Prof. M.C. Maheshwari  
Dean, AIIMS

Special Invitee

18. Prof. P. Venugopal  
Chief, C.T. Centre

Special Invitee

Shri K.L. Sharma, Member of Parliament and Prof. V.R. Mehta could not attend the meeting. Shri Arun Sahu, Dy. Director (Admn.) also attended the meeting.

At the outset, Director extended his warm welcome to Ms. Renuka Chowdhury, President, AIIMS and expressed the hope that Institute would achieve greater heights under her stewardship. He then introduced the members of the Institute Body to the President. The Institute Body also placed on record the services of Shri Saleem Iqbal Shervani, the past President to the Institute.

The President AIIMS took note of the fact that during the recent strike of Delhi Hospitals, the Institute was the only hospital functioning and on behalf of all the Members placed on record the appreciation of the work put in by all staff of the Institute. The Institute Body also desired that this appreciation may be communicated to all the employees of the Institute.

I.B./1: Confirmation of minutes of the Institute Body meeting held on 15.4.97 in the Board Room of the AIIMS.

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Confirmed. The Institute Body directed that with regard to item IB/3 of the minutes, the implication of the judgement be studied in detail and brought forth before the Institute Body.

I.B./2: Action taken on the minutes of the Institute Body meeting held on 15.1.97.

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Noted. With regard to the item IB/4 of the action taken, it was decided that the matter be re-discussed amongst the faculty members and brought before Governing body at its next meeting.

I.B./3: Action taken on the minutes of the Institute Body meeting held on 15.4.97.

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Noted. Regarding Item No. IB/3, the action taken may be



"The post of M.S. has been offered to Dr. R.C. Anand after completing the disciplinary proceedings and with due clearance from the vigilance: Dr. Anand Joined the post on 5.5.97 (AN)"

Regarding item IB/4, the Member-Secretary explained that this was not brought before the Institute Body as it had not been discussed with the President, AIIMS. The Institute Body decided that this may be brought before the Institute Body later after an indepth study and in the light of the past practices and precedents. There was a suggestion by a member to form a committee of three persons to go into this.

I.B./4: The minutes of the Governing Body meeting held on 4.4.97.

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Noted. With regard to item GB/15, The Institute Body observed that:

- (1) revised rules may be sent for notification in the official gazette within 2 months.
- (2) Posts which are required to be filled in through the selection procedures may also be identified within 2 months; till that time, no fresh DPC may be held.
- (3) However, the DPCs which have already been processed and the recommendations approved by the President, should be implemented.

The Institute Body also desired to know the exact posts which had not been filled up for the last two and a half years and out of these how many have been filled up by DPC's.

The Institute Body also made a general observation that the administrative set-up needed to be geared up for better efficiency.

I.B./5: To consider the suggestions of the Sub-committee for making the selections transparent and more participatory at the AIIMS, New Delhi.

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The report of the Sub-Committee alongwith the suggestions made in the Agenda note was approved. The Institute Body however, felt that in appeal(s), when the cases are referred back to the Selection Committee by the Governing Body, the individual may be interviewed with new technical experts.

The Institute Body reiterated that 'wait list' of the candidates will continue to be valid for one year, extendable by

six months.

IB/6: Constitution of Adhoc Committee for revision of pay-scale of the faculty of AIIMS, New Delhi/PGI, Chandigarh subsequent to the revision of pay scales announced by the 5th Pay Commission.

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The President, AIIMS was authorised to constitute a Committee.

I.B./6(a):9th Five Year Plan (1997-2002)

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It was placed on the table and noted.

Any other item with the permission of the Chair.

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The Institute Body discussed the issue of direct recruitment to faculty posts at level II & III and the Assessment Promotion Scheme. It was decided that a Committee be constituted by the President, AIIMS to frame the guidelines for lateral entry at level II & III. The members felt strongly in favour of having lateral entry at level II & III.

It was felt that the Governing Body may also appoint Emeritus Professors at AIIMS from amongst those who have retired and had made significant contributions to the Institute during their years of service. The services of such Professors may be available to more than one departments for academic and research activities.

The President, AIIMS was authorised to constitute a Committee under the Chairmanship of Prof. Bajaj to draft guidelines governing the selection and terms of appointment of Director, AIIMS.

The Institute Body expressed their concern about the continued ad hoc appointments at the level of Assistant Professor and desired that the Courts may be requested to expedite their decisions.

The meeting came to an end with a vote of thanks to the President, AIIMS.

NOTE FOR THE GOVERNING BODY

Item No. GB/13

TO CONSIDER EX-POST-FACTO APPROVAL FOR THE PROPOSAL FOR RATIONALIZATION OF ADMINISTRATIVE CADRE AND AMENDMENT IN RECRUITMENT RULES AT THE AIIMS, NEW DELHI

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1. INTRODUCTION:-

The Ministry of Health & Family Welfare vide letter No V-16020/40/2019-INI-I dated 19.07.2019 intimated that the proposal for rationalization of existing Administrative Cadre of Institute had been approved by Hon'ble HFM and same is to be implemented at the Institute after approval of its Governing Body (Annexure-I).

2. ADMINISTRATIVE COMMENTS:

In the above context, it is to be submitted here that a proposal regarding rationalization of existing posts of Administrative Cadre and amendment in recruitment rules at the AIIMS, New Delhi was placed before the Standing Finance Committee in its 217<sup>th</sup> meeting held on 5<sup>th</sup> November, 2018 vide item no. SFC-217/6 (Annexure-II).

*After considering the proposal, the Standing Finance Committee has decided as under:-*

*"The Committee observed that the proposal of the Institute is at variance with the recommendation made by the Coordination Committee for this cadre and also there is financial implication of Rs. 1.56 Crore for which approval of Department of Expenditure is required. The Committee, however, recommended the proposal in principle and asked the Institute to send the proposal with proper justification to MoHFW for further examination."*

In pursuance of above decision of the Standing Finance Committee, the matter was referred vide letter No. F.12-12/2018-Estt.(RCT) dated 21.1.2019 (Annexure-III) to the Ministry of Health & Family Welfare for further consideration/approval. Subsequently, the subject matter was discussed by the Ministry for financial neutralization. In between various representations were received. After examining all these representations, revised proposal and also keeping in view of various representation for revision of the proposal finally, the following revised proposal, with financial neutralization was submitted to the Ministry vide letter No.F.12-12/2018-Estt.(RCT) dated 29.05.2019 (Annexure IV):-

Proposal under consideration of the Ministry			Revised proposal		
Name of the post and pay scale	Mode of Recruitment	Sanctioned Strength	Name of the post and pay scale	Mode of Recruitment	Sanctioned Strength
Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion failing which deputation	01	Chief Admn. Officer (PB-3 + 7600 G.P.)	No Change	01 (No Change)
Sr. Administrative Officer (PB-3 + 6600 G.P.)	100% by promotion failing which deputation	03	Sr. Administrative Officer (PB-3 + 6600 G.P.)	No Change	03 (No Change)
Administrative Officer (PB-3 + 5400 G.P.)	100% by promotion failing which deputation	14	Administrative Officer (PB-3 + 5400 G.P.)	1. 100% by promotion failing which deputation 2. Grade from Promotions: 3. Assistant Admn. Officer with 3 years of regular service OR 4. Assistant Admn. Officer with 5 years of combined service in the grade of Asstt. Admn. Officer & Office Superintendent*	14 (No Change)
Asstt. Admn. Officer (PB-2 + 4600 G.P.)	1. 75% by Promotion 2. 25% by LDCE	40	Asstt. Admn. Officer (PB-2 + 4600 G.P.)	100% by promotion	45
Assistant (N.S.) (PB-2 + 4200 G.P.)	100% by promotion	128	Assistant (N.S.) (PB-2 + 4200 G.P.)	No Change	120

U.D.C. (PB-1 + 2400 G.P.)	1. 75% by Promotion 2. 25% by LDCE	170	U.D.C. (PB-1 + 2400 G.P.)	No Change	170
L.D.C. (PB-1 + 1900 G.P.)	1. 85% by Direct Recruitment 2. 7.5% by promotion from Office Attendant 3. 12.5% LDCE	199	L.D.C. (PB-1 + 1900 G.P.)	1. 65% by Direct Recruitme nt 2. 15% by promotion from Office Attendant 3. 20% by LDCE from Group C staff in GP Rs. 1800 & 1900.	202


*\*The post of Office Supdt. is to be merged with the post of Asstt. Admn. Officer in rationalization proposal, however, the service rendered as office Supdt. by the incumbents will be counted for combined service).*

Approval of the Hon'ble HFM was conveyed by the Ministry vide letter No V-16020/40/2019-INI-I dated 19.07.2019. Considering that the meeting of the Governing Body was not likely to be held in near future and in anticipation of the approval of the Governing Body, rationalization of administrative cadre as approved by the Hon'ble HFM was implemented at the Institute vide O.M.No.F. 12-2/2018-Estt.(RCT) dated 27.7.2019 (Annexure-V) with approval of Director, AIIMS in consultation with MOHFW.

### 3. PROPOSAL:-

The revised proposal for rationalisation of administrative cadre at AIIMS, New Delhi as approved by the Hon'ble HFM Letter No V-16020/40/2019-INI-I dated 19.07.2019 is submitted for consideration and ex-post-facto approval of the Governing Body.

This proposal has the approval of the Director, AIIMS

  
(Subhasish Panda)  
Deputy Director (Administration)

Annexure - 1

निदेशक सचिवालय, अ.भा.आ.वि.सं.  
Director's Secretariat, A.I.I.M.S.  
ई.आ.वि.सं./E-Office No. 589552  
दिनांक/Date..... 20/7/19

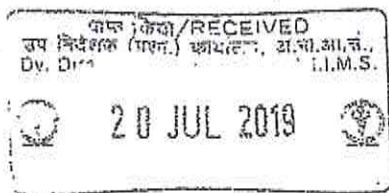
347 No. V-16020/40/2019-INI-I  
Government of India  
Ministry of Health & Family Welfare  
(INI-I Section)

22/7/19

Nirman Bhawan, New Delhi  
Dated the 19th July, 2019

To

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



Sub: Proposal for rationalization of existing posts of Administrative Cadre and amendment in recruitment rules for the post of Assistant Administrative Officer at the AIIMS, New Delhi - reg.

Sir,

I am directed to refer to Institute's letter no. F.12-2/2018-Estt. (RCT) (P-I) dated 29.5.2019. The following rationalization of existing Administrative Cadre of the Institute has been approved by Hon'ble HFM. The same may be implemented at the Institute after approval of its Governing Body.

Sl. No.	Post	Pay Scale (pre-revised)	Revised (7th CPC)	Mode of Recruitment	Strength
1	Chief Administrative Officer	PB 3 + GP of Rs. 7600	Level 12	100% by promotion which by Deputation	01
2.	Sr. Administrative Officer	PB 3 + GP of Rs. 6600	Level 11	100% by promotion which by Deputation	03
3.	Administrative Officer	PB 3 + GP of Rs. 5400	Level 10	100% by promotion which Deputation  Grade from Promotions: Assistant Admn. Officer with 3 years of regular service  OR Assistant Admn. Officer	14

Signature  
19/7/19

Signature

Signature  
20/7/19

Signature

				with 3 years of combined service in the grade of Assistant Admn. Officer & Office Superintendent	
4.	Assistant Administrative Officer (Office Superintendent merged with AAO)	PB 2 + GP of Rs. 4600	Level 7	100% by promotion	45
5.	Assistant (NS)	PB 2 + GP of Rs. 4200	Level 6	100% by promotion	120
6.	UDC	PB 1 + GP of Rs. 2400	Level 4	75% by promotion 25% by LDCE	170
7.	LDC	PB 1 + GP of Rs. 1900	Level 2	65% by Direct Recruitment 15% by promotion from Office Attendant 20% by LDCE from Group C staff in GP Rs. 1800 & 1900	202
Total					555

Yours faithfully,  
Signature valid

Digitally signed by SUNITA  
DHAUNDIYAL  
Date: 2018.07.17 09:02:05 IST  
Reason: Approved

(Sunita Dhaundiya)

Under Secretary to the Government of India  
Ph.: 23061843

100

100

100

100

100



349

Item No.FC/

**TO CONSIDER THE PROPOSAL FOR RATIONALIZATION OF EXISTING POSTS OF ADMINISTRATIVE CADRE AND AMENDMENT IN RECRUITMENT RULES FOR THE POST OF ASSISTANT ADMINISTRATIVE OFFICER AT THE AIIMS, NEW DELHI.**

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**1. INTRODUCTION**

The AIIMS Administrative Association has submitted a representation that the administrative cadre was structured on the basis of functional requirements of 1992 (i.e. 25 years old). In the present scenario the cadre structure is irrational and unrealistic causing obstacles in the promotion avenues of the incumbents. The incumbents of this cadre have been facing acute stagnation and hence, they have requested that the existing posts of Administrative Cadre may be rationalized to overcome the issue of stagnation.

The rationalization of posts of Administrative Cadre proposed by AIIMS Administrative Association is as under:-

EXISTING			PROPOSED		
Name of Post and Pay scale	Mode of Rectt.	Sanctioned strength	Name of Post and Pay scale	Mode of Rectt.	Sanctioned strength
Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion failing which Deputation	01	Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion failing which Deputation	01
Sr. Admn. Officer (PB-3 + 6600 G.P.)	100% by promotion failing which Deputation	03	Sr. Admn. Officer (PB-3 + 6600 G.P.)	100% by promotion failing which Deputation	03
Admn. Officer (PB-3 + 5400 G.P.)	100% by promotion failing which Deputation	14	Admn. Officer (PB-3 + 5400 G.P.)	100% by promotion failing which Deputation	14
Assistant Admn. Officer (PB-2 + 4600 G.P.)	60% by Promotion 40% by DR	10	Asstt. Admn. Officer (PB-2 + 4600 G.P.)	75% by promotion 25% by LDCE	42
Office Superintendent (PB-2 + 4200 G.P.)	66% by promotion 33% by LDCE	27			
Assistant (NS) (PB-2 + 4200 G.P.)	100% by promotion	67	Assistant (NS) (PB-2 + 4200 G.P.)	100% by promotion	160
UDC (PB-1 + 2400 G.P.)	75% by promotion 25% by LDCE	223	UDC (PB-1 + 2400 G.P.)	75% by promotion 25% by LDCE	180
LDC (PB-1 + 1900 G.P.)	85% by DR 10% from Group C (with G.P. of Rs.1800 & 1900) 5% by promotion (Office Attendant)	245	LDC (PB-1 + 1900 G.P.)	85% by DR 10% from Group C (with G.P. of Rs.1800 & 1900) 5% by promotion (Office Attendant)	190
<b>Total</b>		<b>590</b>	<b>Total</b>		<b>590</b>

Their request has been considered by the competent authority and it has been decided that the proposal for rationalization of existing posts of Administrative Cadre may be placed before the Standing Finance Committee.

## 2. PROPOSAL

1) The existing posts in the Administrative Cadre may be rationalized as under:-

EXISTING			PROPOSED		
Name of Post and Pay scale	Mode of Rectt.	Sanctioned strength	Name of Post and Pay scale	Mode of Rectt.	Sanctioned strength
Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion failing which Deputation	01	Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion failing which Deputation	01 (no change)
Sr. Admn. Officer (PB-3 + 6600 G.P.)	100% by promotion failing which Deputation	03	Sr. Admn. Officer (PB-3 + 6600 G.P.)	100% by promotion failing which Deputation	03 (no change)
Admn. Officer (PB-3 + 5400 G.P.)	100% by promotion failing which Deputation	14	Admn. Officer (PB-3 + 5400 G.P.)	100% by promotion failing which Deputation	14 (no change)
Assistant Admn. Officer (PB-2 + 4600 G.P.)	1) 60% by Promotion 2) 40% by DR	10	Asstt. Admn. Officer (PB-2 + 4600 G.P.)	1) 75% by promotion 2) 25% by LDCE	42
Office Superintendent (PB-2 + 4200 G.P.)	1) 60% by promotion 2) 40% by LDCE	27			
Assistant (NS) (PB-2 + 4200 G.P.)	100% by promotion	66	Assistant (NS) (PB-2 + 4200 G.P.)	100% by promotion	160
UDC (PB-1 + 2400 G.P.)	1) 75% by promotion 2) 25% by LDCE	223	UDC (PB-1 + 2400 G.P.)	1) 75% by promotion 2) 25% by LDCE	180
LDC (PB-1 + 1900 G.P.)	1) 85% by Direct Recruitment 2) 10% by LDCE from Group C staff in GP Rs.1800 3) 5% by promotion from Office Attendant	248	LDC (PB-1 + 1900 G.P.)	1) 85% by Direct Recruitment 2) 10% by LDCE from Group C staff in GP Rs.1800 3) 5% by promotion from Office Attendant	192
<b>Total</b>		<b>592</b>	<b>Total</b>		<b>592</b>

2) Following amendment in mode of recruitment of post of Assistant Administrative Officer may be approved:-

Existing Recruitment Rules of Assistant Administrative	Proposed Recruitment Rules
--	----------------------------

	Officer and Office Superintendent		of Assistant Administrative Officer
Name of the post	Assistant Admn. Officer (Level-7 in the Pay Matrix)	Office Superintendent (Level-6 in the Pay Matrix)	Assistant Admn. Officer (Level-7 in the Pay Matrix)
Mode of Recruitment	1) 60% by promotion 2) 40% by Direct Recruitment	1) 60% by promotion 2) 40% by LDCE	1) 75% by promotion 2) 25% by LDCE
Grades for promotion	Office Superintendent with 2 years of regular service in the grade	<u>For promotion</u> Assistant (N.S.) with 5 years of regular service in the grade  <u>For LDCE</u> Assistant (N.S.) with 3 years of regular service in the grade	<u>For promotion</u> Assistant (N.S.) with 5 years of regular service in the grade  <u>For LDCE</u> Assistant (N.S.) with 3 years of regular service in the grade
Sanctioned Strength	10	27	42

### 3. JUSTIFICATION:-

- Existing Administrative Cadre is based on functional requirement of 1992.
- There has been only marginal increase in strength of Administration inspite of the fact that the work load has increased tremendously over the years due to expansion programmes of the Institute.
- There is huge stagnation in the Cadre of Administration as there is an acute shortage of promotional avenues due to disproportionate/less sanctioned strength at higher levels.
- There is stagnancy at middle level thereby causing the higher posts to remain vacant.

The Cadre of Administrative may kindly be seen as under:-

Name of the post	Mode of Recruitment	Existing Sanctioned Strength
Chief Admn. Officer (Level-12 in the Pay Matrix)	100% by promotion failing which by deputation	01
Sr. Admn. Officer (Level-11 in the Pay Matrix)	100% by promotion failing which by deputation	03
Admn. Officer (Level-10 in the Pay Matrix)	100% by promotion failing which by deputation	14
Assistant Admn. Officer (Level-7 in the Pay Matrix)	60% by promotion	10
	40% by Direct Recruitment	
Office Superintendent (Level-6 in the Pay Matrix)	60% by promotion	27
	40% by LDCE	
Assistant (NS)	100% by promotion	66

(Level-6 in the Pay Matrix)		
UDC (Level-4 in the Pay Matrix)	75% by promotion UDC (25% by LDCE)	223
LDC (Level-2 in the Pay Matrix)	85% by direct recruitment 10% by LDCE from Group C staff in GP Rs.1800 5% by promotion from Office Attendant	248
<b>Total</b>		<b>592</b>

There are only 10 posts of Assistant Administrative Officer whereas the strength of Administrative Officer is 14 (earlier 12 plus 2 newly created posts). Hence, always there remains a gap and consequently posts of Administrative Officers have remained vacant for a long time.

- In the recent past, Cadre Restructuring of Cadres of Data Entry Operators and Radiology have been made with the approval of Standing Finance Committee/Governing Body.

The ratio for Data Entry Operator Cadre was 33:27:20:13:7 whereas that for Radiology Cadre was 55:25:13:6 as under:-

- 1) Data Entry Operator – Vide OM No.12-14/2002-Estt.I dated 24.06.2016

S. No.	Name of the post	Previous strength	Existing (Revised) Strength	%age of strength
1.	Data Entry Operator Grade-A	37	15	33.33
2.	Data Entry Operator Grade-B	06	12	26.66
3.	Data Entry Operator Grade-C	01	09	20
4.	Data Entry Operator Grade-D	01	06	13.33
5.	Data Entry Operator Grade-E	--	03	6.66
<b>Total</b>		<b>45</b>	<b>45</b>	<b>--</b>

- 2) Radiology – vide OM No.F.12-20/2014-Estt.(RCT) dated 26.09.2016

S. No.	Name of the post	Previous strength	Existing (Revised) Strength	%age of strength
1.	Technician (Radiology) Grade-II	110	105	55.55
2.	Technician (Radiology) Grade-I	41		
3.	Technical Officer (Radiology)	23	48	25.39
4.	Senior Technical Officer (Radiology)	12	24	12.69
5.	Chief Technical Officer (Radiology)	03	12	6.34
<b>Total</b>		<b>189</b>	<b>189</b>	<b>--</b>

In terms of existing instructions of DoP&T, the minimum qualifying service for promotion from Grade Pay of Rs.4200 (now Level-6) to Rs.4600 (now Level-7) is 5 years.

Accordingly, the proposed Recruitment Rules for the post of Assistant Administrative Officer shall be considered as under:-

Name of the post	Existing Recruitment Rules of Assistant Administrative Officer and Office Superintendent		Proposed Recruitment Rules of Assistant Administrative Officer
	Assistant Admn. Officer (Level-7 in the Pay Matrix)	Office Superintendent (Level-6 in the Pay Matrix)	Assistant Admn. Officer (Level-7 in the Pay Matrix)
Mode of Recruitment	3) 60% by promotion 4) 40% by Direct Recruitment	3) 60% by promotion 4) 40% by LDCE	3) 75% by promotion 4) 25% by LDCE
Grades for promotion	Office Superintendent with 2 years of regular service in the grade	<u>For promotion</u> Assistant (N.S.) with 5 years of regular service in the grade  <u>For LDCE</u> Assistant (N.S.) with 3 years of regular service in the grade	<u>For promotion</u> Assistant (N.S.) with 5 years of regular service in the grade  <u>For LDCE</u> Assistant (N.S.) with 3 years of regular service in the grade
Sanctioned Strength	10	27	42

- On revision and upgradation of sanctioned strength of the post of Assistant Administrative Officer and Assistant (N.S.), eligible candidates in the feeder grades posts of Assistant (N.S.) and Upper Division Clerk respectively are available for promotion

Thus, in order to remove acute stagnation, it is required that the posts in the Administrative Cadre may be rationalized to increase promotional avenues of the existing incumbents of the cadre and for better management of administrative services. The increase at higher level posts in the Administrative Cadre is proposed by reducing the equal number of posts at lower level, thus the sanctioned strength will remain the same.

4. REFERENCE OF ANY SIMILAR APPROVED PROPOSALS: NIL

Thus, by rationalizing the above Cadres, stagnation of long periods in the Cadres have been removed and adequate promotion avenues have been generated for the existing incumbents of the Cadres.

Hence, there is need to rationalize existing posts in the Administrative Cadre also.

- The existing cadre of Administration is having 8-tier structure and proposed is having 7-tier.

The distribution of posts will be as under:-

S. No.	Name of the post	Existing strength	Proposal of Administrative Association		%age of strength
			Revised Strength	proposed	
1.	Chief Admn. Officer	01	01		3.04
2.	Sr. Admn. Officer	03	03		
3.	Admn. Officer	14	14		
4.	Assistant Admn. Officer	10	42		7.09
	Office Superintendent	27			
5.	Assistant (NS)	66	160		27.02
6.	UDC	223	180		30.4
7.	LDC	248	192		32.43
<b>Total</b>		<b>592</b>	<b>592</b>		<b>100</b>

Moreover, it may be seen that in both the Cadres of Data Entry Operator and Radiology, the higher level posts have also been proportionately increased, while in the Administrative Cadre, only posts in middle and lower level are proposed to be rationalized and the posts at higher level are being retained in the same ratio.

- Further, the proposal also includes merger of the post of Office Superintendent with that of Assistant Administrative Officer as both are lower level supervisory posts.

Presently, pay scale of the post of Office Superintendent and Assistant (N.S.) is same i.e. Level-6 in the Pay Matrix. Assistant (N.S.) functions as a dealing assistant while Office Superintendent is a supervisory post.

On proposed amendment, the feeder post for promotion to Assistant Administrative Officer in Level-7 in the Pay Matrix will be Assistant (N.S.) in Level-6 in the Pay Matrix.

5. INTERDEPARTMENTAL CONSULTATIONS: NIL

6. FINANCIAL IMPLICATIONS:-

The financial implication for restructuring of the Administrative Cadre at this Institute will be to the tune of Rs.1,56,56,328/- (Rupees One Crore Fifty Six Lakh Fifty Six Thousand Three Hundred Twenty Eight only) annually.

7. COMMENTS/OBSERVATIONS OF FINANCE DIVISION WITH DUE APPROVAL OF SR. F.A.

The Finance Division has no objection if the current proposal as per recommendation of SFC be sent to the Ministry for further examination.

8. APPROVAL SOUGHT

The above proposal for rationalization of existing posts of Administrative Cadre with amendment in recruitment rules of the post of Assistant Administrative Officer is placed before the Standing Finance Committee for consideration and approval please.

9. This has the approval of Director.





परी प्रकोष्ठ/RECRUITMENT CELL  
दिनांक / DATE 7589/07/11/18  
अ. मा. आ. व. अफसरों नगर, नई दिल्ली-29  
AIIMS, Ansari Nagar, N.D.-29

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Through Special Messenger  
By Speed Post

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**

F.No. 4-1/2018-Genl

Ansari Nagar, New Delhi-29

Dated: 24 NOV 2018

**MEMORANDUM**

**Subject:-** Final minutes of 217<sup>th</sup> Extra Ordinary meeting of the Standing Finance Committee held on Monday the 5<sup>th</sup> November, 2018 at 3:00 P.M. in the Committee Room (No.155, A Wing) 1<sup>st</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.

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The Final Minutes of the Standing Finance Committee extra ordinary meeting held on 5<sup>th</sup> November, 2018 at 3:00 P.M. in the Committee Room, 1<sup>st</sup> Floor, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi as approved by the Chairperson of the Standing Finance Committee is being circulated to Chairperson and all the Members of the Standing Finance Committee for information.

  
(SUBHASISH PANDA)

Dy. DIRECTOR (ADMINISTRATION)

Encl: As above.

The Chairperson and all the Members of the Standing Finance Committee.

To (10)  
To (12)  
To (2)

to file note of the  
related to your establishment  
to file the minutes of  
the meeting

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Minutes of the 217<sup>th</sup> Extra Ordinary Meeting of the Standing Finance Committee of AIIMS, New Delhi held on 5<sup>th</sup> November, 2018 at 3:00 P.M. under the chairpersonship of Secretary, Health & Family Welfare in the Committee room (1<sup>st</sup> floor), MoHF&W, Nirman Bhawan, New Delhi.

The 217<sup>th</sup> Extra Ordinary meeting of the Standing Finance Committee of AIIMS, New Delhi was held on November 5, 2018 at 3:00 P.M. in Committee Room (First Floor), Nirman Bhawan, New Delhi under the chairpersonship of Secretary Health & Family Welfare and chairperson of the Standing Finance Committee. The list of members who attended the meeting is as follows:

- |  |   |  |
|--|---|--|
| 1. Ms. Preeti Sudan<br>Secretary to the Govt. of India, MoHFW                          | : | Chairperson                            |
| 3. Dr. S. Venkatesh<br>Director General of Health Services<br>Government of India      | : | Member                                 |
| 4. Ms. Vandana Jain<br>Joint Secretary & Financial Advisor<br>MoHFW, Govt. of India    | : | Member                                 |
| 5. Dr. D.G. Mhaisekar<br>Vice Chancellor,<br>Maharashtra University of Health Sciences | : | Member<br>(Through Video Conferencing) |
| 5. Prof. Randeep Guleria<br>Director,<br>A.I.I.M.S., New Delhi.                        | : | Member-Secretary                       |

Shri Prayesh Sahib Singh Verma, Member of Parliament (LS), Shri R.Subrahmanyam, Secretary, Department of Higher Education & Dr. M.K. Bhan, Former Secretary, Department of Biotechnology could not attend the meeting.

Shri Arun Singhal, Addl. Secretary MOHFW, Shri Sudhansh Pant, Joint Secretary, MoHFW, Prof. V.K. Behl, Dean (Academic) AIIMS and Dr. D.K. Sharma Medical Superintendent AIIMS attended the meeting as special invitees. Shri Subhasish Panda, Deputy Director Administration and Shri Narinder Bhatia, Financial Advisor, AIIMS attended the meeting.

The quorum for the meeting was fulfilled.

At the outset, Prof. Randeep Guleria, Director AIIMS, New Delhi and Member Secretary expressed his sincere gratitude to Smt. Vijaya Srivastava, then Special Secretary & Financial Advisor and a nominated member of Standing Finance Committee of AIIMS for her active participation, discussion and constructive suggestions in the course of various meetings during her tenure.

The decisions taken on the agenda items are the following:

**ITEM NO. SFC - 217/1**

**CONFIRMATION OF THE MINUTES OF 216TH MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS HELD ON 09<sup>TH</sup> OCTOBER, 2017 IN MINISTRY OF HEALTH AND FAMILY WELFARE, NURMAN BRAWAN, NEW DELHI**

The SFC confirmed the minutes of the 216<sup>th</sup> SFC meeting as no comment / objections were received from any of the members.

ITEM NO. SFC - 217/2

**ACTION TAKEN ON THE MINUTES OF 214<sup>th</sup>, 215<sup>th</sup> & 216<sup>th</sup> MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS HELD ON 17.12.2016, 15.03.2017 & 09.10.2017 IN MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI**

The action taken report was presented by the Director before the Standing Finance Committee and the same was accepted with certain changes in some of the Agenda Items as under:

**Agenda No 2 (214<sup>th</sup> SFC) - To consider the proposal for Revised Estimates for the year 2016-17 and the Budget Estimates for the year 2017-18 under Plan, Non-Plan and Oversight Committee.**

The Institute intimated the Committee that there will be no allocation of funds under Oversight Committee. Hence, the committed liability of Rs 177.63 crores may be allowed to be booked under the Plan head for the year 2018-19. The representative of IFD of MoHFW has conveyed that since there is no Plan and Non-Plan head from this financial year, the Institute needs to revise the proposal and forward to MoHFW for further deliberation. The Committee recommended accordingly.

**Agenda No. 12 (214<sup>th</sup> SFC)-To consider the proposal for MRI for rural site (CRHSP, Ballabgarh) of AIIMS COHORTS Study**

The Committee was informed that the matter was placed before the Budget Assessment Committee held on 26.04.2018 in which inability to provide funds for this project was expressed. The Committee recommended to drop the proposal.

Agenda No. 22 (214<sup>th</sup> SFC) - To consider the proposal for Restructuring of the Nursing Cadre at the College of Nursing at the AIIMS, New Delhi.

The Committee considered the proposal and the Chairperson suggested that the requirement of nurses in Safdurjung Hospital should be merged with that of AIIMS, New Delhi and they may be recruited by AIIMS, New Delhi. Regarding appointment of newly passed out nurses as apprentices, the Chairperson suggested that MoHFW may issue a letter to all Central Government Hospitals and INIs.

*AO (F2) - We are to send reply to old reference on this issue from MoHFW.*

Agenda No 6 (215<sup>th</sup> SFC)- Redevelopment of AIIMS Residential Campuses - (a) Plan of Action (b) Opening of Escrow Accounts (c) Transfer of Funds (d) Demolition of 64 I-Type Houses.

The Committee observed that the Project has already been delayed considerably and asked the Institute to expedite the process and complete the Project in a time-bound manner.

ITEM NO. SFC - 217/3

TO CONSIDER THE PROPOSAL FOR CREATION OF 38 NON-FACULTY POSTS FOR THE NEWLY CREATED DEPARTMENT OF PULMONARY MEDICINE & SLEEP DISORDERS AT AIIMS, NEW DELHI.

The SFC considered and recommended the proposal subject to the approval of Department of Expenditure.

*At (RL) :*

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ITEM NO. SFC - 217/4

PROPOSAL FOR CREATION OF POSTS OF VARIOUS CADRES FOR THE NEW OPD BLOCK AT THE MASJID MOTH CAMPUS, AIIMS, NEW DELHI.

The SFC considered and recommended the proposal for creation of 119 regular posts of various cadres for the New OPD Block at the Masjid Moth Campus, AIIMS New Delhi. This recommendation is subject to the approval of Department of Expenditure. The Committee further agreed for engagement of 857 various categories of staff on outsourced basis.

Ad (RC)

ITEM NO. SFC - 217/5

PROPOSAL FOR POSTS OF VARIOUS CADRES FOR THE NATIONAL CENTRE FOR AGEING AT AIIMS, NEW DELHI.

The SFC considered and recommended the proposal for creation of 693 regular posts for the National Centre for Ageing. This recommendation is subject to the approval of Department of Expenditure. The Committee also recommended for engagement of 485 various categories of staff on outsourced basis.

ITEM NO. SFC - 217/6

Ad (RC)

PROPOSAL FOR RATIONALISING OF ADMINISTRATIVE CADRE AT AIIMS, NEW DELHI.

The Committee observed that the proposal of the Institute is at variance with the recommendation made by the Coordination Committee for this Cadre and also there is financial implication of Rs. 1.56 crores for which approval of Department of Expenditure is required. The Committee, however, recommended the proposal in principle and asked the Institute to send the proposal with proper justification to MoHFW for further examination.

ITEM NO. SFC - 217/7

PROPOSAL FOR CREATION OF THE NURSING MANPOWER FOR THE G.I. SURGERY AND LIVER TRANSPLANTATION, PULMONARY MEDICINE OPD, INFECTION CONTROL UNIT, CONTINUOUS MEDICAL EDUCATION, DEPARTMENT OF GASTROENTEROLOGY, INTRA UTERINE INSEMINATION FACILITY, DEPARTMENT OF RHEUMATOLOGY, HIGH DEPENDENCY UNIT/POST ANESTHETIC CARE UNIT UNDER DEPARTMENT OF ORTHOPEDICS, NEONATAL INTENSIVE CARE UNITS AND DEPARTMENT OF EMERGENCY MEDICINE OF AIIMS

The SFC considered and recommended the proposal subject to the approval of Department of Expenditure.

AO (RC)

ITEM NO. SFC - 217/8

PROPOSAL FOR CREATION OF 02 POSTS OF ASSISTANT PROFESSOR IN THE DEPARTMENT OF NEURO-RADIOLOGY (RENAMED AS NEURO-IMAGING & INTERVENTIONAL NEURO-RADIOLOGY) AT AIIMS, NEW DELHI

The SFC considered and recommended the proposal for creation of 2 posts of Assistant Professor subject to the approval of Department of Expenditure.

AO (F)

ITEM NO. SFC - 217/9

TO CONSIDER THE PROPOSAL FOR REVISED ESTIMATES FOR THE YEAR 2018-19 AND THE BUDGET ESTIMATES FOR THE YEAR 2019-20 UNDER GRANT-IN-AID SALARIES, GENERAL AND CREATION OF CAPITAL ASSETS FOR THE INSTITUTE AND RAISING LOAN FROM HIGHER EDUCATION FINANCING AGENCY.

The SFC discussed the proposal and proposal of HEFA loan for NCI Project at Jhajjar. Additional Secretary informed that as per latest decision of HEFA,



loan will be limited to Rs 525 crores only. He also informed that 5% of HEFA loan is to be deposited under an escrow account to be opened for the purpose. Taking into consideration all these aspects, the RE 2018-19 and BE 2019-20 was recommended as under:

Amounts (In Crores)

	BE 2018-19	RE 2018-19	BE 2019-20
Grant In Aid Salaries	1420	1700	1800
Grant In Aid General	725	768	1403.02
Grant In Aid Capital	873	1920 (including Rs.525 crores to be received from HEFA)	2074.55
<b>Total</b>	<b>3018</b>	<b>4388</b>	<b>5277.57</b>

ITEM NO. SFC - 217/10

**PROPOSAL FOR CONSTRUCTION OF COMMUNITY HEALTH TRAINING & RESEARCH CENTRE AT FATEHPUR BILLOCH, BALLABGARH, FARIDABAD UNDER CENTRE FOR COMMUNITY MEDICINE, AIIMS.**

After due deliberation on the proposal for construction of Community Health Training & Research Centre at Fatehpur Billoch, Ballabgarh, Faridabad under Centre for Community Medicine, AIIMS, it was decided that proposal may be submitted afresh by including components of civil work, staff requirement and equipment along with their financial implications. It was also suggested that the Institute may prioritize the projects which have been kept on hold from previous years and place it before the SFC.

ITEM NO. SFC - 217/11

TO CONSIDER THE REPRESENTATION SUBMITTED BY DR. D.K. GUPTA, PROF. & HEAD OF PAEDIATRIC SURGERY, AIIMS, NEW DELHI FOR WAIVING OFF DAMAGE RENT FOR RETAINING QTR. NO. DII-31, ANSARI NAGAR AS IMPOSED BY AIIMS, NEW DELHI, DURING LIEN PERIOD WHEN HE WAS VICE CHANCELLOR IN KING GEORGE'S MEDICAL UNIVERSITY (KGMU), LUCKNOW FROM APRIL 2011 TO 2014.

SFC was apprised about the request made by Dr.D.K.Gupta for waiver of penal rent etc. The precedence case of Prof. A.K. Mahapatra, where SFC had recommended waiver of the penal rent was discussed. It was informed that the Governing Body had approved the case of Dr. A.K. Mahapatra with the condition that it should not be treated as precedence for all such cases. It was decided that the matter may be placed before the Governing Body (GB) for taking a policy decision. Till such time as such policy is approved, recovery may be kept in abeyance.

AO (FE) / AO (ESTATE)

ITEM NO. SFC - 217/12

TO CONSIDER THE REPRESENTATION SUBMITTED BY DR. N.R. BISWAS, PROFESSOR, PHARMACOLOGY, AIIMS, NEW DELHI FOR WAIVING OFF DAMAGE RENT FOR RETAINING QTR. NO. DII-4, ANSARI NAGAR AS IMPOSED BY AIIMS, NEW DELHI DURING DEPUTATION PERIOD WHEN HE HAS JOINED THE POST OF DIRECTOR, IGIMS, PATNA FROM 26.02.2014 TO 25.02.2019.

SFC followed the same decision as deliberated on agenda item No.217/11 and the matter was deferred accordingly.

AO (ESTATE)

ITEM NO. SFC - 217/13

TO CONSIDER PROPOSAL FOR GRANT OF TRANSPORT ALLOWANCE TO THE FACULTY MEMBERS DRAWING PAY AT LEVEL 14 AND ABOVE.

The SFC after due deliberation on the matter advised AIIMS to send a proposal with justification for detailed examination in MoHFW/DoE.

ITEM NO. SFC - 217/14

Ao (E)

GUIDELINES FOR ADJUNCT FACULTY AT AIIMS, NEW DELHI

The SFC considered the proposal and while recommending the same, decided that honorarium shall not be made applicable for faculty within the Institute. The Committee further asked the Institute to send the proposal for examination by IFD of the MoHFW.

Registrar

ITEM NO. SFC - 217/15

TO CONSIDER THE PROPOSAL FOR ENHANCEMENT OF LEARNING RESOURCE ALLOWANCE IN RESPECT OF GROUP 'A' (NON-FACULTY) OFFICERS AT AIIMS, NEW DELHI

The SFC considered and recommended the proposal subject to approval of the MoHFW/DoE.

Ao (E) (Do)

ITEM NO. SFC - 217/16

PURCHASE OF ROBOTIC SURGERY SYSTEM FOR DEPARTMENT OF UROLOGY (POST FACTO APPROVAL)

The SFC considered and recommended the proposal.

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ITEM NO. SFC - 217/17

**PROPOSAL FOR CREATION OF 06 POSTS OF MSSO GD -II FOR AYUSHMAN BHARAT**

SFC considered the proposal and advised to explore possibilities for outsourcing these requirements. The number of such MSSOs should be in line with the MoU between NHA and AIIMS, New Delhi. The payment etc. to be made from the fee money received from NHA.

As (RC)

ITEM NO. SFC - 217/18

**PROPOSAL IS FOR STRENGTHENING OF FINANCE DIVISION, AIIMS BY WAY OF:**

**(I) ENCADREMENT OF EXISTING 143 NOS. ADMINISTRATIVE POST (GROUP 'B' & 'C') - PRESENTLY POSTED WITH FINANCE DIVISION - IN FINANCE DIVISION; AND**

**(II) CREATION OF 176 ADDITIONAL POSTS AT ALL LEVELS IN FINANCE DIVISION TO MATCH PRESENT NEED (120) AND FOR UP-COMING CENTRES (56)**

Item No.SFC - 217/18 (i) was withdrawn.

The SFC considered and recommended the proposal at 217 /18 (II) with regard to the creation of 176 additional posts at all levels in Finance division of AIIMS, New Delhi subject to the approval of Department of Expenditure.

As (RC)

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ITEM NO. SFC - 217/20 (Supplementary Agenda)

**TO CONSIDER THE PROPOSAL FOR REGULARISATION OF PART TIME SOCIAL GUIDES (PTSG) AT THE AIIMS, NEW DELHI**

The SFC deliberated on the matter and decided not to recommend the proposal.

As (RC)

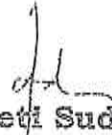


(Prof. Randeep Guleria)

Member Secretary

Standing Finance Committee

AIIMS, New Delhi



(Preeti Sudan)

Chairperson

Standing Finance Committee

AIIMS, New Delhi

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The following table shows the results of the experiment. The first column represents the time taken for the reaction to occur, and the second column represents the amount of product formed. The data shows that as the time increases, the amount of product also increases, indicating a positive correlation between time and product formation.

Time (min)	Amount of Product (g)
0	0.0
10	0.5
20	1.0
30	1.5
40	2.0
50	2.5
60	3.0
70	3.5
80	4.0
90	4.5
100	5.0

The graph below illustrates the relationship between time and the amount of product formed. The x-axis represents time in minutes, and the y-axis represents the amount of product in grams. The data points show a linear increase in product formation over time, starting from the origin (0,0) and reaching 5.0 grams at 100 minutes.

The results of the experiment demonstrate that the rate of product formation is constant over time, suggesting a first-order reaction. The linear relationship between time and product amount is clearly visible in the graph.

## ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-110029

No. F.12-12/2018-Estt.(RCT)

Dated the:-

To

Ms. Sunita Dhaundiyal,  
Under Secretary to Govt. Of India,  
Ministry of Health and Family Welfare,  
Nirman Bhawan, New Delhi

21 JAN 2019

**Subject:- To consider the proposal for rationalization of existing posts of Administrative Cadre and amendment in recruitment rules for the post of Assistant Administrative Officer at the AIIMS, New Delhi.**

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Madam,

I am directed to inform you that a proposal regarding rationalization of existing posts of Administrative Cadre and amendment in recruitment rules for the post of Assistant Administrative Officer at the AIIMS, New Delhi was placed before the Standing Finance Committee in its 217<sup>th</sup> meeting held on 5<sup>th</sup> November, 2018 vide item no. SFC-217/6 and the SFC decided as under:-

*"The Committee observed that the proposal of the Institute is at variance with the recommendation made by the Coordination Committee for this cadre and also there is financial implication of Rs. 1.56 Crore for which approval of Department of Expenditure is required. The Committee, however, recommended the proposal in principle and asked the Institute to send the proposal with proper justification to MoHFW for further examination."*

It is pertinent to mention here that based on the recommendation of the Coordination Committee & SFC, a similar case regarding review/restructuring of Administrative Cadre alongwith all other cadre of AIIMS, New Delhi has been referred to the Ministry vide institute letter No.F.9-49/2012-Estt.(RCT)(P-I) dated 02.01.2019 and the same is under consideration of the Ministry.

In view of the above it is requested that necessary concurrence/approval of the Deptt. of Expenditure, Ministry of Finance may please be obtained and conveyed to this Institute.

A copy of the agenda item along with minutes of SFC is enclosed herein.

Yours faithfully,

Sua

[Dr. Sanjay Kumar Arya]  
CHIEF ADMINISTRATIVE OFFICER

Encl. As stated above.

0/c  
14/01/19  
जारी/Issued





To

369

Mrs. Sunita Dhaundiyal,  
Under Secretary to the Govt. of India,  
INI-I Section,  
Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi.

Subject: Proposal for rationalization of existing posts of Administrative Cadre and amendment in recruitment rules thereof - regarding.

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Madam,

I am directed to invite a reference to the Institute letter of even number dated the 11<sup>th</sup> April, 2019 on the subject cited above and to inform that the Karamchari Union, AIIMS, New Delhi vide letter dated 7.5.2019 (Annexure-I) has represented for revision of existing proposal under consideration of the Ministry on the above subject.

The Institute has discussed the above representation with Karamchari Union, Officers Association and Administrative Staff Association and after detailed discussion; all are agree to the revised proposal of Karamchari Union. It is also to inform that the said revised proposal is with neutral financial implication. Accordingly, the following revised proposal for rationalization of existing posts of Administrative Cadre and amendment in recruitment rules therefore, is as under:-

Proposal under consideration of the Ministry			Revised proposal		
Name of the post and pay scale	Mode of Recruitment	Sanctioned Strength	Name of the post and pay scale	Mode of Recruitment	Sanctioned Strength
Chief Admn. Officer (PB-3 + 7600 G.P.)	100% by promotion falling which deputation	01	Chief Admn. Officer (PB-3 + 7600 G.P.)	No Change	01 (No Change)
Sr. Administrative Officer (PB-3 + 6600 G.P.)	100% by promotion falling which deputation	03	Sr. Administrative Officer (PB-3 + 6600 G.P.)	No Change	03 (No Change)
Administrative Officer (PB-3 + 5400 G.P.)	100% by promotion falling which deputation	14	Administrative Officer (PB-3 + 5400 G.P.)	100% by promotion, falling which by deputation  Grade from Promotions:  Assistant Admn. Officer with 3 years of regular service  OR  Assistant Admn. Officer with 5 years of combined service in the grade of Asstt. Admn. Officer & Office Superintendent*	14 (No Change)

Asstt. Admn. Officer (PB-2 + 4600 G.P.)	75% by Promotion 25% by LDCE	40	Asstt. Admn. Officer (PB-2 + 4600 G.P.)	100% by promotion	45
Assistant (N.S.) (PB-2 + 4200 G.P.)	100% by promotion	128	Assistant (N.S.) (PB-2 + 4200 G.P.)	No Change	120
U.D.C. (PB-1 + 2400 G.P.)	75% by Promotion 25% by LDCE	170	U.D.C. (PB-1 + 2400 G.P.)	No Change	170
L.D.C. (PB-1 + 1900 G.P.)	85% by Direct Recruitment 7.5% by promotion from Office Attendant 12.5% LDCE	199	L.D.C. (PB-1 + 1900 G.P.)	65% by Direct Recruitment 15% by promotion from Office Attendant 20% by LDCE from Group C staff in GP Rs. 1800 & 1900.	202

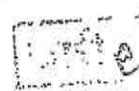
*\*The post of Office Supdt. is to be merged with the post of Asstt. Admn. Officer by rationalisation proposal, however, the service rendered as office Supdt. by the incumbents will be counted for combined service).*

Accordingly, it is requested that needful may be done in this matter.

