



शरीरमाद्यं रक्तु धर्मस्वप्नम्

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

SUPPLEMENTARY AGENDA

FOR THE 162nd MEETING OF THE

GOVERNING BODY

TO BE HELD ON : 26th November, 2024 (Tuesday)
TIME : 2:30 P.M.
PLACE : R.No.347, A-Wing, Committee Room,
Nirman Bhawan, New Delhi

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

No.F. 2-2/2024-Genl. (GB-162)


Ansari Nagar, New Delhi-29

Dated: 22 NOV 2024

MEMORANDUM

Subject:- 162nd meeting of the Governing Body scheduled to be held on Tuesday the 26th November, 2024 at 02:30 P.M. in Room No. 347, A-Wing, Committee Room, Nirman Bhawan, New Delhi.

Further to this office Memorandum of even number dated 18.11.2024 on the above mentioned subject, the ***Supplementary Agenda*** for the Governing Body Meeting is enclosed.


**(PROF. M. SRINIVAS)
DIRECTOR &
MEMBER SECRETARY**

Encl.: As above

The Chairman and all the
Members of the Governing Body

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Present composition of the Governing Body Members

1. **Shri J.P. Nadda** Chairman
Hon'ble Minister of Health & Family Welfare
Nirman Bhawan, New Delhi – 110011
2. **Ms. Bansuri Swaraj, M.P (Lok Sabha)** Member
H-4 Dhawandeep Building,
6 Jantar Mantar Road Delhi-110001
3. **Ms. Punya Salila Srivastava** Member
Secretary (H&FW)
Ministry of Health & Family Welfare
Govt. of India,
Nirman Bhawan, New Delhi – 110011
4. **Shri K. Sanjay Murthy** Member
Secretary to the Govt. of India
Department of Higher Education,
Ministry of Education,
Shastri Bhawan, New Delhi-110001
5. **Shri Jaideep Kr. Mishra** Member
Addl. Secretary and Financial Adviser
Ministry of Health & Family Welfare,
Govt. of India,
Nirman Bhawan, New Delhi – 110011
6. **Dr. Atul Goel** Member
Director General of Health Services
Govt. of India
Nirman Bhawan, New Delhi – 110011
7. **Dr. Kameshwar Prasad** Member
H.N.224, Hauz Khas Apartment,
Aurobindo Road, New Delhi-110016
8. **Dr. Pranjal Modi** Member
Vice Chancellor
Gujarat University of Transplantation Sciences,
Opp. Trauma Centre, Civil Hospital Campus,
Asarwa, Ahmedabad-380016, Gujarat
9. **Prof. Yogesh Singh** Member
Vice Chancellor
University of Delhi, Delhi – 110007
10. **Prof. Vijay Kumar Shukla** Member
B-33/10-A, 36-37,
Koshlesh Nagar, Sunderpur,
Varanasi-221 005, UP.

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|--|------------------|
| 11. Prof. M. Srinivas
Director, AIIMS | Member Secretary |
| 12. Addl. Secretary, (In-Charge of AIIMS, Delhi)
Ministry of Health & Family Welfare,
Govt. of India,
Nirman Bhawan, New Delhi – 110011 | Special Invitee |
| 13. Ms. Ankita Mishra Bundela, (In-Charge of AIIMS, Delhi)
Joint Secretary,
INI Section-I, MoHFW, Nirman Bhawan, ND | Special Invitee |
| 14. Dr. K.K. Verma
Dean (Academic), AIIMS | Special Invitee |
| 15. Shri Karan Singh
Addl. Director (Admn.), AIIMS | Special Invitee |
| 16. Ms. Divya Yanamadala
Sr. Financial Advisor | Special Invitee |

SUPPLEMENTARY AGENDA FOR THE 162ND GOVERNING BODY MEETING TO BE HELD ON 26.11.2024 AT 2:30 P.M. IN ROOM NO.347, A-WING, COMMITTEE ROOM, NIRMAN BHAWAN, NEW DELHI.

ITEM NO.	DESCRIPTION	PAGE NO.
GB-162/21	To consider the matter regarding restoration of inter-se-seniority of Dr. Biplab Mishra on his promotion to the post of Additional Professor w.e.f. 01.07.2012, in view of the recommendation of Hon'ble Parliamentary Standing Committee for Welfare of Scheduled Caste and National Commission for Scheduled Caste.	547-664
GB-162/22	To consider the request of Dr. Pankaj Jorwal for withdrawal of his resignation and reinstate him to the position of Additional Professor of Medicine at AIIMS, New Delhi	665-675
GB-162/23	Any other item with the permission of the Chair.	

NOTE FOR THE GOVERNING BODY

ITEM NO. GB-162/21

To consider the matter regarding restoration of inter-seniority of Dr. Biplab Mishra on his promotion to the post of Additional Professor w.e.f. 01.07.2012, in view of the recommendation of Hon'ble Parliamentary Standing Committee for Welfare of Scheduled Caste and National Commission for Scheduled Caste

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No.F.20-14/2014(2017)-Estt.I
NOTE FOR THE GOVERNING BODY

Item No. GB/162-21

To consider the matter regarding restoration of inter-se-seniority of Dr. Biplab Mishra on his promotion to the post of Additional Professor w.e.f. 1.7.2012, in view of the recommendations of Hon'ble Parliamentary Standing Committee for Welfare of Scheduled Caste and National Commission for Scheduled Caste.

INTRODUCTION:

The matter of restoring inter-se-seniority of Dr. Biplab Mishra, Professor of Surgery, JPNATC, AIIMS, New Delhi, on his promotion to the post of Additional Professor w.e.f. 1.7.2012, in view of the recommendations of the Hon'ble Parliamentary Standing Committee for Welfare of Scheduled Caste and National Commission for Scheduled Caste, was placed in the 160th meeting of the Governing Body of AIIMS on 13.12.2023 (**Annexure-I**).

The Governing Body, after having discussed this matter with due deliberation, decided (**Annexure-II**) as under:-

“After detailed deliberations, the Governing Body directed the Institute to further examine the matter in view of the representation received on the subject.”

It is pertinent to mention here that there has been a representation of Dr. Sushma Sagar, Professor of Surgery, JPNATC, against the restoration of inter-se-seniority of Dr. Biplab Mishra (**Annexure-III**).

ADMINISTRATIVE COMMENTS:-

In the context of the matter, the brief of the case of Dr. Biplab Mishra is as under:-

- Dr. Biplab Mishra of Jai Prakash Narain Apex Trauma Centre of AIIMS, New Delhi fulfilled eligibility condition 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 along-with various other candidates was interviewed by the Standing Selection Committee. The Standing Selection Committee declared 17 candidates (including Dr. Biplab Mishra) 'UNFIT' for promotion which was later approved by the Governing Body of this Institute in its 149th meeting held on 19.7.2013. (**Annexure-IV**). In this regard, it is submitted that no reasons were cited for finding Dr. Biplab Mishra UNFIT.
- 'Unfit' Faculty members including Dr. Biplab Mishra made representations. These were placed before the Governing Body (the Appointing Authority) in its 150th Meeting held on 28.2.2014. The Governing Body decided to refer back these cases to the Standing Selection Committee for review (**Annexure-V**).

- The Standing Selection Committee interviewed all of them again in the month of April, 2014. 13 candidates out of 17 (including Dr. Biplab Mishra) were declared 'FIT for Promotion'. The recommendations of the Standing Selection Committee were placed before the Governing Body in its 151st meeting held on 12.5.2014 and the GB decided as under:-

"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"

- The Minutes of 151st meeting of GB along-with a list of Fit & Unfit Faculty Members may be seen at (Annexure-VI).

The seniority of the faculty members, including Dr. Biplab Mishra, was determined as per the decision of the Governing Body.

Dr. Biplab Mishra represented before the Hon'ble National Commission for Scheduled Castes. NCSC passed an order advising that the matter of inter-se-seniority of Dr. Biplab Mishra may be placed before the Governing Body of the Institute through Secretary, Health & Family Welfare (Annexure-VII).

- In compliance of orders of Hon'ble NCSC, the matter was placed before the GB in its 158th meeting held on 18.6.2021. GB made the following observations in this matter:-

"The Governing Body deliberated on the representations at length. Governing Body decided that decision of the Institute is correct and promotion can be given only when Standing Selection Committee found candidate to be suitable." Governing Body decided that status quo be maintain in case of Dr. Biplab Mishra and his representation is not agreed.

- The above decision of GB was communicated to Dr. Biplab Mishra vide note dated 25.08.2021 (Annexure-VIII).
- Further, in compliance of the recommendations of the Parliament Committee, AIIMS, New Delhi referred this matter to the Ministry on 10.11.22 (Annexure-IX) to seek opinion of DoPT and Ministry of Law & Justice so that the issue can be placed before the Governing Body for deliberation.
- The MoHFW forwarded the comments received by them from DoPT and Ministry of Law and Justice to AIIMS, New Delhi for further necessary action. Copy of Ministry's letter No.V.16020/39/2019-INI-I (Pt.I) dated 23.5.2023 along with advice/comments from DoPT and Ministry of Law and Justice are enclosed herewith for reference as (Annexure-X).

The extracts from the communication received from DoPT are as under:-

(i) It is observed that the promotion of doctors in the AIIMS is governed by the Assessment Promotion Scheme for doctors. It does not appear that the scheme was framed with the prior approval of the Department of Personnel & Training (DoPT).

(ii) It is further informed that DoPT has issued instructions on promotion through the Departmental Promotion Scheme (DPC). These instructions provide that the primary objection of holding a Review DPC is to rectify any mistake that took place at the time of holding of the original DPC.

Finally it is for the MoHFW to examine whether these instructions on holding of Review DPC is applicable in cases covered under the Assessment Promotion Scheme for doctors or otherwise.

The extracts from the communication received from Ministry of Law Affairs dated 16.5.23 are as under:-

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The first part of the decision taken by the Governing Body upon the assessment of SSC regarding fitness for promotion to the next grade from the date of eligibility is within the domain of SSC of AIIMS whereas the second part of assessment/decision to 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 is not sufficiently support by reasons, hence appears to be discriminatory for the affected faculty member(s).

In view of the foregoing, the administrative Ministry may take a conscious administrative decision in the instant matter as desired by the Hon'ble Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

The matter was placed before the 160th Governing Body meeting held on 13.12.2023 (Annexure-XI). After detailed deliberations, GB decided that this may be examined further.

Consequent upon the above decision of the Governing Body of AIIMS, New Delhi, with the approval of the President, AIIMS, a committee consisting of the following senior officials was constituted to look into the matter.

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|----|--|---|----------|
| 1. | Sh. Karan Singh, Additional Director (Admn.) AIIMS | - | Chairman |
| 2. | Ms. Priyadarshika Srivastava, Director (INI-I) MoHFW | - | Member |
| 3. | Prof. Rajpal, Liaison Officer SC & ST | - | Member |

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Meeting of the this committee was held on April 19, 2024. After detailed discussion and taking all relevant facts of the issue including representation of Dr Sushma Sagar into consideration, the committee submitted a report. Extract from this report are reproduced below:-

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“after taking all relevant facts of the case and considering Dr. Biplab Mishra's original seniority as Associate Professor, his subsequent 'FIT' rating by the SSC, and the retroactive promotion to Additional Professor with financial benefits (effective July 1, 2012), the committee recommends to grant him the benefit of his Associate Professor seniority upon promotion to Additional Professor, effective July 1, 2012 and maintain his inter-se-seniority as Additional Professor. Therefore, Dr. Biplab Mishra may be placed appropriately in the seniority list as of July 1, 2012, for Additional Professor based on his original seniority as Assistant Professor and Associate Professor and subsequently from July 1, 2016, for Professor based on his original seniority. Further, it may be mentioned that if the seniority of Dr. Biplab Mishra is restored, there might be representations from the remaining faculty members for restoration of their inter-se-seniority as well. This would impact the overall present seniority of the faculty members.

The present Committee was constituted as per directions of the Governing Body, therefore, recommendations made hereby needs to be placed before the GB for appropriate decision in the matter”.

The detail report the committee may kindly be perused at **Annexure-XII**.

It is also submitted here that Dr. Sushma Sagar, Professor, General Surgery, JPNATC has submitted a representation vide letter dated 7.10.24 (**Annexure-XIII**). She has represented against the claim of by Dr. Biplab Mishra to restore his inter se seniority, citing the decision of the Governing Body in this regard. Furthermore, being a female faculty member belonging to the same category, any untoward decision would directly affect her.

PROPOSAL:-

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In view of the position explained above the Committee's recommendation, in the matter of restoring Dr. Biplab Mishra's inter-se seniority to Additional Professor effective July 1, 2012, and subsequently to Professor effective July 1, 2016, is placed before the Governing Body for consideration and decision.

This agenda has the approval of the Director, AIIMS.

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No.F.20-14/2014(2017)-Estt.I
NOTE FOR THE GOVERNING BODY

Item No. GB/

To consider the recommendations of Hon'ble Parliamentary Standing Committee for Welfare of Scheduled Caste and National Commission for Scheduled Caste regarding restoration of inter-se-seniority of Dr. Biplab Mishra on his promotion to the post of Additional Professor w.e.f. 1.7.2012

INTRODUCTION:-

The Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Fifteenth Report (17th Lok Sabha) after considering the grievance of Dr. Biplab Mishra, Professor of Surgery Division of JPNATC of AIIMS, New Delhi made following observations

(Annexure-I):-

"Complaints and Grievances"

8. The Committee recommended that the Ministry of Health and Family Welfare AIIMS collectively should made sincere efforts in resolving complaints and grievances of SC/ST faculty Members, employees/ students up-to their satisfaction and ensure that they are not met with undue discrimination on any basis. The Committee has come across a case with a faculty member belonging to SC category who has been discriminated during the promotion of Additional Professor's post in spite of having all meritorious quality of excellent surgeon record and good conduct. Furthermore, in spite of clear cut decision of the National Commission for Scheduled Castes and Scheduled Tribes that gross injustice has been meted out to the surgeon inter-se-seniority in the grade of Professor has not been restored so far. The Committee in the interest of justice to the individual a learned SC Professor earnestly request that matter may be placed before Governing Body of AIIMS with SC members DGHS to review and decide matter on merit. If necessary before placing the matter before the governing body of AIIMS matter may be refer to DoPT and Ministry of Law & Justice to take legal opinion in the matter. The Committee feels that after expert review committee decided the matter in favour of SC Professor surgeon, there is no ambiguity to provide him the consequential benefits including inter-seniority in Professor grade along-with promotions. Legal advice received from the Ministry of Law and DoPT outcome of the consideration of the consideration of the Governing Body of AIIMS thereafter to tackle the issue of inter-seniority of SCs and STs at the level of faculty may be provided to the Committee for further course of action, if any, in the matter.

Dr. Bilpab Mishra also represented to Hon'ble National Commission for Scheduled Caste for restoration of his inter-se-seniority w.e.f. 1.7.2012. The Hon'ble Commission has given recommendations from time to time for restoration of inter-se-seniority of Dr. Biplab Mishra as he was given promotion to the post of Additional Professor w.e.f. 1.7.2012 with benefits such as

pay and allowance etc. and therefore he is entitled for benefit of inter-se-seniority also, which was denied in his case. The recommendations received from the Hon'ble Commission from time to time are enclosed herewith for perusal as (Annexure-II).

ADMINISTRATIVE COMMENTS:-

In the above context, it is submitted that the facts of the case of Dr. Biplab Mishra is as below:-

- Dr. Biplab Mishra of Jai Prakash Narain Apex Trauma Centre of AIIMS, New Delhi fulfilled eligibility condition 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 along-with various other candidates was interviewed by the Standing Selection Committee. The Standing Selection Committee declared 17 candidates (including Dr. Biplab Mishra) 'UNFIT' for promotion which was later approved by the Governing Body of this Institute in its 149th meeting held on 19.7.2013. (Annexure-III). In this regard, it is submitted that no reasons were cited for finding Dr. Biplab Mishra UNFIT.
- 'Unfit' Faculty members including Dr. Biplab Mishra made representations. These were placed before the Governing Body (the Appointing Authority) in its 150th Meeting held on 28.2.2014. The Governing Body decided to refer back these cases to the Standing Selection Committee for review (Annexure-IV).
- The Standing Selection Committee interviewed all of them again in the month of April, 2014 and 13 candidates out of 17 (including Dr. Biplab Mishra) were declared 'FIT for Promotion'. The recommendations of the Standing Selection Committee were placed before the Governing Body in its 151st meeting held on 12.5.2014 and the GB decided as under:-

"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"
- The Minutes of 151st meeting of GB along-with a list of Fit & Unfit Faculty Members may be seen at (Annexure- V).
- The seniority of the faculty members, including Dr. Biplab Mishra, was determined as per the decision of the Governing Body. Consequently, their inter-se-seniority has not been recognized, and their promotions have been granted only with retrospective effect.

- Dr. Biplab Mishra represented before the Hon'ble National Commission for Scheduled Castes. NCSC passed an order advising that the matter of inter-seniority of Dr. Biplab Mishra may be placed before the Governing Body of the Institute through Secretary, Health & Family Welfare (Annexure-VI).
- In compliance of orders of Hon'ble NCSC, the matter was placed before the GB in its 158th meeting held on 18.6.2021. GB made the following observations in this matter:-
 - "The Governing Body deliberated on the representations at length. Governing Body decided that decision of the Institute is correct and promotion can be given only when Standing Selection Committee found candidate to be suitable. Governing Body decided that status quo be maintain in case of Dr. Biplab Mishra and his representation is not agreed.
- The above decision of GB was communicated to Dr. Biplab Mishra vide note dated 25.08.2021 (Annexure- VII).
- Further, in compliance of the recommendations of the Parliament Committee, AIIMS, New Delhi has referred this matter to the Ministry on 10.11.22 (Annexure- VIII) to seek opinion of DoPT and Ministry of Law & Justice so that the issue can be placed before the Governing Body for deliberation.
- The MoHFW forwarded the comments received by them from DoPT and Ministry of Law and Justice for clarification of AIIMS, New Delhi and further action. Copy of Ministry's letter No.V.16020/39/2019-INI-I (Pt.I) dtd 23.5.2023 along with advice/comments from DoPT and Ministry of Law and Justice are enclosed herewith for reference as (Annexure-IX).
- The comments of DoPT dated 17.4.2023 and the relevant part of para 2 & 3 provides as under:-
 - (i) It is observed that the promotion of doctors in the AIIMS is governed by the Assessment Promotion Scheme for doctors. it does not appear that the scheme was framed with the prior approval of the Department of Personnel & Training (DoPT).
 - (ii) It is further informed that DoPT has issued instructions on promotion through the Departmental Promotion Scheme (DPC). These instructions provide that the primary objection of holding a Review DPC is to rectify any mistake that took place at the time of holding of the original DPC.

- Finally it is for the MoHFW to examine whether these instructions on holding of Review DPC is applicable in cases covered under the Assessment Promotion Scheme for doctors or otherwise.
- The comments of Ministry of Law Affairs dated 16.5.23 provides as under:-

XXXXX

The first part of the decision taken by the Governing Body upon the assessment of SSC regarding fitness for promotion to the next grade from the date of eligibility is within the domain of SSC of AIIMS whereas the second part of assessment/decision to 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 is not sufficiently support by reasons, hence appears to be discriminatory for the affected faculty member(s).

- In view of the foregoing, the administrative Ministry may take a conscious administrative decision in the instant matter as desired by the Hon'ble Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

Accordingly, it was considered that the matter may be placed again before the Governing of the Institute for consideration and decision as directed by the Honorable Parliamentary committee on the Welfare of SC & ST.