This issues with the approval of the Director, AIIMS, New Delhi.

Yours faithfully,

[Dr. Sanjay Kr. Arya]  
Chief Administrative Officer (Actg.)



**OFFICE MEMORANDUM**

371

Annexure - E

**Subject: Rationalization of existing posts and amendment in Recruitment Rules of Administrative Cadre at AIIMS, New Delhi.**

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In pursuance of approval of the HFM conveyed by the Ministry of Health & Family Welfare, Govt. of India vide letter No.F.V-16020/40/2019-INI-I dated 19<sup>th</sup> July, 2019 and in anticipation of approval of the Governing Body of AIIMS, New Delhi, the following details of rationalization existing posts and amendment in recruitment rules of Administrative Cadre at the AIIMS, New Delhi is notified herewith:-

Existing Recruitment Rules Administrative Cadre								
S.N	Name of post	Pay Matrix Level (as per 7 <sup>th</sup> CPC)	S.S.	Mode of Recruitment	Amended Recruitment Rules and Rationalization of Administrative	Pay Scale / Grade Pay 7 <sup>th</sup> CPC (Rs.)	S.S.	Mode of Recruitment
1	Chief Administrative Officer	Level - 12	01	100 % by promotion failing which by deputation  In case of Recruitment by Promotion:  Sr. Administrative Officer with 5 years of regular service in the grade.  In case of Deputation grades and Sources from which deputation to be made and period of deputation:  Officers of Central Government (including Delhi Administration) or Central Statutory / Autonomous Bodies holding analogous posts or with at least 5 years of service in the posts in the pay scale of Rs.3000-4500 or equivalent and having experience in administration establishment and preferably in accounts matters  Officers with MBA or PG Diploma in Personnel Management or Labour Law or Degree in Law, shall be given preference. (Period of deputation shall be ordinarily not exceed 3 years)	Chief Administrative Officer	Level - 12	01	No Change
2	Sr. Administrative Officer	Level - 11	03	100 % by promotion failing which by deputation  In case of Recruitment by Promotion:  Administrative Officer with 5 years of regular service in the grade of Rs.2375-3500 or 8 years of regular service in the grade of RS.2000-3500.  In case of Deputation grades and Sources from which deputation to be made and period of deputation:  Officers under the Central / State Government / U.T. Administrations of the Central Statutory / Autonomous Bodies holding analogous posts on regular basis or with at least 5/8 years of regular service in a post in the 'pay scale - of Rs.2200-4000/2000-3500' respectively or equivalent and having a Degree and experience in administration and establishment matters and also preferably in accounts matters. Officers having MBA or Post Graduate Diploma in Personnel Management shall be given preference. (Period of deputation shall not ordinarily exceed 3 years).	Sr. Administrative Officer	Level - 11	03	No Change
3	Administrative Officer	Level - 10	14	100 % by promotion failing which by deputation  In case of Recruitment by Promotion:  Assistant Administrative Officer with 3 years of regular service in the grade.	Administrative Officer	Level - 10	14	100 % by promotion failing which by deputation  In case of Recruitment by Promotion:  Assistant Administrative Officer with 3 years of regular service in the grade.

				<p>In case of Deputation grades and Sources from which deputation to be made and period of deputation:</p> <p>Officers under the Central / State Government / U.T. Administrations of the Central Statutory / Autonomous Bodies holding analogous posts on regular basis or with at least 3/5 years of regular service in posts in the pay scale of Rs.2000-3500 / Rs.2000-3200 or equivalent respectively and having a Degree and experience in administration and establishment matters and also preferably in Accounts matters. Officers having MBA or PG Diploma in Personnel Management shall be given preference. (Period of deputation shall not ordinarily exceed 3 years).</p>			<p>OR</p> <p>Assistant Admn. Officer with 5 years of combined service in the grade of Assistant Admn. Officer &amp; Office Superintendent</p> <p>In case of Deputation grades and Sources from which deputation to be made and period of deputation:</p> <p>Officers under the Central / State Government / U.T. Administrations of the Central Statutory / Autonomous Bodies holding analogous posts on regular basis or with at least 3/5 years of regular service in posts in the pay scale of Rs.2000-3500 / Rs.2000-3200 or equivalent respectively and having a Degree and experience in administration and establishment matters and also preferably in Accounts matters. Officers having MBA or PG Diploma in Personnel Management shall be given preference. (Period of deputation shall not ordinarily exceed 3 years).</p>	
4	Assistant Administrative Officer	Level - 7	13	<p>Mode of Recruitment</p> <p>i) 60 % by Promotion ii) 40% by Direct Recruitment</p> <p>Grades from which Promotion is to be made and eligibility:</p> <p>Office Superintendent with 2 years of regular service in the grade</p> <p>Educational and other Qualification for Direct Recruit</p> <p>1) Degree of recognized University or its equivalent</p> <p>2) 5 years of experience as Office Superintendent or in equivalent post; and working knowledge of govt. rules &amp; regulations</p> <p>Desirable:</p> <p>1. Post Graduate Diploma in Personal Management / Labour Laws / Administrative Law</p>	Assistant Administrative Officer (Office Superintendent merged with AAO)	Level - 7	45	<p>Mode of Recruitment</p> <p>100 % by Promotion</p> <p>Grades from which Promotion is to be made and eligibility:</p> <p>Jr. Administrative Officer (erstwhile Assistant (NS) with 5 years of regular service in the grade</p>
5	Office Superintendent	Level - 6	27	<p>Mode of Recruitment</p> <p>i) 60 % by Promotion ii) 40% Limited Departmental Competitive Exam.</p> <p>Grades from which Promotion is to be made and eligibility:</p> <p>Head Clerks with 5 years of regular service in the grade</p> <p>Limited Departmental Examination:</p> <p>Eligibility: Head Clerks with 3 years of regular service in the grade;</p> <p>Method of Selection:</p> <p>66 2/3% For written test 33 1/3% For ACRs</p> <p>The Select list equivalent to number of vacancies shall be prepared in the order of merit based on total marks obtained in written test and evaluation of ACRs.</p>				
6	Assistant (NS)	Level - 6	66	<p>100 % by Promotion</p> <p>Grades from which Promotion is to be made and eligibility:</p> <p>UDCs with 5 years of regular service in the grade</p>	Jr. Administrative Officer (erstwhile Assistant (NS))	Level - 6	120	<p>100 % by Promotion</p> <p>Grades from which Promotion is to be made and eligibility:</p> <p>Sr. Admn. Assistant with 5 years of regular service in the grade</p>
7	Upper Division Clerk	Level - 4	228	<p>Method of Recruitment</p> <p>75% by Promotion 25 % by Limited Departmental Competitive Examination from amongst</p>	Sr. Administrative Assistant (erstwhile UDC)	Level - 4	170	<p>Method of Recruitment</p> <p>75% by Promotion 25 % by Limited Departmental Competitive Examination from amongst</p>

				Grades from which Promotion is to be made and eligibility:			Grades from which Promotion is to be made and eligibility:	
				Lower Division Clerk with 5 years of regular service in the grade			Jr. Admn. Assistant with 5 years of regular service in the grade	
B	Lower Division Clerk	Level - 2	24 8	<p>Method of Recruitment</p> <p>i) 85% by Direct Recruitment</p> <p>ii) 10% of the vacancies shall be filled from amongst the Group 'C' staff in the Grade Pay of Rs.1800 and who possess 12<sup>th</sup> pass or equivalent qualification and have rendered 3 years of regular service in the grade, on the basis of departmental qualifying examination. The maximum age limit for eligibility for examination is 45 years (50 years of age for the SC/ST).</p> <p>(Note : If more of such employees than the number of vacancies available under Clause (ii) qualify at the examination, such excess number of employees shall be considered for filling the vacancies arising in the subsequent years so that the employees qualifying at an earlier examination are considered before those who qualify at a later examination).</p> <p>iii) 5% of the vacancies shall be filled on seniority-cum-fitness basis from Group 'C' employees of Office Attendants cadre who must possess 12<sup>th</sup> pass or equivalent qualification and have 3 years regular service in posts with at least the Grade Pay of Rs.1800.</p>	Jr. Administrative Assistant (erstwhile LDC)	Level - 2	202	<p>Method of Recruitment</p> <p>i) 65% by Direct Recruitment</p> <p>ii) 20% of the vacancies shall be filled from amongst the Group 'C' staff in the Grade Pay of Rs.1800 and who possess 12<sup>th</sup> pass or equivalent qualification and have rendered 3 years of regular service in the grade, on the basis of departmental qualifying examination. The maximum age limit for eligibility for examination is 45 years (50 years of age for the SC/ST).</p> <p>(Note : If more of such employees than the number of vacancies available under Clause (ii) qualify at the examination, such excess number of employees shall be considered for filling the vacancies arising in the subsequent years so that the employees qualifying at an earlier examination are considered before those who qualify at a later examination).</p> <p>iii) 15% of the vacancies shall be filled on seniority-cum-fitness basis from Group 'C' employees of Office Attendants cadre who must possess 12<sup>th</sup> pass or equivalent qualification and have 3 years regular service in posts with at least the Grade Pay of Rs.1800.</p>

The amendments mentioned above shall be applicable from the date of issue of this Office Order.

(Dr. Sanjay Kr. Arya)  
Chief Administrative Officer (Actg.)

**Distribution:**

1. All Chiefs of Centers
2. The Medical Superintendent
3. All Departments / Units
4. PPS to Director
5. PS to Deputy Director (Administration)
6. PA to Sr. Financial Advisor/ Financial Advisor
7. PA to Chief Administrative Officer
8. Sr. Admn. Officer / Administrative Officer (DO) /RPC/CNC/Dr. BRAIRCH/Hospital / JPNATC/ CRHSP Ballabgharh / NDDTC Ghaziabad / NCI Jhajjar
9. All Establishment Sections
10. The Accounts Section I, II, III
11. The concerned dealing assistant
12. The General Section / GPF Section / Estate Section
13. The Guard File
14. The Officer incharge Computer Facility - with the request to kindly upload on the Institute website
15. The Sr. Hindi Officer - with the request to translate into Hindi
16. Officer Association, AIIMS / Karamchari Union, AIIMS / AIIMS Administrative Association



Item No. GB/14

**TO CONSIDER/EX-POST FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE MEETINGS HELD IN VARIOUS PHASES DURING THE MONTHS FROM MAY, 2019 TO AUGUST, 2019:-**

(1) FOR RECRUITMENT OF ASSISTANT PROFESSORS & LECTURER-IN-NURSING ;

AND

(2) PROMOTION OF ELIGIBLE EXISTING FACULTY TO THE NEXT HIGHER GRADE UNDER ASSESSMENT PROMOTION SCHEME AT THE AIIMS, NEW DELHI.

**1. INTRODUCTION**

1.1 Initially 172 posts of Assistant Professor in various disciplines/Lecturer in Nursing were advertised in 2018. Out of 172, 166 posts were advertised vide Advt. No.03/2018-(FC) dated 08.06.2018 and last date of online application was 31.08.2018.

1.2 In this advertisement, last date of application for 21 disciplines was revised to 05.10.2018 due to some administrative reasons.

1.3 06 posts were later advertised vide Advt. No.04/2018-(FC) dated 15.10.2018. The last date of online application for this advertisement was 28.11.2018.

1.4 The details of all the posts which were thus advertised(172) with reservation status, no. of online applicants and candidates recommended to be called for interview are as under :-

Post Code	Name of post	Posts advertised & Reservation					No. of Applicants apply online					No. of Candidates shortlisted for Interview				
		SC	ST	OBC	UR	Total	SC	ST	OBC	UR	Total	SC	ST	OBC	UR	Total
1	Electron Microscope	00	00	01	00	01	00	00	22	00	22	--	--	03	--	03
2	Anesthesiology (Main)	02	02	01 PWBD	08	13	14	19	12	135	180	09	13	05	97	124
	Anaes. (Dr.BRAIRCH)	01	00	0	0	01	07	0	0	0	07	06	--	--	--	06
	Anaes. (NCI Jhajjhar)	01	00	03(01 for PWBD	02	06	08	0	14	35	57	06	--	13	28	47
	Anaes. (JPNATC)	0	00	01	00	01	0	0	07	0	07	--	--	07	--	07
3	Biochemistry	0	00	0	01	01	14	02	24	181	221	04	--	05	81	90
	Radio Chemistry (Nuclear Medicine)	0	0	01	0	01	0	0	03	0	03	00	00	00	00	00
4	Biophysics	0	0	0	01	01	05	02	13	91	111	03	02	02	49	56
5	Biotechnology	0	0	01	01	02	17	04	116	299	436	06	03	62	144	215

6	Cardiology	01	0	02	01	04	06	0	13	25	44	01	0	08	16	25
	Pediatric Cardiology (CTVS)	01	0	0	0	01	03	0	0	0	03	Post Withdrawn vide OM dated 07.05.2019				
	Cardiac Anaes.	0	0	01-PWBD	0	01	0	0	02	0	02	Both candidates who applied were not PWBD. Thus no PWBD candidate was available.				
	Intensive Care (CTVS)	0	0	01	0	01	0	0	05	0	05	--	--	02	--	02
	CTVS	0	0	0	01	01	01	0	0	25	26	01	--	--	21	22
7	Community Medicine	01	0	0	0	01	21	0	0	0	21	10	--	--	--	10
8	Conservative Dentistry & Endodontics	0	0	0	01	01	04	0	01	60	65	--	--	--	34	34
	Oral & Maxillofacial Surgery	0	0	0	01	01	06	01	11	91	109	04	--	04	50	58
	Oral Medicine and Radiology	0	0	01-PWBD	0	01	0	0	31 (1-PWBD)	00	31	Only 01 PWBD candidate had applied online but hard copy of application was not received. Thus his candidature was cancelled.				
	Oral Pathology & Microbiology	01	0	0	0	01	14	0	0	0	14	10	--	--	--	10
	Pedodontics & Preventive Dentistry	0	0	0	01	01	06	0	06	66	78	03	--	05	39	47
	Periodontology	0	0	0	01	01	0	0	09	82	91	--	--	03	55	58
	Prosthodontics & Crown Bridge	0	01	0	01	02	03	04	03	59	69	02	02	01	37	42
	Public Health Dentistry	0	0	0	01	01	03	01	06	81	91	02	--	02	54	58
9	Emergency Medicine (Main)	0	0	02	01	03	01	01	03	09	14	--	--	01	05	06
	Emergency Medicine (JPNATC)	0	0	01	0	01	0	0	02	0	02	None found eligible.				
	Emergency Medicine (NCI Jhajjar)	0	0	01	02	03	01	0	0	07	08	--	--	--	04	04
10	Orthopaedics (Emergency Medicine)	0	0	01	0	01	0	0	14	0	14	--	--	05	--	05
11	Community otorhin(ENT)	01	0	0	0	01	11	0	0	0	11	07	--	--	--	07
12	Gastroenterology	01	0	0	0	01	02	0	0	0	02	01	--	--	--	01
	Human Nutrition Unit)	0	0	01	0	01	0	0	11	0	11	--	--	01	--	01
13	G. I. Surgery and Liver Transplantation	01	01	0	03	05	04	03	01	22	30	--	--	--	16	16
14	Hospital Administration	0	0	02	0	02	0	0	23	0	23	--	--	03	--	3
	Hosp. Admn. (NCI Jhajjar)	0	0	01	02	03	06	03	03	29	41	--	--	02	09	11
15	Clinical Hematology (Adult)	0	0	02	0	02	0	0	05	0	05	--	--	02	--	02
16	Laboratory Medicine (Hematology)	0	0	0	01	01	05	01	05	80	91	01	--	03	41	45



	Laboratory Medicine (NCI Jhajjhar	0	0	0	02	02	08	02	08	153	171	Post withdrawn vide OM dated 05.07.2019				
												--	05	--	--	05
	Laboratory Medicine	0	01	0	0	01	04	08	0	0	12	--	05	--	--	05
17	Medical Oncology (DR. BRA,IRCH)	01	01	01	01	04	06	01	02	11	20	01	--	--	06	07
	Medical Oncology (NCI Jhajjhar)	01	0	0	02	03	02	0	01	10	13	--	--	--	07	07
18	Preventive Oncology (DR. BRA,IRCH)	0	0	0	01	01	01	02	03	49	55	--	02	02	35	39
	Preventive Oncology (NCI Jhajjhar)	0	01	0	01	02	02	07	03	44	56	--	05	01	36	42
19	Medicine (Main)	01	01	01	01	04	13	13	16	29	71	07	05	04	11	27
20	Nephrology	0	0	01	0	01	0	0	03	0	03	00	--	03	--	03
21	Nuclear Medicine (Main)	0	0	01	0	01	0	0	07	0	07	00	--	07	--	07
	Nuclear Medicine (NCI Jhajjhar)	01	0	0	02	03	01	0	03	09	13	01	--	02	06	09
22	Neurology	02 (01 - P W BD	0	01	02	05	03 (01 - PW BD	0	05	29	37	02	--	05	24	31
	Neuro-Surgery	0	0	01	0	01	0	0	11	0	11	--	--	08	--	08
	Neuro-Surgery (JPNATC)	0	0	01	0	01	0	0	06	0	06	--	--	06	--	06
	Neuro-Anaesthesia (Main)	01	0	01	0	02	0	0	04	0	04	--	--	--	02	02
	Neuro-Radiology	0	0	01	0	01	0	0	01	0	01	None eligible.				
23	Obst. &Gynae.	03	01	03	06 (1 fo r P W B D	13	30	17	40	121 (2- PW BD	208	21	10	24	82 (01- PW BD)	137
24	Ophthalmology	01	0	02 (01 for PWBD	01	04	26	01	18	40	85	19	--	10	21	50
25	Pathology	02	01	02	02 (1 fo r P W B D	07	22	12	33	86 (02- PW BD	153	15	01	23	53 (02- PW BD	92
26	Transfusion Medicine (Main)	0	0	01	0	01	0	0	05	0	05	--	--	01	--	01
	Transfusion Medicine (NCI Jhajjhar)	0	0	0	01	01	03	29	03	26	61	01	--	--	11	12
27	Physiology	0	0	01	0	01	0	0	21	0	21	--	--	12	--	12
28	Pediatrics	01	0	0	0	01	26	0	0	0	26	18	--	--	--	18

29	Pediatrics Surgery	01	0	01	0	02	07	0	03	0	10	05	--	02	--	07
30	Psychiatry	0	0	01	0	01	0	0	11	0	11	--	--	06	--	06
31	Neuro-Psychiatry	0	0	01	0	01	0	0	12	0	12	--	--	09	--	09
	Clinical Psychology	01	0	0	0	01	16	0	0	0	16	05	--	--	--	05
32	Radio-diagnosis (Dr. BRA-IRCH)	0	0	0	01	01	0	01	02	20	23	--	--	--	13	13
	Radiology (NCI Jhajjar)	01	01	0	01-PWB D	03	02	02	01	16 (03-PW BD)	21	02	01	--	--	03
	Radiotherapy (Med. Physics) (Dr. BRA-IRCH)	02 (01 for PW BD)	0	01	02	05	05	0	05	6	16	02	--	02	01	05
	Medical Physics (Dr. BRA-IRCH)	0	0	0	01	01	02	0	02	16	20	--	--	02	03	05
	Medical Physics (NCI Jhajjar)	0	0	01	01	02	01	0	06	15	22	--	--	02	04	06
	Laboratory Oncology (Dr. BRA-IRCH)	0	0	01	0	01	0	0	08	0	08	--	--	07	--	07
33	Radiotherapy (Main)	0	0	01	0	01	0	0	11	0	11	--	--	06	--	06
	Radiation Oncology (NCI Jhajjar)	0	0	01	02	03	02	01	09	55	67	02	01	05	30	38
34	Immuno Pathology (Rheumatology)	0	0	01	0	01	0	0	05	0	05	Post withdrawn vide OM dated 30.03.2018.				
35	Surgical Oncology (Dr. BRA-IRCH)	02	0	0	01	03	03	0	03	26	32	02	--	02	16	20
	Surgical Oncology (NCI Jhajjar)	01	01	01	01	04	02	01	05	31	39	02	--	03	15	20
36	Surgery (Main)	0	0	01	0	01	0	0	07	0	07	--	--	04	--	04
	Surgery (JPNATC)	0	0	0	01-PWB D	01	01	0	01	29 (4-PW BD)	31	--	--	--	2 (PWB D)	02
37	Lecturer -in- Nursing	0	0	01	0	01	0	0	280	0	280	--	--	58	--	58
38	Plastic Surgery	01	0	0	0	01	04	0	0	0	04	03	--	--	--	03
39	Dermatology & Venereology	0	0	0	01	01	0	0	0	11	11	--	--	--	08	08
40	Endocrinology & Metabolism	01	0	0	0	01	0	0	0	0	0	None applied.				
41	Urology	0	01	0	0	01	01	00	0	0	01	No ST candidate applied				
42	Hemato Pathology	0	0	0	02	02	03	01	07	34	45	0	0	0	09	09
43	Clinical Hematology	01	0	0	02	03	07	01	02	30	40	01	0	0	10	11
44	Rheumatology	0	0	0	01	01	03	0	01	16	20	0	0	0	07	07
	<b>Total</b>	<b>36</b>	<b>13</b>	<b>54</b>	<b>69</b>	<b>172</b>	<b>368</b>	<b>140</b>	<b>939</b>	<b>2289</b>	<b>3736</b>	<b>185</b>	<b>50</b>	<b>356</b>	<b>1192</b>	<b>1783</b>

- 4% reservation for Physically Handicapped persons was also provided in the aforesaid posts as per rosters point with backlog vacancies.

- 1.5. 01-post of Assistant Professor of Immuno-pathology, 01 post of Assistant Professor of Pediatric Cardiology(CTVS) & 02 posts of Asstt. Prof. of Laboratory Medicine(NCI, Jhajjar) were cancelled/withdrawn due to administrative reasons.
- 1.6. All applications were screened at two level;
- screening committee at the level of concerned department.
  - centralized screening committee under Director, AIIMS.

Eligible candidates, conforming to Recruitment Rules were shortlisted to be called for interview by Standing Selection Committee. Total 1783 candidates were shortlisted to be called for interview.

- 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<sup>st</sup> Phase: 01.05.2019 to 02.05.2019
- 2<sup>nd</sup> Phase: 08.05.2019 to 09.05.2019
- 3<sup>rd</sup> Phase: 01.06.2019 to 04.06.2019
- 4<sup>th</sup> Phase: 08.06.2019 to 09.06.2019
- 5<sup>th</sup> Phase: 28.06.2019 to 30.06.2019
- 6<sup>th</sup> Phase: 02.07.2019 to 06.07.2019
- 7<sup>th</sup> Phase: 21.07.2019 to 25.07.2019
- 8<sup>th</sup> Phase: 01.08.2019 to 04.08.2019
- 9<sup>th</sup> Phase: 19.08.2019 to 22.08.2019

Total 1151 candidates appeared for the interview held in above mentioned nine phases.

- 1.8 In addition, 231 numbers of faculty members were also interviewed by the Standing Selection Committee to assess them for promotion to the next higher grades under Assessment Promotion Scheme for the batches of 01.07.2015, 01.07.2016, 01.07.2017 & 01.07.2018. The details of these interviewed for promotion are as under:

1. Additional Professor to Professor	--	03
2. Associate Professor to Additional Professor	--	87
3. Assistant Professor to Associate Professor	--	141
		-----
	Total -	231
		-----

## 2 ADMINISTRATIVE COMMENTS

- 2.1 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).

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

1. Dr. D.S. Rana	-	Chairman
2. Dr. S. Venkatesh/ Dr. Ashok Kumar Saxena	-	Member
3. Prof. Deelip Govind Mhaisekar	-	Member
4. Dr. M.K. Bhan	-	Member
5. Dr. Mahesh B. Patel	-	Member
6. Sh. R. Subrahmanyam	-	Member
7. Dr. N. Gopalakrishnan	-	Member
8. Prof. Randeep Guleria	-	Member-Secretary

2.3 Selection Committee made recommendation for appointment under Direct mode as well as for promotion under APS mode as under:

Under Direct Mode(Annexure-I):

No. of candidates selected for appointment to the post of Assistant Professor in various disciplines/ Lecturer-in-Nursing.	-	120 candidates
No. of candidates kept in wait list	-	97 candidates

Under APS Mode (Annexure-II):

No. of faculty found 'FIT' for promotion to the post of Professor -	-	03
No. of faculty found 'FIT' for promotion to the post of Additional Professor	-	86
No. of faculty found 'FIT' for promotion to the post of Associate Professor	-	140
Total promoted under APS -		229

Out of total 231 candidates who appeared for promotion under APS scheme, 02 candidates, (01 Associate Professor Dr. Neeraj Parakh for promotion to the post of Addl. Prof. & 01 Assistant Prof. Dr. Biswaroop Chakrabarty for promotion to the post of Associate Professor) were found 'UNFIT' due to the following reasons:

1. Dr. Neeraj Parakh - Committee observed that he has a show cause notice against him and he has not been reported for duty since 25.05.2018. Further, during the interview when he was informed that as his post is against JPNATC and he must work there, he refused to work in Trauma Centre at all. Taking cognizance of this fact, the Selection Committee declared him unfit.

2. Dr. Biswaroop Chakrabarty - Committee observed that there have been complaints of insubordination, harassment and intimidation by Dr. Biswaroop Chakrabarty, towards the Head of the Unit under whom he has been working. Keeping this in mind the Committee has declared him Unfit.

- 2.4 In this connection, it is pertinent to mention here that Governing Body in its meeting held on 10.10.2017 under agenda item No.GB-155/6 desired that AIIMS, New Delhi should put in place a mechanism(HR Module) with the approval of President, AIIMS to approve the appointment of the candidates selected by the Standing Selection Committee, so that such candidates could join their post without waiting for the meeting of the Governing Body and ex-post-facto approval of Governing Body should be obtained subsequently.

President, AIIMS, had constituted a HR Sub-Committee, consisting of following members, for this purpose:

1.	Secretary, Ministry of Health & Family Welfare, Government of India	--	Chairman
2.	Director General of Health Services, Government of India	--	Member
3.	Additional Secretary and Financial Adviser	--	Member
4.	Director, AIIMS, New Delhi	--	Member-Secretary

- 2.5. The Recommendations of the Standing election Committee had been kept in sealed cover. These were placed before the 1<sup>st</sup> HR Sub-Committee on 11.09.2019 in the Office of Ms. Preeti Sudan, Secretary, Ministry of Health & Family Welfare, Government of India and Chairperson of the HR Committee. HR Sub Committee perused the recommendation and approved the same.

These were put to President, AIIMS for approval. After getting the approval of the President, AIIMS, appointment letters were issued to 120 selected candidates under Direct Recruitment for the post of Assistant Professor in various disciplines/Lecturer-in-Nursing and to 229 existing Faculty members of AIIMS, New Delhi under Assessment Promotion Scheme on 18.09.2019.

### 3. APPROVAL SOUGHT

The recommendations of the Standing Selection Committee meetings as enumerated at Para 2.3(for making appointments under direct recruitment to the posts of Assistant Professor in various specialties and Lecturer in Nursing & promotions of 229 faculty members under Assessment Promotion Scheme) are submitted for kind consideration and ex-post facto approval of the Governing Body.

This has the approval of the Director, AIIMS, New Delhi.

  
Dy. Director(Admn.)

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Details of Post wise Selected Candidates and Waitlisted Candidates are as under:

Sl. No.	Name of post	Name of the Selected Candidates	Name of the Waitlisted Candidates
1	Electron Microscope	1. Dr. Prabhakar Singh (OBC)	--
2	Anesthesiology (Main)	1. Dr. Anju Gupta (UR) 2. Dr. Kellka Prakash (UR) 3. Dr. Ajisha Aravindan (UR) 4. Dr. Mritunjay Kumar (UR) 5. Dr. Parin Chellari (UR) 6. Dr. Sulagna Bhattacharjee (UR) 7. Dr. Shreya Bharat Shah (UR) 8. Dr. Vineeta Venkateswaran (UR) 9. Dr. Venkata Ganesh (SC) 10. Dr. Abhishek N. (SC) 11. Dr. Christopher Dass (ST)	1. Dr. Suma Rabab Ahmad (UR) 2. Dr. Pallavi Mishra (UR) 3. Dr. Neha Garg (UR)
	Anesthesiology (Dr.BRAIRCFI)	1. Dr. Brajesh Kumar Ratre (SC)	1. Dr. Balbir Kumar (SC)
	Anesthesiology (NCI Jhajjar)	1. Dr. Anuja Pandit (UR) 2. Dr. Saurabh Vig (UR) 3. Dr. Brajesh Kumar Ratre (SC) 4. Dr. Shweta Arun Bhopale (OBC) 5. Dr. Wasimul Hoda (OBC)	1. Dr. Swati Bhan (UR) 2. Dr. Arif Ahmed (UR) 3. Dr. Balbir Kumar (SC) ✓ 4. Dr. Md. Irfanul Haque (OBC)
	Anesthesiology (JPNATC)	1. Dr. Yudhyavir Brahmchari (OBC)	--
3	Biochemistry	1. Dr. Siddhartha Kundu (UR)	1. Dr. Janvie Manhas (UR) 2. Dr. Bhawana Bissa (UR)
	Radio Chemistry (Nuclear Medicine)	None found eligible	--
4	Biophysics	1. Dr. Pradeep Sharma (UR)	1. Dr. Prem Kumar R. (UR) 2. Dr. Sanjit Kumar (UR)
5	Biotechnology	1. Dr. Vineet Choudhary (UR) 2. Dr. Mahendra Seervi (OBC)	1. Dr. Sachin Kumar (UR) 2. Dr. Koustav Sarkar (UR) 3. Dr. Manoj Kumar (OBC)
6	Cardiology	1. Dr. Dr. Sharath Kumar Kaup (UR) 2. Dr. Deepti Siddharthan (OBC) 3. Dr. Satyavir Yadav (OBC) 4. Dr. Anitesh Nagarwal (SC)	1. Dr. Raghav Bansal (UR) ✓ 2. Dr. Parag Barwad (UR) 3. Dr. Danish Hasan Kazmi (OBC)
	Pediatric Cardiology (CTVS)	Post Withdrawn vide OM dated 07.05.2019	--
	Cardiac Anaesthesia	Both candidates who applied were not PWBD. Thus no PWBD candidate was available.	--
	Intensive Care (CTVS)	1. Dr. Ummed Singh (OBC)	--
	CTVS	1. Dr. Pradeep Ramakrishnan (UR)	1. Dr. Lakshmi Kumari Sankhyan (UR) 2. Dr. Aabha Divya (SC) (Own merit as UR)
7	Community Medicine	1. Dr. Mohan Lal Bairwa (SC)	1. Dr. Prasanria T. (SC)
8	Conservative Dentistry & Endodontics	1. Dr. Sidhartha Sharma (UR)	1. Dr. Preeti Jain Pruthi (UR) 2. Dr. Ganesh Ranganath Jadhav (UR)
	Oral & Maxillofacial Surgery	1. Dr. Krushna Vasant Kumar Bhatt (UR)	1. Dr. Ankit Arora (UR)
	Oral Medicine and Radiology	Only 01 PWBD candidate had applied online but hard copy of application was not received. Thus his candidature was cancelled.	--
	Oral Pathology & Microbiology	None found suitable.	--

	Pedodontics & Preventive Dentistry	1. Dr. Morankar Rahul Gangadharrao (OBC) (own merit as UR)	1. Dr. Sarabjot Kaur (UR)
	Periodontology	1. Dr. Arika Daing (UR)	1. Dr. Pawan Kumar (UR) 2. Dr. Sourav Panda (UR)
	Prosthodontics & Crown Bridge	1. Dr. Aditi Nanda (UR)	1. Dr. Pankaj Prakash Kharade (UR) 2. Dr. Gunjan Pruthi (UR)
	Public Health Dentistry	1. Dr. Bharathi M. Purohit (UR)	1. Dr. Mridula Tak (UR) 2. Dr. Utkal Keshari Mohanty (UR)
9	Emergency Medicine (Main)	1. Dr. Prakash Ranjan Mishra (UR)	1. Dr. Ritin Mohindra (UR)
	Emergency Medicine (JPNATC)	None found eligible.	—
	Emergency Medicine (NCI Jhajjar)	1. Dr. Ritin Mohindra (UR) 2. Dr. Mukesh Nandal (UR)	—
10	Orthopaedics (Emergency Medicine)	None found suitable	—
11	Community otorhin(ENT)	None found suitable	—
12	Gastroenterology	1. Dr. Nitin Rangrao Gaikwad (SC)	—
	Human Nutrition Unit)	None appeared for interview.	—
13	G. I. Surgery and Liver Transplantation	1. Dr. Rajesh Panwar (UR) 2. Dr. Saurabh Galodha (UR) 3. Dr. Anand Narayan Singh (UR)	1. Dr. Sriarobindo Prasad Das (UR)
14	Hospital Administration	1. Dr. Vikas H. (OBC)	—
	Hospital Administration (NCI Jhajjar)	1. Dr. Laxmitej Wundavalli (UR) 2. Dr. Sheetal Singh (UR)	1. Dr. Moonis Mirza (UR) 2. Dr. Sapna Ramani Sardana (UR)
15	Clinical Hematology (Adult)	None found suitable	—
16	Laboratory Medicine (Hematology)	1. Dr. Jasmita (UR)	1. Dr. Tushar Sehgal (UR) ✓ 2. Dr. Praveen Kumar Gupta (UR) 3. Dr. Raghavendra Lingaiah (UR) 4. Dr. Priyam Batra (UR)
	Laboratory Medicine (NCI Jhajjar)	Post withdrawn vide OM dated 05.07.2019	—
	Laboratory Medicine	1. Dr. Suneeta Meena (ST)	1. Dr. Pullaiah Pasupuleti (ST) 2. Dr. Ganeswar Tudu (ST)
17	Medical Oncology (DR. BRAIRCH)	1. Dr. Deepam Pushpam (UR)	1. Dr. Sainath Bhethanabhotla (UR)
	Medical Oncology (NCI Jhajjar)	1. Dr. Sainath Bhethanabhotla (UR) 2. Dr. Akash Kumar (UR)	1. Dr. Deepam Pushpam (UR)
18	Preventive Oncology (DR. BRAIRCH)	1. Dr. Pallavi Shukla (UR)	1. Dr. Shikha Goyal (UR) 2. Dr. Harikrishna Raju Sagiraju (UR) 3. Dr. Tanu Anand (UR)
	Preventive Oncology (NCI Jhajjar)	1. Dr. Harikrishnaraju Sagiraju (UR) 2. Dr. Jitendra Kumar Meena (ST)	1. Dr. Tanu Anand (UR) 2. Dr. Pallavi Shukla (UR) 3. Dr. Ramaiah Vinay Kumar (ST)
19	Medicine (Main)	1. Dr. Prayas Sethi (UR) 2. Dr. Ved Prakash Meena (ST) 3. Dr. Ashish Behera (OBC)	1. Dr. Prabhat Kumar (UR)
20	Nephrology	1. Dr. Arunkumar S (OBC)	—
21	Nuclear Medicine (Main)	1. Dr. Khangembam Bangkim Chandra (OBC)	1. Dr. Girish Kumar Parida (OBC)
	Nuclear Medicine (NCI Jhajjar)	1. Dr. Abhinav Singhal (UR) 2. Dr. Deepa Kumar (UR) 3. Dr. Kalpa Jyoti Das (SC)	1. Dr. Gowrishankar A.P. (OBC) (Own merit as UR) 2. Dr. Deepa Singh (OBC) (Own merit as UR)
22	Neurology	1. Dr. Anu Gupta (UR) 2. Dr. A. Elavarasi (UR) 3. Dr. Divya M.R. (OBC) 4. Dr. Animesh Das (SC)	1. Dr. Bhargavi Ramanujam (UR) 2. Dr. Swapan Gupta (UR) 3. Dr. Sucharita Anand (SC)
	Neuro-Surgery (Main)	1. Dr. Santanu Kumar Bora (OBC)	1. Dr. Kokkula Praneeth (OBC) 2. Dr. Pawan Kumar Verma (OBC)
	Neuro-Surgery (JPNATC)	1. Dr. Kokkula Praneeth (OBC)	1. Dr. Santanu Kumar Bora (OBC) 2. Dr. Pawan Kumar Verma (OBC)
	Neuro-Anaesthesia (Main)	1. Dr. Suman Sokhal (OBC)	1. Dr. Mukilanbala Subramanian (OBC)
	Neuro-Radiology	None found eligible	—
23	Obst. & Gynae.	1. Dr. Nilanchali Singh (UR) 2. Dr. Latika Chawla (UR) 3. Dr. Monica Gupta (UR)	1. Dr. Anubhuti Rana (UR) ✓ 2. Dr. Neha Negi (UR) 3. Dr. Sumita Agarwal (UR)

		4. Dr. Richa Vatsa (UR) 5. Dr. Deepali Garg (UR) 6. Dr. Rinchen Zangmo (ST) 7. Dr. Kusum Lata (SC) 8. Dr. Archana Kumari (OBC) 9. Dr. Anju Singh (SC) 10. Dr. Neha Varun (SC) 11. Dr. Soniya Dhiman (OBC) 12. Dr. Indira Prasad (OBC)	4. Dr. Monika Meena (ST) 5. Dr. Apala Priyadarshini (SC) 6. Dr. Nimisha Agrawal (OBC)
24	Ophthalmology	1. Dr. Manpreet Kaur (UR) 2. Dr. Rebika (SC) 3. Dr. Amar Pujari (OBC)	1. Dr. Neelima Aron (UR) 2. Dr. Anita Ganger (SC) 3. Dr. Shreyas TS (OBC)
25	Pathology	1. Dr. Kavneet Kaur (UR) 2. Dr. Aruna Nambirajan (OBC) 3. Dr. Madhu Rajeshwari S. (OBC) 4. Dr. Ruchi Rathore (SC)	1. Dr. Lavleen Singh (UR) 2. Dr. Neha Mittal (UR) 3. Dr. Kalpana Kumari (OBC)
26	Transfusion Medicine (Main)	None appeared for interview.	—
	Transfusion Medicine (NCI Jhajjar)	1. Dr. Diptiranjn Rout (UR)	1. Dr. Satyam Arora (UR)
27	Physiology	1. Dr. Suriya Prakash M. (OBC)	—
28	Pediatrics	1. Dr. Ankit Verma (SC)	1. Dr. Savita Rani (SC)
29	Pediatrics Surgery	1. Dr. Ajay Verma (OBC)	—
30	Psychiatry	1. Dr. Shalini Achra (OBC)	1. Dr. Arpit Jashwantbhai Parmar (OBC)
31	Neuro-Psychiatry	1. Dr. Vaibhav Patil (OBC)	1. Dr. Shalini Achra (OBC) 2. Dr. Nishanth K.N. (OBC)
	Clinical Psychology	1. Dr. Barre Vijay Prasad (SC)	—
32	Radio-diagnosis (Dr. BRA-IRCH)	1. Dr. Krithika Rangarajan (UR)	1. Dr. Nidhi Prabhakar (UR) 2. Dr. Ankita Aggarwal (UR)
	Radiology (NCI Jhajjar)	None candidate appeared	—
	Radiotherapy (Med. Physics) (Dr. BRA-IRCH)	1. Dr. Subramani Vellayan (SC) (Own merit as UR) 2. Dr. Gopishankar Natanasabapathi (SC) 3. Dr. Dhanabalan Rajasekaran (OBC)	1. Dr. Mukesh Kumar Zope (OBC)
	Medical Physics (Dr. BRA-IRCH)	None found suitable	—
	Medical Physics (NCI Jhajjar)	1. Dr. Mukesh Kumar Zope (OBC)	—
	Laboratory Oncology (Dr. BRAIRCH)	1. Dr. G. Smeeta (OBC)	1. Dr. Ganesh Kumar Vishwanathan (OBC)
33	Radiotherapy (Main)	1. Dr. Pritee Baburao Chaudhari (OBC)	1. Dr. Surendra Kumar Saini (OBC) ✓
	Radiation Oncology (NCI Jhajjar)	1. Dr. Aman Sharma (UR) 2. Dr. Supriya Mallick (UR) 3. Dr. Pritee Baburao Chaudhari (OBC)	1. Dr. Ramaiah Vinay Kumar (ST) (Own merit as UR) 2. Dr. Surendra Kumar Saini (OBC) 3. Dr. Faiz Akram Ansari (OBC)
34	Immuno Pathology (Rheumatology)	Post withdrawn vide OM dated 30.03.2018	—
35	Surgical Oncology (Dr. BRAIRCH)	1. Dr. Ashutosh Mishra (UR) 2. Dr. Sandeep Kumar Bhorival (SC)	1. Dr. Praveen Royal Mukkapati (UR)
	Surgical Oncology (NCI Jhajjar)	1. Dr. Jyoti Sharma (UR) 2. Dr. Sandeep Kumar Bhorival (SC)	1. Dr. Ashutosh Mishra (UR)
36	Surgery (Main)	1. Dr. Ajay Kumar Pal (OBC)	—
	Surgery (JPNATC)	1. Dr. Junaid Alam (UR - PWBD)	—
37	Lecturer -in- Nursing	1. Ms/Mr. Muthuvenkatachalam Srinivasan (OBC)	1. Ms./Mr. Keerthi Mohanan (OBC) 2. Ms./Mr. Barkha Devi (OBC)
38	Plastic Surgery	1. Dr. Ramakrishnan K. (SC)	—
39	Dermatology & Venereology	1. Dr. Vishal Gupta (UR)	1. Dr. Riti Bhatia (UR)
40	Endocrinology & Metabolism	None applied	—
41	Urology	No ST candidate eligible/applied	—
42	Hemato Pathology	1. Dr. Jasmitha (UR) 2. Dr. Ganeshkumar V. (UR)	1. Dr. Pulkit Rastogi (UR) 2. Dr. Tushar Sehgal (UR) 3. Dr. Sonal Jain (UR)
43	Clinical Hematology	1. Dr. Rishi Dhawan (UR) 2. Dr. Mukul Aggarwal (UR) 3. Dr. Pradeep Kumar (SC)	1. Dr. Ankur Jain (UR) 2. Dr. Aniruddha Purushottam Dayama (UR)
44	Rheumatology	1. Dr. Rudra Prasad Goswami (UR)	1. Dr. Sajal Ajmani (UR)



In addition to the above, following numbers of faculty members were also interviewed by the Standing Selection Committee for promotion to the next higher grades under Assessment Promotion Scheme for the batches of 01.07.2015, 01.07.2016, 01.07.2017 & 01.07.2018.:

		<b>384</b>
Additional Professor to Professor	:	03
Associate Professor to Additional Professor	:	87
Assistant Professor to Associate Professor	:	141
Total	:	231

Name of the faculty members for promotion to the next higher grade under Assessment Promotion Scheme (APS) and recommendations of the Standing Selection Committee (Fit/Unfit) as under:-

From Associate Professor to Additional Professor for the batch w.e.f. 01.07.2015:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Guru Datta Satyarthree	Neuro-Surgery (JPNATC)	FIT

From Assistant Professor to Associate Professor for the batch w.e.f. 01.07.2016:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Prabhoo Dayal	Psychiatry (NDDTC)	FIT
02	Dr. Amar Ranjan Singh	Laboratory Oncology	FIT

From Assistant Professor to Associate Professor for the batch w.e.f. 01.07.2017:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Karan Madan	Pulmonary Medicine	FIT
02	Dr. Vijay Hadda	Pulmonary Medicine	FIT
03	Dr. Prashun Chatterjee	Geriatric Medicine	FIT
04	Dr. Avinash Chakrawarty	Geriatric Medicine	FIT
05	Dr. Ajay Gogia	Medical Oncology	FIT
06	Dr. Ranjit Kumar Sahoo	Medical Oncology	FIT
07	Dr. Sarita Mohapatra	Microbiology	FIT
08	Dr. Ashish Chowdhary	Microbiology	FIT
09	Dr. Gagandeep Singh	Microbiology	FIT



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10	Dr. Hitender Gautam	Microbiology	FIT
11	Dr. Nishant Verma	Microbiology	FIT
12	Dr. Partha Halder	Community Medicine	FIT
13	Dr. Ravneet Kaur	Community Medicine	FIT
14	Dr. Biswaroop Chakrabarty	Paediatrics	UNFIT
15	Dr. Aditi Sinha	Paediatrics	FIT
16	Dr. Neerja Gupta	Paediatrics	FIT
17	Dr. M. Jeeva Shankar	Paediatrics	FIT
18	Dr. Jhuma Sankar	Paediatrics	FIT
19	Dr. Kana Ram Jat	Paediatrics	FIT
20	Dr. Sanjeev Kumar	Cardiac- Radiology	FIT
21	Dr. Kanika Sahni	Derm. & Vene.	FIT
22	Dr. Vidushi Kulshrestha	Obst. & Gynae.	FIT
23	Dr. Seema Singhal	Obst. & Gynae.	FIT
24	Dr. Rajesh Kumari	Obst. & Gynae.	FIT
25	Dr. Jyoti Meena	Obst. & Gynae.	FIT
26	Dr. Surabhi Gupta	Reproductive Biology	FIT
27	Dr. Mona Sharma	Reproductive Biology	FIT
28	Dr. Noopur Gupta	Ophthalmology	FIT
29	Dr. Rohan Chawla	Ophthalmology	FIT
30	Dr. Vinod Kumar	Ophthalmology	FIT
31	Dr. Swati Phuljhale	Ophthalmology	FIT
32	Dr. Rachna Meel	Ophthalmology	FIT
33	Dr. Tony George Jacob	Anatomy	FIT
34	Dr. Seema Singh	Anatomy	FIT
35	Dr. Neerja Rani	Anatomy	FIT
36	Dr. Vishesh Jain	Paediatric Surgery	FIT
37	Dr. Anjan Kumar Dhua	Paediatric Surgery	FIT
38	Dr. Prabudh Goel	Paediatric Surgery	FIT
39	Dr. Devendra Kumar Yadav	Paediatric Surgery	FIT
40	Dr. Shashwat Mishra	Neurosurgery	FIT
41	Dr. Amandeep Kumar	Neurosurgery	FIT
42	Dr. Rajeev Sharma	Neuro Surgery	FIT
43	Dr. Shweta Kedia	Neurosurgery(Gamma Knife)	FIT
44	Dr. Hitesh Kumar	Neurosurgery	FIT
45	Dr. Asuri Krishna	Surgery	FIT
46	Dr. Piyush Ranjan	Surgery	FIT
47	Dr. Manjunath Maruti Pol	Surgery	FIT
48	Dr. Koushik Sinha Deb	Psychiatry	FIT
49	Dr. Alok Agarwal	Psychiatry (NDDTC)	FIT
50	Dr. Pooja Gupta	Pharmacology	FIT
51	Dr. Nishikant Avinash Damle	Nuclear Medicine	FIT
52	Dr. Shamim Ahmed Shamim	Nuclear Medicine	FIT
53	Dr. Charu Mahajan	Neuro-Anaesthesia	FIT
54	Dr. Surya Kumar Dube	Neuro-Anaesthesia	FIT
55	Dr. Indu	Neuro-Anaesthesia	FIT
56	Dr. Rambha Pandey	Radiotherapy	FIT
57	Dr. Ahitagni Biswas	Radiotherapy	FIT

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58	Dr. Jayanth Kumar Palanichamy	Biochemistry	386	FIT
59	Dr. Subradip Karmarkar	Biochemistry		FIT
60	Dr. Archana Singh-II	Biochemistry		FIT
61	Dr. Srikumar Venkataraman	P.M.R		FIT
62	Dr. Sudip Kumar Datta	Laboratory Medicine		FIT
63	Dr. Shyam Prakash	Laboratory Medicine		FIT
64	Dr. Puneet Khanna	Anaesthesiology		FIT
65	Dr. Bikash Ranjan Ray	Anaesthesiology		FIT
66	Dr. Rahul Kumar Anand	Anaesthesiology		FIT
67	Dr. Debesh Bhoi	Anaesthesiology		FIT
68	Dr. Abhishek Yadav	Forensic Medicine		FIT
69	Dr. Kulbhushan Prasad	Forensic Medicine		FIT
70	Dr. Simran Kaur	Physiology		FIT
71	Dr. Shipra Agarwal	Pathology		FIT
72	Dr. Seema Kaushal	Pathology		FIT
73	Dr. Rajni Yadav	Pathology		FIT
74	Dr. Saumararjan Mallick	Pathology		FIT
75	Dr. Smita Manchanda	Radio-diagnosis		FIT
76	Dr. Rajeev Kumar	Otorhinolaryngology (E.N.T)		FIT
77	Dr. Prem Sagar	E.N.T		FIT
78	Dr. David Victor Kumar Irugu	E.N.T		FIT
79	Dr. Ethayathulla Abdulsamath	Biophysics		FIT
80	Dr. Biswadip Chatterjee	Psychiatry (NDDTC)		FIT
81	Dr. Rohit Verma	Psychiatry		FIT
82	Dr. Bichitra Nanda Patra	Psychiatry		FIT
83	Dr. Sarvesh Pal Singh	Intensive Care CTVS		FIT
84	Dr. Rishi Nayyar	Paediatric Urology		FIT
85	Dr. Brusabhanu Nayak	Uro-Oncology		FIT

From Additional Professor to Professor for the batch w.e.f. 01.07.2017:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Y.R. Kusuma Kumari	Community Medicine (Non-Medical Anthropology)	FIT
02	Dr. Parijat Chandra	Ophthalmology	FIT

From Assistant Professor to Associate Professor for the batch w.e.f. 01.07.2018:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Mohit Kumar Joshi	Surgical Disciplines	FIT
02	Dr. Rizvana Qureshi	Chemistry, NDDTC	FIT

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11/9/19

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03	Dr. P. Ramesh Menon	Paediatrics (Neonatology), (CTVS)	FIT
04	Dr. Prabhat Singh Malik	Medical Oncology	FIT
05	Dr. Sameer Rastogi	Medical Oncology	FIT
06	Dr. Neeraj Nischal	Medicine	FIT
07	Dr. Pankaj Jorwal	Medicine	FIT
08	Dr. Arvind Kumar	Medicine	FIT
09	Dr. Angel Rajan Singh	Hospital Administration	FIT
10	Dr. Parmeshwar Kumar	Hospital Administration	FIT
11	Dr. Vijaydeep Siddharth	Hospital Administration	FIT
12	Dr. Sudhir Chandra Sarangi	Pharmacology	FIT
13	Dr. Harlokes Narayan Yadav	Pharmacology	FIT
14	Dr. Deepika Mishra	Oral Pathology & Microbiology (CDER)	FIT
15	Dr. Kalpana Bansal	Pedodontics & Preventive Dentistry (CDER)	FIT
16	Dr. Nitesh Tewari	Pedodontics & Preventive Dentistry (CDER)	FIT
17	Dr. Rajni Sharma	Paediatrics	FIT
18	Dr. Shuchita Singh	E.N.T.	FIT
19	Dr. Arvind Kumar Kairo	E.N.T.	FIT
20	Dr. Hitesh Verma	E.N.T.	FIT
21	Dr. Ankur Goyal	Radio-Diagnosis	FIT
22	Dr. Ekta Dhamija	Radio-Diagnosis	FIT
23	Dr. Ashok Sharma	Biochemistry, N.S. Centre	FIT
24	Dr. Vivek Gupta	Comm. Ophthalmology	FIT
25	Dr. Yashdeep Gupta	Endo. & Metab.	FIT
26	Dr. Vilas Duryodhan Samrit	Orthodontics & Dentofacial Orthopaedics (CDER)	FIT
27	Dr. Prabhat Kumar Chaudhari	Orthodontics & Dentofacial Orthopaedics (CDER)	FIT
28	Dr. Amrita Chawla	Conservative Dentistry & Endodontics (CDER)	FIT
29	Dr. Vijay Kumar	Conservative Dentistry & Endodontics (CDER)	FIT
30	Dr. Rahul Yadav	Oral & Maxillofacial Surgery	FIT
31	Dr. Vijay Kumar Digge	Orthopaedics	FIT
32	Dr. Siddharth Sarkar	Psychiatry (NDDTC)	FIT
33	Dr. Piyali Mandal	Psychiatry, NDDTC	FIT
34	Dr. Subhash Chandra Yadav	Electron Microscope for Nanotechnology & 3D Tomography (Anatomy)	FIT
35	Dr. Nishat Hussain	Ocular Microbiology	FIT
36	Dr. Dheeraj Kumar Koli	Prosthodontics & Crown & Bridge (CDER)	FIT
37	Dr. Harshal Ramesh Salve	Community Medicine	FIT
38	Dr. Shalini Gupta	Oral Medicine & Radiology (CDER)	FIT
39	Dr. Mukesh Kumar	Radio-Diagnosis	FIT
40	Dr. Priyanka Mahadeorao Naranje	Radio-Diagnosis	FIT





41	Dr. Kanwaljeet Garg	Neurosurgery	388	FIT
42	Dr. Dattaraj Paramanand Sawarkar	Neurosurgery		FIT
43	Dr. Manoj Phalak	Neurosurgery		FIT
44	Dr. Ramesh Sharanappa Doddamani	Neurosurgery		FIT
45	Dr. Kamal	Surgery		FIT
46	Dr. Suhani	Surgery		FIT
47	Dr. Yashwant Singh Rathore	Surgery		FIT
48	Dr. Ritesh Kumar	Radio-therapy		FIT
49	Dr. Harsh Priya	Public Health Dentistry(CDER)		FIT
50	Dr. Kunaal Dhingra	Periodontology (CDER)		FIT
51	Dr. Dinu S. Chandran	Physiology		FIT
52	Dr. Prashant Tulshidas Tayade	Physiology		FIT
53	Dr. Nayer Jamshed	Emergency Medicine		FIT
54	Dr. Shailendra Kumar	Anaesthesia (ART) Obst. & Gynae.		FIT

From Associate Professor to Additional Professor for the batch w.e.f. 01.07.2018:-

Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
1.	Dr. Vivek Tandon	Neurosurgery	FIT
2.	Dr. Pankaj Kumar Singh	Neurosurgery (JPNATC)	FIT
3.	Dr. Kapil Sikka	Speech Pathology/ Audiology (ENT)	FIT
4.	Dr. Chirom Amit Singh	E.N.T.	FIT
5.	Dr. Prabhjot Singh	Urology	FIT
6.	Dr. Saurabh Kr. Gupta	Cardiology	FIT
7.	Dr. Neeraj Parakh	Cardiology (JPNATC)	UNFIT
8.	Dr. Sachin Anil Borkar	Neurosurgery	FIT
9.	Dr. Gyaninder Pal Singh	Neuro-Anaesthesia (JPNATC)	FIT
10.	Dr. Ashish Bindra	Neuro-Anaesthesia (JPNATC)	FIT
11.	Dr. Keshav Goyal	Critical & Intensive Care (JPNATC)	FIT
12.	Dr. Deepti Vibha	Neurology	FIT
13.	Dr. Suruchi Hasija	Cardiac-Anaesthesia	FIT
14.	Dr. Shilpa Sharma	Paediatric Surgery (JPNATC)	FIT
15.	Dr. Anil Kumar Pandey	Medical Physics (Nuclear Medicine)	FIT
16.	Dr. Manish Soneja	Medicine	FIT
17.	Dr. Kapil Yadav	Community Medicine	FIT
18.	Dr. K. Aparna Sharma	Obst. & Gynae.	FIT
19.	Dr. Garima Kachhawa	Obst. & Gynae (JPNATC)	FIT
20.	Dr. Reeta Mahey	Obst. & Gynae (ART)	FIT
21.	Dr. Richa Aggarwal	Critical & Intensive Care (JPNATC)	FIT
22.	Dr. Navdeep Sokhal	Critical & Intensive Care (JPNATC)	FIT
23.	Dr. Kapil Dev Soni	Critical & Intensive Care (JPNATC)	FIT
24.	Dr. Niraj Kumar	Neuro-Anaesthesia (JPNATC)	FIT
25.	Dr. Bhavuk Garg	Orthopaedics	FIT

*[Handwritten signatures and dates]*  
 11/9/19

26.	Dr. Mohammed Tahir Ansari	Orthopaedics	FIT
27.	Dr. Arindam Choudhury	Cardiac-Anaesthesia	FIT
28.	Dr. Chandan Jyoti Das	Radio-Diagnosis	FIT
29.	Dr. Madhusudhan K.S.	Radio-diagnosis	FIT
30.	Dr. Manisha Jana	Radio-Diagnosis	FIT
31.	Dr. Bagchi Soumita Kamal Kumar	Nephrology (JPNATC)	FIT
32.	Dr. Piyush Ranjan	Medicine	FIT
33.	Dr. Sumit Malhotra	Community Medicine	FIT
34.	Dr. Senjam Surer Singh	Community Ophthalmology	FIT
35.	Dr. Surabhi Vyas	Radio-Diagnosis	FIT
36.	Dr. Chandrashekhara S.H	Radio-Diagnosis (Dr.BRA IRCH)	FIT
37.	Dr. Devasenathipathy Kandasamy	Radio-Diagnosis	FIT
38.	Dr. Hemanga Kumar Bhattacharjee	Surgery	FIT
39.	Dr. Madhavi Tripathi	Nuclear Medicine	FIT
40.	Dr. Prasenjit Das	Pathology	FIT
41.	Dr. Deepali Jain	Cyto-Pathology	FIT
42.	Dr. Geetika Singh	Pathology (Dr. BRA IRCH)	FIT
43.	Dr. Sudheer Kumar. A	Cardiac Pathology	FIT
44.	Dr. Asit Ranjan Mridha	Pathology	FIT
45.	Dr. Anil Kumar Goswami	Health Education (CCM)	FIT
46.	Dr. Uma Sharma	N.M.R	FIT
47.	Dr. Subhash Gupta	Radiotherapy	FIT
48.	Dr. Haresh K.P	Radiotherapy	FIT
49.	Dr. Alok Kumar Ravi	Ocular Biochemistry	FIT
50.	Dr. Virendra Kumar	N.M.R	FIT
51.	Dr. Nabanita Halder	Ocular Pharmacology	FIT
52.	Dr. Yatan Pal Singh Balhara	Psychiatry (NDDTC)	FIT
53.	Dr. Raman Deep	Psychiatry	FIT
54.	Dr. Nirupam Madaan	Hospital Administration	FIT
55.	Dr. Anoop Kumar Daga	Hospital Administration	FIT
56.	Dr. Amit Lathwal	Hospital Administration	FIT
57.	Dr. Mahesh R	Hospital Administration	FIT
58.	Dr. Saroj Kaler Jhaharia	Anatomy	FIT
59.	Dr. Sunil Kumar	Surgical Oncology	FIT
60.	Dr. Mukur Dipi Ray	Surgical Oncology	FIT
61.	Dr. Asmita Patil	Physiology	FIT
62.	Dr. Ravindra Venkat Rao	Psychiatry for NDDTC	FIT
63.	Dr. Rakesh Garg	Anaesthesiology (Dr.BRA IRCH)	FIT
64.	Dr. Nishkarsh Gupta	Anaesthesiology (Dr.BRA IRCH)	FIT
65.	Dr. Dalim Kumar Baidya	Anaesthesia (CDER)	FIT
66.	Dr. Devalina Goswami	Anaesthesia (CDER)	FIT
67.	Dr. Vinod Kumar	Anaesthesiology (Dr.BRA IRCH)	FIT
68.	Dr. Sachidanand Jee Bharti	Anaesthesiology (Dr.BRA IRCH)	FIT
69.	Dr. Chitaranjan Behera	Forensic Medicine	FIT
70.	Dr. Sanjeev Kumar Gupta	Laboratory Oncology (Dr.BRA IRCH)	FIT
71.	Dr. Anita Chopra	Laboratory Oncology (Dr.BRA IRCH)	FIT
72.	Dr. Pranay Tanwar	Laboratory Oncology (Dr.BRA IRCH)	FIT
73.	Dr. Shalimar	Gastroenterology	FIT

74.	Dr. Ashwani Kumar Mishra	Biostatistics (NDDTC)	390	FIT
75.	Dr. Maroof Ahmad Khan	Biostatistics		FIT
76.	Dr. P. Vanamail	Statistics & Demography (Obst. & Gynae.)		FIT
77.	Dr. Manoj Kumar Sahu	Intensive Care for CTVS including Cardiac Transplantation Programme		FIT
78.	Dr. Hari Prasad G.	Biophysics		FIT
79.	Dr. Sharmistha Dey	Biophysics		FIT
80.	Dr. Palleti Rajashekar	CTVS		FIT
81.	Dr. Levee Joseph Devaranjan. S	Neuro-Radiology		
82.	Dr. Sudip Sen	Biochemistry		FIT
83.	Dr. Baibaswata Nayak	Molecular Biology (Deptt. of Gastroenterology)		FIT
84.	Dr. Rachna Bhargava	Clinical Psychology (NDDTC)		FIT
85.	Dr. Sujata Satapathy	Clinical Psychology (Deptt. of Psychiatry )		FIT
86.	Dr. Gauri Shanker Kaloiya	Psychology (NDDTC)		FIT

From Additional Professor to Professor for the batch w.e.f. 01.07.2018:-

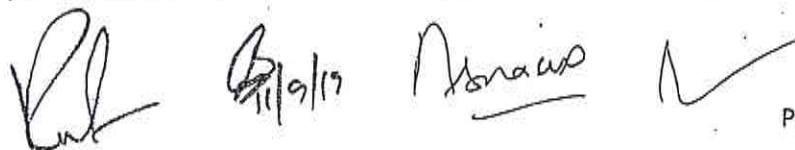
Sl.No.	Name of Faculty Members	Department/Specialty	Recommendations of the Standing Selection Committee (Fit/Unfit)
01	Dr. Ashima Nehra	Clinical Psychology (NSC)	FIT

Out of 231, 02 candidates, namely Dr. Neeraj Parakh to the grade of Additional Professor of Cardiology for the batch of 01-07-2018 and Dr. Biswaroop Chakrabarty to the grade of Associate Professor of Paediatrics for the batch of 01-07-2017, have been found unfit by the Standing Selection Committee, the reasons are given below.

Dr. Neeraj Parakh - It was observed by the Committee that he has a show cause notice against him and he has been not reporting for duty since 25/05/2018. Further during the interview when he was informed that as his post is against JPNA Trauma Centre, he must work there, he refused to work in Trauma Centre at all. Taking cognizance of this fact, the Selection Committee declared him unfit.

Dr. Biswaroop Chakrabarty - It was observed by the Committee that, there have been complaints of insubordination, harassment and intimidation by Dr. Biswaroop Chakrabarty, Assistant Professor of Paediatrics towards the Head of the Unit under whom he has been working. Keeping this in mind the Committee has declared him unfit.

The quorum of the said Meeting of the Standing Selection Committee has been available on the above dates of interviews. The Standing Selection Committee judged the suitability of the candidates and recommended for appointment to the post of Assistant


  
 [Signature] 11/9/17 [Signature] [Signature]





NOTE FOR THE GOVERNING BODY

Item No. GB/15

**TO CONSIDER FOR EX-POST FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE MEETINGS HELD ON 11<sup>TH</sup> & 12<sup>TH</sup> JANUARY, 2020:**

**(1) FOR RECRUITMENT OF PROFESSOR-CUM-PRINCIPAL(ERSTWHILE PRINCIPAL, COLLEGE OF NURSING;**

**AND**

**(2) PROMOTION OF ELIGIBLE EXISTING FACULTY TO THE NEXT HIGHER GRADE UNDER ASSESSMENT PROMOTION SCHEME AT THE AIIMS, NEW DELHI.**

\*\*\*\*\*

**1. INTRODUCTION**

1.1 01 (UR) post of Principal, College of Nursing, was advertised vide Advertisement No. 01/2019(FC) in June, 2019.

1.2 The last date of online applications was 29.07.2019.

1.3 In response to the advertisement, 134 candidates HAD applied online.

1.4 Nomenclature of the post of Principal, College of Nursing was revised as Professor-cum-Principal vide O.M. dated 07.10.2020.

1.5 All applications were screened at two level;

i) Screening committee at the level of concerned department i.e. College of Nursing.

ii) Centralized screening committee under Director, AIIMS.

Eligible candidates, conforming to Recruitment Rules were shortlisted to be called for interview by Standing Selection Committee. Total 56 candidates were shortlisted to be called for interview.

1.6 Total 39 candidates appeared for interview.

1.7 The interview of 39 candidates was held on 12<sup>th</sup> January, 2020.

1.8 In addition, 20 numbers of faculty members were also interviewed by the Standing Selection Committee on 11.01.2020 to assess them for promotion to the next higher grades under Assessment Promotion Scheme for the batches of 01.07.2018 & 01.07.2019 are as under:

1. Additional Professor to Professor	--	01
2. Associate Professor to Additional Professor	--	04
3. Assistant Professor to Associate Professor	--	15
		-----
Total -		20

## 2 ADMINISTRATIVE COMMENTS

2.1 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).

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

1.	Dr. D.S. Rana	-	Chairman
2.	Dr. Rajiv Garg	-	Member
3.	Prof. Deelip Govind Mhaisekar	-	Member
4.	Dr. M.K. Bhan	-	Member
5.	Dr. Mahesh B. Patel	-	Member
6.	Sh. Amit Khare	-	Member
7.	Dr. N. Gopalakrishnan	-	Member
8.	Prof. Randeep Guleria	-	Member-Secretary

2.3 Selection Committee made recommendation for appointment under Direct mode as well as for promotion under APS mode as under:

### Under Direct Mode(Annexure-I):

No. of candidate selected for appointment to the post of Professor cum Principal	-	01 candidate
No. of candidates kept in wait list	-	02 candidates

### Under APS Mode (Annexure-II):

No. of faculty found 'FIT' for promotion to the post of Professor -	-	01
No. of faculty found 'FIT' for promotion to the post of Additional Professor	-	04
No. of faculty found 'FIT' for promotion to the post of Associate Professor	-	15
Total promoted under APS -		20

2.4 In this connection, it is pertinent to mention here that Governing Body in its meeting held on 10.10.2017 under agenda item No.GB-155/6 had desired that AIIMS, New Delhi should put in place a mechanism(HR Module) with the approval of President, AIIMS to approve the appointment of the candidates selected by the Standing Selection Committee, so that such candidates could join their post without waiting for the meeting of the Governing Body and ex-post-facto approval of Governing Body should be obtained subsequently.

President, AIIMS, had constituted a HR Sub-Committee, consisting of following members, for this purpose:

1.	Secretary, Ministry of Health & Family Welfare, Government of India	--	Chairman
2.	Director General of Health Services, Government of India	--	Member
3.	Additional Secretary and Financial Adviser	--	Member
4.	Director, AIIMS, New Delhi	--	Member-Secretary

- 2.5. The Recommendations of the Standing election Committee which had been kept in sealed cover were placed before the 1<sup>st</sup> HR Sub-Committee on 24.02.2020 in the Office of Ms. Preeti Sudan, Secretary, Ministry of Health & Family Welfare, Government of India, the Chairperson of the HR Committee. These were approved by the HR sub Committee.

These were put to President, AIIMS for approval. After getting the approval of the President, AIIMS, appointment letters were issued to 01 selected candidate under (Direct Recruitment) for the post of Professor cum Principal as well as 20 Faculty members of AIIMS, New Delhi for promotion to the next level under Assessment Promotion Scheme on 29.02.2020.

## 2.6 APPROVAL SOUGHT

The recommendations of the Standing Selection Committee Meeting held from 11.01.2020 to 12.01.2020, as enumerated at Para 2.3 above [for making appointment to 01 post of Professor-cum-Principal and for promotion of 20 faculty members under Assessment Promotion Scheme (APS)], are submitted for kind consideration and ex-post facto approval of the Governing Body.

This has the approval of the Director, AIIMS, New Delhi.

  
 Dy. Director(Admn.)

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:-2:-

(I) Principal, College of Nursing:-

The details of the post advertised & number of candidates who had applied on-line and were shortlisted candidates (after screening at Departmental Level & Centralized Screening Committee Level) for the post of Principal, College of Nursing are under:-

- |      |  |   |     |
|------|--|---|-----|
| i)   | No. of post advertised                       | - | 01  |
| ii)  | Reservation                                  | - | UR  |
| iii) | No. of candidates applied on-line.           | - | 134 |
| iv)  | No. of candidates shortlisted for interview. | - | 56  |

Details of selected candidates and Waitlisted candidates as under:-

Name of the post	Name of the selected candidate	Name of the Waitlisted candidates
Principal, College of Nursing	ID No. 1861000004 - LATHA VENKATESAN - UR	1) ID No. 1861000039 - DEEPIKA CECIL KHAKHA - UR 2) ID No. 1861000084 - POONAM JOSHI - UR

(II) Promotion of existing faculty of AIIMS, New Delhi to next higher grade under Assessment Promotion Scheme.

20 faculty members were interviewed by the Standing Selection Committee to assess their suitability for promotion to the next higher grades under Assessment Promotion Scheme (APS) for the batches of 01.07.2018 and 01.07.2019:-

- |      |   |   |    |
|------|---|---|----|
| i)   | Assistant Professor to Associate Professor  | - | 15 |
| ii)  | Associate Professor to Additional Professor | - | 04 |
| iii) | Additional Professor to Professor           | - | 01 |

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Total - 20  
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Continued Page No. ---3/-

19/6/2020  
श्री. के. सिंह/B.K. BINGH  
प्रशासनिक अधिकारी/Admn. Officer  
ज.स.स. संस्थान, ई. दिल्ली/9/41066, N.Y. Delhi-20

Details of recommendations of Standing Selection Committee with regard to promotion of 20 Faculty Members to the next higher grades under Assessment Promotion Scheme (APS) are as under:-

From Assistant Professor to the grade of Associate Professor and batches are as under:-

Sl. No.	Name of faculty members	Department/ Specialty	Batches	Recommendations of the Standing Selection Committee
1.	Dr. Biswaroop Chakrabarty	Paediatrics	01.07.2018	FIT
2.	Dr. Nasreen Akhtar	Physiology	01.07.2018 (Notional benefit from 01.07.2018 & Financial from 01.10.2018)	FIT
3.	Dr. Tej Prakash Sinha	Emergency Medicine (JPNATC)	01.07.2019	FIT
4.	Dr. Rohan Malik	Paediatrics	01.07.2019	FIT
5.	Dr. Anu Sachdeva	Paediatrics	01.07.2019	FIT
6.	Dr. Prashant Kumar Jauhari	Paediatrics	01.07.2019	FIT
7.	Dr. Jagdish Prasad Meena	Paediatrics	01.07.2019	FIT
8.	Dr. Ranveer Singh Jadoon	Medicine	01.07.2019	FIT
9.	Dr. Adarsh Wamanrao Barward	Pathology	01.07.2019	FIT
10.	Dr. Krishna Kishore Inampudi	Biophysics	01.07.2019	FIT
11.	Dr. Raj Kanwar Yadav	Nephrology	01.07.2019	FIT

Continued Page No. 4/-

डी. के. सिंह / B.K. SINGH

प्रशासनिक अधिकारी / Admn. Officer

आर.आ. संस्थान नई दिल्ली-29 / AIIMS, New Delhi-29

12.	Dr. Pragyan Acharya	Biochemistry	01.07.2019	FIT
13.	Dr. Saroj Kumar	Biophysics	01.07.2019	FIT
14.	Dr. Rakesh Kumar	Community Medicine	01.07.2019	FIT
15.	Dr. Narendra Kumar Bagri	Paediatrics	01.07.2019	FIT

From Associate Professor to the grade of Additional Professor and batches are as under:-

Sl. No.	Name of faculty members	Department/ Specialty	Batches	Recommendations of the Standing Selection Committee
01	Dr. Acharna Singh-I	Biochemistry	01.07.2019	FIT
02	Dr. Renu Bhatia	Physiology	01.07.2019	FIT
03	Dr. Prabhoo Dayal	Psychiatry (NDDTC)	01.07.2019	FIT
04	Dr. Amar Ranjan Singh	Laboratory Oncology, Dr. B.R.A. IRCH	01.07.2019	FIT

From Additional Professor to the grade of Professor and batches are as under:-

Sl. No.	Name of faculty members	Department/ Specialty	Batches	Recommendations of the Standing Selection Committee
01	Dr. Guru Dutta Satyarthee	Neuro-Surgery (JPNATC)	01.07.2019	FIT

Continued Page No. ----5/-

बी. के. सिंह/B.K. SINGH  
प्रशासनिक अधिकारी/Admn. Officer  
अ.पा.आ. संस्थान वर्ग दिल्ली

NOTE FOR THE GOVERNING BODY

Item No. GB/16

**TO CONSIDER THE PROPOSAL FOR CHANGE OF NOMENCLATURE OF THE CADRE OF DATA ENTRY OPERATOR AT THE AIIMS, NEW DELHI.**

\*\*\*\*\*

**1. INTRODUCTION**

- 1.1 We are in receipt of representations from the General Secretary, Karamchari Union and stakeholders of the cadre of Data Entry Operator for change of nomenclature of the posts in the Data Entry Operator Cadre at the AIIMS, New Delhi stating that currently the posts of Data Entry Operators are being outsourced and number of outsourced 'Data Entry Operators' are working at AIIMS. Regular DEOs have different work profile from outsourced DEO. Due to same nomenclature regular DEOs are equated with those who are hired from outsourced agency. This is demotivating for regular DEO. Further, with the current nomenclature, the employees working in this cadre are called "Data Entry Operator throughout their career until retirement which is also demotivating.
- 1.2 The proposal for change in nomenclature of incumbent in this cadre will neither lead to any financial implication nor will change work profile of the incumbents. These will however help in giving distinct identify of these who are working in this cadre.

**2. ADMINISTRATIVE COMMENTS**

- 2.1 In the above connection, it is submitted that as per work profile job responsibilities of the Data Entry Operator Cadre, they are responsible for punching in patient data for the purpose of creation of patient cards at the OPDs; *assisting* the faculty/ *department* staff/lab staff in making reports, compiling files, typing letters, entering patient data report results etc. and in the digitization of records at AIIMS. They *also help in* programming in the Computer Facility at AIIMS, New Delhi. Outsourced Data Entry Operators (DEOs) are generally used for typing and in providing assistance to our regular staff. The proposal for change in nomenclature for the cadre of Data Entry Operator to give them distinct identity and differentiate them from outsourced DEOs appears reasonable.
- 2.2 The nomenclature of the posts in the various other cadres viz. Administrative Cadre, Sanitation and Engineering Cadre etc. has changed at this Institute in recent past. Change in nomenclature in the cadre will not lead to any financial implication and change in work profile/job responsibility of the Cadre.





3. PROPOSAL

In view of the above, it is proposed to consider the proposal for change of the nomenclature of the posts in the cadre of Data Entry Operators at the AIIMS, New Delhi favourably as under:

Sl. No.	Existing Nomenclature	Proposed Nomenclature
1.	Data Entry Operator, Grade E Level 8 in the Pay Matrix Rs. 9300-34800+Grade Pay of Rs.4800/-	Senior Data Processing Officer (Sr. DPO) Level 8 in the Pay Matrix Rs. 9300-34800+Grade Pay of Rs.4800/-
2.	Data Entry Operator, Grade D Level 7 in the Pay Matrix Rs. 9300-34800+Grade Pay of Rs.4600/-	Data Processing Officer (DPO) Level 7 in the Pay Matrix Rs. 9300-34800+Grade Pay of Rs.4600/-
3.	Data Entry Operator, Grade C Level 6 in the Pay Matrix Rs. 9300-34800+Grade Pay of Rs.4200/-	Junior Data Processing Officer (Jr. DPO) Level 6 in the Pay Matrix Rs.9300-34800+Grade Pay of Rs.4200/-
4.	Data Entry Operator, Grade B Level 5 in the Pay Matrix Rs.5200-20200+Grade Pay of Rs.2800-	Senior Data Processing Assistant (Sr.DPA) Level 5 in the Pay Matrix Rs.5200-20200+Grade Pay of Rs.2800/-
5.	Data Entry Operator, Grade A Level 4 in the Pay Matrix Rs. 5200-20200+Grade Pay of Rs.2400/-	Junior Data Processing Assistant (Jr. DPA) Level 4 in the Pay Matrix Rs.5200-20200+Grade Pay of Rs.2400/-

4. INTER-DEPARTMENTAL CONSULTATION:

The Professor-in-Charge, Computer Facility, AIIMS, New Delhi has also given consent for a *change* of nomenclature for Data Entry Operator cadre.

5. APPROVAL SOUGHT:

In view of position explained above, the above proposal for change of nomenclature of the *Data Entry Operator Cadre* at AIIMS, New Delhi is placed before the Governing Body for their consideration and approval please.

This has the approval of the Director, AIIMS, New Delhi.

  
 (SUBHASISH PANDA)  
 Deputy Director (Admn.)



## NOTE FOR THE GOVERNING BODY

Item No. GB/17

**TO CONSIDER THE PROPOSAL FOR RE-DESIGNATION OF THE POST OF DEPUTY DIRECTOR (ADMINISTRATION) TO THAT OF ADDITIONAL DIRECTOR (ADMINISTRATION), AIIMS, NEW DELHI.**

\*\*\*\*\*

### 1. INTRODUCTION

- 1.1 There is a post of Deputy Director (Administration) at AIIMS, New Delhi. Appointment to this post is made by deputing senior official from All India Services under Central Staffing Pattern by the Ministry of Health & Family Welfare.
- 1.2 Deputy Director (Admn.) is the permanent Special Invitee of the Governing Body under Section 5 of the All India Institute of Medical Sciences Regulations, 2019 (as amended).
- 1.3 Earlier the said post was being filled up with the officer working in the Ministry in the Pay Scale of 37400-67000 G.P. 8700 (Pre-revised i.e. **equivalent to the post of Director in the Ministry**).
- 1.4 The post of Deputy Director (Admn.) of AIIMS, New Delhi was upgraded to be filled by officer of the rank of Joint Secretary of the Ministry since the year 2010 vide Office Order of MoH&FW, New Delhi's No. V-16020/21/2007-ME-I dated 16.08.2010, No. F. A-19012/3/2005-E.I dated 27.08.2010 and subsequent Memorandum No. F. 6-4/2010-Estt.-I dated 01.10.2010 respectively (**copies enclosed**)
- 1.5 Govt. of India is establishing new AIIMS all over the country. In new AIIMS, the designation of Deputy Director (Admn.) is there. An officer of the level of Director in the Central Govt. is posted against this post on deputation.
- 1.6 Accordingly, it was being felt that there is need to create distinction between the designations at AIIMS & other AIIMS for this post.
- 1.7 Since AIIMS, New Delhi post is being filled with Joint Secretary level officer in Central Govt., there is need to create distinction by redesignating this post as Additional Director (Admn.).

## 2. ADMINISTRATIVE COMMENTS

- 2.1 AIIMS, New Delhi had upgraded the post of D.D.(Admn.) to be filled by officer in the rank of Joint Secretary in 2010. At that time, the designation of this post was kept the same.
- 2.2 In the meantime, Govt. of India has established many new AIIMS. These new AIIMS also have designation of D.D.(Admn.), but this post is for officer working in the Ministry in the Pay Scale of 37400-67000 G.P. 8700 (Pre-revised i.e. equivalent to the post of Director in the Ministry)
- 2.3 It is being felt that there is need to re-designate this post as a Senior Level Officer in the rank of Joint Secretary is occupying this post at AIIMS, New Delhi.
- 2.4 Competent Authority of AIIMS, New Delhi is of the view that the nomenclature of the Existing Post of Deputy Director (Admn.), AIIMS, New Delhi may be changed to Additional Director (Administration), AIIMS, New Delhi.
- 2.5 Accordingly, the competent authority of the Institute has decided to place the above request before the Governing Body for consideration.

## 3. FINANCIAL IMPLICATION:

- 3.1 This is a proposal for re-designation of the post. There are no financial implication of this proposal

## 4. APPROVAL SOUGHT

The proposal to re-designate the existing post of Deputy Director (Administration) to that of Additional Director (Administration) AIIMS, New Delhi is placed before the Governing Body for consideration.

This has the approval of the DIRECTOR, AIIMS, New Delhi.

PROF. IN-CHARGE (FACULTY CELL)

FILED AFTER RECEIVED  
29 AUG 2010  
3529  
AIIMS, NEW DELHI-110029

401

V-16020/21/2007-ME1  
Government of India  
Ministry of Health & Family Welfare

Nirman Bhawan, New Delhi  
Dated the 16<sup>th</sup> August, 2010

248 to 9759

**ORDER**

Subject: Filling up of the post of Deputy Director (Administration) at All India Institute of Medical Sciences (AIIMS), New Delhi on regular basis.

In pursuance of Department of Personnel and Training's communication no. 5/1/2010-EO(SM-I) dated 05.07.2010, Shri Vineet Chawdhry, IAS(HP:82), presently Joint Secretary in the Department of Health and Family Welfare, is appointed as Deputy Director (Admn) in the All India Institute of Medical Sciences (AIIMS), New Delhi at the level of Joint Secretary on lateral shift basis till 29.05.2012 from the date of taking over the charge of the post or until further orders, whichever event takes place earlier.

RECEIVED  
DIRECTOR OFFICE, AIIMS, N.D. 29  
19/8/10

2. Shri Chawdhry will take over regular/full charge of the post of Deputy Director (Admn.), AIIMS immediately after his relief from this Ministry as Joint Secretary.

S. S. Singh

(Sube Singh)  
Deputy Secretary to the Govt. of India  
Ph. 23062642

Distribution:

1. Shri Vineet Chawdhry, Joint Secretary (R), Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
2. The Director, AIIMS, Ansari Nagar, New Delhi.
3. The Chief Secretary, Government of Himachal Pradesh, Shimla.
4. Shri M.N. Prasad, Secretary, Prime Minister's Office, South Block, New Delhi.
5. Director (Admn), Ministry of H&FW with a request that at the time of relieving from the post of Joint Secretary, Shri Chawdhry may be advised to take over regular/full charge of the post of DD (Admn), AIIMS.
6. PS to HFM/PS to MoS (DT)/PS to MoS(SG)
7. PPS to Secretary (H&FW)/PS to AS (H)/PS to JS (HR)
8. NIC, MoH&FW/ AD (OP, MoH&FW)

591  
19/8/10

*(a) get him relieved & take over*  
*Let him join as a full Deputy Director (Admn) in AIIMS as per above order*  
*24/8 Mr. S.*  
*29/8/10*

402

FILE/LETTER: RD/HR  
03 SEP 2010  
DY. NO. 3892  
AIIMS, NEW DELHI-110029

अ.प्र.आ.सं., सामान्य अनुभाग  
A.I.M.S., General Section

F.No.A-19012/3/2005-E.I  
Government of India  
Ministry of Health & FW  
Department of Health & FW

देशीय पंजीकरण सं. 7472  
Central Dairy No. 119110  
दिनांक / Date

139 to  
9512

27<sup>th</sup>  
New Delhi, the August, 2010

**OFFICE ORDER**

Consequent upon his appointment as Deputy Director(Admn) in AIIMS, New Delhi vide Department of Personnel & Training's Order No.5/1/2010-EO(SM-I) dated 5<sup>th</sup> July, 2010, Shri Vineet Chawdhry, IAS(HP:82), Joint Secretary in the Department of Health & Family Welfare is relieved and his services are placed at the disposal of the All India Institute of Medical Sciences, New Delhi w.e.f. the forenoon of 30<sup>th</sup> August, 2010.

*Anil Uniyal*

(Anil Uniyal)

Under Secretary to the Govt of India

Copy to:

1. PS to HFM/MoS(HFW)
2. PPS to Secretary(HFW)
3. PPS to DGHS
4. AS(H)/AS(NRHM)/AS & FA
5. Shri Vineet Chawdhry, JS(R). He is requested to furnish 'No Dues Certificate' from NML, Gen-I&II & E-IV for issuance of LPC/SB
6. All Joint Secretaries in the D/o HFW
7. Director, AIIMS, New Delhi
8. DS(ME)/Dir(IH)/Dir(CGHS)/DS(MS)
9. DoPT(EO's office) w.r.t. their office order referred above.
10. Chief Secretary, Govt of Himachal Pradesh, Shimla
11. Acctt. General(A&E), Shimla
12. Gen-I & II/Coord-I&II/Par/NML/Vig./E-II/E.IV
13. SB/PF/Order folder
14. Cash(FW) with the request to forward the LPC of the officer to E-I.

*6.9.2010*  
*AO/HC-cell*

RECEIVED  
श्री प्रो. आ. सं. सामान्य अनुभाग  
3188  
6/9/10

Date over

*9/9*  
*Mr S/S ✓ e AO / - issue necessary orders to that effect & may now work till leave dates*

*09/9/10*

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F.6-4/2010-Estt. II

403

Ansari Nagar, New Delhi-29

Dated the :

01 OCT 2010

MEMORANDUM

Subject:- Filling up of the post of Deputy Director (Administration) at AIIMS, New Delhi on regular basis.

\*\*\*\*\*

In continuation of this office memorandum No.F.6-16/2009-Estt. I. dated the 9<sup>th</sup> June, 2010, on the subject cited above, it is notified that Shri Vineet Chawdhry, IAS (HP:82), Joint Secretary in the Department of Health & Family Welfare appointed as Deputy Director (Administration) in the AIIMS at the level of Joint Secretary on lateral shift basis till 29.05.2012, has taken over regular/full charge of the post on 30.08.2010 (F.N.) at the AIIMS, after getting relieved from Government of India, Ministry of Health & Family Welfare, New Delhi w.e.f. 30.08.2010 (F.N.).

(Authority: Government of India, Ministry of Health & Family Welfare's letters (i) No. V-16020/21/2007-MEI dated the 16<sup>th</sup> August, 2010 and (ii) letter No. A-19012/3/2005-E.I dated the 27<sup>th</sup> August, 2010 )

  
( ATTAR SINGH )  
CHIEF ADMINISTRATIVE OFFICER

Shri Vineet Chawdhry, IAS (HP:82)  
Deputy Director (Administration)  
A.I.I.M.S.

Copy to :

1. All Chiefs of Centre
2. All Heads of the Departments/Sections/Units
3. The OSD to the President, AIIMS
4. PPS to Director, AIIMS
5. PS to Dean, AIIMS
6. PS to Dean (Research)
7. PS to Medical Superintendent
8. PS to Deputy Director (Administration)
09. PA to Sr. Financial Advisor
10. PA to Registrar, AIIMS
11. PA to Financial Advisor
12. PA to Superintending Engineer
13. PA to Deputy Chief Security Officer
14. The Accounts Section-II & III

Copy forward for information to:-

1. Shri Sube Singh,  
Under Secretary,  
Government of India  
Ministry of Health & Family Welfare  
New Delhi.
2. Shri Anil Uniyal,  
Under Secretary,  
Government of India  
Ministry of Health & Family Welfare





NOTE FOR THE GOVERNING BODY

Item No. GB/18

TO CONSIDER THE PROPOSAL FOR COUNTING OF PAST SERVICES RENDERED ON AD-HOC BASIS BY FACULTY MEMBER/EMPLOYEES FOR THE PURPOSE OF EXTENSION OF BENEFIT OF GPF AND OLD PENSION SCHEME IN AIIMS, NEW DELHI.

\*\*\*\*\*

**1. INTRODUCTION:**

- 1.1 A proposal was placed before the 157<sup>th</sup> Governing Body's Meeting dated 24.01.2019 vide Agenda Item No. GB-157/24 of this Institute to consider the issue of counting of past service rendered on Adh-hoc basis by faculty member/ employees for the purpose of extension of benefit of GPF & Old Pension Scheme. (Annexure-I).
- 1.2 However, the above placed Agenda Item had been deferred in view of the decision to file SLP by the GOI in the Court. Copy of the Minutes of the Minutes of G.B. 157<sup>th</sup> may be seen. (Annexure- II).
- 1.3 The said SLP was filed in December, 2019 & which was dismissed by Hon'ble Supreme Court on account of delay in filing SLP. (Annexure- III)
- 1.4 The approval of Ministry of Health & Family Welfare to implement the orders of the Hon'ble CAT dated 13.03.2018 in the O.A. No. 06/00105/2018 titled as Neelam Agarwal & Others vide letter No. F. V- 7020/39/2009-INI-II (pt) dated 04.03.2020 was conveyed to PGIMER, Chandigarh for necessary action. (Annexure-IV) Thereafter, the Faculty of PGIMER, who had gone to the court for extending the Old Pension Scheme on similar grounds & had been given the relief by the CAT and Hon'ble High Court of Haryana, have been included in Old Pension Scheme by PGIMER, Chandigarh.
- 1.5 After extension of Old Pension Scheme to the petitioners by PGIMER, Chandigarh, Faculty Members of AIIMS, New Delhi have requested for their inclusion in Old Pension Scheme on the same grounds as in the case of faculty from PGIMER, Chandigarh. They have submitted representations to this effect. (Annexure-V)
- 1.6 A reminder with regard to the request of Faculty of AIIMS, New Delhi and the matter having been deferred in the 157<sup>th</sup> G.B. was sent to Ministry of Health & Family Welfare vide this office letter No.F. 20-39/2018/Estt.-I dated 08.06.2020 (Annexure-VI).

## 2. ADMINISTRATIVE COMMENTS :

2.1 In this connection, it is relevant to mention here that Ministry of Finance (Department of Economics Affairs) (ECB & PR Division) vide it's notification dated 22<sup>nd</sup> December, 2003 F.No.5/7/2003-ECB & PR on 23<sup>rd</sup> August, 2003, approved the proposal to implement the budget announcement of 2003-2004 relating to introducing a new restructured defined contribution pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system (please see Annexure-I and its enclosures).

2.2 In the above context, it is to be submitted that some of the faculty members/employees were working on ad-hoc basis at the Institute prior to 31.12.2003 and subsequently some of them were selected/appointed on regular basis after 31.12.2003 following due process. The services rendered by such officials on ad-hoc basis is being counted for pensionary benefits as per Rule 13 of CCS (Pension) Rule 1972, as there was no break in their service.

In the above context, it is pertinent to mention here that the Rule 13 of CCS (Pension) Rules, 1972 provides that "qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in officiating or temporary capacity; provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post". The DoPT vide Om No. 18011/1/86-Estt.(D), dated the 28<sup>th</sup> March, 1988 clarified that there is no distinction between permanent and temporary employees in the application of Pension rules.

2.3 After the receipt of representations from Faculty members and Karamchari Union, a circular was issued to all concerned Establishment Sections to identify the eligible employees who were working on adhoc basis before 31.12.2003 and their services were regularized after 01.01.2004 without any break in service (please see Annexure-I and its enclosures).

After compilation of the data received from various Establishment Section the total no. of such employees are as under:-

(a) Faculty member	-	10
(b) Non-Faculty Employees	-	419

These numbers are tentative & will be verified in due course.

2.5 Hon'ble CAT (Chandigarh) has given direction to grant the benefit of GPF-cum-Old Pension Scheme to all eligible employees.

The Hon'ble CAT observed the following:-

15. At the first instance, it is not a matter of dispute, that having possessed the requisite qualifications and experience etc., in pursuance of the advertisement and having successfully completed the recruitment process as per statutory rules and regulations of the PGIMER, all the Doctors (applicants) were duly appointed as Assistant Professors, in their respective fields, during the period ranging from 1996 to 2003 by the Competent Authority. Since then, they are performing the same duties with devotion, which are performed by regular appointees. Similarly, the clinical duties of all the Doctors (applicants) are the same, as performed by regular incumbents. Subsequently, the PGIMER advertised the posts manned by the applicants, for filling on regular basis. The applicants, have requisite qualifications & experience, and were eligible for regular appointments against the said posts, as well. They were duly selected and appointed, on regular basis, without any interruption maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, which they were drawing as adhoc appointees.
16. In that eventuality, for the purpose of pensionary benefits, the qualifying service of the applicants shall commence from the date, they took charge of the posts, to which they were first appointed, in temporary capacity, as that temporary service was followed, without interruption, by substantive permanent appointments in the same service (Pension) Rules 1972 (Annexure A-28).
17. Not only that, as indicated therein above, the applicants continued working as such, uninterruptedly and without any break. Even the Respondents No. 2 & 3, have duly acknowledged that factual matrix, in this regard, in their written statement. Therefore, in this manner, the initial service of the applicant would be reckoned for all intents and purposes including GPF-cum-Old Pension scheme, in view of the observations of the Hon'ble Apex Court in the case of Rudra Kumar Sain and other v. Union of India & other, (2000) 8 SSC 25, wherein it was held that in service jurisprudence, a person, who possesses the requisite qualification for being appointed to a particular post, and then he is appointed with approval and consultation with the appropriate authority and continue in the post for a fairly long time, then such an appointee cannot be held to be stop-gap or fortuitous or initial appointment (as in the present case).
18. Sequels, it was held by Hon'ble Supreme Court in Dr. Chandra Prakash v. State of U.P. (2002) 10 SSC 710, that the appellants (therein) who has been appointed against substantive vacancies and were continuing from 1965-1976 to 1983, and were enjoying all the benefits of regular service, are entitled to seniority from the date of initial appointments.