It is further submitted that Dr. Biplab Mishra had again approached the Honorable National Commission for Scheduled Castes. The NSC had directed AIIMS to provide Dr. Biplab Mishra with a copy of the agenda to be placed before the Governing Body in compliance with the direction of the Honorable Parliamentary Committee. Dr. Biplab Mishra was accordingly provided with a copy of the agenda. Thereafter, the NCSC directed that changes be made to the agenda as requested by Dr. Biplab Mishra (Annexure-X). Dr. Biplab Mishra has submitted his letter with a request to make certain changes to the agenda (Annexure-XI).

The brief of the submission of Dr. Biplab Mishra is as under:-

- (i) He requested vide letter dated 2.7.2014, 27.6.2017 and 18.7.2017 for inter-se seniority from the AIIMS administration but was denied for over three years without any official response or action. The justifications provided by AIIMS for denying his request were inconsistent and logically flawed. His case differed significantly from the case of 39 Faculty members who were previously denied inter-se seniority, but AIIMS used this comparison to justify their decision. However, the Governing Body minutes clearly stated that the case of the 39 Faculty members was a one-time exception and should not be used as precedent.

(ii) He seeks the restoration of his inter-se seniority, not a promotion. Despite being deemed "Fit" by the Standing Selection Committee, the Governing Body denied his request without legal justification or reason. This action lacks validity as the Standing Selection Committee has no role in inter-se seniority decisions.

(iii) His case emphasizes the importance of restoring all benefits, including inter-se seniority, when declared "fit" in a defined review process. The governing rules are clear and objective, with support from DOPT and the Ministry of Law. Denying inter-se seniority was deemed discriminatory and unjust by both the National Commission for Scheduled Castes and the Parliamentary Standing Committee for SC welfare.

The following is the administrative comments on the submission of Dr. Biplab Mishra:-

(i) His representations were examined and he was informed about decision of the Governing Body regarding inter-se-seniority vide letter(s) dated 15.01.2018 & 03.08.2018 respectively. (Annexure- XII)

(ii) Dr. Biplab Mishra was eligible for promotion to Additional Professor with effect from July 1, 2012. He was initially declared unfit but was found "Fit" upon review by the Standing Selection Committee following the Governing Body's decision. Consequently, he was promoted to the position of Additional Professor with effect from July 1, 2012. However, he was placed below the faculty members originally promoted in the batch as per the decision of the Governing Body. In the case of 39 faculty members, they were found "unfit" for promotion by the Standing Selection Committee. However, the Governing Body considered them for promotion. These promotions were made without any reassessment or review of their cases by the Standing Selection Committee.

(iii) Ministry of Justice has opined that :-

"The first part of the decision taken by the Governing Body upon the assessment of SSC regarding fitness for promotion to the next grade from the date of eligibility is within the domain of SSC of AIIMS whereas the second part of assessment/decision to 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 is not sufficiently support by reasons, hence appears to be discriminatory for the affected faculty member(s)".

In this regard, it is submitted that the Governing Body's decision regarding inter-se seniority was applicable to all those who were found "FIT" on review by the Standing Selection Committee (including Dr. Biplab Mishra).

The Governing Body may kindly consider observation of the Ministry of Law and Justice (MoLJ), Parliamentary Committee and National Commission for Scheduled Caste in the matter.

PROPOSAL:-

In view of the position explained above and as per the directions of the Honorable Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes and the National Commission for Scheduled Castes, the matter regarding restoring the inter-se seniority of Dr. Biplab Mishra with effect from July 1, 2012, to the post of Additional Professor is placed before the Governing Body for consideration and decision.

This agenda has the approval of the Director, AIIMS.

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Through Special Messenger
By Speed Post

ALL INDIA INSTITUTE OF MEDICAL SCIENCES


No.F. 2-1/2023-Genl. (GB-160)

Ansari Nagar, New Delhi-29
Dated: 17.01.2024

MEMORANDUM

Subject:- Final minutes of the 160th Meeting of the Governing Body held on 13th December, 2023 at 05:00 P.M. in the Dr. Ramalingaswami Board Room, AIIMS, New Delhi.

The Final Minutes of the meeting of Governing Body held on 13th December, 2023 at 05:00 P.M. in the Dr. Ramalingaswami Board Room, AIIMS, New Delhi as approved by the Chairman of the Governing Body is being circulated to Chairman and all the Members of the Governing Body for information.


(PROF. M. SRINIVAS)
DIRECTOR &
MEMBER SECRETARY

Encl. As above

The Chairman and all the
Members of the Governing Body.

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No. V-16020/159/2023-INI-I
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
Nirman Bhawan, New Delhi
Dated 17-01-2024

To

The Director,
AIIMS, New Delhi,
Ansari Nagar,
New Delhi-110029

Subject: Minutes of the 160th Governing Body meeting of AIIMS, New Delhi held on 13.12.2023 under the Chairmanship of Hon'ble HFM- reg.

Sir,

I am directed to refer to the subject mentioned above and to forward the approved Minutes of the 160th Governing Body meeting of AIIMS, New Delhi held on 13.12.2023 under the Chairmanship of Hon'ble HFM in the Dr. Ramalingaswami Board Room of AIIMS, New Delhi. The Institute is requested to take further necessary action accordingly.

Encl.: As above.

Yours faithfully,

Signed by

Bishnu Pada Kirtania

Date: 17-01-2024 11:11:06
(Bishnu P. Kirtania)

Under Secretary to the Government of India
Tel. No. (011) 23061843(O)

Copy for information to:-

- (i) PS to Hon'ble HFM, MoHFW, New Delhi
- (ii) PSO to Secretary(HFW), MoHFW, New Delhi
- (iii) PPS to JS(INI), MoHFW, New Delhi
- (iv) Director(INI), MoHFW, New Delhi
- (v) Section Officer, O/o Hon'ble MoS (SPSB/BPP), MoHFW, New Delhi

MINUTES OF THE 160TH MEETING OF THE GOVERNING BODY OF AIIMS, NEW DELHI HELD ON 13TH DECEMBER 2022 AT 05:00 P.M. UNDER THE CHAIRMANSHIP OF HON'BLE UNION MINISTER OF HEALTH & FAMILY WELFARE IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.

The 160th meeting of the Governing Body of AIIMS, New Delhi was held on 13th December, 2022 at 05.00 P.M. in the Dr. Ramalingaswami Board Room, AIIMS, New Delhi under the Chairmanship of Hon'ble Union Minister of Health & Family Welfare. The list of members who attended the meeting physically/virtually is as follows:-

- | | |
|--|--------------------------------|
| 1. Dr. Mansukh Mandaviya
Minister of Health & Family Welfare
Nirman Bhawan, New Delhi - 110011 | Chairman |
| 2. Dr. Anil Jain, M.P (Rajya Sabha)
D-244, Anupam Garden,
Saiyad Ul Ajab, New Delhi-68 | Member |
| 3. Shri Sudhansh Pant
Secretary (H&FW)
Ministry of Health & Family Welfare
Govt. of India,
Nirman Bhawan, New Delhi - 110011 | Member |
| 4. Shri Jaldeep Kr. Mishra
Addl. Secretary and Financial Adviser
Ministry of Health & Family Welfare,
Govt. of India,
Nirman Bhawan, New Delhi - 110011 | Member |
| 5. Dr. Karneshwar Prasad
Director
Rajendra Institute of Medical Sciences,
Barlatu, Ranchi-834009, Jharkhand | Member |
| 6. Dr. Pranjal Modi
Vice Chancellor
Gujarat University of Transplantation Sciences,
Opp. Trauma Centre, Civil Hospital Campus,
Asarwa, Ahmedabad-380016, Gujarat | Member |
| 7. Prof. Vijay Kumar Shukla
Rector & Vice-Chancellor,
Banaras Hindu University,
Varanasi-221005, U.P | Member |
| 8. Dr. Atul Goel
Director General of Health Services
(online) | Member
(Attended virtually) |



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Govt. of India
Nirman Bhawan, New Delhi - 110011

9. Prof. M. Srinivas
Secretary
Director, AIIMS

Member

Dr. K. Sanjay Murthy, Secretary, Department of Higher Education and Prof. Yogesh Singh, Vice Chancellor, Delhi University could not attend the meeting.

The quorum for the meeting was fulfilled.

Smt. Bharati Pravin Pawar, Hon'ble Minister of State, Health & Family Welfare and Shri S.P. Singh Baghel, Hon'ble Minister of State, Health & Family Welfare also attended the meeting.

Ms. Anikta Mishra Bundela, Joint Secretary, MoHFW, Prof.K.K Verma, Dean (Academics), AIIMS, New Delhi, Shri Karan Singh, Addl. Director (Admn.), AIIMS, New Delhi and Shri.Mritunjaya Saini, Sr. Financial Advisor, AIIMS, New Delhi attended the meeting as Special Invitees.

The deliberations on the agenda items are as follows:-

ITEM NO. GB-160/01

CONFIRMATION OF THE MINUTES OF THE 159TH MEETING OF THE GOVERNING BODY HELD ON 6TH DECEMBER, 2022 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.

The Governing Body confirmed the minutes of the 159th Governing Body Meeting held on 6th Dec, 2022, as no comments were received from any of the members.

ITEM NO. GB-160/02

ACTION TAKEN REPORT ON THE MINUTES OF THE 159TH MEETING OF THE GOVERNING BODY HELD ON 6TH DECEMBER, 2022 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.

Director, AIIMS apprised the members about the action taken on the decisions made in the 159th Governing Body meeting held on 06.12.2022.

ITEM No.GB-160/03

RATIFICATION OF THE MINUTES OF THE 223RD MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 2ND DECEMBER, 2022 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 223rd meeting of the Standing Finance Committee.

ITEM No GB-160/04

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RATIFICATION OF THE MINUTES OF THE 224TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 29TH MARCH, 2023 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 224th meeting of the Standing Finance Committee.

ITEM No GB-160/05

RATIFICATION OF THE MINUTES OF THE 225TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 31ST JULY, 2023 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 225th meeting of the Standing Finance Committee.

ITEM No GB-160/06

RATIFICATION OF THE MINUTES OF THE 226TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 30TH NOVEMBER, 2023 IN THE DR. RAMALINGASWAMI BOARD ROOM, AIIMS, NEW DELHI.

The Governing Body ratified the minutes of the 226th meeting of the Standing Finance Committee.