19. Similarly, Constitution Bench of Hon'ble Apex Court in the case of Direct Recruit Class II Engineering Officers' Association v. State of Maharashtra and other (1990) 2 SCC 715, has held that once an incumbent is appointed to a post according to the rules, the seniority has to be counted from the date of initial appointment, for all intents and purposes. Moreover, the matter of counting initial service for the purpose of pensionary benefits, is no longer res-integra and is now well settled."

The Hon'ble CAT has further relied on multiple judgements in matters similar to that of the applicant faculty to decide the matter in their favours:-

Case	Key observations
Harbans Lal Vs. State of Punjab & Ors. (CWP No. 2371 of 2010)  Hon'ble Punjab & Haryana High Court	"From the above discussion, we have come to the conclusion that the entire daily wage service of the petitioner from 1988 till the date of his regularization is to be counted as qualifying service for the purpose of pension. He will be deemed to be in govt. service prior to 01.01.2004. The new Re-structured Defined Contribution Pension Scheme 9annexure P-1) has been introduced for the new entrants in the Punjab Government Services w.e.f. 01.01.2004, will not be applicable to the petitioner. The amendment made vide Annexure P-2 amending the Punjab Civil Services Rules, cannot be further amended by issuing clarification/instruction dated 30.05.2008 (Annexure p-3). The petitioner will continue to be governed by the GPF Scheme and is held entitled to receive pensionary benefits as applicable to the employees recruited in the Punjab Govt. Services prior to 01.01.2004. In view of the above, the writ petition is allowed. Accordingly respondents are directed to treat the whole period of work charge service as qualified service for pension because
	Accordingly to clarification issued on 30/5/2008 (Annexure P-3), the new defined Contributory Pension Scheme would be applicable to all those employees who have been working prior to 01/01/2004 but have been regularized thereafter. Let his pension and arrears be calculated and paid to him expeditiously, preferable within a period of three months from the date of receipt of copy of this order.
State of Punjab Vs. Harbans Lal [ SLP (c) No.23578 of 2012]  Hon'ble Supreme Court of India	"Delay condoned.  Having heard learned counsel for the petitioner, we are not inclined to interfere with the judgment of High Court. The special leave petitions are, accordingly, dismissed.
State of Punjab Vs. Harbans Lal  [Review Petition (c) No.2038 of 2013 in SLP@ No.23578 of 2012] Hon'ble Supreme Court of India	After hearing Shri V.K. Bali, learned senior counsel appearing for the petitioner(s), we are of the opinion that no case for review of order dated 30/7/2012 is made out.  The Review Petition is dismissed accordingly.
Rai Singh and another Vs Kurukshetra University, Kurukshetra, Civil Writ Petition NO. 2246 of 2008  Hon'ble Punjab & Haryana High Court	It was held, that any service rendered on contract basis or adhoc service etc, is to be counted towards the pensionary benefits, as under :  " 4 Learned counsel for the petitioners relies upon a Full Bench judgment of this Court in Kesar Chand V. State of Punjab and other, 1988 (2)PLR 223, wherein validity of Rule 3.17 (ii) of the Punjab Civil Services Rules, Volume II was considered, which provided for temporary or officiating service followed by regularization to be counted as qualifying service but excluded period of service in work charge establishment. It was held that if temporary or officiating service was to be counted towards qualifying services, it was illogical that period of service in a work charge establishment was not counted.  6. As held in Kesar Chand (supra) pension is not a bounty and is for the service rendered. It is a social welfare measure to meet hardship in the old age. The employees can certainly to classified on rational basis for the purpose of grant or denial of pension. A cut off date can also be fixed unless the same is arbitrary or discriminatory. In absence of valid classification, discriminatory treatment is not permissible.

The Hon'ble CAT issued the following directions in the case of PGIMER Faculty:

*" In the light of the aforesaid prismatic reasons, the instant OA is accepted, as prayed for. As a consequences thereof, impugned order dated 12/10/2017 (Annexure A-1), dated 15/11/2013 (AnnexureA-2) dated 12/8/2014 (Annexure A-3) and any other such orders/instructions, having the effect of denial of benefit of GPF-cum-Old Pension Scheme to the applicants, are hereby set aside. At the same time, the Competent Authority is directed to grant the benefit of GPF-cum-Old Pension Scheme to them Prevalent at the relevant time of their respective initial appointments, along with all the consequential benefits, arising there from, in accordance with rules and law. However, the parties are left to bear their own costs."*

2.6 Subsequent appeal of the Union of India against this order was dismissed by the Hon'ble High Court of Punjab & Haryana vide its order dated 22/1/2018 (Annexure-VII). The Hon'ble High Court upheld the observations of the CAT and observed the following :

*"16 It is pertinent to note here that the petitioners never challenged the order of the Tribunal. Moreover, the relief claimed by the respondents is not such which creates administrative complication. No complication would be caused to other employees, as it will not affect the position regarding the seniority and promotion granted to others. The respondents had only claimed that OPS would be applicable to them. Even Otherwise, such a plea ought not to be raised by Union of India, who is a welfare State more particularly when no delay and laches can be attributed to the respondent."*

*"26 For the reasons mentioned above, the respondents were not treated as fresh appointees in stricto sensu. As per the terms and conditions of the appointment letter their services as adhoc appointees were not considered for the purpose of their regularization but on their successful appointment as regular employees the services rendered by them on adhoc were safeguarded for the purpose of propose of pay protection. In view of above discussion the Tribunal rightly came to the conclusion that respondents would be governed by OPS prevalent at the time of their initial appointment.*

*27. Viewed from another angle, the respondents were denied benefit of OPS only on the ground that NPS would apply to employees who were appointed on or after 01/01/2004 it is undisputed that respondents were working against those very posts since 1999 onwards although initially on ad-hoc basis but that cannot be a ground to disentitle them from benefits of OPS"*

**The Hon'ble High Court issued the Judgment :**

*"No error can be found in the order dated 13/3/2018 passed by the Tribunal in holding that OPS would be apply to the respondents.*


*In view of the aforesaid discussion, there is no merit in the present petition, accordingly, the same is dismissed. "*

Based on the above mentioned details, particularly the recent judgments in case of PGIMER faculty, it is clear that Hon'ble Courts have observed that the benefits of GPF and Old Pension Scheme may be extended to Government employees whose qualifying service for pension commence prior to 01/01/2004 regardless of fact whether they were appointed as regular employees or not. Therefore, the demand of the Faculty members/Employees (Group 'B' and 'C') of the institute for extending the benefit of GPF and Old Pension Scheme seems justified.

3. APPROVAL SOUGHT:

In view of position explained above, the proposal for granting benefits of GPF -cum-Old Pension Scheme in respect of above Faculty members/Employees (Group B & C) who were working on adhoc basis on or before 31/12/2003 and their services were regularized after 01/01/2004 without any break in service is again placed before the Governing Body for consideration and in principal approval.

This has the approval of the Director, AIIMS, New Delhi.

  
DEPUTY DIRECTOR (ADMINISTRATION)

NOTE FOR GOVERNING BODY

Item No. GB/157/24

TO CONSIDER THE PROPOSAL FOR COUNTING OF PAST SERVICES RENDERED ON AD-HOC BASIS BY FACULTY MEMBER /EMPLOYEES FOR THE PURPOSE OF EXTENSION OF BENEFIT OF GPF AND OLD PENSION SCHEME AT THE AIIMS, NEW DELHI.

\*\*\*\*\*

1) INTRODUCTION:-

1.1 There have been many representation from the Faculty/Employee of the institute that they be covered under GPF and Old Pension Scheme considering that fact that they are continuously in the service of the Institute from time before 1.1.2004 as they were holding the post of Assistant Professors/various Group 'B' & 'C' on ad-hoc basis and subsequently they were selected for regular appointments at the institute without any break (Annexure-I & II).

1.2 In support of their demand, they have cited the existing CCS (Pension) rules and given the reference of decisions of the Hon'ble Courts that the benefits of Old Pension Scheme have to be extended to Government employees who had been appointed prior to 1.1.2004 regardless of the fact whether they were appointed as regular employees or not (Annexure - III & IV).

The Hon'ble Central Administrative Tribunal has passed order in favour of the Faculty of PGIMER, Chandigarh for extension of benefits of Old Pension Scheme. The operative para of the said judgment is reproduced as under :

*"the instant OA is accepted, as prayed for. As a consequences thereof, impugned orders dated 12.10.2017 dated 15.11.2013 dated 12.08.2014 and any other such orders/instructions, having the effect of denial of benefit of GPF-cum-Old Pension Scheme to the applicants, are hereby set aside. At the same time, the competent authority is directed to grant the benefit of GPF-cum-Old Pension Scheme to them, prevalent at the relevant time of their respective initial appointments, along with all the consequential benefits, arising therefrom, in accordance with rules and law. However, the parties are left to bear their own costs*

2) ADMINISTRATIVE COMMENTS:-

- 2.1. In this connection, it is relevant to mention here that Ministry of Finance (Department of Economics Affairs) (ECB & PR Division) vide it's notification dated 22<sup>nd</sup> Dec., 2003 F.No.5/7/2003-ECB & PR on 23<sup>rd</sup> August, 2003, approved the proposal to implement the budget announcement of 2003-2004 relating to introducing a new restructured defined contribution pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system (Annexure-V).
- 2.2. In the above context, it is to be submitted that that some of the faculty members/employees were working on ad-hoc basis at the Institute prior to 31.12.2003 and subsequently some of them were selected/appointed on regular basis after following due process after 31.12.2003. The services rendered by such officials on ad-hoc basis is being counted for pensionary benefits as there was no break in their service, as per Rule 13 of CCS (Pension) Rule 1972. In the above context, it is pertinent to mention here that the Rule 13 of the CCS (Pension) Rules, 1972 provides that "qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in officiating or temporary capacity; Provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post". The DoPT vide OM No.18011/1/86-Estt.(D), dated the 28<sup>th</sup> March, 1988 clarified that there is no distinction between permanent and temporary employees in the application of Pension rules.
- 2.3. After the receipt of representations from Faculty members and Karamchhari Union a circular was issue to all concerned Establishment Sections to identify the eligible employees who were working on adhoc basis before 31.12.2003 and their services were regularized after 01.01.2004 without any break in service (Annexure-VI)

After compilation of the data received from various Establishment Sections the total no of such employees are as under:

- |                           |   |     |
|---------------------------|---|-----|
| (a) Faculty member        | - | 10  |
| (b) Non-Faculty Employees | - | 419 |



List of faculty members has already been verified by the concerned Establishment Section and details of such eligible faculty members are attached as Annexure -A

However, due to paucity of time due diligence/verification of the claims of Non-Faculty employees that they were appointed on Adhoc basis before 31.12.2003 & then their services being regularized without break are in process.

- 2.5 Hon'ble CAT (Chandigarh) had given direction to grant the benefit of GPF-cum-Old Pension Scheme to all eligible employees.

The Hon'ble CAT observed the following:

*"15. At the first instance, it is not a matter of dispute, that having possessed the requisite qualifications and experience etc, in pursuance of the advertisement and having successfully completed the recruitment process as per statutory rules and regulations of the PGIMER, all the Doctors (applicants) were duly appointed as Assistant Professors, in their respective fields, during the period ranging from 1996 to 2003, by the Competent Authority. Since then, they are performing the same duties with devotion, which are performed by regular appointees. Similarly, the clinical duties of all the Doctors (applicants) are the same, as performed by regular incumbents. Subsequently, the PGIMER advertised the posts manned by the applicants, for filling on regular basis. The applicants, have requisite qualifications & experience, and were eligible for regular appointments against the said posts, as well. They were duly selected and appointed, on regular basis, without any interruption maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, which they were drawing as adhoc appointees.*

*16. in that eventuality, for the purpose of pensionary benefits, the qualifying service of the applicants shall commence from the date, they took charge of the posts, to which they were first appointed, in temporary capacity, as that temporary service was followed, without interruption, by substantive permanent appointments in the same service/posts, as contemplated under Rule 13 (Chapter III) of the Central Civil Services (Pension) Rules 1972 (Annexure A-28).*

*17. Not only that, as indicated hereinabove, the applicants continued working as such, uninterruptedly and without any break. Even the Respondents No.2 & 3, have duly acknowledged the factual matrix, in this regard, in their written statement. Therefore, in this manner, the initial service of the applicant would be reckoned for all intents and purposes including GPF-cum-Old Pension Scheme, in view of the observations of the Hon'ble Apex Court in the case of Rudra Kumar Sain and others v. Union of India & other, (2000) 8 SCC 25, wherein it was held that in service*

*jurisprudence, a person, who possesses the requisite qualification for being appointed to a particular post, and then he is appointed with approval and consultation with the appropriate authority and continues in the post for a fairly long time, then such an appointee cannot be held to be stop-gap or fortuitous or purely ad-hoc. Such employee is entitled to benefit of his service with effect from his initial appointment (as in the present case).*

18. *Sequels, it was held by Hon'ble Supreme Court in Dr. Chandra Prakash v. State of U.P.(2002) 10 SCC 710, that the appellants (therein) who had been appointed against substantive vacancies and were continuing from 1965-1976 to 1983, and were enjoying all the benefits of regular service, are entitled to seniority from the date of initial appointments.*

19. *Similarly, Constitution Bench of Hon'ble Apex Court in the case of Direct Recruit Class U Engineering Officers' Association v. State of Maharashtra and others, (1990) 2 SCC 715, has held that once an incumbent is appointed to a post according to the rules, the seniority has to be counted from the date of initial appointment, for all intents and purposes. Moreover, the matter of counting initial service for the purpose of pensionary benefits, is no longer res-integra and is now well settled."*

The Hon'ble CAT has further relied on multiple judgements in matters similar to that of the applicant faculty to decide the matter in their favours :

Case	Key observations
Harbans Lal Vs. State of Punjab & Ors. (CWP No.2371 of 2010) Hon'ble Punjab & Haryana High Court	<p><i>"From the above discussion, we have come to the conclusion that the entire daily wage service of the petitioner from 1988 till the date of his regularization is to be counted as qualifying service for the purpose of pension. He will be deemed to be in govt. service prior to 01.01.2004. The new Re-structured Defined Contribution Pension Scheme (Annexure P-1) has been introduced for the new entrants in the Punjab Government Service w.e.f. 01.01.2004, will not be applicable to the petitioner. The amendment made vide Annexure P-2 amending the Punjab Civil Services Rules, cannot be further amended by issuing clarification/instruction dated 30.05.2008 (Annexure P-3). The petitioner will continue to be governed by the GPF Scheme and is held entitled to receive pensionary benefits as applicable to the employees recruited in the Punjab Govt. Services prior to 01.01.2004.</i></p> <p><i>In view of the above, the writ petition is allowed. Accordingly respondents are directed to treat the whole period of work charge service as qualified service for pension because</i></p>

	<p>accordingly to clarification issued on 30.05.2008 (Annexure P-3), the new defined Contributory Pension Scheme would be applicable to all those employees who have been working prior to 01.01.2004 but have been regularized thereafter. Let his pension and arrears be calculated and paid to him expeditiously, preferably within a period of three months from the date of receipt of copy of this order.</p>
<p>State of Punjab Vs. Harbans Lal [SLP (C) No.23578 of 2012]</p> <p>Hon'ble Supreme Court of India</p>	<p>"Delay condoned.</p> <p>Having heard learned counsel for the petitioner, we are not inclined to interfere with the judgment of High Court. The special leave petitions are, accordingly, dismissed.</p>
<p>State of Punjab Vs. Harbans Lal</p> <p>[Review Petition (C) No.2038 of 2013 in SLP (C) No.23578 of 2012],</p> <p>Hon'ble Supreme Court of India</p>	<p>"After hearing Shri V.K. Bali, learned senior counsel appearing for the petitioner(s), we are of the opinion that no case for review of order dated 30.07.2012 is made out.</p> <p>The Review Petition is dismissed accordingly.</p>
<p>Rai Singh and another v. Kurukshetra University,</p> <p>Kurukshetra, Civil Writ Petition No.2246 of 2008,</p> <p>Hon'ble Punjab &amp; Haryana High Court</p>	<p>It was held, that any service rendered on contract basis or adhoc service etc, is to be counted towards the pensionary benefits, as under:</p> <p>"4. Learned counsel for the petitioners relies upon a Full Bench judgment of this Court in <i>Kesar Chand v. State of Punjab and others</i>, 1988 (2) PLR 223, wherein validity of Rule 3.17 (ii) of the Punjab Civil Services Rules, Volume II was considered, which provided for temporary or officiating service followed by regularization to be counted as qualifying service but excluded period of service in work charge establishment. It was held that if temporary or officiating service was to be counted towards qualifying service, it was illogical that period of service in a work charge establishment was not counted.</p> <p>6. As held in <i>Kesar Chand (supra)</i> pension is not a bounty and is for the service rendered. It is a social welfare measure to meet hardship in the old age. The employees can certainly to classified on rational basis for the purpose of grant or denial</p>

	<p>of pension. A cut off date can also be fixed unless the same is arbitrary or discriminatory. In absence of valid classification, discriminatory treatment is not permissible.</p>
--	--

The Hon'ble CAT issued the following direction in the case of PGIMER Faculty:

*"In the light of the aforesaid prismatic reasons, the instant OA is accepted, as prayed for. As a consequences thereof, impugned orders dated 12.10.2017 (Annexure A-1), dated 15.11.2013 (Annexure A-2), dated 12.08.2014 (Annexure A-3) and any other such orders/instructions, having the effect of denial of benefit of GPF-cum-Old Pension Scheme to the applicants, are hereby set aside. At the same time, the competent authority is directed to grant the benefit of GPF-cum-Old Pension Scheme to them, prevalent at the relevant time of their respective initial appointments, alongwith all the consequential benefits, arising therefrom, in accordance with rules and law. However, the parties are left to bear their own costs."*

2.6 Subsequent appeal of the Union of India against this order was dismissed by the Hon'ble High Court of Punjab & Haryana vide its order dated 22.10.2018 (Annexure-VII). The Hon'ble High Court upheld the observations of the CAT and observed the following :

*"16. It is pertinent to note here that the petitioners never challenged the order of the Tribunal. Moreover, the relief claimed by the respondents is not such which creates administrative complications. No complication would be caused to other employees, as it will not affect the position regarding the seniority and promotion granted to others. The respondents had only claimed that OPS would be applicable to them. Even Otherwise, such a plea ought not to be raised by Union of India, who is a welfare State more particularly when no delay and laches can be attributed to the respondent."*

*"26. For the reasons mentioned above, the respondents were not treated as fresh appointees in stricto sensu. As per the terms and conditions of the appointment letter their services as ad-dhoc appointees were not considered for the purpose of their regularization but on their successful appointment as regular employees the services rendered by them on ad-hoc were safeguarded for the purpose of propose of pay protection. In view of above discussion the Tribunal rightly came to the conclusion that respondents would be governed by OPS prevalent at the time of their initial appointment.*

*27. Viewed from another angle, the respondents were denied benefit of OPS only on the ground that NPS would apply to employees who were appointed on or after 01.01.2004 it is undisputed that respondents were working against those very posts*

*since 1999 onwards although initially on adhoc basis but that cannot be a ground to disentitle them from benefit of OPS."*

The Hon'ble High Court issued the Judgment:

*"No error can be round in the order dated 13.03.2018 passed by the Tribunal in holding that OPS would apply to the respondents.*

*In view of the afore-said discussion, there is no merit in the present petition, accordingly, the same is dismissed."*

Based on the above mentioned details, particularly the recent judgments in case of PGIMER faculty, it is clear that the Hon'ble Courts have observed that the benefits of GPF and Old Pension Scheme may be extended to government employees whose qualifying service for pension commence prior to 01.01.2004 regardless of fact whether they were appointed as regular employees or not.

Therefore, the demand of the Faculty members/Employees (Group B' & 'C') of the Institute for extending the benefit of GPF and Old Pension Scheme seems justified.

APPROVAL SOUGHT:

In view of position explained above, the proposal for granting benefits of GPF-cum-Old Pension Scheme in respect of above Faculty members/ Employees (Group 'B' & 'C') who were working on adhoc basis till 31.12.2003 and their services were regularized after 01.01.2004 without any break in service are placed before the Governing Body for consideration and in principal approval.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
ANSARI NAGAR, NEW DELHI  
(FACULTY CELL)

Dated: 14.01.2019

List of faculty members who are eligible for grant of extension of benefit of GPF & Old Pension Scheme :

Sl. No.	Name of the faculty member	Department	Date of ad-hoc appointment	Date of regular appointment
01	Dr. Buddhaçev Choudhury	Orthopaedics	11.07.1997	23.09.2005
02	Dr. Urvashi B. Singh	Microbiology	10.02.1999	01.12.2005
03	Dr. Tulika Seth	Haematology	23.02.2000	23.09.2005
04	Dr. Rakesh Lodha	Paediatrics	07.07.2000	23.09.2005
05	Dr. Anjolie Chhabra	Anaesthesiology	28.03.2001	08.11.2005
06	Dr. Mamta B. Singh	Neurology	22.05.2002	26.09.2005
07	Dr. Sanjiv K. Bhoi	JPNATC	05.10.2002	23.09.2005
08	Dr. Amit Gupta	JPNATC	05.10.2002	23.09.2005
09	Dr. Sandeep R. Mathur	Pathology	31.01.2003	23.09.2005
10	Dr. Sujoy Pal	GI Surgery	05.05.2003	23.09.2005

( B. K. SINGH )  
ADMINISTRATIVE OFFICER

The Administrative Officer (DO)  
Establishment Section (DO)  
AIIMS, New Delhi

Annexure

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Department of Pediatrics  
All India Institute of Medical Sciences

Ansari Nagar, New Delhi-110 029

Dr. Rakesh Lodha, MD  
Professor

Tel : +91-11-26593621  
Fax : +91-11-26588663, 26588641  
Email : rlodha1661@gmail.com

प्राप्त किया  
506242  
26 OCT 2018  
27/10/18  
RECEIVED  
DIRECTOR  
M.S.

RECEIVED 26 October, 2018  
I.M.S.

30/10/18  
27 OCT 2018

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

Subject: Request for extension of benefits of Old Pension Scheme as the qualifying service of Dr. Rakesh Lodha for pension commences from 18.03.1997: REMINDER-II.

Sir,

This is in continuation of my earlier requests submitted on November 21, 2017; May 15, 2018 regarding the extension of benefits of Old Pension Scheme as my qualifying service for pension commences from 18.03.1997. I received an OM dated 26 March 2018 informing about the reference submitted to the Ministry of Health & Family Welfare for seeking clarification from the DoPT. Subsequently (2 April 2018), I had submitted a copy of a Central Administrative Tribunal (Chandigarh bench) order in matter pertaining to PGIMER, Chandigarh where the CAT ruled in favour of the Faculty of the PGIMER, Chandigarh for extension of benefits of Old Pension Scheme; these faculty were working at PGIMER on adhoc posts (appointed prior to 2004) and later selected for regular posts after January 2004. This scenario is same as mine.

In view of the earlier submission, the CAT judgment, and recent upholding of the CAT order by the High Court of Punjab and Haryana, I once again humbly request you to kindly extend the benefit of the Old Pension Scheme w.e.f. date of start of qualifying service for pension i.e. 18.03.1997.

Thanking you,

Sincerely,

RKF

on file pl

Sudh  
29/10/18

Lodha

Dr. Rakesh Lodha

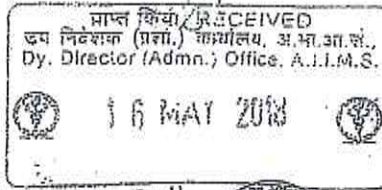
AD (PE)  
AS (RKF)

27/10/18

Dr. Ashok K. ... Professor & Head  
Department of Pediatrics  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi-110 029

10/10  
Kawar

5/06



Professor Tulika Seth, MD, MNAMS,  
American Board certified Pediatrics  
and Hematology & Oncology  
Department of Hematology  
AIIMS, New Delhi  
drtulikaseth@gmail.com

संलग्न प्रतियां / Faculty Cell  
453384



Through proper channels

17-5-18

To,  
The Director  
AIIMS

Sub- request for GPF AND PENSION

Respected Sir,

This is to request you to kindly consider my continuous past services to AIIMS, which have not been considered, although done for other doctors. There have been no breaks in my service at AIIMS. Please consider for pension benefits only.

This may be considered for pension calculation, also earlier I had GPF (no G-10804) and the old pension scheme, but when I became a regular after my continuous *ad hoc* service I was forced to take the new pension scheme. At that time I did not know that I had any other options or that there are exceptions where GPF had been continued.

I have worked as Senior Research Associate (Pool officer) at AIIMS with effect 23-4-1998 and Assistant Professor *ad hoc* since 17-2-2000, before being confirmed in 23-9-2005.

Please find enclosed copies letters for your perusal.

Thanking you, Yours sincerely

Tulika Seth

Professor Tulika Seth  
Department of Hematology

DR. TULIKA SETH  
ADDITIONAL PROFESSOR  
DEPARTMENT OF HEMATOLOGY  
A.I.I.M.S., NEW DELHI

Pl. put in file

18/5/18

Enclosures

- 1. AIIMS Salary slips
- 2. Appointment to AIIMS as Senior Research Associate
- 3. Assistant Professor *ad hoc*
- 4. Assistant Professor regular





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Through Proper Channel

Dr Anjolie Chhabra,  
Professor,  
Deptt. Of Anaesthesiology, Pain Med & Care

Dated 14<sup>th</sup> June 2018.

To,

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

संस्था सुरक्षा/Security Cell  
आर.आई.एम.एस., नई दिल्ली-110029  
A.I.I.M.S., New Delhi-110029  
कार्य/File No./कार्य क्रमांक/Serial No.  
दिनांक/On Date  
दस्तावेज नं./Doc. No./दस्तावेज नं./File No. 4034

Subject: Request to be considered for old-pension Scheme

Respected Sir,

I joined the Department of Anaesthesiology, AIIMS, New Delhi as an adhoc Assistant Professor on the 28<sup>th</sup> of March 2001. Thereafter, my appointment against a permanent post was done on the 8<sup>th</sup> of November 2005.

During the adhoc period I was under the old-pension as were my other colleagues. As there was no break in service between the adhoc and permanent posts and no difference in duties, I would request that I should be considered for the old -pension scheme as was done for my other colleagues.

Thanking you,

Yours sincerely,

*Anjolie*

Dr Anjolie Chhabra

*forwarded + recommended*

*S. Singh*  
*16/6/18*

Director  
Date

20-48

# Karamchari Union (Recognized)

## All India Institute of Medical Sciences

### Regn. No.4340

Office : Near Recreation Hall  
Ansari Nagar, New Delhi-110029  
Phone : 26588500  
26588700 } Ext. 4559



**President:**  
Sat Prakash Kalia

**Vice President:**  
Arjun Singh Rawat

03 DEC 2018

**General Secretary:**  
Anil Kumar Dagar

**Joint Secretary:**  
Chandan Singh Bisht

**Treasurer:**  
Nandan Singh Negi

AD  
3/12  
D.A.  
May be considered for all staff  
Mr Rawat

No. F. KU/Old Pension-GPF/2018

Dated 01.12.2018

To

The Hon'ble Director  
All India Institute of Medical Sciences  
Ansari Nagar  
New Delhi

स्थापना अनुभाग (नि.का.)  
Establishment Section (DO)  
कक्षा-511/E/अ-लैंग, नई दिल्ली-110029  
उप.नि.नं./Copy No. 7077/1/11/2018  
अ.भा.आ.अंशका-9, नई दिल्ली-110029  
AIIMS, New Delhi-110029

**Sub:- To place the matter for grant of Old Pension & GPF scheme to the non-faculty staff before the Governing Body - Request thereof.**

\*\*\*\*\*

Respected Sir,

It has come to our notice that the matter related to grant of Old Pension Scheme & GPF facility to the Faculty members who were working on ad-hoc basis before 01.01.2004 and regularized on or after 01.01.2004 is being placed before the Governing Body meeting to be held very soon.

As you are aware that one of our charter demands for grant of Old pension & GPF facility to the staff who have joined their ad-hoc service before 01.01.2004 and regularized on or after 01.01.2004 has already been discussed with you in the meeting held on 18.07.2018. In the above meeting it was intimated that the matter has already been referred to MoH&FW for seeking opinion/clarification from the DoP&T in the matter (copy of the minutes is enclosed). But no response has been received from the Ministry till date.

Now, it is very painful and shocking that only the agenda on the same issue for Faculty Members is being placed before the Governing Body excluding the non-faculty staff of the Institute which looks little unjustified as this is a policy matter and should be adopted if any for all the eligible employees of the Institute. A copy of the judgment of Hon'ble High Court Punjab & Haryana on the subject matter is also enclosed herewith for ready reference.

It is, therefore, requested that the matter related to grant of Old Pension Scheme & GPF facility to the non-faculty staff at the AIIMS may also be placed before the Governing Body meeting to be held very soon. I will be highly obliged.

Thanking you,

Signature  
5/12/18

Yours sincerely

Encl: As above

(Anil Kumar Dagar)

Minutes of meeting taken by the Director, AIIMS, New Delhi on 18.07.18 at 11.00 a.m. in Committee Room of Director's office to discuss the Charter Demands of Karamchhari Union, AIIMS, New Delhi

The Director, AIIMS, New Delhi took a meeting with concerned Admin Branch on 18/07/2018 at 11.00 a.m. in Director's Committee Room to discuss the Charter Demands raised by the Karamchhari Union vide their letter dated 17/05/18. The following attended the meeting.

1. Shri Subhasish Panda, IAS  
Dy. Director (Admin), AIIMS, New Delhi
2. Dr. D. K. Sharma  
Medical Superintendent, AIIMS, New Delhi
3. Dr. Sanjay Kumar Arya,  
Chief Administrative Officer (Actg.)
4. Shri B.S. Gill  
Admu. Officer, Estt. Section (DO)
5. Shri Pallav Kumar Chitrej  
Admu. Officer, Recut. Cell
6. Shri Ealish P.I.  
Assistant Admu Officer (Recut. Cell)
7. All Representative of Karamchhari Union  
AIIMS New Delhi

At the outset the Director welcomed the members of the meeting. The Karamchhari Union members thanked the Director for holding the meeting. Thereafter issues raised by the Union were discussed and following decisions taken:-

1. Appointment of dependents of deceased employees on compassionate grounds:-

The representatives of the Karamchhari Union raised the issue of delay in providing appointment of dependents of deceased employees on compassionate grounds.

It was explained to the representatives that compassionate appointments can be made up to a maximum 5% of vacancies falling under direct recruitment quota in Group C erstwhile D posts and it is not feasible to give appointments beyond the ceiling of 5%. The Admu. Officer, Recruitment Cell has informed that compassionate appointments were already made for more than 5% vacancies. The Recruitment Cell has shown data regarding number of vacancy occurred during the years 2006-2018 in direct recruitment for Group C/D posts, 5% of vacancies thereof and number of compassionate appointment made.

The representatives of Karamchhari Union submitted data generated by recruitment cell and as per data there are 99 vacancies which are available at present for filling on compassionate grounds. They requested that the appointment on compassionate grounds may be made accordingly on priority.

After detailed discussion, it was decided that the Recruitment Cell will recalculate the total vacancies occurred year-wise, 5% of vacancies thereof and prepare data showing exact number of available vacancies for making compassionate appointment. This exercise will be completed within 15 days time.

(Action:- Admu. Officer, Recruitment Cell)

2. Cadre Review:-

Office bearers of Karamchari Union raised the issue of Cadre Review at the Institute. The last Cadre review was held in the year 1991, more than 26 years ago and there is an urgent need to expedite the process as the employees are stagnating for years, resulting in frustration amongst them. They expressed that the Ministry had directed in the year 2006 to formulate Cadre Review Committee, but there has been no concrete outcome so far.

On the issue, it was informed that the Institute is in the process of reconstituting the Cadre Review committee as some of the officials have either been repatriated or transferred to other areas. The Institute has already taken up the matter with the Ministry for reconstitution of the Committee. Union representatives expressed that Cadre Review Committee can be constituted within the Institute with two-three members from the Ministry. It was explained that without the approval from the Ministry, it is not possible that Institute can finalise Cadre Review at own. The Director, AIIMS expressed urgent need to expedite the issue and desired that a meeting with Additional Secretary/Joint Secretary of the Ministry may be arranged to clear uncertainty.

The issue of implementation of Co-ordination Committee recommendations also came up for discussion and it was explained that the report of the Coordination Committee was sent to the Ministry and the same proposal received back with direction to send separate proposal for each cadre along with appropriate justification, financial implication and distribution of posts in individual cadre as per the agreed formulation and keeping in view matching saving formula.

Subsequently 15 Cadres including the Cadres of Dental, Medical Record, Dieticians, OT, MSSO, Sanitation, Perfusion, Physiotherapists, Statistical, Public Relation, Laboratory, Radiology, Radiotherapy and Dark Room Assistant were sent to the Ministry as per requirement of the Ministry. Later on, the proposal sent to the Ministry was received back in order to neutralize the financial implication. Neutralization of the financial implication is not possible and the same has already been intimated to the Ministry and the response is still awaited.

The Institute has been following up the matter conscientiously with the concerned officials of the Ministry.

(Action:- Admn. Officer, Recruitment Cell)

3. Grant the facility of GPF to those employees of the Institute who have been regularised with Part-time Status and Ad-hoc

The representatives of the Karamchari Union raised the issue of extending the benefit of GPF subscription and Old Pension Scheme to all those who have been granted temporary status upto 31.12.2005 and subsequently regularised in the Institute.

It was explained to them that in accordance with DoPT instructions, the benefit of GPF and Old Pension Scheme has already been extended at the Institute to all those Casual Labourers who are covered under the scheme of Temporary Status and granted temporary status upto 29.4.2002 even if they have been regularised on or after 1.1.2004. Further since there has been no guideline/instructions to extend the said facility to those who were granted temporary status after 29.4.2002, it is not possible for the Institute to go beyond the instructions of the Government.

Further as regards extending the benefit of Old Pension Scheme to ad-hoc employees, who were appointed on ad-hoc basis on or before 31.12.2003 and subsequently regularised in the Institute after 1.1.2004, it has been intimated that there is no guidelines on the issue and those who have come on regular basis in the service on or after 1.1.2004 are to be governed under New Pension Scheme. However, on representations from several employees, the Institute has already referred the matter to DoPT seeking opinion/clarification from DoPT on the issue.

(Action:- Admn. Officer, Recruitment Cell)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH

...  
ORIGINAL APPLICATION NO.060/00105/2018  
Chandigarh, this the 13<sup>th</sup> day of March, 2018

...  
CORAM:HON'BLE MR. JUSTICE M.S. SULLAR, MEMBER (J) &  
HON'BLE MS. P. GOPINATH, MEMBER (A)

1. Dr. Neelam Aggarwal W/o Dr. Ajay Aggarwal, Aged 58 years, working as Additional Professor, Department of Obs & Gyane, PGIMER, Sector-12, Chandigarh.
2. Dr. Sadhna Lal [w/o] Dr. Vivek Lal, Aged 54 years, Working as Professor, Department of Gastroenterology, PGIMER, Sector-12, Chandigarh.
3. Dr. Rajesh Chhabra S/o Sh. Harbhajan Singh Chhabra, Aged 49 years, Working as Professor, Department of Neurosurgery, PGIMER, Sector-12, Chandigarh.
4. Dr. Jasmina Ahluwalia w/o Dr. Surjit Singh, Aged 53 years, working as Professor, Department of Haematology, PGIMER, Sector-12, Chandigarh.
5. Dr. Ajay Duseja S/o Late Sh. Verinder K Duseja, Aged 51 years, working as Professor, Department of Hepatology, PGIMER, Sector-12, Chandigarh.
6. Dr. Parampreet Singh Kharbanda S/o Sh. Jasbir Singh Aged 51 years, Working as Professor, Department of Neurology, PGIMER, Sector-12, Chandigarh.
7. Dr. Jaimanti Bakshi W/o Sh. Navdeep Bakshi, Aged 47 years, Working as Professor, Department of Otolaryngology, PGIMER, Sector-12, Chandigarh.
8. Dr. Rajesh Vijayvergiya S/o Sh. K. N. Vijayvergia, Aged 48 years, Working as Professor, Department of Cardiology, PGIMER, Sector-12, Chandigarh.
9. Dr. Bhavneet Bharti w/o Sahul Bharti, Aged 49 years, Working as Professor, Department of Pediatrics, O/o PGIMER, Sector-12, Chandigarh.
10. Dr. Sumita Khurana w/o Sh. Varunjit Khurana, Aged 48 years, Working as Professor, Department of Parasitology, PGIMER, Sector-12, Chandigarh.
11. Dr. Prema Menon D/o K.P.B. MENON, Aged 56 years, Working as Additional Professor, Department of Pediatric Surgery, PGIMER, Sector-12, Chandigarh.
12. Dr. Rijuneeta, W/o Sh. Dr. Suresh Kumar, Aged 46 years, Working as Professor, Department of Otolaryngology, PGIMER, Sector-12, Chandigarh.
13. Dr. Sanjay Bhadada S/o Sh. M.L. Bhadada, Aged 49 years, Working as Professor, Department of Endocrinology, PGIMER, Sector-12, Chandigarh.
14. Dr. Devi Dayal S/o Sh. Tej Ram, Aged 54 years, working as Professor, Department of Pediatrics, PGIMER, Sector-12, Chandigarh.
15. Dr. Joseph Mathew S/o Dr. Lazar Mathew, aged 46 years, Working as Professor, Department of Pediatrics, PGIMER, Sector-12, Chandigarh.

16. Dr. Ajay Behl S/o Late Sh. Harish Bahl, Aged 51 years, Working as Professor, Department of Cardiology, PGIMER, Sector-12, Chandigarh.
17. Dr. Sandeep Mohindra S/o Jagdish Kumar Mohindra, Aged 44 years, working as Additional Professor, Department of Neurosurgery, PGIMER, Sector-12, Chandigarh.
18. Dr. Kushaljit Singh Sodhi S/o Late Sh. G. S. Sodhi, Aged 44 years, Working as Professor, Department of Radio Diagnosis, PGIMER, Sector-12, Chandigarh.
19. Dr. Akshay Anand S/o Sh. RC Anand, aged 45 years, Working as Professor, Department of Neurology, PGIMER, Sector-12, Chandigarh.
20. Dr. Manish Modi S/o Vinod Kumar Modi, Aged 45 years, Working as Professor, Department of Neurology, PGIMER, Sector-12, Chandigarh.
21. Dr. Ashish Sharma S/o Narottam Sharma, Aged 44 years, Working as Professor & Head, Department of Renal Transplant Surgery PGIMER, Sector-12, Chandigarh. All applicants are Group 'A'.

....Applicants

(Present: Mr. R.K. Sharma, Advocate)

**VERSUS**

1. Union of India through Secretary to Government of India, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi.
2. Post Graduate Institute of Medical Education and Research (PGIMER), Sector-12, Chandigarh, through Director.
3. President, Post Graduate Institute of Medical Education and Research (PGIMER), Sector-12, Chandigarh.
4. Secretary to the Government of India, Ministry of Finance, Department of Expenditure, New Delhi.

....Respondents

Present: Mr. Ram Lal Gupta, Advocate for Resp. No. 1&4.  
Mr. Amit Jhanji, Advocate for Resp. No. 2&3.

**ORDER (Oral)**

**JUSTICE M.S. SULLAR, MEMBER (J)**

Exhibiting their deep concern and assailing the action of the respondents, applicants Dr. Neelam Aggarwal and 20 other eminent Doctors, having specialization in their respective disciplines, have instituted the instant Original Application (O.A.), challenging the validity of the impugned orders dated 12.10.2017 (Annexure A-1), dated 15.11.2013 (Annexure A-2), and dated 12.8.2014 (Annexure A-3), whereby their claim for grant of General

Provident Fund (GPF)-cum-Old Pension Scheme, existing prior to 1.1.2004, was rejected by the competent authority.

2. The matrix of the facts and the material, culminating into the commencement, relevant for disposal of the present O.A and exposted from the record is that the Post Graduate Institute of Medical Education and Research (for brevity "PGIMER"), is an Institute of National importance and established under the "Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966" (hereinafter to be referred to as the "Act"). The PGIMER has also promulgated PGIMER Rules & Regulations, 1967, governing the procedure of recruitments and conditions of service of its employees. It is catering to the needs of very serious patients of States of Punjab, Haryana, Himachal Pradesh, Jammu & Kashmir and many other States. There is great shortage of Doctors in every sphere in it. When recruitment of doctors, on regular basis, was delayed, for variety of reasons, and keeping in view the exigency of service, public interest and welfare of the patients, the PGIMER used to make appointments of faculty in various departments against regular sanctioned posts, by way of open advertisement, and in accordance with the eligibility criteria prescribed under the relevant Rules and Regulations, identical to the eligibility criteria for regular recruitment. Since the regular appointments take a long time, so the adhoc appointees continue to work for years together, in their respective fields, before their regularization and, as such, their appointments cannot be termed as stop-gap arrangement but only as regular appointments, due to delay in regular process. It was alleged that infact this practice of recruitments continue uninterruptedly and in most of the cases the

faculty members, who are appointed on adhoc basis, through transparent manner, are also appointed on regular basis, keeping in view their eligibility and experience of working in the PGIMER.

3. Sequelly, the case set up by the applicants, in brief, in so far as relevant, is that keeping in view the urgency of the matter, welfare of the patient and public interest, the applicants, who were eligible for appointments to the posts of Lecturers, re-designated as Assistant Professors, and were appointed in their respective departments, by way of open advertisement, by wrongly using the nomenclature of adhoc. The applicants were duly selected and appointed as Lecturers in their respective fields, after advertisement of the posts and on successfully clearing the recruitment process, as per the rules and regulations of the PGIMER. The applicants were duly selected as Assistant Professors between 1996 to 2003, as mentioned therein in the petition (not denied by the respondents). Their appointments were in accordance with the eligibility criteria, prescribed under the statutory rules and regulations and most of them were appointed against the regular sanctioned posts. In pursuance of selection, all the applicants joined their respective posts during the period 1996 to 2003, as Assistant Professors and continued uninterruptedly earning increments and other service benefits. Thus, their appointments were stated to be, as good as permanent, for all intents and purposes.

4. Likewise, the case of the applicants further proceeds, that subsequently PGIMER advertised to fill up the posts manned by them, on regular basis. The applicants, who were already eligible for regular appointments against the said posts, applied. Having



successfully completing the recruitment process, they were duly selected and appointed on regular basis, without any break or interruption, w.e.f. various dates, maintaining and protecting their continuity in service, pay scale and other service benefits including increments, which they were drawing as adhoc appointees. They continued working, as such, uninterruptedly without any break and have been getting promotions as Associate Professors, Additional Professors, and even reached the status of Professors under APS Scheme.

5. According to the applicants, their regular appointments were in continuation of the initial ad-hoc appointments, which were neither stop gap nor short term and ranged from number of years. Their clinical duties were exactly the same as regular faculty. In this manner, they were fully covered under the GPF-cum-Old Pension Scheme, but the competent authority has wrongly treated them as freshly appointed Doctors, after their regular appointments. They approached the respondent authorities for redressal of their grievance and case was favourably recommended by the Director to be put up before the Governing Body, vide letter dated 21.01.2010. Subsequently, a Sub Committee was constituted by the Ministry of Health, vide letter dated 3rd April, 2011 (Annexure A-13). It was claimed that six members of the Committee recommended the case of the applicants for GPF-cum-old Pension Scheme vide letter dated 14.9.2011/05.10.2011 (Annexure A-14). The Governing Body approved the recommendations, vide proceedings dated 28.04.2012 (Annexure A-15). However, subsequently, the matter, which had already been approved by the Governing Body on 28.4.2012, was again taken up

by it and the Ministry, by ignoring its earlier positive recommendations, declined the claims of the applicants vide letter dated 14.12.2013 (Annexure A-16). Again, they made representations on 9.1.2014 (Annexure A-17) and 14.6.2014 (Annexure A-18) but in vain. Their claim was, however, declined vide impugned orders dated 12.10.2017 (Annexure A-1), 15.11.2013 (Annexure A-2) and 12.8.2014 (Annexure A-3), by the competent authority.

6. Aggrieved thereby the applicants have preferred the instant OA challenging the legality of impugned orders and actions of the respondents, inter-alia, on the following grounds:-

- (a) That the respondents failed to examine the claim of the applicants keeping in view the latest law and the similar benefits extended to other PGI employees who are similarly situated and has been rejected on non-existing grounds in as much as applicants were appointed/adjusted against the duly sanctioned posts, whereas it has been stated that many of them were against leave vacancy or deputation vacancies. The point of applicability of the rules on the date of vacancies has not been dealt with including judgment relied upon by the applicants in their earlier O.A. and also factum that their pay has been protected which they were drawing as adhoc employees before regularization and regularization is in continuation of adhoc appointment, which was against the same vacancies and cannot be ignored for the purpose of GPF-cum-pension Scheme particularly when even the daily wages and the employees paid out of contingencies are given the benefit of old pension scheme, even if regularization is after 01.01.2004. The plea of DOPT circular dated 03.04.2013 (Annexure A-38) cannot be used to the disadvantage of the applicants in as much as their continuation was keeping in view the public interest and the interest of the patients and the applicants never applied for continuation of their service, rather the PGI authorities themselves considered them. The circular relied upon by the respondents cannot be applied in the present case. The status of the PGI remains autonomous qua those employees, who have been granted benefit of GPF-cum-old pension scheme though regularization of their services was after 01.01.2004. Applicants have been appointed against the advertisement issued prior to 2004. However, the words that have been mentioned in the appointment letter that they are governed by the New Pension Scheme, is inconsequential as such condition can be applied only qua those who are fresh appointees having no nexus with the earlier service qua employees who are working on adhoc basis. In earlier representations it was duly pointed out and it was thereafter that judgments rendered subsequently were also brought to the notice of the authorities but they have ignored the same. Keeping in view the intervening circumstances and the subsequent developments, Hon'ble Tribunal was pleased to direct them to decide the representation on merit but instead of going into the merit, respondents are sticking to the same view which had already been taken by them and as such, the order dated 12.10.2017 cannot be said to be speaking one and in terms of the

law and the rules on the subject and as such, same is liable to be quashed.