ITEM No GB-160/07

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF APPROVAL OF THE PRESIDENT, AIIMS FOR PLACEMENT OF 40% OF PROFESSORS OF AIIMS, NEW DELHI IN HIGHER ADMINISTRATIVE GRADE (LEVEL-15).

The Governing Body deliberated the proposal and ratified the same.

ITEM No GB-160/08

- A. TO CONSIDER APPROVING THE PROCESS FOR DETERMINATION OF SENIORITY AMONG PROFESSORS APPOINTED THROUGH DIRECT RECRUITMENT AND PROMOTED THROUGH DIRECT SCHEME (APS) AT AIIMS, NEW DELHI.
- B. FILLING UP THE VACANT POSTS OF PROFESSORS UNDER DIRECT RECRUITMENT MODE AT AIIMS, NEW DELHI.
- C. THE ASSESSMENT PROMOTION SCHEME AND PROCESS FOR DETERMINATION OF INTER-SE SENIORITY BETWEEN DIRECT RECRUITS AND APS PROMOTEES MAY BE INCLUDED IN THE AIIMS REGULATIONS.

- A. The Governing Body deliberated the proposals and, based on the recommendations of the Mr. P.K. Pradhan committee, approved the following :
The inter-se seniority between direct recruits and those given promotion under Assessment Promotion Scheme (APS) will be fixed as follows:

NS

Direct Recruitment: Seniority to direct recruits from the date of their appointment to the post.

APS promotion: Those promoted to that level under APS, from the date of their eligibility and fitness ("from 1st of July in the year for which one is promoted under APS").

Faculty promoted under APS should not be asked to apply for selection to a post of the same level under direct recruitment.

Before recruitment of Professors in direct mode, the issue of seniority among direct and APS may be considered, and seniority list be finalized.

The process of APS should be streamlined with regular promotions.

- B. Recruitment to the posts of Professors under Direct Recruitment mode was approved. Only exceptionally brilliant candidates who score an average grade of A+ in the interview will be eligible for selection.
- C. It was approved that the assessment promotion scheme and process for determination of inter-se seniority between direct recruits and APS promotees be included in the AIIMS Regulations.

Also, after detailed deliberation the Governing Body decided that-

- i. In case of multiple Direct Recruits through same advertisement, their inter-se merit as adjudged by the Selection Committee will prevail.
- ii. In cases of date being same for direct recruits and APS, APS will be placed higher in the list.

On Inquiry by the Governing Body Members, Director AIIMS Delhi informed that currently there is no direction from any Court regarding the above proposed arrangement for fixation of inter-se seniority. The Governing Body observed that in future in case any direction is issued by any court in the matter, it shall be duly considered.

ITEM No GB-160/09


CONTINUATION OF DISCUSSION FOR DIRECTION ON ITEM NO.GB-158/23 DATED 18.06.2021.

The Governing Body deliberated the matter extensively and directed for constitution of a Committee for further examination and recommendation in view of the representations received in this context.

ITEM No GB-160/10

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF REVISED RECRUITMENT RULES FOR THE POST OF MEDICAL SUPERINTENDENT AT AIIMS, NEW DELHI.

The Governing Body considered and ratified the proposal.



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ITEM No GB-160/11

TO CONSIDER EX-POST FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE HELD DURING THE MONTH OF DECEMBER, 2022 FOR RECRUITMENT TO THE POST OF ASSISTANT PROFESSOR IN VARIOUS DISCIPLINES AND ASSOCIATE PROFESSOR (COLLEGE OF NURSING) AT AIIMS, NEW DELHI.

The Governing body considered and accorded ex-post facto approval.

ITEM No GB-160/12

TO CONSIDER THE DIRECTIONS OF HON'BLE PARLIAMENTARY STANDING COMMITTEE FOR WELFARE OF SCHEDULED CASTE AND NATIONAL COMMISSION FOR SCHEDULED CASTE REGARDING RESTORATION OF INTER-SE-SENIORITY OF DR. BIPLAB MISHRA ON HIS PROMOTION TO THE POST OF ADDITIONAL PROFESSOR W.E.F. 01.07.2012.

After detailed deliberations the Governing Body directed the Institute to further examine the matter in view of the representations received on the subject.

ITEM No GB-160/13

TO CONSIDER THE PROPOSAL FOR SEEKING APPROVAL OF RESIDENTIAL ACCOMMODATION RULES 2023.

The Governing Body directed to refer the proposal to the Estate Committee for approval before placing the same before the Governing body for consideration.

ITEM No GB-160/14

TO CONSIDER THE PROPOSAL FOR GRANT OF EX-POST-FACTO APPROVAL FOR THE EXTENSION OF DR. RANJAN GUPTA'S PROBATION PERIOD FOR A PERIOD OF TWO YEARS I.E. UPTO 02.11.2020.

The Governing Body considered the matter and accorded ex-post facto approval subject to the outcome of O.A. No.1785/2022 and M.A. No.3164/2023.

ITEM No GB-160/15

TO CONSIDER THE PROPOSAL FOR EX-POST FACTO RATIFICATION DECISION OF PRESIDENT, AIIMS FOR RETENTION OF LIEN TWO ASSOCIATE PROFESSORS, COLLEGE OF NURSING AT THE AIIMS, NEW DELHI

The Governing Body considered and ratified the decision.

ITEM No GB-160/16

TO CONSIDER THE REPRESENTATION OF DR. MAROOF AHMAD KHAN, ADDITIONAL PROFESSOR & HEAD OF THE DEPARTMENT OF BIostatistics, AIIMS FOR RECONSIDERATION OF HIS PROMOTION TO THE NEXT GRADE OF



PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.

The Governing Body deliberated the representation given by Dr Maroof Ahmad Khan and upheld the decision of the Standing Selection Committee.

ITEM No GB-160/17

TO CONSIDER THE REPRESENTATION OF DR. ASMITA PATIL, ADDITIONAL PROFESSOR IN THE DEPARTMENT OF PHYSIOLOGY, AIIMS, FOR RECONSIDERATION OF HER PROMOTION TO THE NEXT GRADE OF PROFESSOR UNDER ASSESSMENT PROMOTION SCHEME (APS) AT AIIMS, NEW DELHI.

The Governing Body deliberated the representation given by Dr. Asmita Patil and upheld the decision of the Standing Selection Committee.

ITEM No GB-160/18

TO CONSIDER THE APPEAL OF SH. PRADEEP KUMAR, MEDICAL LABORATORY TECHNOLOGIST, JPNA TRAUMA CENTRE, AIIMS, NEW DELHI AGAINST THE PENALTY OF "REDUCTION TO A LOWER STAGE IN TIME SCALE OF PAY OF THE POST OF MEDICAL LAB TECHNOLOGIST FOR A PERIOD OF ONE YEAR IN THE TIME SCALE OF PAY I.E. LEVEL-07, WITH FURTHER DIRECTIONS THAT THE SAID SHRI PRADEEP KUMAR, MEDICAL LAB TECHNOLOGIST, AIIMS WILL NOT EARN INCREMENTS OF PAY DURING THE PERIOD OF SUCH REDUCTION AND ON THE EXPIRY OF SUCH PERIOD, THE REDUCTION WILL NOT HAVE THE EFFECT OF POSTPONING THE FUTURE INCREMENTS OF HIS PAY, AFTER IMPOSITION OF PENALTY" AS AN OUTCOME OF A DISCIPLINARY PROCEEDINGS UNDER CCS (CCA) RULES, 1965.

The Governing Body considered the Appeal of Sh. Pradeep Kumar and decided to maintain status quo.

ITEM No GB-160/19

TO CONSIDER THE APPEAL OF MS. SHALINI GUPTA, NURSING OFFICER, JPNATC, AIIMS, NEW DELHI AGAINST THE PENALTY OF "REDUCTION TO A LOWER STAGE IN TIME SCALE OF PAY BY ONE STAGE FOR A PERIOD OF TWO YEARS, WITHOUT CUMULATIVE EFFECT AND NOT ADVERSELY AFFECTING HER PENSION.

The Governing Body considered the Appeal of Ms. Shalini Gupta and decided to maintain status quo.

ITEM No GB-160/20

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST DR. ATUL KUMAR, THE THEN CHIEF, DR. R.P. CENTRE, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Dr

[Handwritten signature]

Atul Kumar.

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ITEM No GB-160/21

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST DR. ANOOP DAGA, THE THEN MEDICAL SUPERINTENDENT, DR. R.P. CENTRE, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Dr Anoop Daga.

ITEM No GB-160/22

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST DR. SHIKHA GUPTA, ASSOCIATE PROFESSOR & OFFICER IN-CHARGE (STATIONERY STORES), DR. R.P. CENTRE, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Dr Shikha Gupta.

ITEM No GB-160/23

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST DR. SWATI PHULJELE AALOK, ADDITIONAL PROFESSOR & OFFICER IN-CHARGE (GENERAL STORES), DR. R.P. CENTRE, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Dr Swati Phuljele Aalok.

ITEM No GB-160/24

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI RAKESH KUMAR SHARMA, SENIOR STORES OFFICER, DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh Rakesh Kumar Sharma.

ITEM No GB-160/25

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST MS. MEENAKSHI DABRAL, ACCOUNT OFFICER, DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Ms.



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Meenakshi Dabral.

ITEM No GB-160/26

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI RAM PAL SINGH, ASSTT. STORES OFFICER, DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh. Ram Pal Singh.

ITEM No GB-160/27

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI DHARAM PAL SINGH, ASSTT. STORES OFFICER, MAIN HOSPITAL, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh. Dharam Pal Singh.

ITEM No GB-160/28

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI MANOJ KUMAR, JR. ADMINISTRATIVE OFFICER, DR. R.P. CENTRE, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh. Manoj Kumar.

ITEM No GB-160/29

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI KHAJANT SINGH, SR. ADMINISTRATIVE ASSISTANT, DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh. Khajant Singh.