- (b) That it is on the record of the respondents that the applicants were appointed on adhoc basis in the year 1996 to 2003 by open advertisement against regularly sanctioned posts and were allowed to continue without any interruption. Therefore, their entire service is countable towards qualifying service towards old Pension Scheme Benefits.
- (c) That respondents have delayed the case of applicants for regular appointment and as such regular appointment of the applicants is to relate back to the date of initial appointment in view of judgment of the Hon'ble Supreme Court referred as 1990(2) JT 236.
- (d) That on appointment of applicants on regular basis, great prejudice has been caused to them as their entire service of more than 13-14 years is sought to be ignored and on the other hand the persons who also have rendered even 12-13 years of adhoc service similar like applicants, they have been granted the benefit of old pension Scheme benefits. Thus action of the respondents is arbitrary, discriminatory and not sustainable in the eyes of law.
- (e) That not only adhoc service, even work charge and casual service and contractual service followed by regularization is countable for GPF-cum-Pension Scheme and the case of the applicants is on better footings as they were appointed/adjusted against a regular posts prior to 01.01.2004. Hence, their entire service deserves to be counted for pension etc.
- (f) That case of the applicants is covered by the judicial pronouncements including Full Bench judgment passed by the Hon'ble Punjab and Haryana High Court in the case of Kesar Chand's case and judgments passed in the case of Rai Singh and another Versus Kurukshetra University and others as well as in the case of Harbans Lal, as detailed in the body of the O.A.
- (g) That in case of similarly situated employees, who were appointed on adhoc basis as detailed in the body of the O.A. and were regularized subsequently after 01.01.2004, as is evident from Annexure A-19, they had been given benefit of G.P. fund-cum-old Pension Scheme. However, the applicants are not being extended the benefit of G.P.Fund-cum-old Pension scheme. Thus action of the respondents is discriminatory.
- (h) That action of the respondents in not treating the applicants as regular with effect from the date of their initial appointment is harsh, arbitrary, discriminatory, against the principles of natural justice and service jurisprudence and violative of Article 14 and 16. Hence, whole action of the respondents is bad in law.

7. Levelling a variety of allegations and narrating the sequence of events in details, in all, the applicants claim that they are entitled to the benefit of GPF-cum-Old Pension Scheme, which was prevalent on the date of their initial appointments, as Assistant Professors but the competent authority has illegally declined their genuine claim, in this regard. On the strength of the aforesaid grounds, the applicants seek to quash the impugned orders, in the manner indicated hereinabove.

8. On the contrary, the respondents have cosmetically denied the claims of the applicants. The Respondents No. 2 and 3 have filed their written statement (which was duly adopted by Counsel for Respondents No.1&4), wherein it was pleaded that applicants were appointed on adhoc basis during the period 1996-2003. However, their regular appointments were made in pursuance of the fresh advertisement, on substantive vacant posts by the Department, after 1.1.2004. It was submitted that prior to 2004, GPF-cum-Old Pension Scheme was applicable, which has been replaced by Government of India, w.e.f. 1.1.2004, by introducing New Pension Scheme (for brevity "NPS"). The persons, who were appointed before 1.1.2004 are governed under the GPF-cum-Old Pension Scheme, and employees appointed after 1.1.2004, are covered under the NPS. However, it was acknowledged, that the Director, PGIMER, vide letter dated 21.1.2010 had recommended the matter to be put up and the Governing Body of PGIMER, in its meeting held on 28.04.2012 had constituted a Sub-Committee, to look into the grievance of the applicants. The Sub Committee recommended their case vide letter dated 14.9.2011 (Annexure A-14). Thereafter, the matter was placed before the Governing Body, vide Agenda Item No. F-6, in its meeting held on 28.4.2012. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances, and after detailed discussion, it agreed to approve the proposal as a special case. The decision of the Government

Body was referred to the Government of India, Ministry of Health & Family Welfare, vide letter dated 9.7.2012 (Annexure R-2/1). The Government of India, vide letter dated 1.9.2017 (Annexure A-36), has sought various informations / clarifications, which were duly submitted vide letter dated 8.9.2017 (Annexure A-37). However, the Ministry has rejected the representations and claims of the applicants, vide impugned order dated 12.10.2017 (Annexure A-1). In other words, the PGIMER has admitted the claim of the applicants, as genuine, but it was denied by the concerned Ministry, vide impugned order, Annexure A-1.

9. Similarly, the case of the respondents, further proceeds, that as per Regulation No. 61 of Schedule-1 appended to PGIMER, Chandigarh Regulations, 1967, Director of the PGIMER, has been empowered to appoint Faculty, on adhoc basis, for two years. The Governing Body, being an apex body, having the higher dignitary members and competent authority, the meeting is conducted once or twice in a year. Since the recruitment of the faculty is a time consuming process, keeping in view the public interest, exigency of service and heavy rush of patients, the institute filled up these vacancies on adhoc basis, in various disciplines in various departments, as a stop gap arrangement, till final process of recruitment is made. Instead of reproducing the entire contents of the written statement in toto, and in order to avoid the repetition of facts, suffice it to say, that while duly acknowledging the factual matrix and reiterating the validity of the impugned letters / orders, all the respondents have vaguely denied all other allegations and grounds, contained in the OA, and prayed for its dismissal.

10. Controverting the pleadings of the written statement filed by the respondents and reiterating the grounds contained in the OA, the applicants have filed the rejoinder, and prayed for the acceptance of the O.A. That is how, we are seized of the matter.
11. Having heard the learned counsel for the parties, having gone through the record and legal provisions with their valuable assistance & after bestowal of thought over the entire matter, we are of the firm view that the instant OA deserves to be accepted, in the manner and for the reasons mentioned here-in-below.
12. As depicted hereinabove, the facts of the case are neither intricate, nor much disputed, and fall within a very narrow compass, to decide the real controversy between the parties. Such being the material on record and legal position, now the short and significant question, that arises for our consideration, in this case is as to whether the services of the applicants would be reckoned from the date of their initial appointments, for all intents and purposes, including the benefit of GPF-Old Pension Scheme, in the given peculiar facts and special circumstances of this case or not?
13. Having regard to the rival contentions of the learned counsel for the parties, to our mind, the answer must obviously be in the affirmative, in this relevant connection.
14. Ex-facie, the main celebrated arguments of the learned counsel for the respondents and their objections projected in the impugned orders, that since the FGIMER, Chandigarh, has not taken any approval of the Department of Personnel & Training (DoP&T) before extending the adhoc appointments, till the regular appointments of the applicants, so they are not entitled for the

benefit of the GPF-cum-Old Pension Scheme, and if it is granted to them, then it will open floodgates of litigation, for other institutions, are not only devoid of merit, but mis-placed as well and deserve to be repelled for, more than one, (following) reasons.

15. At the first instance, it is not a matter of dispute, that having possessed the requisite qualifications and experience etc, in pursuance of the advertisement and having successfully completed the recruitment process as per statutory rules and regulations of the PGIMER, all the Doctors (applicants) were duly appointed as Assistant Professors, in their respective fields, during the period ranging from 1996 to 2003, by the Competent Authority. Since then, they are performing the same duties with devotion, which are performed by regular appointees. Similarly, the clinical duties of all the Doctors (applicants) are the same, as performed by regular incumbents. Subsequently, the PGIMER advertised the posts manned by the applicants, for filling on regular basis. The applicants, have requisite qualifications & experience, and were eligible for regular appointments against the said posts, as well. They were duly selected and appointed, on regular basis, without any interruption maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, which they were drawing as adhoc appointees.

16. In that eventuality, for the purpose of pensionary benefits, the qualifying service of the applicants shall commence from the date, they took charge of the posts, to which they were first appointed, in temporary capacity, as that temporary service was followed, without interruption, by substantive permanent appointments in the same service/posts, as contemplated under

Rule 13 (Chapter III) of the Central Civil Services (Pension) Rules, 1972 (Annexure A-28).

17. Not only that, as indicated hereinabove, the applicants continued working, as such, uninterruptedly and without any break. Even the Respondents No.2 & 3, have duly acknowledged the factual matrix, in this regard, in their written statement. Therefore, in this manner, the initial service of the applicants would be reckoned for all intents and purposes including GPF-cum-Old Pension Scheme, in view of the observations of the Hon'ble Apex Court in the case of Rudra Kumar Sain and others v. Union of India & others, (2000) 8 SCC 25, wherein it was held that in service jurisprudence, a person, who possesses the requisite qualification for being appointed to a particular post, and then he is appointed with approval and consultation with the appropriate authority and continues in the post for a fairly long time, then such an appointee cannot be held to be stop-gap or fortuitous or purely adhoc. Such employee is entitled to benefit of his service with effect from his initial appointment (as in the present case).

18. Sequelly, it was held by Hon'ble Supreme Court in Dr. Chandra Prakash v. State of U.P (2002) 10 SCC 710, that the appellants (therein) who had been appointed against substantive vacancies and were continuing from 1965-1976 to 1983, and were enjoying all the benefits of regular service, are entitled to seniority from the date of initial appointments.

19. Similarly, Constitution Bench of Hon'ble Apex Court in the case of Direct Recruit Class II Engineering Officers' Association v. State of Maharashtra and others, (1990) 2 SCC



715, has held that once an incumbent is appointed to a post according to the rules, the seniority has to be counted from the date of initial appointment, for all intents and purposes. Moreover, the matter of counting initial service for the purpose of pensionary benefits, is no longer *res-integra* and is now well settled.

20. An identical question came to be decided by Division Bench of the Hon'ble Punjab & Haryana High Court in the case of Rai Singh and another v. Kurukshetra University, Kurukshetra, Civil Writ Petition No.2246 of 2008, decided on August 18, 2008, in which it was held, that any service rendered on contract basis or adhoc service etc, is to be counted towards the pensionary benefits, as under:

"4. Learned counsel for the petitioners relies upon a Full Bench judgment of this Court in Kesar Chand v. State of Punjab and others, 1988(2) PLR 223, wherein validity of Rule 3.17 (ii) of the Punjab Civil Services Rules, Volume II was considered, which provided for temporary or officiating service followed by regularization to be counted as qualifying service but excluded period of service in work charge establishment. It was held that if temporary or officiating service was to be counted towards qualifying service, it was illogical that period of service in a work charge establishment was not counted.

6. As held in Kesar Chand (supra), pension is not a bounty and is for the service rendered. It is a social welfare measure to meet hardship in the old age. The employees can certainly be classified on rational basis for the purpose of grant or denial of pension. A cut off date can also be fixed unless the same is arbitrary or discriminatory. In absence of valid classification, discriminatory treatment is not permissible.

21. Likewise, the Hon'ble Punjab & Haryana High Court in the case of Harbans Lal Vs. The State of Punjab & Others, CWP No.2371 of 2010 decided on 31.8.2010 (Annexure A-31), has, inter-alia, ruled as under :-

"Mr. Shalender Mohan, Advocate for the petitioner has further argued that this issue has been considered in a number of judgments while interpreting Rule 3.17 A of the CSR Vol.2. Reference can be made to the judgments of this

Court in case of Kashmir Chand Vs. Punjab State Electricity Board and others 2005 (4) RSJ, 581 and Ram Dia and others Vs. Uttar Haryana Bijli Vitran Nigam Ltd. and another 2005(4) RSJ, 689, Hari Chand Vs. Bhakra Beas Management Board and others, 2005(2) RSJ, 373 and Balbir Singh Vs. State of Haryana and others 2004(4) RSJ, 71. Full Bench while dealing with a similar controversy in the case of Kesar Chand Vs. State of Punjab 1998 (2) PLR 223 has held as under:-

"Once the services of a work-charged employee have been regularized, there appears to be hardly any logic to deprive him of the pensionary benefits as are available to other public servants under Rule 3.17 of the Rules. Equal protection of laws must mean the protection of equal laws for all persons similarly situated. Article 14 strikes at arbitrariness because a provision which is arbitrary involves the negation of equality. Even the temporary or officiating service under the State Government has to be reckoned for determining the qualifying service. It looks to be illogical that the period of service spent by an employee in a work-charged established before his regularization has not been taken into consideration for determining the qualifying service. The classification which is sought to be made among Government servants who are eligible for pension and those who started as work-charged employees and their services regularized subsequently, and the others is not based on any intelligible criteria and, therefore, is not sustainable at law. After the services of a work charged employee have been regularized, he is a public servant like any other servant. To deprive him of the pension is not only unjust and inequitable but is hit by the vice of arbitrariness and for these reasons the provisions of sub rule (ii) of Rule 3.17 of the Rules have to be struck down being violative of Article 14 of the Constitution."

9. The aforesaid view was further reiterated by this Court in the cases of Joginder Singh, Hazara Singh and Nasib Singh (supra). A conjoint reading of the rules, quoted above and the observations of the Full Bench would reveal that it is by now well established that period of service rendered on daily wage/work charges prior to regularization of services is liable to be counted for the purposes of gratuity and pension."

The consistent view of the judgment is that work charge service rendered before regularization, is liable to be counted as qualifying service for the purpose of pension. A Division Bench of this Court was seized of a case in which vires of Rule 3.17 A was challenged whereby half of the service paid out of contingency fund was to be counted as qualifying service. This rule has been struck down in a judgment of this Court in case of Joginder Singh v. State of Haryana, 1998 Vol.1, SCT 795. Once the entire service paid out of contingency, is liable to be counted for the purpose of qualifying service, a causal/daily rated service is also bound to be counted as qualifying service.

A Division Bench judgment in case of Smt. Ramesh Tuli Vs. State of Punjab and others, 2007(3) SCT, 791 examined the proposition as to what would be the qualifying service for pension as per Clause 6(6) of the 1992 Pension Scheme applicable to the Punjab Privately Management Recognized Schools Employees. In paragraph 6 of the judgment, the following observation has been made:-

"There is another aspect of the matter. Hon'ble the Supreme Court in the case of Vansant Gangaramsa Chandani v. State of Maharashtra, 1996(4) SCT 403: JT 1996 (Supp.) SC 544, has considered clause 23 of Chapter VI of a Pension Scheme of the Hyderabad Agricultural Committee, which is as under:-

"4. Clause 23 of Chapter VI in the scheme reads as under:  
"Qualifying service of a Market Committee employee shall commence from the date he takes charge of the post to which he is first appointed or from the date the employer started deducting the P.F. contribution for the employee which ever later."

It was held that the clauses of the Scheme have to be read by keeping in view the fact that pension is not a bounty of the State and it is earned by employees after rendering long service to fall back upon after their retirement. The same cannot be arbitrarily denied. The clause was subjected to the principle of 'reading down' a well known tool of interpretation to sustain the constitutionality of a statutory provision and accordingly it was read down to mean that the qualifying service could commence either from the date of taking charge of the post to which the employee was first appointed or from the date he started contributing to the Contributory Provident Fund whichever was earlier.

The ratio of the above mentioned judgment would apply to the facts of the instant case, inasmuch as, the provision made in clause 6(6) of the 1992 Scheme has to be read down to mean that qualifying service would commence from the date of continuous appointment, which is 17.8.1965 in the present case, or from an earlier date if the employer had started contributing to the Contributory Provident Fund whichever is earlier. Therefore, the petitioner would be entitled to count her service with effect from the date of her appointment and approval i.e. 17.8.1965."

The writ petition was allowed and the petitioners were held entitled to count their entire service w.e.f. 17.8.1965 to 30.9.2001 as qualifying service for the purposes of pension. However, the Contributory Provident Fund was required to be adjusted and deducted from the arrears of her pension. We come to the conclusion that the petitioners' initial date of appointment after regularization will be the date on which employee takes charge of the post. Once the entire service of a daily wager is to be counted as qualifying service then his date of appointment will relegate back to his initial date of appointment i.e. 1988 and he cannot be ousted from pension scheme by applying the date of regularization i.e. 28.3.2005 which is evidently after the new scheme or new restructured defined Contribution Pension Scheme came into force w.e.f. 1.1.2004.

Reliance has been placed by the respondents on a Single Bench judgment in case of Ramesh Singh and others Vs. State of Punjab CWP No.5092 of 2010 decided on 22.3.2010). No benefit can be derived by the State on behalf of the judgment because Rule 3.17 of the Punjab Civil Service Rules Vol.II has not been discussed in the judgment. A request for extension of pension scheme has been repelled in the judgment on the ground that petitioners who were working in the Board on work charge

basis were regularized by the Board. Since, there was no scheme of pension in the Board, their claim of pension was rejected. On the other hand, the employees who had come from the department of Health on deputation to the Board, and who on repatriation to the parent department were held entitled to a pension by virtue of pension scheme applicable in the parent department. This judgment is not applicable on the facts in the present case.

The next question for consideration is whether the clarification issued by the State of Punjab, vide instructions dated 30.5.2008 (Annexure P-3) which runs against amendment made vide Annexure P-2. A similar issue has come up before the Hon'ble Division Bench of this Court in case of *Harjinder Singh Vs. State of Punjab 2004(3) SCT 1*. The Division Bench while interpreting the executive instructions vis-à-vis statutory rules namely, pension rules held as follow:-

"The above instructions issued by the Director Local Government purporting to interpret the Pension Rules are in fact contrary to the same. Besides, the said instructions cannot substitute or supplant the substantive provisions of the Pension Rules. However, as already notice above, there is nothing in the Pension rules which requires the 'qualifying service' to be computed from the date of the employee makes contribution towards C.P.Fund or from the date of his confirmation. Rather the position is that the 'qualifying service' is to be counted in terms of Rule 2(j) for the period of service rendered by the employee for which he is paid from the Municipal Funds which is the fund constituted under Section 51 of the Punjab Municipal Act. The emphasis on the words "appointed on regular basis" in the above memo on the basis of Rule 1 (3) (ii) of the Pension Rules is also misplaced. Rule 1(3)(ii) of the Pension Rules, in fact provides that the Pension Rules shall apply to the employees of the Committee who are appointed on or after the first day of April, 1990 on whole time regular basis and opt for the said rules.....".

The Bench, thereafter, concluded as follows:-

"17. Keeping in view the above facts and circumstances, it is evident that the stand of the respondents that the 'qualifying service' of the petitioner is to be counted from the date he started making contributions to the C.P. Fund is absolutely misconceived and baseless. The same is not supported by the Pension Rules applicable in respect of the petitioner. The petitioner, therefore, has been unnecessarily denied the benefit of pension, which as per the settled law, is not a bounty or a matter of grace nor an ex gratia payment payable at the sweet will and pleasure of the Municipal Council (respondent No.4). It is a payment for the past service rendered and is a social welfare measure to those who in the hey day of their life rendered service on an assurance that in their old age they would not be left in the lurch. The payment of pension is governed by the Pension Rules governing the grant of pension to the employees of the Municipal Council. It is the liability undertaken by the Municipal Council under the Pension Rules and whenever it becomes due and payable it is to be paid."

This view has been followed by a Division Bench of this Court in case of *Hans Raj Vs. State of Punjab and others, 2005(3) RSJ, 262*. In this case the Division Bench examined the Punjab Municipal Employees Pension and

General Provident Fund Rules, 1994. Vide instructions dated 8.1.1999, the State of Punjab had provided that since the Pension Rules has been made applicable in lieu of CPF, the period to be considered as qualifying for pension has to be restricted to the period for which the employee was contributing to his CPF. These instructions were held contrary to the Pension Rules by the Division Bench. The Division Bench held that the said instructions cannot substitute or supplant the substantive provisions of the Pension Rules. The petitioner was held entitled to count his entire service from 1962 to 1998 as qualifying service for the purpose of pension. The condition that qualifying service would commence from the date of contribution to the CPF, has been rejected by the Division Bench.

From the above discussion, we have come to the conclusion that the entire daily wage service of the petitioner from 1988 till the date of his regularization is to be counted as qualifying service for the purpose of pension. He will be deemed to be in govt. service prior to 1.1.2004. The new Re-structured Defined Contribution Pension Scheme (Annexure P-1) has been introduced for the new entrants in the Punjab Government Service w.e.f 01.01.2004, will not be applicable to the petitioner. The amendment made vide Annexure P-2 amending the Punjab Civil Services Rules, cannot be further amended by issuing clarification/instructions dated 30.5.2008 (Annexure P-3). The petitioner will continue to be governed by the GPF Scheme and is held entitled to receive pensionary benefits as applicable to the employees recruited in the Punjab Govt. Services prior to 1.1.2004.

In view of the above, the writ petition is allowed. Accordingly respondents are directed to treat the whole period of work charge service as qualified service for pension because accordingly to clarification issued on 30.5.2008 (Annexure P-3), the new defined Contributory Pension Scheme would be applicable to all those employees who have been working prior to 1.1.2004 but have been regularized thereafter."

22. What cannot possibly be disputed here is that the judgment, Annexure A-31, has already attained the finality as SLP No. © No. 23578 of 2012 filed by the State of Punjab, was dismissed vide order dated 30.7.2012 and Review Petition © No. 2038 of 2013 was also dismissed, vide order dated 4.11.2015 (Annexure A-32), by Hon'ble Supreme Court. Therefore, it is held that the services of the applicants would be reckoned from the date of their respective initial appointments (1996 to 2003), for all the service benefits, including the benefit of GPF-cum-Old Pension Scheme, which was in operation, at that point of time.

23. In the same manner, the second feeble argument & ground to reject the claim of the applicants, vide impugned order, Annexure A-1, that if the request of faculty members of the Institute is allowed, then it will give rise and would open flood gates of litigation by a number of representations from various other Institutions/organizations, is again not, at all, tenable. Once, it is held that the applicants are legally entitled to the benefit of GPF-cum-Old Pension Scheme, as discussed here-in-above, then their claim cannot possibly be denied on the ground that it will give rise to a number of representations and would open flood gates of litigations, by various other Institutions/organizations for grant of similar relief. It is now well settled principle of law that the legitimate and legal right of the applicants cannot be denied to them, in the garb of plea of opening of Flood Gate Litigations. The Hon'ble Apex Court has held in the case of Coal India Ltd vs. Saroj Kumar Mishra, 2008 (2) SCC (L&S) 321, that plea of opening of Flood Gate Litigation, is no ground to take away the valuable legal right of a person. Such arguments were held to be of desperate, only because there was possibility of Flood Gate Litigation. Same analogy was reiterated by the Hon'ble Apex Court in the cases of Zee Telefilms Ltd. and Anr. v. Union of India and Ors. [(2005) 4 SCC 649], Woolwich Building Society Vs. Inland Revenue Commissioners (No.2) [(1992) 3 All ER 737] and Johnson Vs. Unisys Ltd. [(2001) 2 All ER 801], wherein it was ruled that it is trite that only because floodgates of cases will be opened, by itself may not be a ground to close the doors of courts of justice. The doors of the courts must be kept open but the Court cannot shut its eyes. Thus, the contention raised and grounds

taken by the respondents, in the impugned order, to reject the claim of the applicants, are not only arbitrary, illegal but speculative as well. Hence the impugned orders deserve to be set aside, in the present set of circumstances.

24. There is yet another aspect of the matter, which can be viewed entirely from a different angle. It is not a matter of dispute that earlier also the Government of India, has constituted a Committee to examine the issue of applicability of the GPF-cum-Old Pension Scheme to similarly situated faculty members on adhoc basis, before 1.1.2004 and thereafter appointed on regular basis in PGIMER or other similar institutions vide order dated 3.4.2011 (Annexure A-13). The Committee, duly considered the matter, and resolved as under:-

Following attended the meeting:

- |  |                      |
|--|----------------------|
| 1. Sh. Debashish Panda, Joint Secretary (HR) | Chairman             |
| 2. Ms. Chandian Mishra Dwivedi, CA           | Member               |
| 3. Sh. R.T. Venkatasamy, DS (IPD)            | Member               |
| 4. Ms. Vaisamma K. Daniel, Under Secretary   | Rep. of Director(AS) |
| 5. Sh. P.C. Akcia, Sr. Adm. Officer(I),PGI   | Member Convener"     |

Sh. Attar Singh, Chief Administrative Officer, AIIMS, New Delhi did not attend the meeting.

At the outset, the Chairman asked the details of the case from the Member Convener. It was informed to the members that there are about 23 faculty members who were appointed on adhoc basis (as per details in Annexure) without break prior to 01.01.2004 and have been working without break till their appointment on regular basis as Assistant Professors after 01.01.2004. They have represented for applicability of Old Pension Scheme in their case as they were appointed prior to 01.01.2004. It was also informed that the matter was earlier referred to the Govt. of India on 23.06.2009 and in response this Ministry of Health and Family Welfare, vide their letter dated 01.01.2010 intimated that the proposal was sent to DOPT and they have stated that

"Since PGIMER, Chandigarh, in their offer of appointment had Stated that only NPS will apply in these cases, it is for them to resolve the matter".

The matter was placed before the Governing Body on 17.01.2011, the Governing Body recommended that Sub-Committee to examine the issue may be constituted in the Ministry as to whether any departure from the NPS can be considered in PGIMER or other similar institutions on the ground that the initial ad hoc appointments have taken effect from a date earlier than 01.01.2004. Accordingly a Sub-Committee was constituted under the Chairmanship of JS (HR).

The Committee was informed that all these faculty members have been appointed against the regular vacancies and pay protection was also allowed to them on their appointment on regular basis.

After due deliberations the Committee considered that there is a case / ground for extending benefits of CCS (Pension) Rules, 1972 (Old Pension Scheme) to these 23 faculty members. The request is further strengthened on the grounds that the meeting of Standing Selection Committee for selecting them on regular basis could not be held regularly, which is beyond the knowledge and control of these 23 faculty members. The Committee, however, further observed that it should be a onetime measure and should not be quoted as precedent in future.

This committee recommends for extending the benefit of Old Pension Scheme to these 23 faculty members after approval by the Competent Authority".

25. Admittedly, the recommendations of the Committee have been accepted and implemented, as such the benefit of the GPF-cum-Old-Pension Scheme was granted to the similarly situated eligible persons. Therefore, since the respondents have extended this benefit to similarly situated faculty-members of PGIMER, so they cannot possibly be now permitted to discriminate the applicants, in this relevant connection. Thus, the applicants in the instant case are also held legally entitled to the similar treatment and benefit of GPF-cum-Old Pension Scheme, in the similar circumstances of the case on the principle of parity and equality, enshrined under Articles 14 and 16 of the Constitution of India, in view of the observations of Hon'ble Apex Court in cases Man Singh Vs. State of Haryana and others AIR 2008 SC 2481 and Rajendra Yadav Vs. State of M.P. and Others 2013 (2) AISLJ, 120, wherein, it was ruled that the concept of equality as enshrined in Article 14 of the Constitution of India embraces the entire realm of State action. It would extend to an individual as well not only when he is discriminated against in the matter of exercise of right, but also in the matter of imposing liability upon him. Equal is to be treated equally even in the matter of executive or administrative action. As a matter of fact, the Doctrine of equality is now turned



as a synonym of fairness in the concept of justice and stands as the most accepted methodology of a governmental action. It was also held that the administrative action should be just on the test of 'fair play' and reasonableness, which is totally lacking in the instant case.

26. This is not the end of the matter. What cannot possibly be disputed is that in the wake of representations of the applicants, the Director of the PGIMER, vide letter dated 21.1.2010, favourably recommended their cases and forwarded it to be put up and the Governing Body of the PGIMER (Central Government), in its meeting, held in January, 2011, had constituted a 6 Member sub-Committee, to look into the grievance of the applicants. The Committee had also favourably recommended their case, vide letter dated 14.9.2011 (Annexure A-14). Then, the matter was considered by the Governing Body under Agenda No. F-6 on 28.04.2012 and it was resolved that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier.

27. Meaning thereby, had the meeting of the Governing Body was timely held, then the service of the applicants would have been regularized much prior thereto. In other words, since the respondents failed to convene the timely meeting of the Governing Body, so the applicants, cannot, possibly be blamed, in any manner, in this regard. Concededly, the Governing Body appreciated the circumstances and after detailed discussion, agreed to approve the proposal to grant the benefit of GPF-cum-Old Pension Scheme, to the applicants, as a special case, vide Agenda

Item No. F-6, in its meeting held on 28.4.2012, and it was resolved as under :-

"The matter was discussed in detail. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances but at the same time the fact remains that these faculty members were actually appointed on regular basis only after 01.01.2004. After detailed discussion, the Governing Body agreed to approve the proposal as a special case, which could not be cited as a precedence, subject to the approval of the government".

28. Surprisingly enough, the Ministry of Health and the Competent Authority, without assigning any cogent reasons, and without any detailed discussion of legal / rule position and entitlement of the applicants, have taken a somersault, and rejected their claim, on speculative grounds. Admittedly, as per Regulation No. 61 of Schedule-1 appended to PGIMER, Chandigarh Regulations, 1967, its Director has been empowered to appoint Faculty, on adhoc basis, for two years. It was duly acknowledged and explained by Respondents No.2&3 in their written statement that since, the meeting of the Governing Body, is held once or twice a year, so keeping in view the public interest, exigency of service and heavy rush of patients, the institute filled up these vacancies on adhoc basis, in various disciplines in various departments, as a stop gap arrangement, till final process of recruitment is made. As the applicants, continued on their respective posts, till their regular appointments, so the mere fact the PGIMER has not obtained the approval of the DoP&T, is not a ground, much less cogent, to deny the legitimate claims of the applicants, in this relevant connection, as contrary projected on behalf of the respondents. It was for the competent authorities to get alleged approval from the DoP&T (if

any), and the applicants cannot possibly be blamed, in any manner, in this regard, and their legitimate right cannot be taken away. Thus, any such administrative instructions, requiring the approval of the DoP&T, for extension of adhoc service, pail into insignificance, in view of the failure of the authorities. The respondents, therefore, now cannot possibly be heard to say, rather estopped, from their own act and conduct, to deny the pointed benefits of GPF-cum-Old Pension Scheme to the applicants.

29. The matter did not rest there. As indicated earlier, that the Ministry of Health and the competent authority, in the impugned orders, have rejected the claims of the applicants, without assigning any cogent reasons. The impugned orders are, thus, sketchy, non-reasoned and result of non-application of mind. Such orders, cannot, even otherwise, be legally sustained in view of the (following) law laid down by Hon'ble Apex Court.

30. Exhibiting the necessity of passing of speaking orders, the Hon'ble Apex Court in the case of Chairman, Disciplinary Authority, Rani Lakshmi Bai Kshetriya Gramin Bank Vs. Jagdish Sharan Varshney and Others (2009) 4 SCC 240 has in para 8 held as under:-

"8. The purpose of disclosure of reasons, as held by a Constitution Bench of this Court in the case of S.N.Mukherjee vs. Union of India reported in (1990) 4 SCC 594, is that people must have confidence in the judicial or quasi-judicial authorities. Unless reasons are disclosed, how can a person know whether the authority has applied its mind or not? Also, giving of reasons minimizes chances of arbitrariness. Hence, it is an essential requirement of the rule of law that some reasons, at least in brief, must be disclosed in a judicial or quasi-judicial order, even if it is an order of affirmation".

31. Sequelley, similar question came to be decided by Hon'ble Apex Court in a celebrated judgment in the case of M/s Mahavir Prasad Santosh Kumar Vs. State of U.P. & Others 1970 SCC (1)

764 which was subsequently followed in a line of judgments. Having considered the legal requirement of passing speaking order by the authority, it was ruled that "recording of reasons in support of a decision on a disputed claim by a quasi-judicial authority ensures that the decision is reached according to law and is not the result of caprice, whim or fancy or reached on grounds of policy or expediency. A party to the dispute is ordinarily entitled to know the grounds on which the authority has rejected his claim. It was also held that "while it must appear that the authority entrusted with the quasi-judicial authority has reached a conclusion of the problem before him: it must appear that he has reached a conclusion which is according to law and just, and for ensuring that he must record the ultimate mental process leading from the dispute to its solution. The same view was again reiterated by Hon'ble Apex Court in the case of Divisional Forest Officer Vs. Madhusudan Rao JT 2008 (2) SC 253. Such authorities are required to pass reasoned and speaking orders, adversely effecting civil rights of the employees, which is totally lacking in the present case.

32. Therefore, if the entire indicated facts and material on record, as discussed hereinabove, are put together, and analyzed with regard to the legal position, then to us, no one can escape in recording an inescapable and irresistible conclusion, that the entire service of the applicants, would be reckoned from the date of their initial appointments, for all intents and purposes, including the benefit of GPF-cum-Old Pension Scheme, in the obtaining circumstances of the case. Hence, the contrary arguments and the pointed reasons projected on behalf of the respondents, in the impugned orders, deserve to be and are hereby repelled, under the present set of circumstances.

As such, the ratio of law laid down in the indicated judgments, *mutatis mutandis*, is applicable to the present controversy and is the complete answer to the problem in hand. In case, the legitimate right of the applicants of GPF-cum-Old Pension Scheme is denied to them, in that eventuality, it will inculcate and perpetuate, unbearable monetary loss and great injustice to them, which is not legally permissible.

33. No other point worth consideration has either been urged or pressed by the learned counsel for the parties.

34. In the light of the aforesaid prismatic reasons, the instant OA is accepted, as prayed for. As a consequences thereof, impugned orders dated 12.10.2017 (Annexure A-1), dated 15.11.2013 (Annexure A-2), dated 12.08.2014 (Annexure A-3) and any other such orders / instructions, having the effect of denial of benefit of GPF-cum-Old Pension Scheme to the applicants, are hereby set aside. At the same time, the competent authority is directed to grant the benefit of GPF-cum-Old Pension Scheme to them, prevalent at the relevant time of their respective initial appointments, along with all the consequential benefits, arising therefrom, in accordance with rules and law. However, the parties are left to bear their own costs.

(P. GOPINATH)  
MEMBER (A)

(JUSTICE M.S. SULLAR)  
MEMBER (J)

Dated: 13.08.2018

HC'

Handwritten signature and date: 11/28/2018



## High Court of Punjab and Haryana

Chandigarh

### Case Details For Case: CWP-26482-2018

Diary Number	2090306	District	NEW-DELHI
Category	4.8-CENTRAL ADMINISTRATIVE TRIBUNAL	Main Case Detail	
Party Detail	UNION OF INDIA AND OTHERS V/S DR NEELAM AGGARWAL AND OTHERS		
Advocate Name	NAMIT KUMAR (P-982-1993)	List Type	URGENT
Status	DISMISSED on 22-OCT-2018 by HON'BLE.MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE.MR. JUSTICE AVNEESH JHINGAN		

### Related Cases/Miscellaneous Applications

CM-15593-CWP-2018	IN CWP-26482-2018
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### Case Listing Details

Case List Date	List Type:Sl. No.	Bench	Order Link
22-OCT-2018	URGENT:121	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	
12-OCT-2018	URGENT:107	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	<a href="#">View Interim Order</a>

### Details of Copy Petition Applied to: CWP-26482-2018

Petition Type/No	Petition Date	Applied By	Petition Status
Ordinary:1085016	23-OCT-2018	Advocate/Clerk ADV-GURMINDER SINGH/ JAI SINGH SAINI	Pending

### Judgment Details For Case: CWP-26482-2018

Party Detail: UNION OF INDIA AND OTHERS V/S DR NEELAM AGGARWAL AND OTHERS

Order Date	Order and Case-ID	Bench	Judgment Link
12-OCT-18	Interim Order in CWP-26482-2018	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	<a href="#">View Order</a>

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr. No:121

CWP No. 26482 of 2018

DECIDED ON: OCTOBER 22, 2018

UNION OF INDIA & OTHERS

..PETITIONERS

VERSUS

DR. NEELAM AGGARWAL AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.  
HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Namit Kumar, Sr. Panel Counsel,  
for the petitioners.

Mr. Gurminder Singh, Sr. Advocate with  
Ms. Harpriya Khaneka, Advocate  
for the respondent-Caveators.

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AVNEESH JHINGAN, J.

This writ petition has been filed seeking quashing of order dated 13.03.2018 (Annexure P-5) passed by the Central Administrative Tribunal, Chandigarh (for brevity 'the Tribunal') allowing the Original Application (OA) filed by respondents No.1 to 21 in this petition (hereinafter referred to as 'respondents') and granting the benefit of GPF-cum-Old Pension Scheme (for short 'OPS') prevalent at the time of their

initial appointment.

2. The factual matrix relevant to the issue raised and canvassed in the petition is that respondents were appointed on ad-hoc basis in Post Graduate Institute of Medical Education and Research Centre, Chandigarh (for short 'PGIMER') on different dates between the period i.e. 12.06.1996 to 24.12.2003 on the post of Lecturer. The post of Lecturer was later re-designated as Assistant Professor. The appointment letter stated that they were being appointed purely on ad-hoc basis and this appointment will not bestow on the person a claim for regular appointment or ad-hoc service rendered would not count for the purpose of seniority in that grade or for the eligibility of promotion to the next grade.

3. Due to some administrative exigencies, recruitment of doctors on regular basis was delayed and keeping in view the working and services provided by PGIMER and also considering larger public interest and exigencies of services ad-hoc appointments were made. Later, regular recruitment process was initiated for filling up vacancies for the post of Assistant Professor. The respondents also applied and got selected on various dates ranging between 21.12.2005 to 23.04.2011.

4. During the intervening period, the Government of India introduced a New Pension Scheme (NPS) for its new employees. NPS was mandatory for the Central Government employees who had joined on or after 01.01.2004. The employees of PGIMER were also covered under the NPS. Earlier, the employees were covered under the OPS. The PGIMER relying upon the letter No. V-17020/4/2007-MB-II, dated 28.06.2007 issued by the Ministry of Health and Family Welfare (for short 'Ministry')



clarifying the applicability of NPS held that the respondents would be covered under the NPS. The relevant portion of the aforesaid letter is reproduced as under:-

*"the faculty who were working on regular basis on the lower posts and selected as Direct Recruits in the Grade of Professor, are governed by the earlier pension rules and those who are appointed on regular basis to any post as Direct Recruits, on or after 01.01.2004, would be covered by the New Pension Scheme even though they may have been working on adhoc basis in any post in the Institute."*

5. Thereafter, the respondents made a representation for grant of benefits of the OPS. The matter was put before the Governing Body. The Governing Body in its meeting held in January, 2011 constituted a Sub-Committee to look into the grievance of respondents. The said committee recommended the case of respondents vide letter dated 14.09.2011. The matter was placed before the Governing Body in its meeting held on 28.04.2012. The Governing Body recommended that the respondents should be covered under the OPS. The decision was subject to the approval of Government of India. The matter was referred to Government of India i.e. Ministry of Health & Family Welfare. The same was rejected by the Ministry vide its letter dated 05.11.2013. It was decided that since the respondents were not appointed on regular basis as on 31.12.2003, hence, they would be covered under the NPS. The said decision was conveyed to the respondents. The respondents again submitted a representation for being considered under the OPS. The representation was again rejected vide letter dated 12.08.2014.

6. Aggrieved of the rejection, the respondents filed OA bearing No. 060/00848/2017. The Tribunal vide order dated 31.07.2017, directed the Ministry to consider and decide the representations, by passing a speaking order. In pursuance of the order dated 31.07.2017 passed by the Tribunal, the Ministry decided the representation and rejected the same vide letter dated 12.10.2017 and it was held that NPS would be applicable to the respondents.

7. The decision of the Ministry was assailed before the Tribunal by filing OA No. 0060/00105/2018. The said OA was allowed by the Tribunal vide its order dated 13.03.2018. It was held that respondents would be covered by OPS prevalent at the time of their initial appointment. Aggrieved of the said order, the present petition has been filed.

8. Learned counsel for the petitioners has vehemently argued that the Tribunal erred in allowing the OA and the same was liable to be dismissed on the principles of delay and laches, as the claim of the respondents was rejected in November, 2013. Learned counsel for the petitioners has placed reliance upon the judgments of Supreme Court rendered in the cases of "State of Tripura and others vs. Arabinda Chakraborty and others; 2014 (6) SCC 460" and "Union of India and others vs. A. Durairaj (Dead) by LRs; 2010 (14) SCC 389."

9. On merits, it was argued that the respondents were appointed on regular basis only after 01.04.2004 and were governed by NPS. The grievance is that the Tribunal had wrongly framed the issue involved in the case.

10. The counsel for the petitioners placed reliance on the

conditions of appointment letter, stating that the initial appointment was purely on ad-hoc basis. It was clearly mentioned that it shall not bestow on the person a right to claim regular appointment and the ad-hoc service would not be counted for the purpose of seniority or for eligibility for promotion. The contention raised was that it is not a case where the respondents were regularized instead they were given fresh appointments after 01.04.2004.

11. Learned counsel for the respondents rebutting the contentions of the petitioners argued that the respondents were initially appointed against regular vacancies. They were given regular pay scales and due increments were granted to them. Further the respondents were entitled to medical and housing facilities given at par with the regular employees. Still further, it was submitted that at the time of regular appointment, the pay, which the respondents got alongwith increments, was protected. Whereas, in the case of fresh appointment the candidates were given fresh pay scales. For this he relied upon minutes of Sub-Committee meeting.

12. To buttress his contention, learned counsel stoutly contended that OPS has already been applied to persons similarly situated non-faculty staff.

13. The contention raised by the petitioners lacks merit.

14. The Tribunal rightly rejected the contention of the petitioners that OA was liable to be dismissed on the principles of delay and laches.

15. The regular appointment of the respondents varies between 21.12.2005 to 23.04.2011. They moved representations, which were favourably considered upto governing body. It was only at the Government

level that their claim was rejected vide letter dated 05.11.2013. The respondents moved another representation, which was rejected vide letter 12.08.2014. Subsequently, representation was made. The same was not being considered, hence, the respondents filed OA before the Tribunal. The Tribunal vide its order dated 31.07.2017 issued direction that the representation be decided by passing a speaking order.

16. It is pertinent to note here that the petitioners never challenged the order of the Tribunal. Moreover, the relief claimed by the respondents is not such which creates administrative complications. No complication would be caused to other employees, as it will not affect the position regarding the seniority and promotion granted to others. The respondents had only claimed that OPS would be applicable to them. Even otherwise, such a plea ought not to be raised by Union of India, who is a welfare State, more particularly when no delay and laches can be attributed to the respondent.

17. The reliance upon the Supreme Court's judgments referred above does not enhance the case of the petitioners. The said cases are not applicable to the facts and circumstances of the present case. In Arabinda Chakraborty's case (supra), the Apex Court was dealing with a case where the respondent was given a fresh appointment after termination of his earlier service. He never raised any grievance of fresh appointment after termination and after more than a decade, he raised the grievance about his seniority. His claim was stale and hence no relief was granted, as it would have affected the other employees who were granted the seniority or promotion over the years.

18. In A. Durairaj's case (supra), respondent was claiming retrospective promotion after a delay of two decades. Apart from the delay, it would have created administrative complications and therefore, the Court considered the fact that even if the challenge to the medical test undertaken in the year 1976 is upheld, still respondent would not have been eligible to be promoted without passing a written examination. Hence, failure to promote the respondent on ad-hoc basis had no bearing on his chances of regular promotion. Whereas, in the present case respondents are neither claiming seniority nor promotion. Even allowing their claim will not affect any other employee. This is not a case where claim can be dismissed on the ground of delay and laches.

19. Equally, contention of learned counsel for the petitioners that the Tribunal erred in framing the issue involved in the controversy also lacks merit.

20. The tribunal dealt with the issue by noting that significant question that arises for consideration in this case is, as to whether the services of the applicants would be reckoned from the date of their initial appointments, for all intents and purposes, including the benefit of OPS, in the given peculiar facts and special circumstances of this case or not?

21. The framing of the issue would not govern the outcome of the case. The primary issue for consideration was whether in the peculiar facts and circumstances of the case, respondents who had been appointed on ad-hoc basis before 01.04.2004 could avail the benefit of OPS?

22. The Tribunal has examined the issue in two different ways. The relevant observation of the Tribunal on this aspect reads thus:-

"14. *Ex-facie*, the main celebrated arguments of the learned counsel for the respondents and their objections projected in the impugned orders, that since the PGIMER, Chandigarh, has not taken any approval of the Department of Personnel & Training (DoP&T) before extending the adhoc appointments, till the regular appointments of the applicants, so they are not entitled for the benefit of the GPF-cum-Old Pension Scheme, and if it is granted to them, then it will open floodgates of litigation, for other institutions, are not only devoid of merit, but mis-placed as well and deserve to be repelled for, more than one, (following) reasons.

15. At the first instance, it is not a matter of dispute, that having possessed the requisite qualifications and experience etc, in pursuance of the advertisement and having successfully completed the recruitment process as per statutory rules and regulations of the PGIMER, all the Doctors (applicants) were duly appointed as Assistant Professors, in their respective fields, during the period ranging from 1996 to 2003, by the Competent Authority. Since then, they are performing the same duties with devotion, which are performed by regular appointees. Similarly, the clinical duties of all the Doctors (applicants) are the same, as performed by regular incumbents. Subsequently, the PGIMER advertised the posts manned by the applicants, for filling on regular basis. The applicants, have requisite qualifications & experience, and were eligible for regular appointments against the said posts, as well. They were duly selected and appointed, on regular basis, without any interruption maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, which they were drawing as adhoc appointees.

16. In that eventuality, for the purpose of pensionary

benefits, the qualifying service of the applicants shall commence from the date, they took charge of the posts, to which they were first appointed, in temporary capacity, as that temporary service was followed, without interruption, by substantive permanent appointments in the same service/posts, as contemplated under Rule 13 (Chapter III) of the Central Civil Services (Pension) Rules, 1972 (Annexure A-28).

17. Not only that, as indicated hereinabove, the applicants continued working, as such, uninterruptedly and without any break. Even the Respondents No.2 & 3, have duly acknowledged the factual matrix, in this regard, in their written statement."

XX XX XX XX XX

23. In the same manner, the second feeble argument & ground to reject the claim of the applicants, vide impugned order, Annexure A-1, that if the request of faculty members of the Institute is allowed, then it will give rise and would open flood gates of litigation by a number of representations from various other Institutions/organizations, is again not, at all, tenable. Once, it is held that the applicants are legally entitled to the benefit of GPF-cum-Old Pension Scheme, as discussed here-in-above, then their claim cannot possibly be denied on the ground that it will give rise to a number of representations and would open flood gates of litigations, by various other Institutions/organizations for grant of similar relief. It is now well settled principle of law that the legitimate and legal right of the applicants cannot be denied to them, in the garb of plea of opening of Flood Gate Litigations.

XX XX XX XX XX

26. This is not the end of the matter. What cannot possibly be disputed is that in the wake of

representations of the applicants, the Director of the PGIMER, vide letter dated 21.1.2010, favourably recommended their cases and forwarded it to be put up and the Governing Body of the PGIMER (Central Government), in its meeting, held in January, 2011, had constituted a 6 Member sub-Committee, to look into the grievance of the applicants. The Committee had also favourably recommended their case, vide letter dated 14.9.2011 (Annexure A-14). Then, the matter was considered by the Governing Body under Agenda No. F-6 on 28.04.2012 and it was resolved that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier.

27. Meaning thereby, had the meeting of the Governing Body was timely held, then the service of the applicants would have been regularized much prior thereto. In other words, since the respondents failed to convene the timely meeting of the Governing Body, so the applicants, cannot, possibly be blamed, in any manner, in this regard. Concededly, the Governing Body appreciated the circumstances and after detailed discussion, agreed to approve the proposal to grant the benefit of GPF-cum-Old Pension Scheme, to the applicants, as a special case, vide Agenda Item No. F-6, in its meeting held on 28.4.2012, and it was resolved as under :-

"The matter was discussed in detail. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances but at the same time



the fact remains that these faculty members were actually appointed on regular basis only after 01.01.2004. After detailed discussion, the Governing Body agreed to approve the proposal as a special case, which could not be cited as a precedence, subject to the approval of the government".