ITEM No GB-160/30

RATIFICATION OF DECISION OF PRESIDENT (AIIMS) FOR INITIATION OF DISCIPLINARY PROCEEDING AGAINST SHRI JITENDER KUMAR, HOSPITAL ATTENDANT, GRADE-III, DR. R.P. CENTRE FOR OPHTHALMIC SCIENCES, AIIMS, NEW DELHI UNDER RULE 14 OF CCS(CCA) RULES, 1965.

The Governing Body ratified the decision to initiate disciplinary proceedings against Sh. Jitender Kumar.



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VOLUNTARY RETIREMENT TO DR. RAJESH MALHOTRA, PROFESSOR & HOD OF ORTHOPAEDICS AND CHIEF OF JPNATC FROM THE SERVICE OF THIS INSTITUTE W.E.F. 15.06.2023 (F.N.)

The Governing Body considered and ratified voluntary retirement granted to Prof. Rajesh Malhotra.

ITEM No GB-160/37

TO CONSIDER THE PROPOSAL FOR EX-POST-FACTO RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO PROF. SUNDEEP KUMAR MISHRA, PROFESSOR OF CARDIOLOGY FROM THE SERVICE OF THIS INSTITUTE W.E.F. 10.09.2022.

The Governing Body considered and ratified voluntary retirement granted to Prof. Sundeep Kumar Mishra.

ITEM No GB-160/38

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO PROF. ATUL SHARMA, PROFESSOR AND HOD OF MEDICAL ONCOLOGY, DR. B.R.A.I.R.C.H. FROM THE SERVICE OF THIS INSTITUTE W.E.F. 10.08.2023 (F.N.)

The Governing Body considered and ratified voluntary retirement granted to Prof. Atul Sharma.

ITEM No GB-160/39

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF THE VOLUNTARY RETIREMENT GRANTED TO PROFESSOR SANJAY KUMAR AGARWAL, PROFESSOR AND HOD OF NEPHROLOGY, FROM THE SERVICE OF THIS INSTITUTE EFFECTIVE SEPTEMBER 15, 2023 (FORENOON).

The Governing Body considered and ratified voluntary retirement granted to Prof. Sanjay Kumar Agarwal.

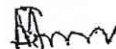
ITEM No GB-160/40

TO CONSIDER THE PROPOSAL FOR RATIFICATION OF VOLUNTARY RETIREMENT GRANTED TO PROF. M.V. PADMA, PROFESSOR AND HOD OF NEUROLOGY AND CHIEF OF N.S. CENTRE FROM THE SERVICE OF THIS INSTITUTE W.E.F. 16.10.2023 (F.N.)

The Governing Body considered and ratified voluntary retirement granted to Prof. M.V Padma.

ITEM No GB-160/41

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MRS. ANNA GEORGE, ASSISTANT, NURSING SUPERINTENDENT (GROUP "A" STAFF) W.E.F. 06.03.2023 (A/N).



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The Governing Body considered and ratified voluntary retirement granted to Mrs. Anna George.

ITEM No GB-160/42

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MRS. MARYKUTTY THOMAS, ASSISTANT NURSING SUPERINTENDENT (GROUP "A" STAFF) W.E.F. 15.11.2023 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mrs. Marykutty Thomas.

ITEM No GB-160/43

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MRS. VIMAL THAKRAL, ADMINISTRATIVE OFFICER (GROUP "A" STAFF) W.E.F. 31.07.2022 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mrs. Vimal Thakral.

ITEM No GB-160/44

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MR. R. SANTOSH, ADMINISTRATIVE OFFICER (GROUP "A" STAFF) W.E.F. 13.03.2022 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mr. R.Santosh.

ITEM No GB-160/45

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MR. MANJUL RASTOGI, SUPERINTENDENT ENGINEER (GROUP "A" STAFF) W.E.F. 31.12.2020 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mr. Manjul Rastogi.

ITEM No GB-160/46

TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MRS. NEELAM D. JAMES, SUPT. PHYSIOTHERAPIST (GROUP "A" STAFF) W.E.F. 06.05.2020 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mrs. Neelam D. James.

ITEM No GB-160/47



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TO CONSIDER THE PROPOSAL OF VOLUNTARY RETIREMENT FROM THE SERVICE OF THE INSTITUTE IN RESPECT OF MR. VINOD KUMAR SHARMA, EXECUTIVE ENGINEER (GROUP "A" STAFF) W.E.F. 30.04.2022 A/N.

The Governing Body considered and ratified voluntary retirement granted to Mr. Vinod Kumar Sharma.

ITEM No GB-160/48

TO CONSIDER THE MINUTES OF THE 121ST ACADEMIC COMMITTEE MEETING HELD ON 09.02.2023 AT AIIMS, NEW DELHI.

The Governing body noted that as recommendations of the 121st Academic Committee meeting held on 09.02.2023 at AIIMS, New Delhi have financial implications, therefore the same should be placed before the Standing Finance Committee for consideration and thereafter placed before the Governing Body. The recommendation of the committee regarding the functioning of centres, formation of divisions and units at AIIMS needs detailed deliberation.

ITEM No GB-160/49

TO CONSIDER THE SENIORITY LIST PREPARED FOR FACULTY MEMBERS AT AIIMS, NEW DELHI.

The Governing body considered and approved the proposal, subject to outcome of C.W.P. No.12058/2019 and C.M.A. No.52788/2022.


TABLE AGENDA

ITEM No GB-160/50

TO CONSIDER THE PROPOSAL FOR OPERATIONALIZATION OF CENTRAL ARMED POLICE FORCES INSTITUTE OF MEDICAL SCIENCES(CAPFIMS), MAIDANGARHI, AS CAMPUS OF AIIMS, NEW DELHI UNDER THE NAME 'AIIMS-CAPFIMS'

The Governing body considered and approved the proposal for operationalization of CAPFIMS, Maidangarhi as campus of AIIMS, New Delhi under the name 'AIIMS-CAPFIMS Campus'.

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


17/1/2024

(PROF. M. SRINIVAS)
Member Secretary, GB,
AIIMS, New Delhi



(MANSUKH MANDAVIYA)
Chairman, GB AIIMS, New Delhi



E - Office

Annexure - 11A

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Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar
Consultant & Professor
Division of Trauma Surgery & Critical care

Raj Nagar, New Delhi
Phone : 011-2673118
Mobile: 9868397702, Fax: 26106826
Email : sagar.sushma@gmail.com

11/12/2023

To

The President

A.I.I.M.S.

New Delhi

(Through Proper Channel)

Subject: Representation regarding the claim of seniority by Dr. Biplab Mishra

Respected Sir,

I have come to know that there is an agenda regarding the seniority issue of Dr Biplab Mishra, Professor of Surgery (JPNATC) in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I wish to apprise you that Dr Biplab Mishra appeared for APS interview of Additional Professor in April 2013 along with 4 more faculty members of surgery (JPNATC). First time, he was not found fit to be promoted while the other 4 faculty members of Surgery (JPNATC) got promoted to the grade of Additional professor (Annexure 1). Dr Biplab Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months along with 17 faculty members from various department through a new selection committee and a new set of examiners. However it was decided by the then Governing Body that these faculty members may be promoted from the back date if found fit but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case. After this Dr. Biplab Mishra was placed below the other faculty members.

In 2016 we all 5 appeared for the interview of professor interview (APS) as per the new seniority list and all were promoted to the grade of Professors maintaining the same seniority. Sir, I am looking after the administrative and academic responsibilities of the division of Trauma Surgery and Critical Care as faculty in charge with utmost sincerity.

Sir, I fail to understand that when Dr Biplab appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC) then how can he claim the seniority. His seniority was decided by the then GB of the institute.

This matter may kindly be considered in totality and based on facts. I being a female faculty belonging to the same category as Dr. Biplab Mishra appeal for the natural justice too. Any untoward decision would directly affect me and none other person. I once again reiterate that there is no merit in his claim

Thanking you & With regards

Sushma

0. 20-1/2023 (Misc.) Representation of Dr. Sushma, Prof. Surgery, JPNATC Estt. - I (Computer No. 324
294785/2023) Office of director



Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar
Consultant & Professor
Division of Trauma Surgery & Critical Care

Raj Nagar, New Delhi
Phone: 1031-2673418
Mobile: 9168397292, Fax: 26106826
Email: sagar.sushma@gmail.com

To

11/12/2023

The President

AIIMS

New Delhi

(Through proper channel)

Subject: Representation regarding the claim of seniority by Dr. Biplob Mishra.

Respected Sir,

I have come to know that there is an agenda regarding the seniority issue of Dr. Biplob Mishra, Professor of Surgery (JPNATC), in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I wish to apprise you that Dr. Biplob Mishra appeared for APS interview of Additional Professor in April 2013 along with 4 more faculty members of surgery (JPNATC). First time, he was not found fit to be promoted while the other 4 faculty members of Surgery (JPNATC) got promoted to the grade of Additional professor (Annexure A). Dr. Biplob Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months along with 17 faculty members from various departments through a new selection committee and a new set of examiners. However, it was decided by the then Governing Body that these faculty members may be promoted from the backdate if found fit but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case. After this, Dr. Biplob Mishra was placed below the other faculty members.

In 2016 we all 5 appeared for the interview of professor interview (APS) as per the new seniority list and all were promoted to the grade of Professor maintaining the same seniority. Sir, I am looking after the administrative and academic responsibilities of the division of Trauma Surgery and Critical Care as faculty in charge with utmost sincerity.

Sir, I fail to understand that when Dr. Biplob appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC), then how can he claim the seniority. His seniority was decided by the then GB of the institute.

This matter may kindly be considered in totality and based on facts. I being a female faculty belonging to the same category as Dr. Biplob Mishra appeal for the natural justice too. Any untoward decision would directly affect me and one other person. I once again reiterate that there is no merit in his claim.

Thanking you & with regards

Sushma

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES
ANSARI NAGAR, NEW DELHI-110 029**

NO. F-13-3/2013-PST-1

Dated this: **01 NOV 2016****OFFICE MEMORANDUM**

Subject: Promotion to the grade of Professor under the Assessment/Promotion Scheme (APS) of the AIIMS, New Delhi.