28. Surprisingly enough, the Ministry of Health and the Competent Authority, without assigning any cogent reasons, and without any detailed discussion of legal / rule position and entitlement of the applicants, have taken a somersault, and rejected their claim, on speculative grounds. Admittedly, as per Regulation No. 61 of Schedule-1 appended to PGIMER, Chandigarh Regulations, 1967, its Director has been empowered to appoint Faculty, on adhoc basis, for two years. It was duly acknowledged and explained by Respondents No.2&3 in their written statement that since, the meeting of the Governing Body, is held once or twice a year, so keeping in view the public interest, exigency of service and heavy rush of patients, the institute filled up these vacancies on adhoc basis, in various disciplines in various departments, as a stop gap arrangement, till final process of recruitment is made. As the applicants, continued on their respective posts, till their regular appointments, so the mere fact the PGIMER has not obtained the approval of the DoP&T, is not a ground, much less cogent, to deny the legitimate claims of the applicants, in this relevant connection, as contrary projected on behalf of the respondents. It was for the competent authorities to get alleged approval from the DoP&T (if any), and the applicants cannot possibly be blamed, in any manner, in this regard, and their legitimate right cannot be taken away. Thus, any such administrative instructions,

*requiring the approval of the DoP&T, for extension of adhoc service, pail into insignificance, in view of the failure of the authorities. The respondents, therefore, now cannot possibly be heard to say, rather estopped, from their own act and conduct, to deny the pointed benefits of GPF-cum-Old Pension Scheme to the applicants."*

23. Next contention raised by learned counsel for the petitioners

was that according to the appointment letter, no benefit was to accrue to the

said employees for raising a claim for regular appointment and service for

seniority or for eligibility of promotion also does not advance their case.

While dealing with this contention, the question that the present case was

not of regularization but of fresh appointment after 01.04.2004 would be

dealt together. The relevant terms and conditions of the appointment letter

are extracted below.

*"2. The appointment is purely adhoc and that such appointment will not bestow on the person a claim for regular appointment and that adhoc service rendered would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.*

3.           XX           XX           XX

4.           XX           XX           XX

*5. You will be governed by the Central Civil Services (Conduct) Rules, 1964 and Central Civil Services Classification Control and Appeal Rules, 1995, as amended from time to time."*

24. It is evident from the record that the respondents had not

claimed regular appointment on the basis of their ad-hoc service. They are

neither claiming seniority nor eligibility for promotion to the next higher

grade. Condition No.2 of the appointment letter does not hamper their

claim. The petitioners have not disputed the fact either before the Tribunal or before this Court that the respondents were initially appointed as per statutory provisions against regular vacant posts. They were given regular pay scales and due increments. They were also entitled to medical and housing facilities at par with the regular employees. It was also not disputed that respondents possessed requisite qualification/experience and they were duly appointed Assistant Professors on their respective posts in pursuance of the advertisement in which they competed with the other candidates and were successfully selected in the recruitment process as per statutory rules and regulations of the PGIMER.

25. It is a fact on record that the respondents were performing the same duties, which were being performed by regular appointees. Respondents continued without any interruption i.e. maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, as being drawn by them as ad-hoc appointees. The said fact is fortified by the conduct of their appointing authority as pay protection was allowed to them on their appointment on regular basis. However, in the case of fresh appointments they were given a pay scale of fresh appointee. At this stage it would be relevant to reproduce the minutes of Sub-Committee meeting held on 14.09.2011.

*"At the outset, the Chairman asked the details of the case from the Member Convener. It was informed to the members that there are about 23 faculty members who were appointed on adhoc basis (as per details in Annexure) without break prior to 01.01.2004 and have been working without break till their appointment on regular basis as Assistant Professors after*



01.01.2004. They have represented for applicability of Old Pension Scheme in their case as they were appointed prior to 01.01.2004. It was also informed that the matter was earlier referred to the Govt. of India on 23.06.2009 and in response this Ministry of Health and Family Welfare, vide their letter dated 01.01.2010 intimated that the proposal was sent to DOPT and they have stated that

*"Since PGIMER, Chandigarh, in their offer of appointment had Stated that only NPS will apply in these cases, it is for them to resolve the matter".*

The matter was placed before the Governing Body on 17.01.2011, the Governing Body recommended that Sub-Committee to examine the issue may be constituted in the Ministry as to whether any departure from the NPS can be considered in PGIMER or other similar institutions on the ground that the initial ad hoc appointments have taken effect from a date earlier than 01.01.2004. Accordingly a Sub-Committee was constituted under the Chairmanship of JS (HR).

The Committee was informed that all these faculty members have been appointed against the regular vacancies and pay protection was also allowed to them on their appointment on regular basis.

After due deliberations the Committee considered that there is a case / ground for extending benefits of CCS (Pension) Rules, 1972 (Old Pension Scheme) to these 23 faculty members. The request is further strengthened on the grounds that the meeting of Standing Selection Committee for selecting them on regular basis could not be held regularly, which is beyond the knowledge and control of these 23 faculty members. The Committee, however, further observed that it should be a onetime measure and should not be quoted as precedent in future.

This committee recommends for extending the benefit of

*Old Pension Scheme to these 23 faculty members after approval by the Competent Authority".*

26. For the reasons mentioned above, the respondents were not treated as fresh appointees in *stricto sensu*. As per the terms and conditions of the appointment letter their services as ad-hoc appointees were not considered for the purpose of their regularization but on their successful appointment as regular employees the services rendered by them on ad-hoc basis were safeguarded for the purpose of pay protection. In view of above discussion the Tribunal rightly came to the conclusion that respondents would be governed by OPS prevalent at the time of their initial appointment.

27. Viewed from another angle, the respondents were denied benefit of OPS only on the ground that NPS would apply to employees who were appointed on or after 01.01.2004. It is undisputed that respondents were working against those very posts since 1999 onwards although initially on adhoc basis but that cannot be a ground to disentitle them from benefit of OPS.

28. The learned counsel for the petitioners was not in a position to dispute that PGIMER has extended the benefit of OPS to similarly situated non- faculty staff. No reason or justification has been put forth for denying the same benefit to the respondents. In case OPS is not made applicable to the respondents, it would result in discrimination and violation of Article 14 of the Constitution of India.

29. There is no other angle to the controversy involved in the present petition. In order to provide better health services to the public at

large and because of administrative exigencies, PGIMER was not able to make appointment on regular basis. In order to overcome the said problem respondents were appointed on ad-hoc basis. The governing body in its meeting held on 28.04.2012 took note of the fact that respondents could have been regularized prior to 01.04.2004, had the selection committee met earlier. Agenda item No. F6 of the minutes of meeting of governing body held on 28.04.2012 is quoted below:-

"The matter was discussed in detail. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances but at the same time the fact remains that these faculty members were actually appointed on regular basis only after 01.01.2004. After detailed discussion, the Governing Body agreed to approve the proposal as a special case, which could not be cited as a precedence, subject to the approval of the government".

30. It would not be appropriate that the respondents suffer on the ground that the petitioners were not able to convene the meeting of governing body and the selection committee. Respondents continued on their respective posts till their regular appointment. The benefit of OPS cannot be denied to them merely because similarly situated employees in other departments would also become entitled to this relief. No error can be found in the order dated 13.03.2018 passed by the Tribunal in holding that OPS would apply to the respondents.

31. In view of the afore-said discussion, there is no merit in the

present petition, accordingly, the same is dismissed. ]

(AJAY KUMAR MITTAL)  
JUDGE

OCTOBER 22, 2018  
SHAM

(AVNEESH JENGAN)  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No



# भारत का राजपत्र The Gazette of India

असाधारण  
EXTRAORDINARY  
भाग I—खण्ड 1  
PART I—Section 1  
प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY.

सं. 296]  
No. 296]

नई दिल्ली, सोमवार, दिसम्बर 22, 2003/पौष 1, 1925  
NEW DELHI, MONDAY, DECEMBER 22, 2003/PAUSA 1, 1925

वित्त मंत्रालय  
(आर्थिक कार्य विभाग)  
(इंजीनी एण्ड पीआर प्रभाग)  
अधिसूचना

नई दिल्ली, 22 दिसम्बर, 2003

फा. सं. 5/7/2003-ईसीबी एण्ड पी आर.—सरकार ने दिनांक 23 अगस्त, 2003 को परिभाषित लाभ पेंशन प्रणाली की मौजूदा प्रणाली को हटाते हुए, प्रथम चरण में केन्द्र सरकार की सेवा में आने वाले नए प्रवेशकर्ताओं जिनमें संशुद्ध बल शामिल नहीं हैं, के लिए एक नई पुनर्संचित-परिभाषित अंशदान पेंशन प्रणाली को शुरू करने संबंधी वर्ष 2003-2004 की बजट घोषणा को क्रियान्वित करने का प्रस्ताव अनुमोदित किया।

(i) प्रणाली 1 जनवरी, 2004 से केन्द्र सरकार की सेवा में आने वाले सभी नए कर्मचारियों (प्रथम चरण में संशुद्ध बलों के सिवाय) के लिए अनिवार्य होगी। मासिक अंशदान वेतन तथा महंगाई भत्ते का 10 प्रतिशत होगा तथा कर्मचारी द्वारा इसका भुगतान किया जाएगा और केन्द्र सरकार इसे समतुल्य करेगी। तथापि, सरकार की ओर से ऐसे व्यक्तियों के संबंध में, जो सरकारी कर्मचारी नहीं हैं, कोई अंशदान नहीं दिया जाएगा। अंशदान तथा निवेश आय को गैर-आहरण योग्य पेंशन टियर-I लेखे में जमा किया जाएगा। परिभाषित लाभ पेंशन तथा सामान्य भविष्य निधि के मौजूदा उपबंध केन्द्र सरकार की सेवा में आए नए प्रवेशकर्ताओं को भी उपलब्ध होंगे।

(ii) उपर्युक्त पेंशन लेखे के अलावा, प्रत्येक व्यक्ति अपने विकल्प पर स्वैच्छिक टियर-II आहरण योग्य लेखा भी रख सकता है। केन्द्र सरकार की सेवा में आने वाले नए प्रवेशकों के लिए सामान्य भविष्य निधि के रूप में देय इस विकल्प को वापस ले लिया जाएगा। सरकार इस खाते में कोई अंशदान नहीं करेगी। इन परिसंपत्तियों का पूर्णतः उपर्युक्त प्रक्रियाओं द्वारा प्रबंध किया जाएगा। तथापि, कर्मचारी किसी भी समय 'द्वितीय टियर' लेखे में जमा राशि को अंशतः अथवा पूर्ण रूप में निकासी करने के लिए स्वतंत्र होगा। इस आहरण योग्य लेखे में पेंशन निवेश नहीं होगा, तथा इस पर कोई विशेष कर नहीं लगेगा।

(1)

- (iii) पेंशन प्रणाली के टियर-I हेतु कोई व्यक्ति सामान्यतः 60 वर्ष अथवा इसके बाद इसे छोड़ सकता है। छोड़ते समय व्यक्ति को अनिवार्यतः वार्षिकी खरीदने (आईआरडीए-नियंत्रित जीवन बीमा कंपनी से) के लिए पेंशन राशि का 40 प्रतिशत निवेश करना आवश्यक होगा। सरकारी कर्मचारियों के मामले में, वार्षिकी को सेवानिवृत्ति के समय कर्मचारी तथा उस पर आश्रित उसके माता-पिता तथा उसके पति/पत्नी के जीवनकाल हेतु पेंशन की व्यवस्था करनी होगी। व्यक्ति को शेष पेंशन राशि वही एकमुश्त राशि प्राप्त होगी जिसे वह किसी भी तरह उपयोग करने के लिए स्वतंत्र होगा। व्यक्तियों को 60 वर्ष की आयु से पूर्व पेंशन प्रणाली छोड़ने की छूट होगी। तथापि, इस मामले में अनिवार्य वार्षिकी पेंशन राशि का 80 प्रतिशत होगा।

नई पेंशन प्रणाली की संरचना

- (iv) इसमें एक केन्द्रीयकृत रिकार्ड रखरखाव तथा लेखाकरण (सीआरए) आधारित, अनेक पेंशन निधि प्रबंधक (पीएफएम) होंगे जो स्कीमों की तीन श्रेणियों नामतः विकल्प क, ख तथा ग की पेशकश करेंगे।
- (v) भागीदार कंपनियां (पीएफएम तथा सीआरए) पिछले कार्यनिष्पादन के संबंध में आसान से समझ में आने वाली जानकारी देंगी ताकि कोई व्यक्ति सूचित विकल्पों का प्रयोग करते हुए यह निश्चित कर सके कि उसे कौन सी स्कीम का चयन करना है।

2. नई पेंशन प्रणाली के प्रारंभ होने की प्रभावी तिथि 1 जनवरी, 2004 होगी।

व्.के. सिन्हा, संयुक्त सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

(ECB & PR Division)

NOTIFICATION

New Delhi, the 22nd December, 2003

F. No. 5/7/2003-ECB & PR.— The Government approved on 23rd August, 2003 the proposal to implement the budget announcement of 2003-2004 relating to introducing a new restructured defined contribution pension system for new entrants to Central Government service, except to Armed Forces, in the first stage, replacing the existing system of defined benefit pension system.

- (i) The system would be mandatory for all new recruits to the central Government service from 1<sup>st</sup> of January 2004 (except the armed forces in the first stage). The monthly contribution would be 10 percent of the salary and DA to be paid by the employee and matched by the Central Government. However, there will be no contribution from the Government in respect of individuals who are not Government employees. The contributions and investment returns would be

deposited in a non-withdrawable pension tier-I account. The existing provisions of defined benefit pension and GPF would not be available to the new recruits in the central Government service.

- (ii) In addition to the above pension account, each individual may also have a voluntary tier-II withdrawable account at his option. This option is given as GPF will be withdrawn for new recruits in Central Government service. Government will make no contribution into this account. These assets would be managed through exactly the above procedures. However, the employee would be free to withdraw part or all of the 'second tier' of his money anytime. This withdrawable account does not constitute pension investment, and would attract no special tax treatment.
- (iii) Individuals can normally exit at or after age 60 years for tier-I of the pension system. At exit the individual would be mandatorily required to invest 40 percent of pension wealth to purchase an annuity (from an IRDA-regulated life insurance company). In case of Government employees the annuity should provide for pension for the lifetime of the employee and his dependent parents and his spouse at the time of retirement. The individual would receive a lump-sum of the remaining pension wealth, which he would be free to utilise in any manner. Individuals would have the flexibility to leave the pension system prior to age 60. However, in this case, the mandatory annuitisation would be 80% of the pension wealth.

#### Architecture of the New Pension System

- (iv) It will have a central record keeping and accounting (CRA) infrastructure, several pension fund managers (PFMs) to offer three categories of schemes viz. option A, B and C.
- (v) The participating entities (PFMs and CRA) would give out easily understood information about past performance, so that the individual would be able to make informed choices about which scheme to choose.
2. The effective date for operationalisation of the new pension system shall be from 1<sup>st</sup> of January, 2004.

U.K. SINHA, Jt. Secy.

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Annexure-VI

## CCS Pension Rules

Rules Covered	Subject
1 to 4	Preliminary
5, 7 to 12	General Conditions
13 to 32, 48A, 48B, 48C	Qualifying Service
33, 34	Emoluments
35, 36, 38 to 40	Classes of Pensions
37	Conditions governing the grant of pension to persons other than Central/State Govt Servant
37A, 37B	Conditions for payment of pension on absorption consequent upon conversion of Government Department into a Central autonomous body or a Public Sector Undertaking.
41	Compassionate allowance
	Government of India Decisions
49 to 54, 51A, 55A	Regulation of all types of Amounts of Pensions/Family Pension
56 to 74	Determination & Authorization of the Amounts of Pension and Gratuity
77 to 80, 80A, 80 B, 80C, 80D	Determination & Authorization of the Amounts of Family Pension and Death Gratuity dying while in service
81, 82	Sanction of Family Pension & Residuary Gratuity in r/o Deceased Pensioners
83 to 86	Payment of Pensions
87 to 89	Miscellaneous

DO BA

	Commencement of qualifying service
14	Conditions subject to which service qualifies
	Government of India's Decision
48	Retirement on completion of 30 years' qualifying service
15 to 20	Counting of service
21 to 23	Counting of Period
25	Counting of past service on reinstatement
24,26	Forfeiture of service
27,28	Interruption in service
29, 30, 48A, 48B,48C	Addition of qualifying service
31	Period of deputation to United Nations and other Organizations
32	Verification of qualifying service after 18 years of service and 5 years before retirement
	Government of India's Decisions

### 5. Commencement of qualifying service

Subject to the provisions of these rules, qualifying service of a Government servant shall commence from the date he takes charge of the post to which he is first appointed either substantively or in an officiating or temporary capacity :

Provided that officiating or temporary service is followed without interruption by substantive appointment in the same or another service or post :

Provided further that -

(a)	in the case of a Government servant in a Group 'D' service or post who held a lien or a suspended lien on a permanent pensionable post prior to the 17th April, 1950, service rendered before attaining the age of sixteen years shall not count for any purpose, and
(b)	in the case of a Government servant not covered by clause (a), service rendered before attaining the age of eighteen years shall not count, except for compensation gratuity
*(c)	the provisions of clause (b) shall not be applicable in the cases of counting of military service for civil pension under Rule 19

Inserted vide Notification No. 28/19/2001-P&PW(B) dated 11-11-2003 published as so no. 3205 in Gazette of India dated 22-11-2003.

Department of Personnel and Training O.M. No.18011/1/86-Estt.(D),  
dated the 28<sup>th</sup> March, 1988, to all Ministries/Departments, etc.

OFFICE MEMORANDUM

Subject:—Simplification of confirmation procedure—Delinking of confirmation from the availability of permanent posts.

The undersigned is directed to say that in the existing system, the prerequisite for confirmation is the availability of a permanent post on which no other Government servant holds a lien. With a view to finding a permanent post to confirm a Government employee, a periodic exercise is taken up to identify vacant permanent posts along with exact date from which these are available. The availability of a permanent post depends upon the factors such as retirement/resignation of a permanent Government employee, confirmation of a Government servant in a higher post, conversion of temporary posts into permanent ones, etc. Further, according to the present procedure, confirmation is not a one-time event in the career of a Government employee. He has to be successively confirmed in each and every post of grade to which he is promoted subject to the availability of a permanent post in each grade.

2. Thus, the exercise of identification of permanent vacant posts as well as convening of meetings of DPCs to consider the confirmation of employees against them has become a time-consuming and complicated procedure which has to be gone through under the existing rules before permanent status is conferred upon a Government employee. The delays and complexities involved in complying with the procedural requirements of confirmation often result in a situation where an employee continues to officiate in successive higher grades for years together while he is confirmed only in the grade he entered the service.

3. A Task Force (set up in 1976 vide Ministry of Finance Order No. F. 1(5)/75-Spl. Cell dated 5-1-1976) went into the entire question of confirmation with a view to bring about some simplifications. Their main recommendations were:—

- (i) Confirmation of Government employees should be delinked from the availability of permanent vacant posts; and
- (ii) There should be only one confirmation in the career of a Government servant instead of multiple confirmations against successive posts/grades.

These recommendations were then considered in consultation with UPSC etc. but the case was not pursued as in the meantime orders were issued allowing pension to temporary employees superannuating after 20 years of service. In the context of the drive for simplification of rules and procedures, undertaken sometime back, the proposal was revived. It has now been decided to delink confirmation from the availability of a permanent vacant post and to have confirmation as one time event in the career of a Government servant.

4. Pursuant to the above decision, a review of all the existing rules and instructions has been made and the revised procedure to be followed in respect of various matters such as probation, confirmation, seniority, lien, temporary service rules, etc. is indicated below:

4.1 Confirmation:

(A) General

- (i) Confirmation will be made only once in the service of an official which will be in the entry grade.
- (ii) Confirmation is delinked from the availability of permanent vacancy in the grade. In other words, an officer who has successfully completed the probation may be considered for confirmation.

(B) Confirmation in the grade to which initially recruited:

- (i) As at present, the appointee should satisfactorily complete the probation.
- (ii) The case will be placed before the DPC (for confirmation).

(iii) A specific order of confirmation will be issued when the case is cleared from all angles.

(C) On Promotion:

- (i) If the recruitment rules do not prescribe any probation, an officer promoted on regular basis (after following the prescribed NPC etc. procedure) will have all the benefits that a person confirmed in that grade would have.
- (ii) Where probation is prescribed, the appointing authority will on completion of the prescribed period of probation assess the work and conduct of the officer himself and in case the conclusion is that the officer is fit to hold the higher grade, he will pass an order declaring that the person concerned has successfully completed the probation. If the appointing authority considers that the work of the officer has not been satisfactory or needs to be watched for some more time, he may revert him to the post or grade from which he was promoted, or extend the period of probation as the case may be.

Since there will be no confirmation on promotion before an official is declared to have completed the probation satisfactorily, a rigorous assessment of his performance should be made and there should be no hesitation to revert a person to the post or grade from which he was promoted if the work of the officer during probation has not been satisfactory.

CCS (Temporary Service) Rules:

- 4.2 (i) As no officer otherwise eligible will have to wait for confirmation pending a availability of a permanent vacancy, the need for following the existing procedure for declaring a person quasi-permanent ceases to exist. Accordingly, the provisions relating to the quasi-permanency in the CCS (Temporary Service) Rules will be deleted.
- (ii) As there will still be situations where appointments are made against posts/establishments which are created for definite and purely temporary periods e.g. Committees/Commissions of Enquiry, organisations created for meeting a particular emergency which is not expected to last for more than a few years, posts created for projects for specified periods, the remaining provisions of the Temporary Service Rules will continue to be in force.

Lien

4.3 The concept of lien as the title of a Govt. servant to hold substantively a permanent post will undergo a change. Lien will now represent only the right/title of a Govt. servant to hold a regular post, whether permanent or temporary, either immediately or on the termination of the periods of absence. The benefits of having a lien in a grade will thus be enjoyed by all officers who are confirmed in the grade of entry or who have been promoted to a higher post declared as having completed the probation where it is prescribed, or those who have been promoted on regular basis to a higher post when no probation is prescribed under the Rules, as the case may be.

The above right/title will, however, be subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if at any time the number of persons so entitled is more than the posts available in that grade. For example, if a person who is confirmed or whose probation in a higher post has been declared as having been completed or one who is holding a higher post for which there is no probation on a regular basis, reverts from deputation or foreign service and if there is no vacancy in that grade to accommodate him, the junior most person will be reverted. If, however, this officer himself is the junior most, he will be reverted to the next lower grade from which he was earlier promoted.

Pension

4.4 Since all the persons who complete probation in the first appointment will be declared as permanent the present distinction between permanent and temporary employees for grant of pension and other pensionary benefits will cease to exist.

Reservation for SC/ST

4.5 As a result of introduction of confirmation only at the entry stage and the delinking of confirmation from the availability of permanent posts, the need for reservation at the time of confirmation in posts and services filled by Direct Recruitment as per the existing instructions will cease to exist as everyone who is eligible for confirmation will be confirmed.



## Seniority

4.6 According to para 2.3 of the consolidated orders of seniority issued vide this Department's OM No. 22011/7/86-Estt. (D) dated 3-7-86 where persons are confirmed in an order different from the order of merit indicated at the time of their recruitment or promotion, seniority shall follow the order of confirmation and not the original order of merit. Since there is confirmation in the entry grade, seniority will continue to be determined on the basis of confirmation in that grade.

5. The existing Instructions/Rules in respect of the aspects mentioned above stand modified to the extent indicated in the preceding paragraphs. As regards rules relating to pension, Temporary Service, Lien, etc. suitable amendments will be notified separately.

6.1 The revised procedures relating to confirmation outlined above will not apply to the cases of appointments made on *ad hoc* basis, i.e. it is only the appointments made on regular basis which will come within the purview of these instructions.

6.2 Sometimes Establishments are created for a specific objective for a limited period, as in the case of Committees or Commissions to study or investigate a specific problem. Normally, posts in such Establishments are filled by deputation or contract basis, which would not result in regular incumbency. Even in a few cases, where regular appointments are made by framing the recruitment rules, appointments are made according to those rules, these instructions about confirmation would not apply. In other words, persons appointed against the posts in purely temporary organisations are outside the purview of the revised procedure outlined in this Office Memorandum.

7. These instructions will come into force with effect from 1st April, 1988.

8. When the new procedure detailed in this OM comes into effect the administrative work involved in confirmation of officials in all Government offices every year will be eliminated. This would result in reduction of work load of various Ministries and Departments. All the Ministries and Departments are requested to review the position and intimate by 31st October, 1988 details of reduction of staff effected as a result of the rationalisation for reporting the matter to the Cabinet.

9. All the Ministries/Departments are requested to bring the above position to the notice of all concerned, including those in the Attached and Subordinate Offices for guidance.



# High Court of Punjab and Haryana

Chandigarh

## Case Details For Case CWP-26482-2018

Diary Number	2090306	District	NEW-DELHI
Category	4.8-CENTRAL ADMINISTRATIVE TRIBUNAL	Main Case Detail	-
Party Detail	UNION OF INDIA AND OTHERS V/S DR.NEELAM AGGARWAL AND OTHERS		
Advocate Name	NAMIT KUMAR (P-982-1993)	List Type	URGENT
Status	DISMISSED on 22-OCT-2018 by HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN		

## Related Cases/Miscellaneous Applications

CM-15593-CWP-2018	IN CWP-26482-2018
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## Case Listing Details

Cause List Date	List Type: Sr. No.	Bench	Order Link
22-OCT-2018	URGENT:121	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	-
12-OCT-2018	URGENT:107	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	<a href="#">View Interim Order</a>

## Details of Copy Petition Applied in CWP-26482-2018

Petition Type/No	Petition Date	Applied By	Petition Status
Ordinary:1085016	23-OCT-2018	Advocate/Clerk ADV-GURMINDER SINGH/ JAI SINGH SAINI	Pending

## Judgment Details For Case: CWP-26482-2018

Party Detail: UNION OF INDIA AND OTHERS V/S DR.NEELAM AGGARWAL AND OTHERS

Order Date	Order and Case-ID	Bench	Judgment Link
12-OCT-18	Interim Order in CWP-26482-2018	HON'BLE MR. JUSTICE AJAY KUMAR MITTAL; HON'BLE MR. JUSTICE AVNEESH JHINGAN	<a href="#">View Order</a>

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr. No.121

CWP No. 26482 of 2018  
DECIDED ON: OCTOBER 22, 2018

UNION OF INDIA & OTHERS

..PETITIONERS

VERSUS

DR. NEELAM AGGARWAL AND OTHERS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.  
HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Namit Kumar , Sr. Panel Counsel,  
for the petitioners.

Mr. Gurminder Singh, Sr. Advocate with  
Ms. Harpriya Khaneka, Advocate  
for the respondent-Caveators.

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AVNEESH JHINGAN, J.

This writ petition has been filed seeking quashing of order dated 13.03.2018 (Annexure P-5) passed by the Central Administrative Tribunal, Chandigarh (for brevity 'the Tribunal') allowing the Original Application (OA) filed by respondents No.1 to 21 in this petition (hereinafter referred to as 'respondents') and granting the benefit of GPF-cum-Old Pension Scheme (for short 'OPS') prevalent at the time of their

initial appointment.

2. The factual matrix relevant to the issue raised and canvassed in the petition is that respondents were appointed on ad-hoc basis in Post Graduate Institute of Medical Education and Research Centre, Chandigarh (for short 'PGIMER') on different dates between the period i.e. 12.06.1996 to 24.12.2003 on the post of Lecturer. The post of Lecturer was later re-designated as Assistant Professor. The appointment letter stated that they were being appointed purely on ad-hoc basis and this appointment will not bestow on the person a claim for regular appointment or ad-hoc service rendered would not count for the purpose of seniority in that grade or for the eligibility of promotion to the next grade.

3. Due to some administrative exigencies, recruitment of doctors on regular basis was delayed and keeping in view the working and services provided by PGIMER and also considering larger public interest and exigencies of services ad-hoc appointments were made. Later, regular recruitment process was initiated for filling up vacancies for the post of Assistant Professor. The respondents also applied and got selected on various dates ranging between 21.12.2005 to 23.04.2011.

4. During the intervening period, the Government of India introduced a New Pension Scheme (NPS) for its new employees. NPS was mandatory for the Central Government employees who had joined on or after 01.01 2004. The employees of PGIMER were also covered under the NPS. Earlier, the employees were covered under the OPS. The PGIMER relying upon the letter No. V-17020/4/2007-ME-II, dated 28.06.2007 issued by the Ministry of Health and Family Welfare (for short 'Ministry')

clarifying the applicability of NPS held that the respondents would be covered under the NPS. The relevant portion of the aforesaid letter is reproduced as under:-

*"the faculty who were working on regular basis on the lower posts and selected as Direct Recruits in the Grade of Professor, are governed by the earlier pension rules and those who are appointed on regular basis to any post as Direct Recruits on or after 01.01.2004, would be covered by the New Pension Scheme even though they may have been working on adhoc basis in any post in the Institute."*

5. Thereafter, the respondents made a representation for grant of benefits of the OPS. The matter was put before the Governing Body. The Governing Body in its meeting held in January, 2011 constituted a Sub-Committee to look into the grievance of respondents. The said committee recommended the case of respondents vide letter dated 14.09.2011. The matter was placed before the Governing Body in its meeting held on 28.04.2012. The Governing Body recommended that the respondents should be covered under the OPS. The decision was subject to the approval of Government of India. The matter was referred to Government of India i.e. Ministry of Health & Family Welfare. The same was rejected by the Ministry vide its letter dated 05.11.2013. It was decided that since the respondents were not appointed on regular basis as on 31.12.2003, hence, they would be covered under the NPS. The said decision was conveyed to the respondents. The respondents again submitted a representation for being considered under the OPS. The representation was again rejected vide letter dated 12.08.2014.

6. Aggrieved of the rejection, the respondents filed OA bearing No. 060/00848/2017. The Tribunal vide order dated 31.07.2017, directed the Ministry to consider and decide the representations, by passing a speaking order. In pursuance of the order dated 31.07.2017 passed by the Tribunal, the Ministry decided the representation and rejected the same vide letter dated 12.10.2017 and it was held that NPS would be applicable to the respondents.

7. The decision of the Ministry was assailed before the Tribunal by filing CA No. 0060/00105/2018. The said OA was allowed by the Tribunal vide its order dated 13.03.2018. It was held that respondents would be covered by OPS prevalent at the time of their initial appointment. Aggrieved of the said order, the present petition has been filed.

8. Learned counsel for the petitioners has vehemently argued that the Tribunal erred in allowing the OA and the same was liable to be dismissed on the principles of delay and laches, as the claim of the respondents was rejected in November, 2013. Learned counsel for the petitioners has placed reliance upon the judgments of Supreme Court rendered in the cases of "State of Tripura and others vs. Arabinda Chakraborty and others: 2014 (6) SCC 460" and "Union of India and others vs. A. Durairaj (Dead) by LRs: 2010 (14) SCC 389."

9. On merits, it was argued that the respondents were appointed on regular basis only after 01.04.2004 and were governed by NPS. The grievance is that the Tribunal had wrongly framed the issue involved in the case.

10. The counsel for the petitioners placed reliance on the

conditions of appointment letter, stating that the initial appointment was purely on ad-hoc basis. It was clearly mentioned that it shall not bestow on the person a right to claim regular appointment and the ad-hoc service would not be counted for the purpose of seniority or for eligibility for promotion. The contention raised was that it is not a case where the respondents were regularized instead they were given fresh appointments after 01.04.2004.

11. Learned counsel for the respondents rebutting the contentions of the petitioners argued that the respondents were initially appointed against regular vacancies. They were given regular pay scales and due increments were granted to them. Further the respondents were entitled to medical and housing facilities given at par with the regular employees. Still further, it was submitted that at the time of regular appointment, the pay, which the respondents got along with increments, was protected. Whereas, in the case of fresh appointment the candidates were given fresh pay scales. For this he relied upon minutes of Sub Committee meeting.

12. To buttress his contention, learned counsel stoutly contended that OPS has already been applied to persons similarly situated non-faculty staff.

13. The contention raised by the petitioners lacks merit.

14. The Tribunal rightly rejected the contention of the petitioners that OA was liable to be dismissed on the principles of delay and laches.

15. The regular appointment of the respondents varies between 21.12.2005 to 23.04.2011. They moved representations, which were favourably considered upto governing body. It was only at the Government

level that their claim was rejected vide letter dated 05.11.2013. The respondents moved another representation, which was rejected vide letter 12.08.2014. Subsequently, representation was made. The same was not being considered, hence, the respondents filed OA before the Tribunal. The Tribunal vide its order dated 31.07.2017 issued direction that the representation be decided by passing a speaking order.

16. It is pertinent to note here that the petitioners never challenged the order of the Tribunal. Moreover, the relief claimed by the respondents is not such which creates administrative complications. No complication would be caused to other employees, as it will not affect the position regarding the seniority and promotion granted to others. The respondents had only claimed that OPS would be applicable to them. Even otherwise, such a plea ought not to be raised by Union of India, who is a welfare State, more particularly when no delay and laches can be attributed to the respondent.

17. The reliance upon the Supreme Court's judgments referred above does not enhance the case of the petitioners. The said cases are not applicable to the facts and circumstances of the present case. In Arabinda Chakraborty's case (supra), the Apex Court was dealing with a case where the respondent was given a fresh appointment after termination of his earlier service. He never raised any grievance of fresh appointment after termination and after more than a decade, he raised the grievance about his seniority. His claim was stale and hence no relief was granted, as it would have affected the other employees who were granted the seniority or promotion over the years.



18. In A. Durairaj's case (supra), respondent was claiming retrospective promotion after a delay of two decades. Apart from the delay, it would have created administrative complications and therefore, the Court considered the fact that even if the challenge to the medical test undertaken in the year 1976 is upheld, still respondent would not have been eligible to be promoted without passing a written examination. Hence, failure to promote the respondent on ad-hoc basis had no bearing on his chances of regular promotion. Whereas, in the present case respondents are neither claiming seniority nor promotion. Even allowing their claim will not affect any other employee. This is not a case where claim can be dismissed on the ground of delay and laches.

19. Equally, contention of learned counsel for the petitioners that the Tribunal erred in framing the issue involved in the controversy also lacks merit.

20. The tribunal dealt with the issue by noting that significant question that arises for consideration in this case is, as to whether the services of the applicants would be reckoned from the date of their initial appointments, for all intents and purposes, including the benefit of OPS, in the given peculiar facts and special circumstances of this case or not?

21. The framing of the issue would not govern the outcome of the case. The primary issue for consideration was whether in the peculiar facts and circumstances of the case, respondents who had been appointed on ad-hoc basis before 01.04.2004 could avail the benefit of OPS?

22. The Tribunal has examined the issue in two different ways. The relevant observation of the Tribunal on this aspect reads thus:-

"14. Ex-facie, the main celebrated arguments of the learned counsel for the respondents and their objections projected in the impugned orders, that since the PGIMER, Chandigarh, has not taken any approval of the Department of Personnel & Training (DoP&T) before extending the *ad hoc* appointments, till the regular appointments of the applicants, so they are not entitled for the benefit of the GPF-cum-Old Pension Scheme, and if it is granted to them, then it will open floodgates of litigation, for other institutions, are not only devoid of merit, but mis-placed as well and deserve to be repelled for, more than one, (following) reasons.

15. At the first instance, it is not a matter of dispute, that having possessed the requisite qualifications and experience etc, in pursuance of the advertisement and having successfully completed the recruitment process as per statutory rules and regulations of the PGIMER, all the Doctors (applicants) were duly appointed as Assistant Professors, in their respective fields, during the period ranging from 1996 to 2003, by the Competent Authority. Since then, they are performing the same duties with devotion, which are performed by regular appointees. Similarly, the clinical duties of all the Doctors (applicants) are the same, as performed by regular incumbents. Subsequently, the PGIMER advertised the posts manned by the applicants, for filling on regular basis. The applicants, have requisite qualifications & experience, and were eligible for regular appointments against the said posts, as well. They were duly selected and appointed, on regular basis, without any interruption maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, which they were drawing as *ad hoc* appointees.

16. In that eventuality, for the purpose of pensionary

48E

*benefits, the qualifying service of the applicants shall commence from the date they took charge of the posts, to which they were first appointed, in temporary capacity, as that temporary service was followed, without interruption, by substantive permanent appointments in the same service/posts, as contemplated under Rule 13 (Chapter III) of the Central Civil Services (Pension) Rules, 1972 (Annexure A-28).*

17. *Not only that, as indicated hereinabove, the applicants continued working, as such, uninterruptedly and without any break. Even the Respondents No.2 & 3, have duly acknowledged the factual matrix, in this regard, in their written statement."*

XX XX XX XX XX

23. *In the same manner, the second feeble argument & ground to reject the claim of the applicants, vide impugned order, Annexure A-1, that if the request of faculty members of the Institute is allowed, then it will give rise and would open flood gates of litigation by a number of representations from various other Institutions/organizations, is again not, at all, tenable. Once, it is held that the applicants are legally entitled to the benefit of GPF-cum-Old Pension Scheme, as discussed here-in-above, then their claim cannot possibly be denied on the ground that it will give rise to a number of representations and would open flood gates of litigations, by various other Institutions/organizations for grant of similar relief. It is now well settled principle of law that the legitimate and legal right of the applicants cannot be denied to them, in the garb of plea of opening of Flood Gate Litigations.*

XX XX XX XX XX

26. *This is not the end of the matter. What cannot possibly be disputed is that in the wake of*

representations of the applicants, the Director of the PGIMER, vide letter dated 21.1.2010, favourably recommended their cases and forwarded it to be put up and the Governing Body of the PGIMER (Central Government), in its meeting, held in January, 2011, had constituted a 6 Member sub-Committee, to look into the grievance of the applicants. The Committee had also favourably recommended their case, vide letter dated 14.9.2011 (Annexure A-14). Then, the matter was considered by the Governing Body under Agenda No. F-6 on 28.04.2012 and it was resolved that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier.

27. Meaning thereby, had the meeting of the Governing Body was timely held, then the service of the applicants would have been regularized much prior thereto. In other words, since the respondents failed to convene the timely meeting of the Governing Body, so the applicants, cannot, possibly be blamed, in any manner, in this regard. Concededly, the Governing Body appreciated the circumstances and after detailed discussion, agreed to approve the proposal to grant the benefit of GPF-cum-Old Pension Scheme, to the applicants, as a special case, vide Agenda Item No. F-6, in its meeting held on 28.4.2012, and it was resolved as under :-

*"The matter was discussed in detail. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances but at the same time*

*the fact remains that these faculty members were actually appointed on regular basis only after 01.01.2004. After detailed discussion, the Governing Body agreed to approve the proposal as a special case, which could not be cited as a precedence, subject to the approval of the government".*

28. *Surprisingly enough, the Ministry of Health and the Competent Authority, without assigning any cogent reasons, and without any detailed discussion of legal / rule position and entitlement of the applicants, have taken a somersault, and rejected their claim, on speculative grounds. Admittedly, as per Regulation No. 61 of Schedule-1 appended to PGIMER, Chandigarh Regulations, 1967, its Director has been empowered to appoint Faculty, on adhoc basis, for two years. It was duly acknowledged and explained by Respondents No.2&3 in their written statement that since, the meeting of the Governing Body, is held once or twice a year, so keeping in view the public interest, exigency of service and heavy rush of patients, the institute filled up these vacancies on adhoc basis, in various disciplines in various departments, as a stop gap arrangement, till final process of recruitment is made. As the applicants, continued on their respective posts, till their regular appointments, so the mere fact the PGIMER has not obtained the approval of the DoP&T, is not a ground, much less cogent, to deny the legitimate claims of the applicants, in this relevant connection, as contrary projected on behalf of the respondents. It was for the competent authorities to get alleged approval from the DoP&T (if any), and the applicants cannot possibly be blamed, in any manner, in this regard, and their legitimate right cannot be taken away. Thus, any such administrative instructions,*

*requiring the approval of the DoP&T, for extension of adhoc service, pail into insignificance, in view of the failure of the authorities. The respondents, therefore, now cannot possibly be heard to say, rather estopped, from their own act and conduct, to deny the pointed benefits of GPF-cum-Old Pension Scheme to the applicants."*

23. Next contention raised by learned counsel for the petitioners was that according to the appointment letter, no benefit was to accrue to the said employees for raising a claim for regular appointment and service for seniority or for eligibility of promotion also does not advance their case. While dealing with this contention, the question that the present case was not of regularization but of fresh appointment after 01.04.2004 would be dealt together. The relevant terms and conditions of the appointment letter are extracted below.

*"2. The appointment is purely adhoc and that such appointment will not bestow on the person a claim for regular appointment and that adhoc service rendered would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.*

3.           XX           XX           XX

4.           XX           XX           XX

*5. You will be governed by the Central Civil Services (Conduct) Rules, 1964 and Central Civil Services Classification Control and Appeal Rules, 1995, as amended from time to time."*

24. It is evident from the record that the respondents had not claimed regular appointment on the basis of their ad-hoc service. They are neither claiming seniority nor eligibility for promotion to the next higher grade. Condition No 2 of the appointment letter does not hamper their

claim. The petitioners have not disputed the fact either before the Tribunal or before this Court that the respondents were initially appointed as per statutory provisions against regular vacant posts. They were given regular pay scales and due increments. They were also entitled to medical and housing facilities at par with the regular employees. It was also not disputed that respondents possessed requisite qualification/experience and they were duly appointed Assistant Professors on their respective posts in pursuance of the advertisement in which they competed with the other candidates and were successfully selected in the recruitment process as per statutory rules and regulations of the PGIMER.

25. It is a fact on record that the respondents were performing the same duties, which were being performed by regular appointees. Respondents continued without any interruption i.e. maintaining and protecting their continuity in service, pay scale and other service benefits, including the increments, as being drawn by them as ad-hoc appointees. The said fact is fortified by the conduct of their appointing authority as pay protection was allowed to them on their appointment on regular basis. However, in the case of fresh appointments they were given a pay scale of fresh appointee. At this stage it would be relevant to reproduce the minutes of Sub-Committee meeting held on 14.09.2011.

*"At the outset, the Chairman asked the details of the case from the Member Convener. It was informed to the members that there are about 23 faculty members who were appointed on adhoc basis (as per details in Annexure) without break prior to 01.01.2004 and have been working without break till their appointment on regular basis as Assistant Professors after*





01.01.2004. They have represented for applicability of Old Pension Scheme in their case as they were appointed prior to 01.01.2004. It was also informed that the matter was earlier referred to the Govt. of India on 23.06.2009 and in response this Ministry of Health and Family Welfare, vide their letter dated 01.01.2010 intimated that the proposal was sent to DOPT and they have stated that

*"Since PGIMER, Chandigarh, in their offer of appointment had Stated that only NPS will apply in these cases, it is for them to resolve the matter".*

The matter was placed before the Governing Body on 17.01.2011, the Governing Body recommended that Sub-Committee to examine the issue may be constituted in the Ministry as to whether any departure from the NPS can be considered in PGIMER or other similar institutions on the ground that the initial ad hoc appointments have taken effect from a date earlier than 01.01.2004. Accordingly a Sub-Committee was constituted under the Chairmanship of JS (HR).

The Committee was informed that all these faculty members have been appointed against the regular vacancies and pay protection was also allowed to them on their appointment on regular basis.

After due deliberations the Committee considered that there is a case / ground for extending benefits of CCS (Pension) Rules, 1972 (Old Pension Scheme) to these 23 faculty members. The request is further strengthened on the grounds that the meeting of Standing Selection Committee for selecting them on regular basis could not be held regularly, which is beyond the knowledge and control of these 23 faculty members. The Committee, however, further observed that it should be a onetime measure and should not be quoted as precedent in future.

This committee recommends for extending the benefit of

*Old Pension Scheme to these 23 faculty members after approval by the Competent Authority”.*

26. For the reasons mentioned above, the respondents were not treated as fresh appointees in *stricto sensu*. As per the terms and conditions of the appointment letter their services as ad-hoc appointees were not considered for the purpose of their regularization but on their successful appointment as regular employees the services rendered by them on ad-hoc basis were safeguarded for the purpose of pay protection. In view of above discussion the Tribunal rightly came to the conclusion that respondents would be governed by OPS prevalent at the time of their initial appointment.

27. Viewed from another angle, the respondents were denied benefit of OPS only on the ground that NPS would apply to employees who were appointed on or after 01.01.2004. It is undisputed that respondents were working against those very posts since 1999 onwards although initially on adhoc basis but that cannot be a ground to disentitle them from benefit of OPS.

28. The learned counsel for the petitioners was not in a position to dispute that PGIMER has extended the benefit of OPS to similarly situated non- faculty staff. No reason or justification has been put forth for denying the same benefit to the respondents. In case OPS is not made applicable to the respondents, it would result in discrimination and violation of Article 14 of the Constitution of India.

29. There is no other angle to the controversy involved in the present petition. In order to provide better health services to the public at

large and because of administrative exigencies, PGIMER was not able to make appointment on regular basis. In order to overcome the said problem respondents were appointed on ad-hoc basis. The governing body in its meeting held on 28.04.2012 took note of the fact that respondents could have been regularized prior to 01.04.2004, had the selection committee met earlier. Agenda item No. F6 of the minutes of meeting of governing body held on 28.04.2012 is quoted below:-

“The matter was discussed in detail. The Governing Body was informed about the recommendations of the Committee under Joint Secretary (HR) of the Ministry and that all these faculty members were on ad-hoc basis for a long period and could have been regularized prior to 01.01.2004, had the Selection Committee met earlier. The Governing Body appreciated the circumstances but at the same time the fact remains that these faculty members were actually appointed on regular basis only after 01.01.2004. After detailed discussion, the Governing Body agreed to approve the proposal as a special case, which could not be cited as a precedence, subject to the approval of the government”.

30. It would not be appropriate that the respondents suffer on the ground that the petitioners were not able to convene the meeting of governing body and the selection committee. Respondents continued on their respective posts till their regular appointment. The benefit of OPS cannot be denied to them merely because similarly situated employees in other departments would also become entitled to this relief. No error can be found in the order dated 13.03.2018 passed by the Tribunal in holding that OPS would apply to the respondents.

31. In view of the afore-said discussion, there is no merit in the

CWP No. 26482 of 2018

[17]

present petition, accordingly, the same is dismissed.

(AJAY KUMAR MITTAL)  
JUDGE

OCTOBER 22, 2018  
SHAM

(AVNEESH JINGAN)  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No

Minutes of 157<sup>th</sup> Meeting of Governing Body of AIIMS Delhi held at 10.45 A.M. on 24<sup>th</sup> January, 2019.

Meeting of the 157<sup>th</sup> meeting of the Governing Body (GB) of AIIMS, New Delhi was held at 10.45 A.M. on 24<sup>th</sup> January, 2019 in Ramalingaswami Board Room at AIIMS New Delhi. The followings members were present:-

- 1) Shri Jagat Prakash Nadda — Chairman  
Hon'ble Union Minister of Health & Family Welfare  
Government of India,  
Nirman Bhawan,  
New Delhi - 110 011
- 2) Shri Ramesh Bidhuri — Member  
Hon'ble Member of Parliament (Lok Sabha)  
H.No.179, Sunpath House,  
Village Tughlakabad  
New Delhi - 110 044
- 3) Smt. Preeti Sudan — Member  
Secretary to the Govt. of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan,  
New Delhi - 110 011
- 4) Dr. S Venkatesh — Member  
Director General of Health Services,  
Government of India,  
Ministry of Health & Family Welfare  
Nirman Bhawan, New Delhi - 110 011
- 5) Shri R K Vats — Member  
Special Secretary & Financial Adviser  
Government of India  
Ministry of Health & Family Welfare,  
Nirman Bhawan, New Delhi - 110 011

ITEM NO.GB-157/22

To consider the proposal for grant of voluntary retirement to Dr. G.C. Khilnani, Professor & HOD of Pulmonary Medicine & Sleep Disorders from the service of this Institute w.e.f. 01.11.2018 (FN) - Ex-Post-Facto approval.

Governing body deliberated and accepted the request of Dr. G.C. Khilnani.

ITEM NO.GB-157/23

To consider the representation submitted by the faculties, AIIMS, New Delhi for retaining their quarters/waiving off damage rent at AIIMS, New Delhi, during their deputation period.

Governing body deliberated on the proposal and stated that AIIMS Delhi may formulate a policy and send it to the Hon'ble Chairman for consideration.

ITEM NO.GB-157/24

To consider the proposal for counting of past service rendered on ad-hoc basis by faculty member/employees for the purpose of extension of benefit of GPF & old pension scheme.

The Governing Body desired that the matter may be deferred in view of pending SLP filed by the GoI in the Court.

ITEM NO.GB-157/26 (Table Agenda Item)Implementation of Master Plan of AIIMS, New Delhi

Director AIIMS informed Governing Body that the Standing Finance Committee in its meeting on 17<sup>th</sup> January, 2019 has considered and approved the proposal for Implementation of Master Plan of AIIMS, New Delhi at an estimated cost of Rs 10,345 Crores to be developed over 70 months.

The Governing Body discussed the proposed Master Plan and the plan for its implementation. Health Secretary stated that the agenda proposed by AIIMS Delhi

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 43765/2019

Arising out of impugned final judgment and order dated 22-10-2018 in CWP No. 26482/2018 passed by the High Court of Punjab & Haryana At Chandigarh)

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

NEELAM AGGARWAL & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.196712/2019-CONDONATION OF DELAY IN FILING )

Date : 10-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER  
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Sanjay Jain ASG  
Mr. Ashok Panigrahi, Adv.  
Mr. Sanjay K. Chourasia, Adv.  
Mr. Rajan Kumar Chourasia, Adv.  
Mr. Anil Tayal, Adv.  
Mr. S. Vinay Ratnakar, Adv.  
Mr. Nabab Singh, Adv.  
Mr. Gurmeet Singh Makker, AOR

For Respondent(s)

Mr. Gurminder Singh, Sr. Adv.  
Ms. Harpriya Khaneka, Adv.  
Mr. Rajat Mittal, AOR

UPON hearing the counsel the Court made the following  
O R D E R

There is delay of 317 days in filing this Petition, for which no satisfactory explanation has been offered. Consequently, the Special Leave Petition is dismissed on the ground of delay. However, question of law is kept open.

Pending applications, if any, are disposed of.

Signature Not Verified  
Digitally signed by  
ASHWANI KUMAR  
Date: 2020.01.11  
10:21:55  
Reason:

(NEELAM GULATI)  
COURT MASTER (CU)

(RAJINDER KAUR)  
BRANCH OFFICER

497

2021 67-6556

Annexure IV

F.No.V-17020/39/2009-INI-II (Pt)  
Government of India  
Ministry of Health & Family Welfare  
INI-II Section  
\*\*\*\*\*

संलग्न प्रकरण/Annexure Cell  
अंकन/Number: 17020/39/2009  
A.I.M. & Family Welfare  
फाइल/File/No./Letter/Date/Received  
दिनांक/On Date... 12/6/2020  
दफ्तरी नं./Dy. No./पत्रिका नं./PTS No. 547

Nirman Bhawan, New Delhi  
Dated the 04<sup>th</sup> March, 2020

To,  
The Director,  
Post Graduate Institute of Medical Education & Research,  
Chandigarh -160012

Subject:- Implementation of Hon'ble CAT order dated 13.03.2018 in the O.A. No. 060/00105/2018 titled as Neelam Agarwal & Others - regarding.

Sir,  
I am directed to refer to the above mentioned subject and to say that SLP D. No. 43765/2019 filed by Union of India was come up for hearing on 10.01.2020 and the same was dismissed by the Hon'ble Supreme Court with the following order:-

*'There is delay of 317 days in filing this Petition, for which no satisfactory explanation has been offered. Consequently, the Special Leave Petition is dismissed on the ground of delay. However, question of law is kept open.*

*Pending applications, if any, are disposed of.'*

2. The net effect of the dismissal of the SLP is that the order dated 13.03.2018 of Hon'ble Tribunal in the O.A. No. 060/00105/2018 titled as Neelam Agarwal & Others has to be implemented.
3. Accordingly, the matter has been examined in the Ministry in consultation with the Department of Legal Affairs, Ministry of Law & Justice and it has been decided to implement the order dated 13.03.2018 of the Hon'ble Tribunal in the O.A. No. 060/00105/2018 titled as Neelam Agarwal & Others in favour of the Petitioners only.
4. You are, therefore, requested to take further necessary action in the matter accordingly.

Yours faithfully,

*Sunil Kumar Gupta*  
4/3/2020

(Sunil Kumar Gupta)  
Under Secretary to Govt. of India  
Tel: 23061986

*11/6/2020*  
*PK (F)*

*524*  
*12/6/2020*

AO (FE) : Pl. keep this in  
File for reference in the matter  
of extinction of old pension scheme





Faculty Cell  
New Delhi-110029  
On Date...  
No./.../...

498

Annexure - V  
Department of Pediatrics  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi-110 029

Dr. Rakesh Lodha, MD  
Professor

Tel : +91-11-26593621  
Fax : +91-11-26588663, 26588641  
Email : rldoha1661@gmail.com

प्राप्त किया  
672731  
- 5 MAY 2020  
RECEIVED  
06/5/2020  
DIRECTOR OFFICE, A.I.M.S.

May 5, 2020

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

प्राप्त किया/RECEIVED  
उप निदेशक (पत्रा) का्यालय, अ.भा.आ.सं.,  
I.M.S.  
06 MAY 2020

**Subject:** Request for extension of benefits of Old Pension Scheme as the qualifying service of Dr. Rakesh Lodha for pension commences from 18.03.1997: **Reminder along with information about additional developments.**

Sir,

This is in continuation of my earlier letters requesting the extension of benefits of Old Pension Scheme as the qualifying service for me for pension commences from 18.03.1997.

Subsequently, I had brought to your kind notice that in a case similar to mine- the Faculty of PGIMER, Chandigarh received a favourable order from the CAT, Chandigarh for extension of benefits of Old Pension Scheme; these faculty were working at PGIMER on adhoc posts (appointed prior to 2004) and later selected for regular posts after January 2004. Thereafter, the appeal filed by PGIMER in the Hon'ble High Court of Punjab & Haryana was dismissed vide CWP No. 26482/2018 dated 22.20.2018. Finally, the SLP filed against the CAT order and dismissal of the appeal by the Hon'ble High Court of Punjab & Haryana was also dismissed (Diary No. 43765/2019 dated 10.01.2020).

In compliance to the above orders, the PGIMER has issued Office Order No. F.11012/EI(I)/PGI/2020 dated 2 May 2020 granting the benefit of General Provident Fund-cum-Old Pension Scheme (after approval of the Ministry of Health & Family Welfare vide letter F.No.V.- 17020/39/2009-INI-II(Pt) dated 04.03.2020).

With these developments, I once again request you to favourably consider my request for extension of benefits of Old Pension Scheme in my case.

Thanking you,

Sincerely,

*Rakesh Lodha*  
Rakesh Lodha

*Mr Vikram*

*Mr A*  
10/1/5

forwarded for favourable action

*AK Deora*



डॉ. अशोक क. देवसारी  
Dr. Ashok K. Deorari, MD, FAMS  
आचार्य एवं विभागाध्यक्ष/Professor & Head  
अध्यापक, विभाग, Department of Pediatrics  
आर.आ.सं. दिल्ली/A.I.I.M.S., New Delhi-110029

Encl: Office order of PGIMER to grant benefit of Old pension scheme to faculty

to (FC)  
in priority  
5/5/2020

5/5/2020  
*DDA*

5/05/2020

POSTGRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH,  
CHANDIGARH



Establishment Branch-I  
Ph.No. 0172-2755521, 2755538

## OFFICE ORDER

No.F.11012/EI(I)/PGI/2020

Dated :

In compliance to the orders of the Hon'ble CAT passed in O.A. No.0060/00105/2018 dated 13.03.2018 and the dismissal of the appeal filed by the PGIMER by the Hon'ble High Court of Punjab & Haryana vide CWP No.26482/2018 dated 22.10.2018 and finally decided by the Hon'ble Supreme Court of India on 10.01.2020 SLP (Civil) Diary No.43765/2019 and in view of the approval conveyed by the Govt. of India, Ministry of Health & Family Welfare vide letter F.No.V-17020/39/2009-III-II(Pe) dated 04.03.2020 to implement the orders dated 13.03.2018 of the Hon'ble Tribunal in the O.A. titled as Neelam Aggarwal & Others in favour of the Petitioners only, the following petitioners are granted the benefit of General Provident Fund-cum-Old Pension Scheme prevalent at the time of their respective initial appointments along with all the consequential benefits, arising therefrom, in accordance with rules and law:-

Sr. No.	Name	Department	Date of appointment on adhoc basis	Date of appointment on regular basis
1.	Dr. Neelam Aggarwal	Obst. & Gynae.	12.06.1996	10.01.2008
2.	Dr. Sadhna Lal	Gastroenterology	22.03.2000	10.01.2008
3.	Dr. Rajesh Chhabra	Neurosurgery	07.04.2000	21.12.2005
4.	Dr. Jasmina Ahluwalia	Haematology	01.09.2000	10.01.2008
5.	Dr. Ajay Duseja	Hepatology	24.04.2001	21.12.2005
6.	Dr. Patampreet Singh	Neurology	07.05.2001	21.12.2005
7.	Dr. Jaimanti Bakshi	ENT	27.07.2001	21.12.2005
8.	Dr. Rajesh Vijayvergiya	Cardiology	27.07.2001	21.12.2005
9.	Dr. Bhavneet Bhatti	Pediatrics	24.09.2001	21.12.2005
10.	Dr. Sumita Khurana	Med. Parasitology	16.07.2002	21.12.2005
11.	Dr. Prema Menon	Pediatric Surgery	16.07.2002	23.04.2011
12.	Dr. Rijnesta	ENT	05.10.2002	21.12.2005
13.	Dr. Sanjay Bhadada	Endocrinology	18.10.2002	21.12.2005
14.	Dr. Devi Dayal	Pediatrics	30.10.2002	21.12.2005
15.	Dr. Joseph Mathew	Pediatrics	06.11.2002	21.12.2005
16.	Dr. Ajay Behl	Cardiology	16.04.2003	21.12.2005
17.	Dr. Sandeep Mohindra	Neurosurgery	10.04.2003	23.04.2011
18.	Dr. Kushaljit Singh Sodhi	Radiodiagnosis	03.05.2003	21.12.2005
19.	Dr. Akshay Anand	Neurology	04.11.2003	21.12.2005
20.	Dr. Manish Modi	Neurology	05.11.2003	23.04.2011
21.	Dr. Ashish Sharma	Renal Trans. Surg.	24.12.2003	21.12.2005

Dated, Chandigarh the

DIRECTOR  
PGIMER, Chandigarh

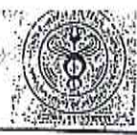
Endst.No.F.11012/EI(I)/PGI/2020

Dated: 2/5/2020

A copy is forwarded to the following for information and necessary action:-

1. The Financial Advisor, PGIMER, Chandigarh with the request to take necessary action as per orders of the Hon'ble Court and as per rules.
2. All the above mentioned officials.
3. PS/PPS to DPGI/Dean(A/R)/DDA.
4. The Drawing and Disbursing Officer, PGIMER, Chandigarh.
5. The Accounts Officer (NPS), PGIMER, Chandigarh for information and necessary action as per rules.
6. The Office Superintendent, Service Book Section for making necessary entries in the Service Books of the petitioners.
7. The Sr. Administrative Officer (I), PGIMER, Chandigarh.
8. The Dealing Assistant, EI(I) Section, PGIMER, Chandigarh for placing a copy of this order in the respective personal file of the above officials.

Sr. Administrative Officer (I)  
PGIMER, Chandigarh



Annexure-V

500

Phone (Office): +91-11-26108000 (extension: 1164)

Fax: 0091-11-26108826

Room No. 228, Main Block

JPNATC, AIIMS, New Delhi

Phone: +91-11-26731164

Mobile: 9868397720

E-mail: amitguptaaiims@gmail.com

Dr. Amit Gupta

MS, FCLS, FACS, FRCS (Glasgow)

Professor of Surgery

Division of Trauma Surgery and Critical Care

Date: 5<sup>th</sup> June 2020

Through Proper Channel

To,  
The Director,  
A.I.I.M.S.  
New Delhi, India.

Subject: Representation regarding consideration for counting of past service rendered on ad-hoc basis for the purposes of extension of benefits of General Provident Fund-cum-Old Pension Scheme. (Ref: Letter no. F.20-39/2018-Estt-I Dated 02 May 2019)

Sir,

I have been working as faculty of Surgery at the AIIMS, New Delhi w.e.f. 5<sup>th</sup> October 2002 (ad-hoc) and w.e.f. 23<sup>rd</sup> September 2005 (regular) without any break in service. Further I had worked as Senior Resident at the Institute w.e.f. November 1998 till I joined as Assistant Professor (ad-hoc) on 5<sup>th</sup> October 2002 without any break in service.

I received a letter no. F.20-39/2018-Estt-I Dated 02 May 2019 informing me about the decision of the Governing Body (GB-157/24 held on the 24<sup>th</sup> January 2019). "The Governing Body desired that the matter may be deferred in view of pending SLP filed by the GOI in the court".

In this regard, I wish to bring to your kind notice that the matter pending before the Hon'ble Supreme Court of India had been finally decided on 10<sup>th</sup> Jan 2020 SLP (Civil) Diary No. 43765/2019 following which the Ministry of Health and Family Welfare, Govt. of India had conveyed the approval to PGI Chandigarh vide letter F.No. V - 17020/39/2009-[NI-II(Pt)] dated 4.03.2020 for implementing the CAT order dated 13/03/2018 regarding the same issue for the faculty of PGI Chandigarh.

In the wake of the above I request you to kindly extend the benefits of General Provident Fund-cum-Old Pension Scheme prevailing at the time of my initial appointment i.e. October 2002 along with all the consequential benefits, arising therefrom as per rules.

Thanking You in anticipation,

Yours truly,

*Amit Gupta*  
DR. AMIT GUPTA 5/6/2020

*Sushma Sagar*  
Dr. Sushma Sagar  
Professor (Div. of Trauma Surgery & Critical Care)  
JPN Apex  
AIIMS, New Delhi-110029

Encl:

1. Copy of Letter no. F.20-39/2018-Estt-I Dated 02 May 2019
2. Copy of PGI Chandigarh Office order No. F.11012/EI(I)/PGI/2020 Dated 02/05/2020

*Vikram*

*M/S*

Received on  
01/6/2020

Ms. K  
advt  
Kesh  
H

501

ALL INDIA INSTITUTE OF MEDICAL SCIENCES  
Ansari Nagar, New Delhi – 110029, INDIA.



Dr. URVASHI B SINGH  
M.D., Ph.D., FAMS  
Professor,  
Department of Microbiology

Ph.: 91-11-26588500-ext:8856,490  
Fax:91-11-26588663  
E-mail: drurvashi@gmail.com

Dtd.: 30 May, 2020

To,  
The Director,  
AIIMS,  
New Delhi

रवश्री सिंह / Faculty Cell  
आर.बी.एस. सिंह / रवश्री सिंह  
A.I.I.M.S. New Delhi-110029  
प्राध्यापक, पीएच.डी./लेक्चरर/असिस्टेंट प्रोफेसर  
दिनांक/On Date..... 30/5  
नाम सं/Dr. No./दस्तावेज सं/Ref No.....

Through Proper Channel

Subject: Follow-up of the issue of considering the proposal for counting of past services rendered on ad-hoc basis for the purpose of extension of benefits of GPF and Old Pension Scheme

Ref No.: F. 20-39/2018-ESTT-1, (letter dated 2.05.2019)

Respected Sir,

This is with respect to the above letter from Chief Administrative Officer, AIIMS.

Further to the above letter, the honorable Supreme Court has dismissed the SLP filed by GOI (vide Order No.4376, dtd. 10.01.2020).

In view of this, I would request you to kindly consider my plea again. I have sent request letters regarding the above subject earlier.

Kindly consider and oblige.

Thanking you,

Yours sincerely,

Dr Urvashi B Singh

For  
R Chaudhry  
30/05/2020

Dr. RAMA CHAUDHRY  
Professor & Head  
Department of Microbiology  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi-110029

Vikram  
[Signature]

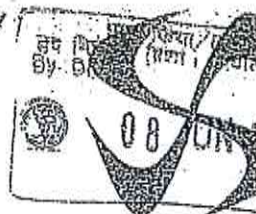


Department of Gastrointestinal Surgery

All India Institute of Medical Sciences

Ansari Nagar, New Delhi 110 029, India

Tel: 91-11-2659 3461, Fax: 91-11-2658 8663



502

5th June 2020

The Director, (Through proper channel)

A.I.I.M.S.  
New Delhi, India.



67588  
6/6/20  
8/6/20  
9/6/20

संकाय प्रकोष्ठ/Faculty Cell  
अंश 03/03/20, नई दिल्ली-110029  
A.I.I.M.S., New Delhi-110029  
फाइल/Files/पत्र/Letter/प्राप्त किया/Received  
दिनांक/On Date..... 11/06/2020  
522

Subject: Representation regarding consideration for counting of past service rendered on ad-hoc basis for the purposes of extension of benefits of General Provident Fund-cum-Old Pension Scheme. (Ref: Letter no. F.20-39/2018-Estt-I Dated 02 May 2019)

Respected Sir,

I have been working as faculty of Surgery at the AIIMS, New Delhi w.e.f. 5th May 2003 (Assistant Professor-ad-hoc) and w.e.f. 23rd September 2005 (Assistant Professor-regular) without any break in service.

I received a notification no. F.20-39/2018-Estt-I Dated 02 May 2019 informing me about the decision of the Governing Body (GB-157/24 held on the 24th January 2019). "The Governing Body desired that the matter may be deferred in view of pending SLP filed by the GOI in the court".

In this regard, I wish to bring to your kind notice that the matter pending before the Hon'ble Supreme Court of India had been finally decided on 10th Jan 2020 SLP (Civil) Diary No. 43765/2019 following which the Ministry of Health and Family Welfare, Govt. of India had conveyed the approval to PGI Chandigarh vide letter F.No. V - 17020/39/2009-[N I-II(Pt)] dated 4.03.2020 for implementing the CAT order dated 13/03/2018 regarding the same issue for the faculty of PGI Chandigarh.

Taking the above into consideration I request you to kindly extend the benefits of General Provident Fund-cum-Old Pension Scheme prevailing at the time of my initial appointment i.e. May 2003 along with all the consequential benefits, arising therefrom as per rules.

Thanking you in anticipation,

Yours sincerely,

Dr Sujoy Pal  
Professor



Dr. SUJOY PAL  
Professor

Deptt. of GI Surgery & Liver Transplantation  
All India Institute of Medical Sciences  
Ansari Nagar, New Delhi-110029

Encl:

1. Copy of Letter no. F.20-39/2018-Estt-I Dated 02 May 2019
2. Copy of PGI Chandigarh Office order No. F.11012/EI(I)/PGI/2020 Dated 02/05/2020

in file: All representations on this issue

6/6/2020  
8/6  
S  
me  
DA

Forwarded.

Dr. Parash Chandra  
Professor & HOD  
Deptt. of GI Surgery & Liver Transplantation  
All India Institute of Medical Sciences



503

दिनांक/ Dated : 27 - 5 - 2020

Through proper channels

Ref: representation for old pension scheme

संकाय प्रकोष्ठ / Faculty Cell  
अध्यक्ष/आचार्य, 12-16-10029  
A.I.I.M.S., New Delhi-110029  
फाइल/File/No./Lettor/Date/Received  
दिनांक/On Date: 12.6.2020  
संकाय नं./Dy. No./एच.टी.एस. नं./HTS No. 538

To, Director AIIMS

Respected Sir,

I joined AIIMS in February 2000 as an ad hoc assistant professor and have continued uninterrupted service since then. I had previously written for consideration of old pension scheme, which I had earlier as well as a GPF account. Both these were subsequently denied me when I was regularized in 2005. Unfortunately the fire has destroyed all my previous letter which were stored in my teaching block 5th floor office.

The last letter I received from your esteemed administration stated that an SLP was pending. Since then as you will be well aware the Supreme court ruling has come and recommended to implement the old pension scheme for faculty such as myself in FGI Chandigarh.

I look to you and the administration for support and justice in this case.

Sincerely

*Tulika Seth*

Tulika Seth

Dr. Tulika Seth  
Professor

Professor

Department of Hematology  
A.I.I.M.S., New Delhi-110029

Hematology AIIMS

Ref above

This may be forwarded to AO (Faculty Cell) for further n/s

8/5/20 AO CA) 28/6/20

To - AO (Faculty Cell)



All India Institute of Medical Sciences

Ansari Nagar, New Delhi - 110 029

Dr. Buddhadev Chowdhury  
MS-Orthopaedics (AIIMS New Delhi)  
Professor of Orthopaedics

504

Phone (Office) +91-11-26108000 (extension: 1063)  
Fax: 0091-11-26106826  
Room No. 408, Main Block  
JPNATC, AIIMS, New Delhi  
Phone: +91-11-26731063  
Mobile: 9868043067  
E-mail: buddhadevc@gmail.com

Through Proper Channel

Date:-06.06.2020

To,  
The Director  
AIIMS,  
New Delhi, India.

संकाय प्रकोष्ठ / Faculty Cell  
अंशानुसार, नई दिल्ली-११००२९  
A.I.I.M.S., New Delhi-110029  
फाइल/File/पत्र/Letter/पत्र किया/Received  
दिनांक/On Date.....11/6/2020  
अपरी नं./By No./दस्तावेज नं./File No. 521

Subject: Representation regarding consideration for counting of past service rendered on ad-hoc basis for the purposes of extension of benefits of General Provident Fund-cum-Old Pension Scheme. (Ref: Letter no. F.20-39/2018-Estt-I Dated 02 May 2019)

Sir,

I have been working as faculty of Orthopaedics at the AIIMS, New Delhi w.e.f. 11<sup>th</sup> of July 1997 (ad-hoc) and w.e.f. 23<sup>rd</sup> September 2005 (regular) without any break in service. Further I had worked as Senior Resident at the Institute w.e.f. June 1994 till I joined as Assistant Professor (ad-hoc) on 11<sup>th</sup> July 1997 without any break in service.

I received a letter no. F.20-39/2018-Estt-I Dated 02 May 2019 informing me about the decision of the Governing Body (GB-157/24 held on the 24<sup>th</sup> January 2019). "The Governing Body desired that the matter may be deferred in view of pending SLP filed by the GOI in the court".

In this regard, I wish to bring to your kind notice that the matter pending before the Hon'ble Supreme Court of India had been finally decided on 10<sup>th</sup> Jan 2020 SLP (Civil) Diary No. 43765/2019 following which the Ministry of Health and Family Welfare, Govt. of India had conveyed the approval to PGI Chandigarh vide letter F.No. V - 17020/39/2009-[N I-II(Pt)] dated 4.03.2020 for implementing the CAT order dated 13/03/2018 regarding the same issue for the faculty of PGI Chandigarh.

In the wake of the above I request you to kindly extend the benefits of General Provident Fund-cum-Old Pension Scheme prevailing at the time of my initial appointment i.e. July 1997 along with all the consequential benefits, arising therefrom as per rules.

Thanking You in anticipation,

Yours truly,

DR. Buddhadev Chowdhury

Forwarded

8/6/20  
अध्यक्ष / Chief

ज.प्र.ना.सीके टॉपिंग लेयर, ज.प्र.ना.सीके.  
J.P.N.A.T.C., A.I.I.M.S.,  
नई दिल्ली-29, N.Delhi-29

RS

11

Admino (FC)

Office Director, JPNATC, Health Centre  
नई दिल्ली, ज.प्र.ना.सीके टॉपिंग लेयर  
File No. 676076  
Date: 08-06-2020

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**  
**ANSARI NAGAR, NEW DELHI-110029**  
**504-A**

Annexure - V)  
Annexure - VI

No. F. 20-39/2018-ESTT-I

Dated the:

To

08 JUN 2020

Ms. Preeti Sudan,  
Secretary,  
Government of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan,  
New Delhi

**Subject: - Counting of past service rendered on ad-hoc basis by faculty members/ employees for the purpose of extension of benefits of GPF & Old Pension Scheme at the AIIMS, New Delhi- regarding.**

\*\*\*\*\*

Dear Madam,

We are in receipt of representations from the Faculty Members of AIIMS, New Delhi, who had been working in the AIIMS, New Delhi on or before January 2004 against the vacant regular posts on Ad-hoc basis and were subsequently selected for regular appointment & had joined the same post without any break on or after January, 2004. They have been writing for their inclusion in the Old Pension Scheme. Their request was based on judgement of Hon'ble High Court of Punjab & Haryana to extend Old Pension Scheme to faculty working at PGI, Chandigarh, who had similar situation i.e. working on Ad-hoc basis before 01.01.2004.

On the basis of their requests, a proposal was placed before the Governing Body of AIIMS in its 157<sup>th</sup> meeting held on 24<sup>th</sup> January, 2019. This agenda item was deferred as the Ministry of Health & Family Welfare was planning to file SLP, before the Supreme Court.

Ministry of Health & Family Welfare had filed SLP against the above mentioned judgement of Hon'ble High Court. The SLP filed by the Ministry has been disposed off by Supreme Court. There after, the Faculty of PGIMER, who had gone to the court for extending the Old Pension Scheme on similar grounds & had been given the relief by the CAT and Hon'ble High Court of Haryana, have been included in Old Pension Scheme by PGIMER, Chandigarh.

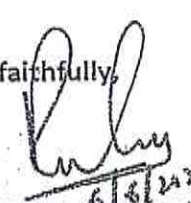
After extension of Old Pension Scheme to petitioners by PGIMER, Chandigarh, our faculty members have again requested for their inclusion in Old Pension Scheme on the same grounds as in the case of faculty from PGIMER, Chandigarh.

We had earlier requested Ministry of Health & Family Welfare to guide us in this matter vide this office letter dated 16.03.2020 (Copy enclosed).

I would be grateful if you could consider this matter and guide us further.

With regards,

Yours faithfully,

  
(DR. RANDEEP GULERIA)  
6/6/2020  
DIRECTOR

Encl.:- As above.



ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi - 110 029

505

No. F. 20-39/2018-Estt-I

Dated the

To

Sh. Sunil Sharma,  
Joint Secretary,  
Government of India,  
Ministry of Health & Family Welfare,  
Nirman Bhawan,  
New Delhi-110 011

16 MAR 2020

**Subject: - To consider the proposal for counting the past services rendered on ad-hoc basis, by the faculty members/ employees for the purpose of extension of benefits of GPF & Old Pension Scheme, at the AIIMS, New Delhi.**

\*\*\*\*\*

Sir,

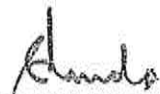
As you may be aware, the Governing Body of this Institute in its 157<sup>th</sup> Meeting held on 24.01.2019 had deliberated on the Agenda Item No. GB-157/24 regarding issue of considering the proposal for counting of past service rendered on ad-hoc basis by faculty members/ employees for the purpose of extension of benefits of GPF & Old Pension Scheme at the AIIMS, New Delhi. This Agenda had been put up for consideration in the context of an order passed by the Hon'ble CAT in favour of the faculty of PGIMER, Chandigarh for extension of benefits of Old Pension Scheme and thereafter decided as follows:-

"The Governing Body desired that the matter may be deferred in view of pending SLP filed by the GOI in the court."

It is pertinent to mention here that the SLP was filed by Ministry of Health & Family Welfare in December, 2019 on the above matter and the same has been dismissed by the Hon'ble Supreme Court on 10.01.2020, on account of delay in filing the SLP (copy of the Order dated 10.02.2020 passed by Hon'ble Supreme Court in SLP No. 43765/2019 is enclosed). In view of dismissal of the SLP, we are in receipt of various representations from the Faculty Members who are demanding for extending them the benefits of GPF & Old Pension Scheme.

In view of the position explained above and the decision of the Hon'ble Supreme Court, the Ministry of Health & Family Welfare is requested to kindly advise on the issue whether the benefits of GPF & Old Pension Scheme are to be extended to the faculty/employees of this Institute taking into consideration the period of their ad-hoc services rendered at this Institute.

Yours faithfully,



(Subhasish Panda)

Deputy Director (Admn.)

Encl.:- As above.

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Establishment Branch-I  
Ph.No. 0172-2765521, 2765538

OFFICE ORDER

No.F.11012/EI(1)/PGI/2020

Dated :

In compliance to the orders of the Hon'ble CAI passed in O.A. No.0060/00105/2018 dated 13.03.2018 and the dismissal of the appeal filed by the PGIMER by the Hon'ble High Court of Punjab & Haryana vide CWP No.26482/2018 dated 22.10.2018 and finally decided by the Hon'ble Supreme Court of India on 10.01.2020 SLP (Civil) Diary No.43765/2019 and in view of the approval conveyed by the Govt. of India, Ministry of Health & Family Welfare vide letter F.No.V-17020/39/2009-III-II(Pt) dated 04.03.2020 to implement the orders dated 13.03.2018 of the Hon'ble Tribunal in the O.A. titled as Neelam Aggarwal & Others in favour of the Petitioners only, the following petitioners are granted the benefit of General Provident Fund-cum-Old Pension Scheme prevalent at the time of their respective initial appointments along with all the consequential benefits, arising therefrom, in accordance with rules and law:-

Sr. No.	Name	Department	Date of appointment on adhoc basis	Date of appointment on regular basis
1.	Dr. Neelam Aggarwal	Obst. & Gynac.	12.06.1996	10.01.2008
2.	Dr. Sadhna Lal	Gastroenterology	22.03.2000	10.01.2008
3.	Dr. Rajesh Chhabra	Neurosurgery	07.04.2000	21.12.2005
4.	Dr. Jasmina Ahluwalia	Haematology	01.09.2000	10.01.2008
5.	Dr. Ajay Duseja	Hepatology	24.04.2001	21.12.2005
6.	Dr. Parampreet Singh	Neurology	07.05.2001	21.12.2005
7.	Dr. Jaimanti Bakshi	ENT	27.07.2001	21.12.2005
8.	Dr. Rajesh Vijayvergiya	Cardiology	27.07.2001	21.12.2005
9.	Dr. Bhavneet Bharti	Pediatrics	24.09.2001	21.12.2005
10.	Dr. Sumita Khurana	Med. Parasitology	16.07.2002	21.12.2005
11.	Dr. Prema Menon	Pediatric Surgery	16.07.2002	23.04.2011
12.	Dr. Rijuneta	ENT	05.10.2002	21.12.2005
13.	Dr. Sanjay Bhadada	Endocrinology	18.10.2002	21.12.2005
14.	Dr. Devi Dayal	Pediatrics	30.10.2002	21.12.2005
15.	Dr. Joseph Mathew	Pediatrics	06.11.2002	21.12.2005
16.	Dr. Ajay Behl	Cardiology	10.04.2003	21.12.2005
17.	Dr. Sandeep Mohindra	Neurosurgery	10.04.2003	23.04.2011
18.	Dr. Kushaljit Singh Sodhi	Radiodiagnosis	03.05.2003	21.12.2005
19.	Dr. Akshay Anand	Neurology	04.11.2003	21.12.2005
20.	Dr. Manish Modi	Neurology	05.11.2003	23.04.2011
21.	Dr. Ashish Sharma	Renal Trans. Surg.	24.12.2003	21.12.2005

Dated, Chandigarh the

DIRECTOR  
PGIMER, Chandigarh

Endst.No.F.11012/EI(1)/PGI/2020

Dated: 2/5/2020

A copy is forwarded to the following for information and necessary action:-

1. The Financial Advisor, PGIMER, Chandigarh with the request to take necessary action as per orders of the Hon'ble Court and as per rules.
2. All the above mentioned officials.
3. PS/PPS to DPGI/Dean(A/R)/DDA.
4. The Drawing and Disbursing Officer, PGIMER, Chandigarh.
5. The Accounts Officer (NPS), PGIMER, Chandigarh for information and necessary action as per rules.
6. The Office Superintendent, Service Book Section for making necessary entries in the Service Books of the petitioners.
7. The Sr. Administrative Officer (1), PGIMER, Chandigarh.
8. The Dealing Assistant, EI(1) Section, PGIMER, Chandigarh for placing a copy of this order in the respective personal file of the above officials.

## NOTE FOR THE GOVERNING BODY

Item No. GB/19

TO CONSIDER THE PROPOSAL FOR EXPANSION OF NATIONAL DRUG DEPENDENCE TREATMENT CENTRE (NDDTC) FOR ESTABLISHMENT OF WOMEN & ADOLESCENT DRUG ABUSE TREATMENT FACILITIES AND PRIVATE WARD AT NDDTC, AIIMS NEW DELHI.

\*\*\*\*\*

### 1. INTRODUCTION

- 1.1 Substance abuse including alcohol and drugs is undoubtedly a major public health problem in India. There is increased need for availability of services for women and adolescent substance users as these are populations with distinct treatment needs and currently very minimal services exist for women and adolescents.
- 1.2 The National Drug Dependence Treatment Centre (NDDTC), AIIMS has been established as the apex centre for treatment of drugs and substance abuse disorders in the country.
- 1.3 The NDDTC is situated on 10 acre campus near CGO Complex at Ghaziabad, Delhi-NCR. It is presently having 50 bedded treatment facilities with two general wards of 25 beds each. Clinical care is provided through outpatient, inpatient settings and community clinics.
- 1.4 NDDTC runs an outpatient clinic for women and another for adolescent substance users but there is no separate inpatient facility for them till now. There is a need to expand services to provide inpatient care for women and adolescent substance users.

### 2. ADMINISTRATIVE COMMENTS

- 2.1 A proposal for expansion of National Drug Dependence Treatment Centre (NDDTC) for Establishment of Women & Adolescent Drug Abuse Treatment Facilities and private ward at NDDTC, AIIMS New Delhi was put before the Ministry of Health & FW, which was approved in principle vide Ministry's letter No. X.11029/22/2018-DDAP dated 25.04.2019 and requested to obtain approval from Standing Finance Committee and Governing Body of AIIMS, New Delhi
- 2.2 Accordingly, an agenda item was placed before the Standing Finance Committee in its 219<sup>th</sup> meeting held on 30.08.2019 vide agenda item No.SFC-219/15 and the SFC decided as under:-



- 2.3 "The SFC considered and recommended the proposal for placing it before the Governing Body of the Institute before re-submitting the proposal to the Ministry."

A copy of the aforesaid agenda item and its minutes are enclosed as Annexure-I & II.

3. APPROVAL SOUGHT

- 3.1 The Governing Body may kindly consider the proposal for expansion of National Drug Dependence Treatment Centre (NDDTC) for Establishment of Women & Adolescent Drug Abuse Treatment Facilities by creating additional 50 beds, distributed over two 20-bedded general wards (one for women and one for adolescents) and private ward with 10 rooms along-with all auxiliary facilities at NDDTC, AIIMS New Delhi at a cost of Rs. 43.67 crores.
- 3.2 Approval of the Governing Body may also be accorded to implement the project through HSCC as PMC at a Consultancy fee of not more than 5% + applicable taxes as already mentioned in DPR.

This has the approval of the Director.

\*\*\*\*\*

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and accountability in the financial process.

Furthermore, it is noted that regular audits are essential to identify any discrepancies or errors. By conducting these audits frequently, the organization can prevent small mistakes from escalating into larger financial issues.

In addition, the document highlights the need for clear communication between all parties involved. This includes providing detailed explanations for any unusual entries and ensuring that all stakeholders are kept informed of the current financial status.

Finally, it is stressed that the financial records should be kept secure and accessible only to authorized personnel. This helps to protect sensitive information and prevents unauthorized access or tampering.

**NATIONAL DRUG DEPENDENCE TREATMENT CENTRE**  
**All India Institute of Medical Sciences**  
**New Delhi**

Item No SFC-219/15

**NOTE FOR THE STANDING FINANCE COMMITTEE**

**1. INTRODUCTION**

Substance abuse including alcohol and drugs is undoubtedly a major public health problem in India. There is increased need for availability of services for women and adolescent substance users as these are populations with distinct treatment needs and currently very minimal services exist for women and adolescents.

The National Drug Dependence Treatment Centre (NDDTC), AIIMS has been established as the apex centre for treatment of drugs and substance abuse disorders in the country.

The NDDTC is situated on 10 acre campus near CGO Complex at Ghaziabad, Delhi-NCR. It is presently having 50 bedded treatment facilities with two general wards of 25 beds each. Clinical care is provided through outpatient, inpatient settings and community clinics.

NDDTC runs an outpatient clinic for women and another for adolescent substance users but there is no separate inpatient facility for them till now. There is a need to expand services to provide inpatient care for women and adolescent substance users.

**2. PROPOSAL**

The proposed block will be a B+G+4 building within the premises of NDDTC, with 50 beds.

The plan is as under:

S.No.	Floor	Designated to	No of Beds
1.	Basement	1100 Sqm. for Radio diagnosis (X-ray & Ultrasound); other support services like House Keeping etc.	Nil
2.	Ground Floor	OPD with Consultation rooms & Office Space (900sqm)	Nil
3.	First Floor	Female substance abusers ward (900sqm)	20

4.	Second Floor	Adolescent substance abusers ward (900 sq. mts)	20
5.	Third Floor	Private rooms (900sqm)	10
6.	Fourth Floor	Faculty rooms & Seminar room (900 sq.mts)	NIL

### 3. JUSTIFICATION

We propose the "Women and Adolescent Drug Abuse Ward & Private Ward, at NDDTC, AIIMS with the Aim to:

1. To bridge the gap between the demand and supply of healthcare
2. To cater to the specific needs of women and adolescents
3. To respond to the needs of data for formulating treatment and diagnostic guidelines for the community
4. To cater to the Institute's mandate of education, research and training

#### For Women Substance Users:

There is a gradual increase in rates of substance using women in India. They have distinct treatment needs - co-morbid psychiatric disorders, accelerated progression of substance use disorders, issues of abuse and domestic violence. They have systemic, structural, social and individual barriers in treatment seeking and treatment retention. Women-specific and gender-sensitive treatment initiative is still hardly available in India. Separate facility for women is likely to enhance treatment seeking and meet their specific needs. As a National Centre, it will help create gender specific models of treatment. Hence, a 20 Bedded ward is proposed to cater to the gender specific privacy and treatment needs of women.

#### Adolescents:

Substance use is a considerable problem in adolescents as well. Although developmentally inappropriate, most adolescents are still treated at the same setting for adults. Their needs are not adequately addressed, and influence of adults can alter treatment milieu. A 20 Bedded ward for adolescents is proposed with focus on prevention and psychosocial intervention.



**Private Ward:**

NDDTC has mandate to provide services to all strata of society. There are often requests for de-addiction from segments of society which prefer anonymity and segregation due to socio-cultural reasons. Separate rooms are also useful for patients with co-morbidities which require segregation. From service delivery and academic perspective, a private ward is required. A 10 bedded private ward is thus proposed.

**4. REFERENCE OF ANY SIMILAR APPROVED PROPOSALS, if applicable (Letter from MOHFW dated 25<sup>th</sup> April 2019 attached)**

The National Drug Dependence Treatment Centre was constructed after approval of the Ministry of Health and Family Welfare, Drug De-Addiction Programme. The present proposal of expansion has in-principle approval from the Ministry of Health and Family Welfare.

**5. INTERDEPARTMENTAL CONSULTATIONS**

Not applicable

**6. FINANCIAL IMPLICATIONS (BREAKUP WISE DETAILS) ALONGWITH AVAILABILITY OF BUDGET (PLAN/ NON PLAN)**

It is difficult to project the exact financial implications of the project since the outcome would accrue over a long-time span. However the estimated cost of the project including the building and equipment cost is Rs. 36.22 Crores and manpower costs annually is Rs. 7.45 Crores.

The break-up of estimates are as follows.

ESTIMATES FOR BUILDING			
S.No	Item	Total Cost (Rs in Lac)	
A	Building and services		
i	Civil and internal services	2032.00	
ii	External Development Works	18.35	
iii	PHE and Fire Fighting works	112.12	
iv	Electrical works	256.66	

v	Air-conditioning/Ventilation	290.87	
	Sub-total ( i to v)	2710.00	
vi	Furniture	183.00	
vii	Network Infrastructure (LAN and Wi-Fi)	75.00	
	Sub-total	2968.00	C
viii	Add for contingencies @3% on C	89.04	
	Sub-total	3057.04	D
ix	Project Consultancy Costs		
a	Add for Project Consultancy Charges @ 5% (plus GST @ 18%)	180.37	E
	Total (Building and Services)	3237.41	
	SAY	32.38	Cr
<b>ESTIMATES FOR EQUIPMENT</b>			
	Medical Equipment	3.84	Cr
<b>TOTAL (Building and equipment)</b>			
	Building and Equipment (excluding manpower)	36.22	Cr
<b>MANPOWER COSTS</b>			
i.	Regular (annual costs)	5.44	Cr
ii.	Outsourced (annual costs)	2.01	Cr
	Total manpower costs (annually)	7.45	Cr
<b>TOTAL (Building, equipment and manpower)</b>			
	Building, equipment and manpower	43.67	Cr

Note: The estimates (building and equipment only) are based upon the present costing, and actual cost may be different based upon the final layout and market forces/ considerations.

Budget will come directly from the budget head of the Drug Deaddiction Programme (DDAP) of the MoHFW.

**7. COMMENTS/ OBSERVATIONS OF THE FINANCE DIVISION WITH DUE APPROVAL OF SR. F. A.**

*"The proposal of Expansion of National Drug Dependence Treatment Centre (NDDTC) for establishment of Women and Adolescent Drug Abuse Treatment Facilities and Private Ward at NDDTC, Ghaziabad, AIIMS with approximate cost of Rs. 43.67 crore is including construction cost. Machinery & Equipment cost and manpower cost of one year has been examined in view of detailed justification of requirement of expansion in the agenda.*

*In principle, Finance Division have no objection to place the proposal before SFC for consideration and recommendations."*

Sr. F.A. has stated that NDDTC receives full budgetary support under National Health Mission and releases of Grant in Aid to NDDTC are met through AIIMS, Delhi on loan basis which is recouped by MoHFW from time to time. Once approved by competent authority budget will be sought for the same from MoHFW.

#### 8. APPROVAL SOUGHT

The proposal project as shown at 6, i.e. financial implications (breakup wise details) alongwith availability of budget (Plan/Non plan) with an estimated cost of Rs. 43.67 Crore for the expansion plan of Women and Adolescent Drug Abuse Centre and Private Ward of NDDTC, Ghaziabad, AIIMS, New Delhi is placed before the Standing Finance Committee for consideration and approval.



**(Dr. R. K. Chadda)**  
Professor and Head,  
Department of Psychiatry &  
Chief, NDDTC, Ghaziabad,  
AIIMS, New Delhi

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No. X-11029/22/2018-DDAP

Ministry of Health & Family Welfare

Government of India

(DDAP Division)

Nirman Bhawan, New Delhi

Date: 25.04.2019

To

Prof. Rakesh Chadda, Chief, NDDTC & HoD,

Deptt. of Psychiatry, NDDTC,

All India Institute of Medical Sciences,

New Delhi-110029.

**Subject:** Establishment of Women and Adolescent Drug Abuse Treatment Facilities & Private Ward at NDDTC, AIIMS-reg.

Sir,

I am directed to refer to your communication dated 08.04.2019 on the above captioned subject and to say that the proposal for expansion of NDDTC, AIIMS, Ghaziabad for the establishment of women and adolescent drug abuse treatment facilities & private ward with the addition of 50 new beds has been approved in principle.

2. In this regard, you are requested to do SHC for the above proposal and further take approval from Governing Body of AIIMS before re-submitting the proposal to this Ministry.

This issues with the approval of competent authority.

Yours faithfully,



No.X.11029/22/2018-DDAP

Government of India

Ministry of Health & Family Welfare

(DDAP Division)

Nirman Bhawan, New Delhi

Dated: 13.02.2018

To

Dr. Rakesh Chadda,

Professor & Chief NDDTC, AIIMS,

Ansari Nagar, New Delhi-110029

**Subject:** Establishment of Women and Adolescent Drug Abuse Treatment facilities & Private ward at NDDTC, AIIMS-reg.

Sir,

I am directed to convey the in-principle approval of competent authority regarding the proposal dated: 20.06.2018 for expansion of NDDTC [increase by 50 beds] for "Establishment of Women and Adolescent Drug Abuse Treatment Facilities & Private ward at NDDTC, AIIMS".

2. However, it may be noted that no separate funds have been earmarked for this purpose in the budget proposal submitted to Budget Division for the current financial year [BE & RE 2018-19] and for the next financial year [BE 2019-20].