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Additional Professors are promoted to the grade of Professor in their respective disciplines/department at the pay scale of PB-04 (Rs. 37,000-67,000/-) subject to minimum pay being Rs. 51,000/- and Academic Grade Pay of Rs. 10,500/- plus other annual allowances from their due dates as with effect from 1st July, 2016 under Assessment/Promotion Scheme.

Sl. No.	Name of the Faculty member	Department/Speciality
01	Dr. Rama Jayasundera	Nuclear Magnetic Resonance (NMR)
02	Dr. Shambhunath Das	Cardiac Anaesthesia
03	Dr. Sanjay Tal	G.I. Surgery & Liver Transplantation
04	Dr. Sandeep R. Mathur	Pathology
05	Dr. Rakesh Lodha	Paediatrics
06	Dr. Sajeed Kumar Khan	Medicine (IPNATC)
07	Dr. Kabila Chatterjee	Pathology (Transfusion Medicine)
08	Dr. Pooja Seth	Hematology
09	Dr. Sujata Mohanty	Bronch Cell
10	Dr. Samir Haq	Radio-Diagnosis
11	Dr. Rohit Gupta	Anaesthesia (Dr. R.P.C)
12	Dr. Garja Deepak Rana	Neuro-Anaesthesia
13	Dr. Rajya Jagla	Cardiac Radiology
14	Dr. Vijay Kumar	Orthopaedics
15	Dr. Pooja Anurag	Ophthalmology
16	Dr. Manish Bhushan Singh	Clinical Neurophysiology (Department of Neurology)
17	Dr. Vijay Vatsan Mathur	Pedodontics & Perceptive Dentistry (PDR)
18	Dr. Shivanand Ganarajatti	Radio-linking (IPNATC)
19	Dr. Akh Kumar	Radio-linking (IPNATC)
20	Dr. Rachna Seth	Paediatrics
21	Dr. Sanjeev Lalwani	Forensic Medicine (IPNATC)
22	Dr. Nand Kumar	Psychiatry

23	Dr. M. Vanathi	Ophthalmology
24	Dr. Rajesh Sinha	Ophthalmology
25	Dr. Nihar Ranjan Das	G.I. Surgery & Liver Transplantation
26	Dr. Ajaylogani	Conservative Dentistry & Endodontics (C.D.E.R.)
27	Dr. Jayshree Punj	Anesthesiology
28	Dr. Ambuj Roy	Cardiology
29	Dr. Vaishali Suri	Neuro-Pathology
30	Dr. Hemanshu Prabhakar	Neuro-Anaesthesia
31	Dr. S. Rameshkrishnan	Cardiology
32	Dr. S. Arundevi	Laboratory Medicine (JPNATC)
33	Dr. Parva Mathur	Laboratory Medicine (JPNATC)
34	Dr. Sushma	General Surgery (JPNATC)
35	Dr. Anil Gupta	General Surgery (JPNATC)
36	Dr. Subhojit Kumar	General Surgery (JPNATC)
37	Dr. Mahesh Singhal	General Surgery (JPNATC)
38	Dr. Bhavna Chavla	Ophthalmology
39	Dr. Rishi Gupta	Lab. Oncology (Dr. B.R.A. IICSI)
40	Dr. Vijay Sharma	Orthopaedics (JPNATC)
41	Dr. Buddhadev Choudhary	Orthopaedics (JPNATC)
42	Dr. Vivek Pricha	Orthopaedics (JPNATC)
43	Dr. Gupta Babita	Anesthesiology (JPNATC)
44	Dr. Ravinder Kumar Pandey	Anesthesiology
45	Dr. Rameshkr. Agarwal	Pediatrics
46	Dr. Vandana Jala	Pediatrics
47	Dr. Adarsh Kumar	Forensic Medicine (JPNATC)
48	Dr. Deepak Agarwal	Neuro-Surgery (JPNATC)
49	Dr. Deepak Kumar Gupta	Neuro-Surgery (JPNATC)
50	Dr. Sumit Sinha	Neuro-Surgery (JPNATC)
51	Dr. Mamta Goud	Psychiatry
52	Dr. Anjolie Chhabra	Anesthesiology
53	Dr. Surender Singh	Pharmacology
54	Dr. KH Reeta	Pharmacology

55	Dr. Samesh Gupta	Dermatology & Venereology
56	Dr. Divyanshu Halba Singh	Microbiology
57	Dr. Abul Ambeka	Psychiatry
58	Dr. Tarag Gharde	Cardiac Anaesthetics
59	Dr. Vishwas Mallick	Cardiac Anaesthesia
60	Dr. Prayas Ganjula Mishra	Clinical Haematology (Ainda)
61	Dr. Ingrid Bhatia	Pharmacology
62	Dr. Biplob Mishra	General Surgery (FNATC)
63	Dr. Chhavi Sawhney	Anaesthesiology (FNATC)
64	Dr. Radhika Ramachandran	Anaesthesiology
65	Dr. S. Smitil Kumaran	NMR

Other terms and conditions of their services will be the same as are applicable to other employees of the Institute.

(Authority: Item No. GB/03 of the 154th meeting of the Governing Body held on 21.10.2016)

(MEMBER)
DIRECTOR

Distributions:

1. All Officers concerned
2. The Medical Superintendent
3. The Dean (Examinations)
4. All Chief of Centres/Departments concerned
5. The PBS to Director, AIIMS
6. The DS to Dy. Director (Admin), AIIMS
7. The PA to Sr. Financial Advisor
8. The Chief Administrative Officer
9. The Accounts Section-II & III
10. The Estate Section
11. The Personal file of person concerned

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
Ansaril Nagar, New Delhi-110029

No. F-11-1/2012-Est-I

Dated: 19th July, 2012**MEMORANDUM**

Subject: Promotion in the grade of Additional Professor under the Assessment Promotion Scheme at AIIMS, New Delhi.

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Associate Professors are promoted to the grade of Additional Professors in their respective discipline/department in the pay scale of PB-1 (Rs. 7440-37000/-) subject to minimum pay being Rs. 40000/- and Academic Grade Pay of Rs. 4000/- plus other usual allowances from their due dates, i.e. with effect from 1st July, 2012 under the Assessment Promotion Scheme.

Sr. No.	Name	Department/Specialty
1	Dr. Sharmistha Das	Cardiac Anaesthesia
2	Dr. Suby Raj	G.I. Surgery & Liver Transplantation
3	Dr. Sandeep K. Mathur	Pathology
4	Dr. Rakesh Lodha	Paediatrics
5	Dr. Sanjeev K. Dhillon	Medicine (JNATC)
6	Dr. Gobind Chakraborty	Pathology (G.I.)
7	Dr. Indika Sethi	Haematology
8	Dr. Sujata Mohanty	Stem Cell
9	Dr. Sumit Hazri	Radio-Diagnosis
10	Dr. Renu Singh	Anaesthesiology (RPG)
11	Dr. Gajji Prasad Rath	Neuro-Anaesthesia
12	Dr. Kalya Jagga	Cardiac Radiology
13	Dr. Vijay Kumar	Orthopaedics
14	Dr. Tushar Agarwal	Ophthalmology
15	Dr. Manita Bhushan Sanyal	Clinical Neurophysiology (Dept. of Neurology)
16	Dr. Vijay Prakash Mishra	Endodontics & Restorative Dentistry (C.D. & R)
17	Dr. Shivanshu Namanagati	Radiodiagnosis (JNATC)
18	Dr. Anshu Gupta	Radio-Diagnosis (JNATC)
19	Dr. Rachna Saha	Paediatrics
20	Dr. Sanjeev Lalwani	Forensic Medicine (JNATC)
21	Dr. Nand Kumar	Psychiatry
22	Dr. M. Varshni	Ophthalmology

(P.T.O.)

Do

24	Dr. Rajesh Sinha	Ophthalmology
25	Dr. Nihar Ranjan Das	Or. Surgery & Liver Transplantation
26	Dr. Ajay Logani	Obstetrics & Gynaecology, Adolescent & Reproductive Health
27	Dr. Jyoti Patil	Anaesthesiology
28	Dr. Anbu Jay	Cardiology
29	Dr. Vashishth Suri	Neuro Pathology
30	Dr. Hensha In Prabhakar	Neuro Anaesthesia
31	Dr. S. Ram Krishnan	Cardiology
32	Dr. S. Aravind	Laboratory Medicine (IPNATC)
33	Dr. Divya Nohar	Laboratory Medicine (IPNATC)
34	Dr. Anshu	General Surgery (IPNATC)
35	Dr. Anur Gupta	General Surgery (IPNATC)
36	Dr. Anubh Kumar	General Surgery (IPNATC)
37	Dr. Manoj	General Surgery (IPNATC)
38	Dr. Bhavana Chawla	Ophthalmology
39	Dr. Ar. Kamalika Kumar	General Medicine (IPNATC)
40	Dr. Taru Gupta	Laboratory Medicine
41	Dr. Vinay Sharma	Orthopaedics (IPNATC)
42	Dr. Ruchir Choudhary	Orthopaedics (IPNATC)
43	Dr. Vivek Kalra	Orthopaedics (IPNATC)
44	Dr. Gagan Bahl	Anesthesiology (IPNATC)
45	Dr. Ravinder Kumar Pandey	Anesthesiology
46	Dr. Ramesh Kumar Agarwal	Paediatrics
47	Dr. Vandana Jain	Paediatrics
48	Dr. Adarsh Kumar	Forensic Medicine (IPNATC)
49	Dr. Deepak Agarwal	Neurology (IPNATC)
50	Dr. Deepak Kumar Gupta	Neurosurgery (IPNATC)
51	Dr. Sunit Sinha	Neurosurgery (IPNATC)
52	Dr. Manish Bood	Psychiatry
53	Dr. Anjali Chhabra	Anesthesiology
54	Dr. Surender Singh	Pharmacology
55	Dr. KV Reeta	Pharmacology
56	Dr. Sonam Gupta	Dermatology & Venereology
57	Dr. Urvasi Bhatnagar Singh	Microbiology

57	Dr. Anil Ambekar	Psychiatry
58	Dr. Parag Garde	Cardiac Anaesthesia
59	Dr. Vishwas Mallick	Cardiac Anaesthesia
60	Dr. Pankaj Chandra Mishra	Medical Microbiology (Adult)
61	Dr. Jagriti Bhatia	Microbiology

The terms and conditions of their services will be the same as are applicable to other employees of the Institute.

The aforesaid promotions shall be subject to outcome of the Writ Petition (Civil) No. 7216/2013 pending before the Hon'ble High Court of Delhi.

(Authority: *Letter No. 100/2013* of the *1st* meeting of the Governing Body held on 19.07.2013)

Ramesh Mishra
(R.C. DEKA)
DIRECTOR

Distribution:

1. All Concerns concerned
2. The Dean, AIIMS
3. The Medical Superintendent, AIIMS
4. All Centres/ Departments concerned
5. The Deputy Director (Admin.)
6. The Sr. Financial Adviser
7. Accounts Section II & III
8. Estate Section
9. Personal file of person concerned

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES
ANSARI NAGAR, NEW DELHI - 110 029**

No. F.111/2010-Part I.

Dated the 10th March 2011

MEMORANDUM

**Subject: Promotion to the grade of Associate Professor under the Assessment
Promotional Scheme at the AIIMS, New Delhi.**

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Assistant Professors are promoted to the grade of Associate Professors in their respective disciplines/department in the pay scale of Rs. 31,100/- per month, subject to minimum pay being Rs. 24,000/- and Academic Grade Pay of Rs. 2,000/- (Double) and allowances commensurate therewith with effect from 1st July 2010 under the Assessment Promotional Scheme.

Sl. No.	Name of the Faculty member	Department/Speciality
01	Dr. Shanmugam Das	Cardiac Anaesthesia
02	Dr. Suresh Pal	C/I Surgery & Liver Transplantation
03	Dr. Sandeep K. Mathur	Pathology
04	Dr. Rakesh Lodha	Pediatrics
05	Dr. Anoop K. Ghosh	Medicine (IPNATC)
06	Dr. Rabia Chatterjee	Pathology (Blood Transfusion)
07	Dr. Rakhi Sethi	Hematology
08	Dr. Sujata Mohanty	Stem Cell
09	Dr. Jyoti Hari	Radio-Diagnosis
10	Dr. Pratik Chiu	Anaesthesiology (IPNATC)
11	Dr. Gurjit K. Singh	Neuro-Anaesthesia
12	Dr. Pooja Jais	Cardiac Radiology
13	Dr. Vijay Kumar	Orthopaedics
14	Dr. V. Venkata Kavalakonda	PAU
15	Dr. Usha Agarwal	Ophthalmology
16	Dr. Anand Kumar Singh	Clinical Neurophysiology (Dept. of Neurology)
17	Dr. Vijay Prakash Mathur	Pedodontics & Preventive Dentistry (CDEK)
18	Dr. Chandrajit Gammangudi	Radio-Diagnosis (IPNATC)
19	Dr. Rishi Kumar	Radio-Diagnosis (IPNATC)

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Through Special Messenger
By Speed Post

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansari Nagar, New Delhi-29
Dated: 30.09.2013

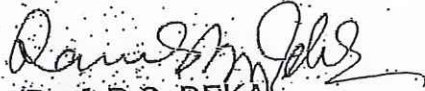
F.No: 2-1/2013-Genl.

MEMORANDUM

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

Minutes of the Governing Body meeting held on 19th July, 2013 at 12:00 P.M. in the Committee Room, 3rd Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi duly approved by the President were circulated to all the Members of the Governing Body vide No.2-1/2013-Genl. dated 03.09.2013 inviting observations, if any, within two weeks from the date of issue of the memo.

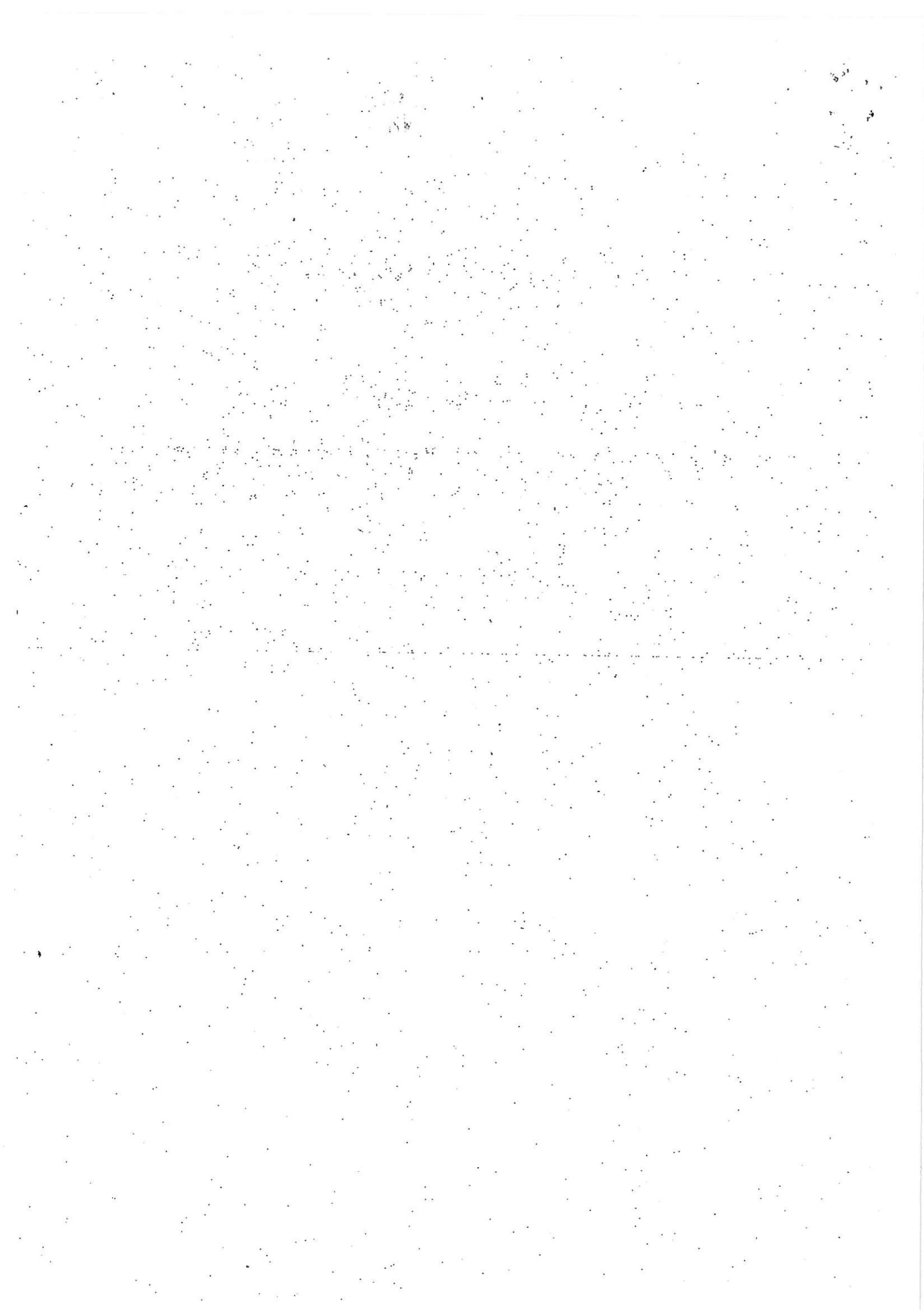
Final approved minutes as approved by Chairman after incorporating an observation received from Smt Sumshma Sawraj, MP(L.S) are being circulated with the approval of the Chairman, Governing Body, AIIMS for kind perusal and record.


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

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

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

RA

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|-----|--|----|------------------|
| 7) | Dr. R.A. Badwe,
Director,
Tata Memorial Hospital,
Dr. E. Borges Road, Lower Parel,
Mumbai | -- | Member |
| 8) | Dr. K.K. Tafwar
Pocket-14, Sector-8,
Dwarka Phase-I,
New Delhi. | -- | Member |
| 9) | Prof. R.C. Deka,
Director,
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110 029 | -- | Member-Secretary |
| 10) | Shri Sundeep Kumar Nayak,
Joint Secretary to the Govt. of India,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi-110 011 | -- | Special Invitee |
| 11) | Dr. Shashi Wadhwa,
Dean (Academic),
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi-110 029 | -- | Special Invitee |
| 12) | 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. 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 149th 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 in 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 149th meeting of the Governing Body. In his welcome address, he made a special mention of Shri Keshav N Desraj, 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 148th meeting of the Governing Body held on 22nd October, 2012 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

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

Dr. R.S. Shuka, Dy. Director (Admin) presented the action taken report on the minutes of the 148th 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. Sundeeep 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, ex-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 6th 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 12th to 14th April, 2013 and from 18th to 20th 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.



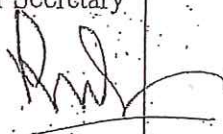
The minutes containing the recommendations of the Standing Selection Committee (SSC) were removed from sealed covers and copies of the minutes were given to each Member of GB for perusal and discussion. The Member Secretary then informed the Members about the procedures followed with regard to evaluation 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 12th to 14th April, 2013 and from 18th to 20th 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
TOTAL	139	17	156*

*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. Sushama 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 JPMER, 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 (4th) chance in relaxation, and this 4th 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 15th 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 22nd October, 2012 had constituted a Committee consisting of Health Secretary, Director, AIIMS, New Delhi and Dr. S.P. Agarwal to examine facts/records on this issue and place their report before the Governing Body. The said report was placed for consideration.

Initiating the discussion on the subject, Smt. Sushma Swaraj observed that the mandate of the Committee was to examine the facts/records with regard to issue of seniority of Additional Professors in the Department of CTVS and to place the report before the Committee. This Committee was not required to give any recommendations and therefore, the Committee had gone beyond its mandate by giving recommendations like the Rotation of Headship of Departments. Smt. Swaraj added that the Committee had clearly stated that grading of Dr. A.K. Bisoi, if the grading of experts were taken into consideration, was bit higher than that of Dr. U.K. Choudhary 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 6th 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.