3. Therefore, it is requested to submit the above proposal with initial requirement of funds to initiate the process.

Yours faithfully,

Signature valid

Digitally signed by PRADIP KUMAR PAL  
Date: 2019.02.19 13:53:53 IST  
Reason: Approved

(Pradip Kumar Pal)

Under Secretary to the Government of India

Tel: 23063019

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Proposal for

**EXPANSION OF NATIONAL  
DRUG DEPENDENCE  
TREATMENT CENTRE (NDDTC)**

**(INCREASE BY 50 BEDS)**

**FOR**

**Establishment of Women and Adolescent Drug Abuse  
Treatment facilities & Private ward at NDDTC, AIIMS**

INTRODUCTION

Substance abuse including alcohol and drugs is undoubtedly a major public health problem in India. There is increased need for availability of services for women and adolescent substance users as these are populations with distinct treatment needs and currently very minimal services exist for women and adolescents.

The National Drug Dependence Treatment Centre (NDDTC), AIIMS has been established as the apex centre for treatment of drugs and substance abuse disorders in the country.

The NDDTC is situated on 10 acre campus near CGO Complex at Ghaziabad, Delhi-NCR. It is presently having 50 bedded treatment facilities with two general wards of 25 beds each. Clinical care is provided through outpatient, inpatient settings and community clinics.

NDDTC runs an outpatient clinic for women and another for adolescent substance users but there is no separate inpatient facility for them till now.

**PROPOSAL FOR ESTABLISHMENT OF WOMEN AND ADOLESCENT DRUG ABUSE TREATMENT FACILITIES & PRIVATE WARD, AT NDDTC, AIIMS**

The proposed block will be a B+G+4 building within the premises of NDDTC, with 50 beds.

The plan is as under:

S.No.	Floor	Designated to	No of Beds
1.	Basement	1100 Sqm. for Radio diagnosis (X-ray & Ultrasound); other support services like House Keeping etc.	Nil
2.	Ground Floor	OPD with Consultation rooms & Office Space (900sqm)	Nil
3.	First Floor	Female substance abusers ward (900sqm)	20
4.	Second Floor	Adolescent substance abusers ward (900 sq. mts)	20
5.	Third Floor	Private rooms (900sqm)	10
6.	Fourth Floor	Faculty rooms & Seminar room (900 sq mts)	NIL



JUSTIFICATION

We propose the "Women and Adolescent Drug Abuse Ward & Private Ward, at NDDIC, AIIMS with the Aim to:

1. To bridge the gap between the demand and supply of healthcare
2. To cater to the specific needs of women and adolescents
3. To respond to the needs of data for formulating treatment and diagnostic guidelines for the community
4. To cater to the Institute's mandate of education, research and training

A separate justification for each of the proposed area is provided below.

**Justification for Separate Women Ward**

In recent years, an increase in number of women seeking treatment for substance use has been observed. A nation-wide study focusing exclusively on women substance use, reported high lifetime rates of tobacco (79.1%), alcohol (77.4%), cannabis (22.7%), heroin (33.5%), dextropropoxyphene (25.9%), sleeping pills (22.4%), and injection among women substance users. The study observed that once initiation into drug use takes place, transition to a pattern of use of 'hard drugs' is faster among women.

Women have distinct treatment-needs. They present with co-morbid psychiatric disorders, such as depression, anxiety disorders, PTSD and physical/psychological complications (because of an accelerated progression of substance-use disorders—a phenomenon widely known as "telescoping") more often as compared to men. In addition, they are more likely to need help for emotional problems at a younger age, and have attempted suicide more often than substance-dependent males. Nearly half of the women treatment-seekers in tertiary addiction treatment centres or community clinics in India report significantly more physical and sexual abuse and domestic violence, and victimization, humiliation and marital conflict for initiation of substance use than their male counterparts.

Treatment seeking rates among women who use drugs are poor all over the world including India, and women face various systemic, structural, social and individual barriers in treatment seeking and retention in treatment for substance abuse.

Prevalence of treatment seeking women among centres in India varies from 1-8.9%. A retrospective chart review of five years (2011-2015) at NDDTC found that women constituted only 1.32% of total treatment seekers at OPD. A majority of patients (168, 77.4%) reported no history of any previous significant (> 1 months) abstinence attempts. Prior treatment seeking was also low and was reported by only 10 (4.6%) patients. None of the patients reported any previous hospitalization for treatment of substance use or related problems. About half of the patients (103, 47.4%) reported major physical complications related to substance use (for example, ulcers because of injection pentazocine, seizures related to alcohol withdrawals etc.). Lack of support from family; responsibilities at home; decreased perception of need for treatment and less education about treatment as a viable option, stigma, and shame predict women's substance abuse treatment entry, retention, and outcomes.

In the western countries, understanding of the unique risk factors, pressing needs of women who use drugs and outcome implications have resulted in the development of women specific and gender-sensitive comprehensive treatment models. Women-specific and gender-sensitive treatment initiative is still hardly available in India. Currently, very few tertiary centres are running clinics for this special population. Non-governmental organization participation in this regard is hardly visible.

*Separate facility for women is likely to enhance treatment seeking and also meet their specific needs. As a National Centre, it will help create gender specific models of treatment.*

*In the above background, we propose a 20 Bedded ward to cater to the gender specific privacy and treatment needs of the women.*

#### **Justification For a Separate Adolescent Ward**

Adolescence and late childhood is the age for experimentation, exploration, and risk taking. Individual biological propensity compounded by exposure to various psycho-social stressors like competition both in the fields of education and employment, changing roles in the family and society, new found responsibilities and a changing identity makes the adolescents vulnerable to drug use.

The first large scale, multi-site survey in India to focus exclusively on profile, pattern and correlates of substance use among child population by NDDTC conducted for NCPDR

comprised of 4,024 children between 5-18 years of age (average age:  $15.6 \pm 2.1$  years) reported the pattern of use of a variety of substances among substance using adolescents. Tobacco (83.2%), alcohol (67.7%), cannabis (35.4%), inhalants (34.7%), pharmaceutical opioids (18.1%), sedatives (7.9%) and heroin/smack (7.9%) are the substances used by the adolescents. The mean age of onset for the gateway substances like tobacco (12.3 years), inhalants (12.4 years), cannabis (13.4 years), alcohol (13.6 years) were lower than the harder substances -opium, pharmaceutical opioids, heroin (14.3-14.9 years) and use of substances through injecting route (15.1 years). Onset of substance use was 1-1.5 years earlier among street children compared to those living at home.

Moreover, adolescents who abuse drugs frequently also suffer from co-morbid depression, anxiety disorders, attention-deficit hyperactivity disorder (ADHD), oppositional defiant disorder, and conduct problems. Many adolescents who abuse drugs have a history of physical, emotional, and/or sexual abuse or other trauma and conflict in the family or substance using parent/s. There is a greater chance of experiencing major physical or psychological complications without meeting diagnostic criteria for the disorder.

Additionally, treatment seeking is less likely among adolescents than adults due to several factors like a shorter history of drug use, fewer perceived drug-related consequences, use within the peer group, normalizing the behaviour, and a lack of maturity.

Although developmentally inappropriate, most adolescents are still treated at the same setting for adults. Since adolescent and adult drug problems are often manifested differently, it is imperative that treatment programs be designed specifically for adolescents.

In India, there is no separate treatment setting for adolescents which can cater to the special needs of this population. In most of the addiction treatment centres, adolescents are treated along with adults and their need are not adequately addressed.

NDDTC runs a specialty OPD service for this population but does not have separate in-patient setting for them. This often becomes harmful for them in terms of gaining knowledge about the substance use pattern of adults, as well as exposing them to risk of potential abuse by adult patients.

*Looking at the growing number of treatment seeking adolescents, need for early intervention and need for intensive psycho-social intervention, we propose establishment of a separate 20 Bedded ward for adolescents.*

#### **Justification for A Private ward**

NDDTC as a part of AIIMS is a tertiary care hospital and has a mandate to cater to all strata of the society. The type and pattern of substance use often differs across different social strata. Drugs like cocaine and other stimulants including some of the newer psychotropic substances are usually used in the upper socio-economic strata only. Both from a service delivery perspective as a national centre and from the teaching perspective as a teaching institute running a super-specialised DM Addiction Psychiatry programme, we should be treating all kinds of substance use problems that people from different strata of society are exposed to including those available to higher socio-economic strata.

*However, with the current lack of a private ward, we are not able to cater to the needs of all sections of society. Opening up a paying private setting within the NDDTC premises would be able to meet these needs.*

With this justification, we propose 10 private rooms treatment facility.

#### **Justification for Radio diagnostic Facilities:**

The substance abusers are at a higher risk to acquire various infections including tuberculosis, liver diseases and other GI tract infections. Apart from this, they are at higher risk for various injuries as well.

Presently, NDDTC does not have Radio-diagnostic facility, patients are referred either to nearby Government Hospitals or to Main AIIMS for investigations. This at times delays the diagnosis.

It is therefore proposed to have a X-ray and Ultrasonography (USG) facility in the proposed block.

**Justification for Additional OPD consultation Chambers and Office space:**

With the increase in the scope of services being provided and with new ward facilities, the OPD workload is expected to increase. There is a need to additional staff including the Faculty, thus the same is being proposed.

It is concluded that the infrastructure development in terms of enhanced space additional 50 bedded wards and minimal radio diagnostic facilities will help us cater to the specialized needs of the women, adolescent and all strata of the society. The department faculty is fully committed to make the upcoming Women and Adolescent Drug Abuse Treatment facilities as a part of Centre of Excellence in the field.

FINANCIAL IMPLICATIONS

It is difficult to project the exact financial implications of the project since the outcome would accrue over a long-time span. However the estimated cost of the project including the building and equipment cost (and excluding manpower cost) is Rs. 36.22 Crores

The break-up of estimates are as follows. The details of building costs are provided in annex "A" and details of equipment costs are provided in annex "B".

ESTIMATES FOR BUILDING			
S.No	Item	Total Cost (Rs in Lac)	
A	<b>Building and services</b>		
i	Civil and internal services	2032.00	
ii	External Development Works	18.35	
iii	PHE and Fire Fighting works	112.12	
iv	Electrical works	256.66	
v	Air-conditioning/Ventilation	290.87	
	<b>Sub-total ( i to v)</b>	<b>2710.00</b>	
vi	Furniture	183.00	
vii	Network Infrastructure (LAN and Wi-Fi)	75.00	
	<b>Sub-total</b>	<b>2968.00</b>	<b>C</b>
viii	Add for contingencies @3% on C	89.04	
	<b>Sub-total</b>	<b>3057.04</b>	<b>D</b>
ix	<b>Project Consultancy Costs</b>		
a	Add for Project Consultancy Charges @ 5% (plus GST @ 18%)	180.37	<b>E</b>
	<b>Total (Building and Services)</b>	<b>3237.41</b>	
	<b>SAY</b>	<b>32.38</b>	<b>Cr</b>
ESTIMATES FOR EQUIPMENT			
	Medical Equipment	3.84	<b>Cr</b>
TOTAL			
	<b>Building and Equipment (excluding manpower)</b>	<b>36.22</b>	<b>Cr</b>

Note: The estimates (building and equipment only) are based upon the present costing, and actual cost may be different based upon the final layout and market forces/ considerations. Manpower costs are projected in annex "C" and would be in consideration after the Project approval.

The year wise requirement (for building and equipment) is presented as follows:

	FY 2019-20				FY 2020-21				FY2021-22	Total
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	
Building and construction	-	0.38	6.00	6.00	6.00	5.00	4.00	4.00	1.00	32.38
Equipment						2.00	1.84			3.84
Total	-	0.38	6.00	6.00	6.00	7.00	5.84	4.00	1.00	36.22

Note: The above figures are in crores. The estimates (building and equipment only) are based upon the present costing, and actual cost may be different based upon the final layout and market forces/ considerations. Manpower costs are not projected in this year-wise requirement, though are likely to amount to 7.45 crore annually from end of year 2 onwards.

**Annex A: ESTIMATES FOR BUILDING (Individual components)**

Establishment of Women and Adolescent Drug Abuse Treatment Facility & Private Ward at NDDTC, AIIMS							
<i>(Based on CPWD, Plinth Area Rates 01.10.2012 and Cost Index 118)</i>							
		2B+G+7					
	Ground Floor	900.00	4				
	First Floor	900.00	4				
	Second Floor	900.00	3.7				
	Third Floor	900.00	3.7				
	Fourth Floor	900.00	3.7				
	<b>Total Building Area</b>	<b>4500.00</b>					
	<b>Basement</b>						
	Basement 1	1100	4.00				
	<b>Total Basement</b>	<b>1100.00</b>					
	<b>Total Building+Basement</b>	<b>5600.00</b>					
S.No.	Description	Area	Unit	Rate	Amount (in Rs.)	Normal Bldg Rate	Normal Bldg Cost
1.1	RCC Framed Structure upto Six Storey						
1.1.1	Floor Ht. 3.35 mt. (Hospital)	4500.00	Sqm	23500.00	105750000.00	19000.00	85500000
1.2	Extra for						
1.2.1	Over six storeys upto nine storeys	0.00	Sqm	560.00	0.00	560.00	0
1.2.3	Every 0.3m additional height of floor above normal floor height of 4m(270X0.65/0.30)	1800.00	Sqm	585.00	1053000.00	585.00	1053000.00
1.2.3	Every 0.3m additional height of floor above normal floor height of 4m(270X0.35/0.30)	2700.00	Sqm	315.00	850500.00	315.00	850500.00
1.2.8	Resisting earth quake forces	4500.00	Sqm	1140.00	5130000.00		
	<b>Sub total (Normal Building Cost)</b>						<b>87403500.00</b>



3.0	Services					
3.1	Internal water Supply & Sanitary Installations	% of Building Cost	10.00		8740350.00	
3.2	External Services connections	% of Building Cost	5.00		4370175.00	
3.3	Internal electric Installations	% of Building Cost	12.50		10925437.50	
3.6.1	Power wiring and Plugs	% of Building Cost	4.00		3496140.00	
3.6.3	Lightning Conductors					
3.6.3.3	Beyond 8 storeyed buildings	% of Building Cost	0.25		218508.75	
3.6.4	Telephone conduits	% of Building Cost	0.50		437017.50	
3.6.6	Computer conduiting	% of Building Cost	0.50		437017.50	
3.6.7	Quality Assurance	% of Building Cost	1.00		874035.00	
					<b>142282181.25</b>	
	Add for Cost Index @ 18%				25610792.63	
	<b>TOTAL</b>				<b>167892973.88</b>	
1.3	Basement Floor					
1.3.1	Floor heigh 3.35 mtr with normal water proofing treatment with bituminous felt	1100.00	Sqm	19 00 0.0 0	20900000.00	
1.3.2	Extra for basement with					
1.3.2.1	Every 0.30 mtr additional height (Floor Height 4.0 Mtr)	1100.00	Sqm	50 26. 67	5529333.33	
1.3.2.1	Every 0.30 mtr additional height (Floor Height 3.70 Mtr)	0.00	Sqm	27 06. 67	0.00	
	sub total(Building Cost)				26429333.33	
3.3	Internal electric Installations	% of Building Cost	12.50		3303666.67	
3.6.7	Quality Assurance	% of Building Cost	1.00		264293.33	
					<b>29997293.33</b>	
	Add for Cost Index @ 18%				5399512.80	
	<b>TOTAL BASEMENT</b>				<b>35396806.13</b>	
	<b>TOTAL BUILDING</b>				<b>167892973.88</b>	
	<b>Total Building +Basement</b>				<b>203289780.01</b>	

Development Works						
6.0	DEVELOPMENT OF SITE					
6.1	Levelling	1000	Sqm	95.00	95000.00	
6.2	Internal roads and paths	1000	Sqm	145.00	145000.00	
6.3	Sewer	1000	Sqm	110.00	110000.00	
6.4	Filter Water Supply					
6.4.1	Distribution lines 100mm dia. And below	1000	Sqm	80.00	80000.00	
6.4.2	Peripheral grid 150 mm to 300 mm dia pipes	1000	Sqm	60.00	60000.00	
6.4.3	unfiltered water supply distribution lines	1000	Sqm	45.00	45000.00	
6.5	Storm water drains	1000	Sqm	85.00	85000.00	
6.6	Horticulture Operations	1000	Sqm	80.00	80000.00	
6.7.3	Street Lighting with HPSV/LED lamps	1000	Sqm	165.00	165000.00	
6.7.4	Exit Sign Board including Electric Signage	1000	Sqm	85.00	85000.00	
	Internal and Parking Signage	7592.00	Sqm	85.00	645320.00	
					1595320.00	
	Add for Cost Index @ 18%				239298.00	
	<b>Total cost</b>				<b>1834618.00</b>	

PHE							
Total Area (sqm): 7592.00							
Sr. No.	PAR Code	Description	Qty	Unit	Rate	Add for Cost Index	Amount (in Rs.)
1	5.1	Overhead tank	70000	Ltr	15.00	0.18	1239000.00
2	5.5	Underground Sump	100000	Ltr	15.00	0.18	1770000.00
3	1.4.2	Fire Fighting with Sprinkler System	4500.00	Sqm	750.00	0.18	3982500.00
		Sub total					6991500.00
4	10.1.3	Solar Hot Water System	2000	Ltr	210.00		420000.00
5		STP	20	KLD	100000.00		2000000.00
6		ETP	10	KLD			900000.00
7		Borewell	1	Nos	900000.00		900000.00
9		Water curtain system & pumps in basement for Fire Fighting		LS			20.00
					<b>Total</b>		<b>11211520.00</b>

Electrical Work						
Total Area (sqm): 4500.00 CCTV Area: 4500.00 Occupancy Sensor Area: 4500.00				Total Load in KVA		900.00
				Access Control Area		4500.00
Sr. No.	PAR Code	Description	Qty.	Unit	rate	Amount (in Rs.)
1	1	Expansion of existing LT Panel				500000.00
2	2	DG sets 380 KVA, with control cable, Earthing @ 10000/ KVA	380	KVA	10000	3800000.00
3	5.1	UPS 100kVA for 30 min backup @ 20000/ KVA	100	KVA	20000	2000000.00
4	11	CCTV @ 300/ Sqm	5600.00	sqm	300	1680000.00
5	12	Access Control System area @ 190/ Sqm	5600.00	sqm	190	1064000.00
6	15	Occupancy Sensor @ 75/ Sqm	5600.00	sqm	75	420000.00
7		Cables ( LT & Telephone, Bus trunking, rising main) 10% of LT+DG	10%	of LT+DG		430000.00
8		Audio video projection system Conference/ seminar Room	1	no	2000000	2000000.00
<b>Total</b>						<b>11894000.00</b>
Lifts						
S. No.	Type of Lift	Qty of lift	No. of floors	Rate as per PAR	Amount (Rs)	
1	8 Passenger Lift	2	2B+G+7	2425000.00	4850000.00	
2	Goods Lift	1	2B+G+7	3025000.00	3025000.00	
					7875000.00	
Add for Cost Index @ 18%					1417500.00	
<b>Total</b>					<b>9292500.00</b>	
Fire Alarm						
S.No.	Description	Area	Unit	rate	Amount	
1.5.2	Automatic Fire Alarm System	7592.00	Sqm	500.00	3796000.00	
					3796000.00	
Add for Cost Index @ 18%					683280.00	
<b>Total cost</b>					<b>4479280.00</b>	
<b>Total (A+B+C)</b>					<b>25665780.00</b>	

HVAC works							
Sl	Block	Area (Sqm)	AC area Percentage	AC area (Sqm)	Estimated TR	Estimated Cost (Rs.)	Remarks
1	NDDTC Exp.	4500	70%	3150	242	21538000.00	Central Air-conditioning
2	Basement-l	1100				1538680.00	As per NBC
3	Upper floor smoke Ventilation					1573650.00	As per NBC
						24650330.00	
	Add 18% for cost Index					4437059.40	
	<b>GRAND TOTAL</b>					<b>29087389</b>	
	Notes:						

Rates for centralised airconditioning are as per CPWD PAR 2014: Rs. 70000 per TR and Rs. 38000 for standby TR.

**Annex B: MEDICAL FURNITURE AND EQUIPMENT ESTIMATES**

Sl. No.	Equipment	Quantity	Approx. cost per unit (Rs.)	Approx. Total cost (Rs.)
1.	Fowler's Cot with Mattress & Pillows	50	25,000	12,50,000
2.	Bed side Lockers	50	05,000	2,50,000
3.	Miscellaneous ward items			5,00,000
4.	Digital X-Ray Equipment High Frequency	01	2,00,00,000	2,00,00,000
5.	Ultrasound Machine with coloured doppler	01	60,00,000	60,00,000
<b>FOR TRAINING AND ACADEMICS</b>				
1.	Furniture for seminar rooms			3,00,000
2.	Plasma TV (60")for Seminar room	01	1,50,000	1,50,000
3.	LCD projector for Seminar room	01	1,00,000	1,00,000
4.	Visual presenter in seminar room	01	50,000	50,000
5.	Multimedia PCs	11	50,000	5,50,000
6.	Sound system for seminar room	01	40,000	40,000
7.	Miscellaneous and minor items		10,000	10,000
<b>TOTAL</b>				<b>3,84,00,000</b>

Annex C: MANPOWER

## REGULAR STAFF

S. No.	Name of the Post	Pay matrix as per 7th CPC	Annual Emoluments	No of Posts	Financial Implication per annum as per 7th CPC(Rs.)
1.	Assistant Professors Psychiatry	1,15,590	1387080	3	41,61,240
2.	Assistant Professor Clinical Psychology	1,15,590	1387080	2	27,74,160
3.	Assistant Professor Hospital Administration	1,15,590	1387080	1	13,87,080
4.	Senior Resident (Psychiatry)	1,12,110	1345320	6	80,71,920
5.	Senior Resident (Radiology)	1,12,110	1345320	3	40,35,960
6.	Senior Resident (Medicine)	1,12,110	1345320	3	40,35,960
7.	ANS	Rs. 56100/- of Level 10	673200	3	20,19,600
8.	Nursing Officer Gr. II	Rs. 44900/- of Level 7	538800	33	1,77,80,400
9.	Clinical Psychologists	Rs. 56100/- of Level 10	673200	3	20,19,600
10.	Medical Social Service Officer Gr. II	Rs. 35400/- of Level 6	424800	2	8,49,600
11.	Occupational Therapist	35400 of Level 6	424800	2	8,49,600
12.	Assistant Dietician	Rs. 35400/- of Level 6	424800	2	8,49,600
13.	Statistician cum Scientist	44900/- of Level 7	538800	1	5,38,800
14.	Pharmacist Gr. II	Rs 29200/- of Level 5	350400	1	3,50,400
15.	Technical officer (Radiology)	Rs. 44900/- of Level 7	538800	1	5,38,800
16.	Technician (Radiology)	Rs 35400/- of Level 6	424800	2	8,49,600
17.	Sanitation Inspector	Rs 29200/- of Level 5	350400	1	3,50,400
18.	Security Supervisor	Rs. 35400/- of Level 6	424800	1	4,24,800
19.	Junior Engineer (Civil, Electrical and Air Conditioning) (one each)	Rs. 35400/- of Level 6	424800	3	12,74,400
20.	Store Keeper	Rs. 35400/- of Level 6	424800	1	4,24,800
21.	Junior Account Officer	Rs. 35400/-	424800	1	4,24,800

		of Level 6			
22.	Cashier	29200/- of Level 5	350400	1	3,50,400
<b>TOTAL</b>					<b>5,43,61,920</b>

**OUTSOURCED MANPOWER**

S.No	Name of the Post	Pay matrix as per 7th CPC	Annual Emoluments	No of Posts	Financial Implication per annum as per 7th CPC(Rs.)
1.	Data Entry Operators for faculty	Consolidated	20,184	5	12,11,040
2.	MRT	Consolidated	21777	2	5,22,648
3.	Hospital Attendant	Consolidated	18517	10	22,22,040
4.	Sanitary Attendant	Consolidated	18517	10	22,22,040
5.	Security guards	Consolidated	23777	21	59,91,804
6.	Plumber	Consolidated	20184	2	4,84,416
7.	Sewer man	Consolidated	20184	3	7,26,624
8.	Electrician	Consolidated	20184	2	4,84,416
9.	Carpenter	Consolidated	20184	1	2,42,208
10.	Lift operator	Consolidated	20184	6	14,53,248
11.	Operator(E&M, for A/C)	Consolidated	20184	6	14,53,248
12.	Khalasi/Beldar	Consolidated	17012	15	30,62,160
<b>TOTAL</b>				<b>83</b>	<b>2,00,75,892</b>

**Annex D: Project Details/ information****1. Project outline**

1.1 Title of the project: EXPANSION OF NATIONAL DRUG DEPENDENCE TREATMENT CENTRE (NDDTC) (INCREASE BY 50 BEDS) FOR Establishment of Women and Adolescent Drug Abuse Treatment facilities& Private ward at NDDTC, AIIMS

1.2 Sponsoring agency: Ministry of Health and Family Welfare: DDAP

1.3 Proposed cost of the project: 43.67 Crores INR

1.4 Proposed timelines for the project: Building construction over 2 years

1.5 Whether the Project will be implemented as a part of a scheme or on stand-alone basis? It will be implemented as a part of the Drug DeAddiction Programme (DDAP) under the Ministry of Health and Family Welfare

1.6 Whether the financial resources required for the project has been tied up? If yes, details? Financial approval due

1.7 Whether feasibility report and/or detailed project report has been prepared? The construction is planned as an expansion of an already functional hospital. A detailed project report has not been yet prepared through consultative process, though previous layouts and estimates had been prepared by HSCC.

1.8 Whether the proposal is an Original Cost Estimate or a Revised Cost Estimate? This is an Original Cost Estimate

1.9 In case of revised cost estimates, whether the meeting of Revised Cost Estimates have been held and its recommendations suitably addressed? Not applicable

1.10 Whether any land acquisition or pre-investment activity was under-taken or is contemplated for this Project?. Whether the cost of such intervention has been included in the Project Proposal? Land acquisition is not required as the proposed building is envisaged as a part of the campus of the National Drug Dependence Treatment Centre, and adequate land is available in the premises.

**2. Outcomes and Deliverables**

2.1 Stated aims and objectives of the project: Establishment of Women and Adolescent Drug Abuse Treatment facilities& Private ward at NDDTC, AIIMS

2.2 Indicate the year-wise outputs/ deliverables for the project in a tabular form.

Activities	Year 1		Year 2 and so on		Total	
	Physical	Financial	Physical	Financial	Physical	Financial
Construction of building	Yes		Yes			



Provision of clinical care			Care provision facility for patients (year 3 onwards)		Care provision facility for patients (year 3 onwards)	
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2.3 Indicate the final outcomes of the project in the form of measurable indicators which can be used for impact assessment/ evaluation after the project is complete. Baseline data or survey against which such outcomes would be benchmarked should also be mentioned.

The number of patients (women/ adolescents) visits per year; number of patients admitted per year; number of investigations conduction per year; number of psychotherapy sessions conducted per year

### 3. Project cost

3.1 Cost estimates for the project along with scheduled duration (both year and activity-wise). Also the basis of the cost estimates along with reference dates of for the normative costing (it should preferably nor more than a year old)

Building and equipment cost 36.22 crores INR; additionally manpower costs approximately 7.45 crores annually (year 2 last quarter onwards).

3.2 In case land is to be acquired, the details of land cost, including cost of rehabilitation/ resettlement needs to be provided

Not required.

3.3 In case pre-investment activities are required, how much is proposed to be spent on these with details activity-wise?

Not required

3.4 Whether price escalation during the project time cycle has been included in the cost estimates and at what rates?

Would be computed at maximum of 6.5% if required. Not included as of now.

3.5 Whether the project involves any foreign exchange element, the provision made or the likely impact of exchange rate risks?

Not applicable

3.6 In case of revised cost estimates, a variation analysis along with the report of the Revised Cost Estimates Committee needs to be attached.

These are Original Cost Estimates

### 4. Project Finance

4.1 Indicate the sources of project finance: budgetary support, internal and extra-budgetary sources, external aid etc.

Budgetary Support

4.2 Indicate cost components, if any, that will be shared by the state governments, local bodies, user beneficiaries or private parties.

This is not applicable

4.3 In case of funding from internal and extra-budgetary resources, availability of internal resources may be supported by projections and their deployment on other projects?

This is not applicable

4.4 Please indicate funding tie-ups for the loan components, if any, both domestic and foreign, along with terms and conditions of loan based on consent/ comfort letters.

This is not applicable

4.5 If government support/ loan is intended, it may be indicated whether such funds have been tied up?

Funds have not been tied up

4.6 Please provide the leveraging details, including debt-equity and interest coverage ratios, along with justification of the same.

This is not applicable

4.7 Mention the legacy arrangements after the project is complete, in particular, arrangements for maintenance and upkeep of the assets that will be created?

Maintenance and upkeep will be with National Drug Dependence Treatment Centre, Ghaziabad, which has been operating from the premises for the last 15 years

5. Project viability

5.1 For projects which have identifiable stream of financial returns, the financial internal rate of return may be calculated. The hurdle rate will be considered at 10 percent.

Since this a hospital based services, financial returns are not likely to be substantial as the care is overwhelmingly subsidized.

5.2 In case of projects with identifiable economic returns, the economic rate of return may be calculated. In such cases, project viability would be determined by taking both financial and economic returns together.

This is not applicable

5.3 In case of proposals where both financial and economic returns are not readily quantifiable the measurable benefits/outcomes simply may be indicated.

The benefits would be in terms of the care provided to patients with substance use disorders (especially women and adolescents), facilities for whom are not easily available.

Note: It may be kindly noted that all projects, irrespective of whether financial and/or economic returns can be quantified or not should be presented for PIB/DIB appraisal.

#### 6. Approvals and clearances

Requirement of mandatory approvals/ clearances of various local, state and national bodies and their availability may be indicated in a tabular form (land acquisition, environment, forestry, wildlife etc.) In case land is required, it may be clearly mentioned whether land is in the possession of the agency free from encumbrances or encroached or stuck in legal processes

Land is already available in the premises and is free from encumbrances / encroachment / being stuck legal processes

S No	Approvals/ Clearances	Agency Concerned	Availability (Y/N)
1	Approval from Chief Town Planner (CTP)	Department of Housing and Urban Planning, Govt of Uttar Pradesh	Will be taken in due course
2	Building approval	Ghaziabad Municipal Corporation	Will be taken in due course
3	Submission of Drawings to Fire Department	Ghaziabad Municipal Corporation	Will be taken in due course
4	Clearance from Forest Dept for felling trees	Forest and Wildlife Department, Govt of UP	Will be taken in due course
5.	Water Connection Clearance	Jal Nigam, Ghaziabad	Will be taken in due course
6.	Electrical Load Availability	Pashchimanchal Vidyut Vitran Nigam Ltd.	Will be taken in due course
7	Approval from National Monuments Authority	National Monuments Authority	Will be taken in due course
8	NOC from AAI	Airports Authority of India	Will be taken in due course
9.	Submission of drawings and report to Environmental Committee (EIA)	Ministry of Environment, Forest and Climate Change	Applicability will be determined

#### 7. Human resources

7.1 Indicate the administrative structure for implementing the Project. Usually, creation of new structures, entities etc should be avoided.

The implementation of the project would be under the aegis of DDAP, MoHFW

7.2 Manpower requirement, if any. In case posts (permanent or temporary) are intended to be created, a separate proposal may be sent on file to Pers Division of Department of Expenditure. Such proposals may be sent only after the main proposal is recommended by the appraisal body.

Manpower is required and a separate file would be put as the main proposal is recommended.

7.3 In case outsourcing services or hiring of consultants is intended, brief details of the same may be provided.

It is not intended as of present

#### 8. Monitoring and Evaluation

8.1 Indicate the Project Management/ Implementation Agency(S). What agency charges are payable if any?

Project management agency has not been identified yet. Attempts would be made to engage with permissible agencies for project completion

8.2 Mode of implementation of individual works: Departmental/ Item-rate/ Turnkey/ EPC/ Public Private Partnership etc.?

Could be implemented as nomination basis for construction with the same agency which executed the project previously.

8.3 Please indicate timelines of activities in PERT/ Bar Chart along with critical milestones.

	2019-20				2020-21				Q1
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Approval from ministry	■								
Tendering process/ negotiation		■							
Building construction			■						
Equipment procurement							■		
Run-in period for building									■

8.4 Please mention monitoring framework, including MIS, and the arrangements for internal/ statutory audit:

Usual procedures for monitoring and audit would be followed

8.5 Please indicate what arrangements have been made for impact assessment after the project is complete

Impact assessment would be through the annual reports of the patient care and other activities conducted at the facility.



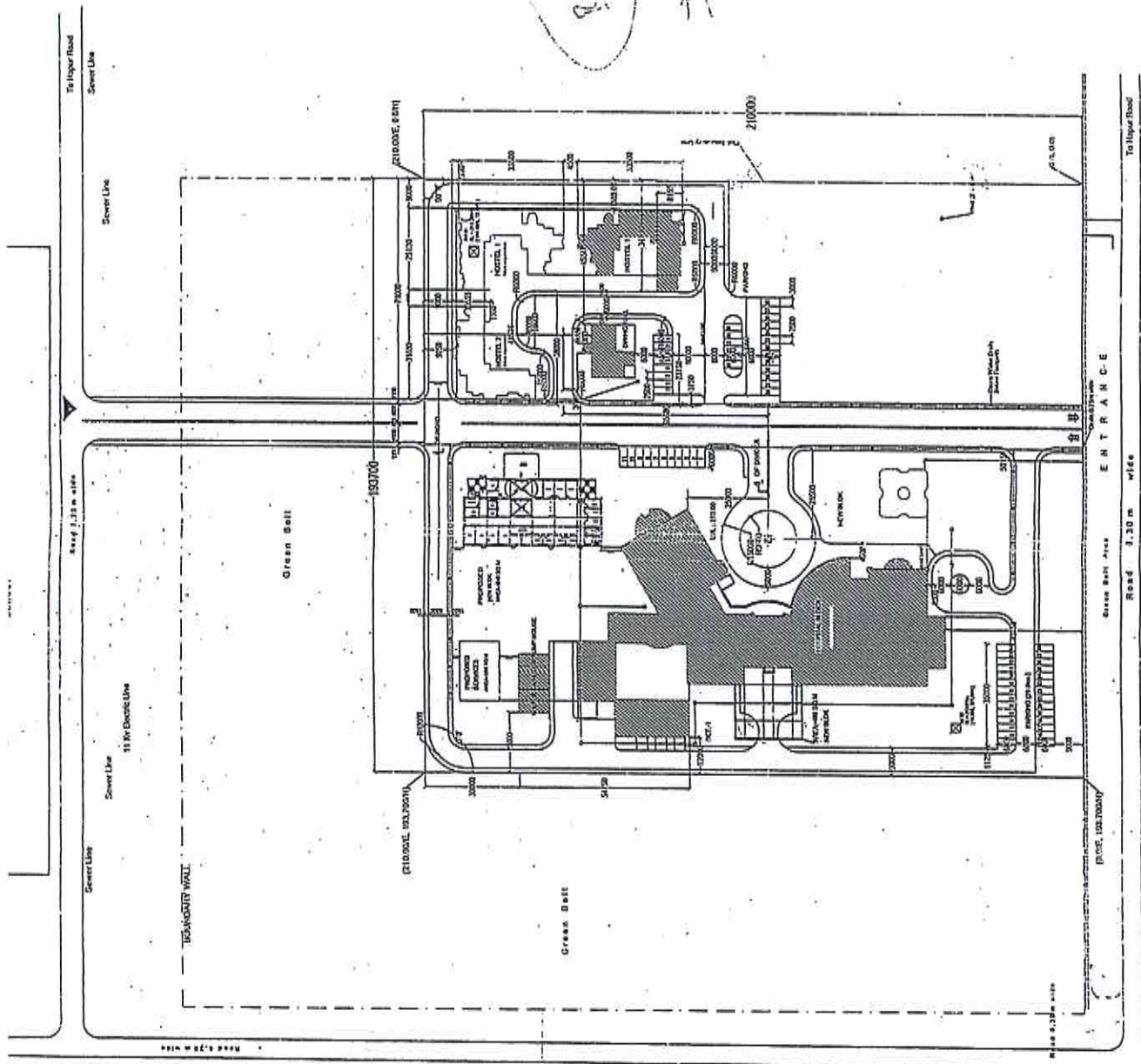








541  
 Disinfectant  
 G.F. OPD  
 G.F. ~~ward~~ ward ✓  
 S.F. ward ✓  
 T.F. put ward ✓  
 F.F. ~~exp~~ exp ✓  
 (G + 4) floor  
 Equip.



**HSCC**  
 NEW DELHI INDIA

SITE PLAN  
 DH - 01 APR. - 14

OPTION  
 I

CONCEPT  
 PLANS

EXPANSION PROPOSAL FOR HOSPITAL  
 BLOCK DRUG DE-ADDITION AIIMS N.D.

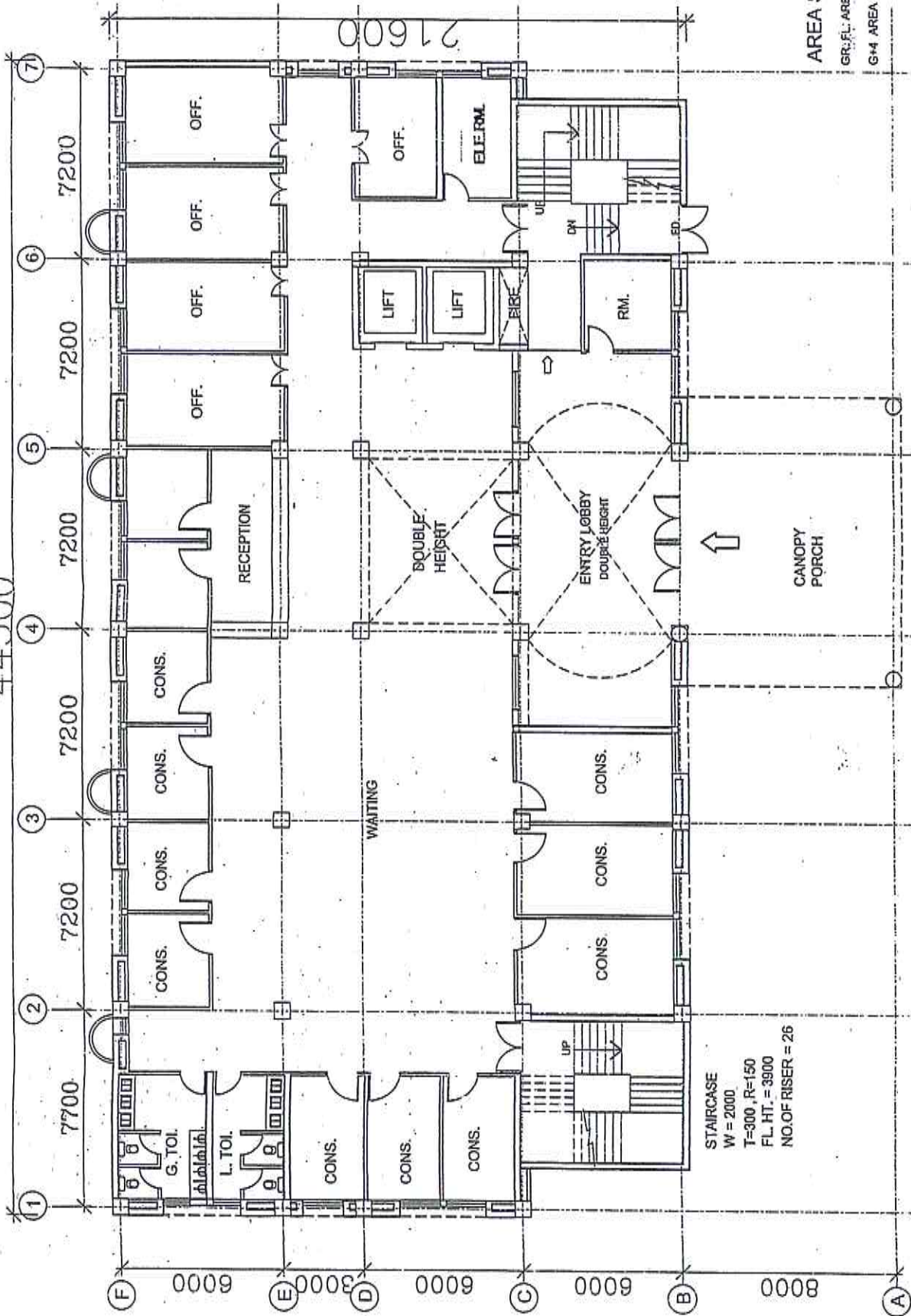


44.500

542

AREA STATEMENT

GR. FL. AREA = 840 SQ.M.  
G+4 AREA = 840X5 = 4200 SQ.M.



GROUND FLOOR PLAN

EXPANSION PROPOSAL FOR HOSPITAL  
BLOCK DRUG DE-ADDITION AIMS N.D.

CONCEPT  
PLANS

OPTION  
I

GROUND  
FLOOR PLAN

DH - 02 APR. - 14

HSCC  
NEW DELHI INDIA







Minutes of the 219<sup>th</sup> Meeting of the Standing Finance Committee of AIIMS, New Delhi held on 30<sup>th</sup> August, 2019 at 12:30 P.M. under the Chairpersonship of Secretary, Health & Family Welfare in the Committee room (1<sup>st</sup> floor), MoHF&W, Nirman Bhawan, New Delhi.

The 219<sup>th</sup> meeting of the Standing Finance Committee of AIIMS, New Delhi was held on 30<sup>th</sup> August, 2019 at 12:30 P.M. in Committee Room (First Floor), Nirman Bhawan, New Delhi under the Chairpersonship of Secretary Health & Family Welfare and Chairperson of the Standing Finance Committee. The list of members who attended the meeting is as follows:

1. Ms. Preeti Sudan : Chairperson  
Secretary, Health & Family Welfare  
Govt of India  
Ministry of Health & Family Welfare  
Nirman Bhawan, New Delhi - 110011
2. Dr D S Gangwar : Member  
Addl. Secretary and Finance Advisor  
Govt of India  
Ministry of Health and Family Welfare  
Nirman Bhawan, New Delhi - 110011
3. Dr. D G Mhaisekar : Member  
Vice Chancellor  
Maharashtra University of Health Sciences  
Dindori Road, Mharsul  
Nashik
4. Prof. Randeep Guleria : Member-Secretary  
Director,  
A.I.I.M.S., New Delhi.

No Member of Parliament (Lok Sabha) has been nominated. Secretary, Department of Higher Education, DGHS and Dr. M.K. Bhan, Former Secretary, Department of Biotechnology could not attend the meeting. The quorum for the meeting was fulfilled.



Shri Arun Singhal, Addl. Secretary and Shri Sudhansh Pant, Joint Secretary in MoHF&W attended the meeting as special invitees. Shri Subhasish Panda, Deputy Director Administration and Shri N K Sharma, Sr Financial Advisor, AIIMS attended the meeting.

The deliberations on the agenda items are as follows:

**ITEM NO. SFC - 219/1**

**CONFIRMATION OF THE MINUTES OF 218<sup>th</sup> MEETING OF THE STANDING FINANCE COMMITTEE OF AIIMS HELD ON 17<sup>th</sup> JANUARY, 2019 IN MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI**

The Committee confirmed the minutes of the 218<sup>th</sup> SFC meeting as no comment/ objections were received from any of the members.

**ITEM NO. SFC - 219/2**

**Action Taken on Minutes of 217<sup>th</sup> Meeting of SFC held on 5<sup>th</sup> November 2018**

1. **Agenda 6 (215<sup>th</sup> SFC):** The SFC noted the implementation progress in redevelopment plan of AIIMS residential campuses. The SFC expressed the concern in slow progress of implementation by M/s NBCC.
2. **Agenda 11 (217<sup>th</sup> SFC):** The SFC desired that the policy proposal may be sent to the President, AIIMS as per the decision of GB.

**ITEM No SFC-219/3**

**Action Taken on Minutes of 218<sup>th</sup> Meeting of SFC held on 17<sup>th</sup> January 2019**

The SFC noted the action taken on implementation of Master plan at AIIMS Delhi.





ITEM No SFC-219/12 546

**Creation of 40 posts of Senior Residents DM/MCh/Fellowship Programme (DM/MCh-22 and 18 fellowships) in various Departments of AIIMS Delhi**

The SFC considered and recommended the proposal for creation of 22 posts of Senior Residents (DM/MCh) and 18 posts of Fellowship programme in various departments of AIIMS Delhi subject to the approval of Department of Expenditure.

ITEM No SFC-219/13

**Upgradation of various posts in Nursing cadre as per SIU Norms at AIIMS Delhi**

The SFC considered and recommended the proposal for restructuring of Nursing Cadre as per the proposal subject to the approval of Department of Expenditure.

ITEM No SFC-219/14

**Construction and Engineering Infrastructure for National Level Referral and Research Institute for Higher Dental Studies (NaRRIDS), AIIMS Delhi**

The SFC considered and ratified the amount of Rs 51 Crores as per the MoU of AIIMS Delhi and MoHFW. The SFC also noted the requirement of additional fund of Rs 43 Crores and stated that the requirement of additional funds may be staggered in phases and the possibility of obtaining the additional funds through Project mode/HEFA may be explored.

ITEM No SFC-219/15

**Expansion of National Drug Dependence Treatment Centre (NDDTC) for establishment of Women and Adolescent Drug Abuse Treatment facilities and Private Ward at NDDTC, AIIMS Delhi**



The SFC considered and recommended the proposal for placing it before the GB of the Institute before re-submitting the proposal to the Ministry.

**ITEM No SFC-219/16**

**Creation of 17 posts of cadre of Radiology for Department of Neuroradiology, CN Centre, AIIMS New Delhi**

The SFC considered and recommended the proposal for creation of 17 posts (1 post of Chief Technical Officer, 2 posts of Sr Technical Officer, 4 posts of Technical Officer and 10 posts of Technicians) for Department of Neuroradiology at CN Centre of AIIMS Delhi subject to the approval of Department of Expenditure.

**ITEM No SFC-219/17**

**Creation of 169 Nursing Officials at Dr RP Centre and Department of Orthopaedics at AIIMS New Delhi**

The SFC considered and recommended the proposal for creation of 169 posts (1 post of DNS, 8 posts of ANS, 37 posts of Sr Nursing Officer and 123 posts of Nursing Officer) in Nursing Cadre for Dr R P Centre and Department of Orthopaedics at AIIMS Delhi subject to the approval of Department of Expenditure.

**ITEM No SFC-219/18**

**Creation of posts for Department of Nephrology and Department of Dermatology & Venereology at AIIMS Delhi**

The SFC considered and recommended the proposal for creation of 17 (non-faculty posts: 01 post of Scientist Grade-I, 3 posts of Dietician, 2 posts of Data Entry Operator Gr-A, 1 post of Junior Physiotherapist, 2 posts of Radiographer, 3 posts of Nursing Officer - Sister Gr-III, 2 posts of Office Attendant, 3 posts of MSSO) for Department of Nephrology and one post of Scientist-II for Department of Dermatology & Venereology subject to the approval of Department of Expenditure.