Considered and Approved:

Member Secretary

Minutes of 149th 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.

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 (R.N.) at the AIIMS, New Delhi.

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.

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 AHMS 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

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 15th 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.

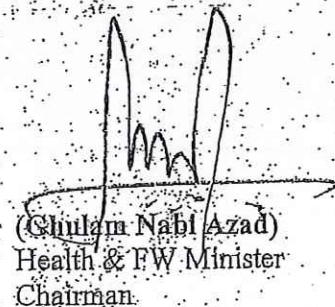
The meeting ended with a vote of thanks to all present.

APPROVED



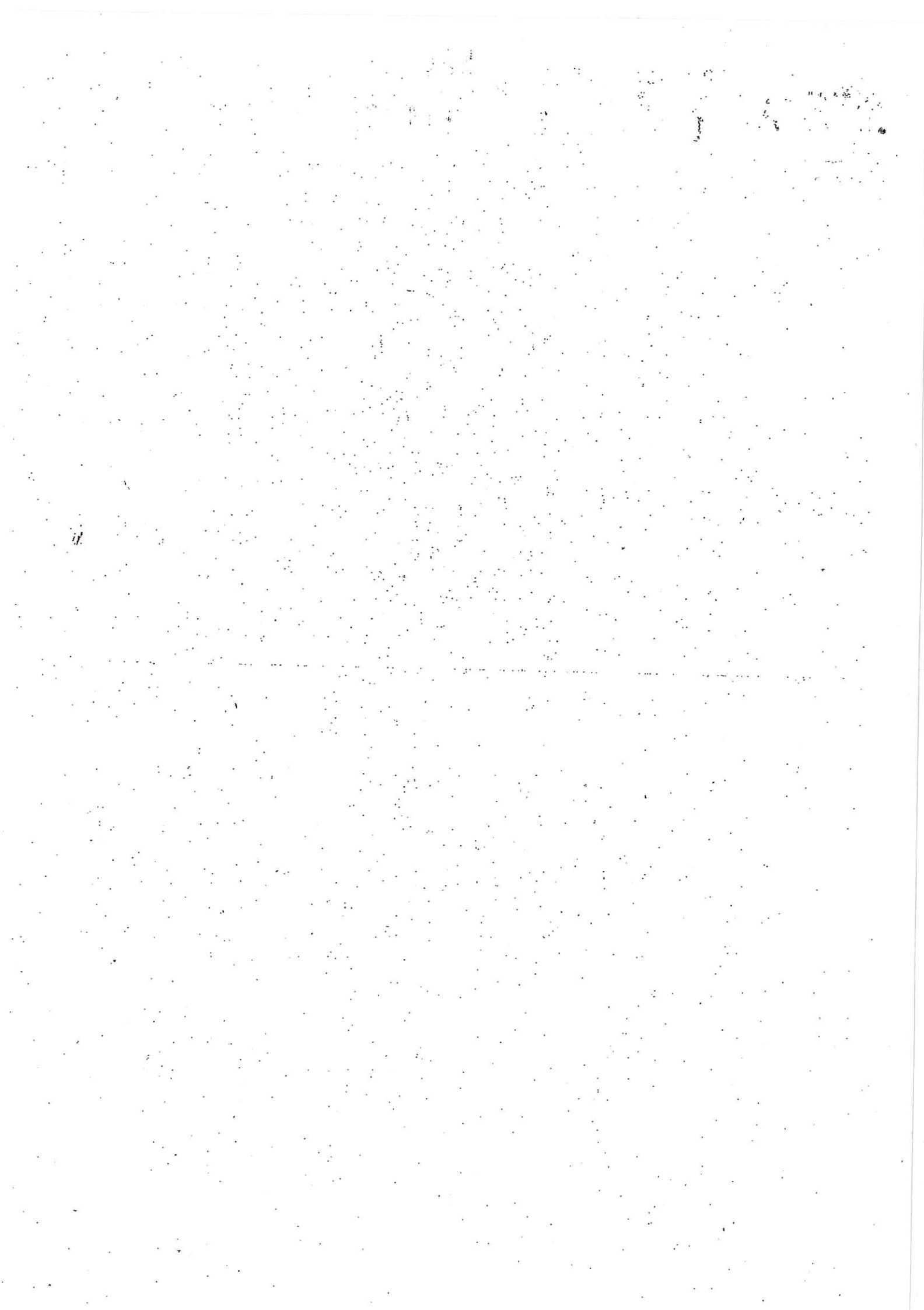
(R.C. Deka)
Director
Member Secretary

Member Secretary



(Ghulam Nabi Azad)
Health & FW Minister
Chairman





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Through Special Messenger
By Speed Post

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Ansar Nagar, New Delhi-29
Dated 07.05.2014

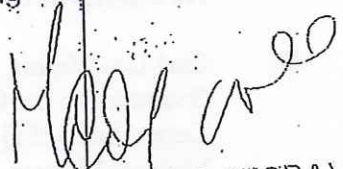
F.No. 2-1/2014-Genl.

MEMORANDUM

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

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

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


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

Encl. As above

The Chairman and all the
Members of the Governing Body

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

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

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

[Handwritten signature]

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

Member

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

Member-Secretary

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

Special Invitee

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

Special Invitee

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

Special Invitee

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

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

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

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

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Chairman informed the members of the Governing Body that since the last G.B. meeting which took place on 19th July 2013, the largest project of the Institute, namely National Cancer Institute (NCI) to be set up at an estimated cost of Rs. 2,035 crore on 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 3rd January, 2014.

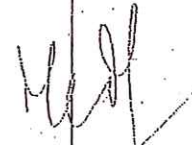
He also mentioned that the foundation stones of the Surgical Block, at an estimated cost of Rs. 55 crore and Mother & Child Block at an estimated cost of about Rs. 200 crore, were laid by him on 3rd February 2014.

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

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

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

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



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

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

Item No. GB-150/1

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

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

Item No. GB-150/2

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

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

Item No. GB-150/3

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

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

Item No. GB-150/4

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

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

Item No. GB-150/5

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

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

Item No. GB-150/6

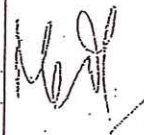
To consider the minutes of 109th meeting of Academic Committee held on 14.09.2013 at AIIMS, New Delhi.

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

Item No. GB-150/7

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

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



To consider the Representations of Faculty Members who have been placed under unfit by the Selection Committee for promotion to their respective higher grade under Assessment Promotion Scheme of A.P.S. Nav. Belhi.

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

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

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

Director informed the G.B. that the Selection Committee was scheduled to meet in March, April and May 2014 for interviews to select new Asst. 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

601 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.

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.

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Through Special Messenger
By Speed Post

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

Minutes of the extra ordinary meeting of Governing Body held on 12th May, 2014 at 4:30 P.M. in the Committee Room, 3rd 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. MISRA)
DIRECTOR &
MEMBER SECRETARY

Encl. As above

The Chairman and all the
Members of the Governing Body:

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

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

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

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- 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 Sandeep 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.

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 147th 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 150th Governing Body meeting held on 28th February, 2014 in the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

The minutes of 150th 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'.

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 146th meeting held on 16th 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 28th 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 1st 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 25th February 2014 and completed on 3rd May 2014 as per details below:

- 1st PHASE: 25 – 27 February 2014
- 2nd PHASE: 13 – 15 March 2014
- 3rd PHASE: 28 – 30 March 2014
- 4th PHASE: 11 – 13 April 2014
- 5th PHASE: 24 – 27 April 2014
- 6th 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 th and Last Chance as per GB.....	04
TOTAL	842

1st 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

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

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

3rd 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

4th 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

5th 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

2nd Phase of Interviews were conducted on 2 - 3 May 2014 for the following departments:

- Department of Pharmacology + 4th 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:

Category	Number of Candidates Selected				
	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 150th meeting held on 28th 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:

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

Sr. No.	Names of Candidate/date of Interview	Designation/Batch	FIT/UNFIT
12.	DR. SUSHMITA PATHY (Interviewed on 12 th April, 2014)	ADDITIONAL PROFESSOR OF RADIOTHERAPY/01.07.2011	FIT
13.	DR. GURU DUTTA SATYARTHEE (Interviewed on 13 th April, 2014)	ADDITIONAL PROFESSOR OF NEURO-SURGERY (JPNATC)	*UNFIT
14.	DR. NALIN MEHTA (Interview on 25 th April, 2014)	PROFESSOR OF PHYSIOLOGY /01.07.2012	FIT
15.	DR. IMMACULATA XESS (Interviewed on 25 th April, 2014)	PROFESSOR OF NETOMOLOGY (DEPARTMENT OF MICROBIOLOGY)/01.07.2011	FIT
16.	DR. S. VIVEKANANDHAN (Interviewed on 26 th April, 2014)	PROFESSOR OF NEURO BIOCHEMISTRY (NEURO SCIENCES CENTRE)/01.07.2012	FIT
17.	DR. TAPOSH K. DAS (Interviewed on 27 th 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 151st Extra-ordinary GB Meeting but only after the 16th 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 have already served in their respective higher grades for over one year.

C. 4th and last Chance in APS

- The Governing Body in its 149th meeting held on 19th 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 151st Extra-ordinary GB meeting but only after the 16th 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).

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.

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.

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

614

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.

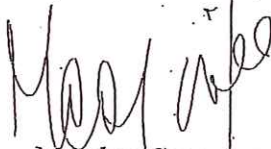
The Governing Body was apprised of the facts of the case arising from the appeal of Sh. Rajesh Kumar, Store Keeper at AIIMS against the penalty of "Reduction to four stages in the time-scale of pay, for a period of four years, during which he will not earn increments, but which will not have the effect 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 31st January, 2008 to 12th June 2009 vide Memorandum No. 39-11/09-Estt/Legal Cell dated 10th April 2012. Governing Body also took note of the order of Hon'ble CAT, New Delhi dated 3rd 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

615

60-560/11

1994/2009
10/4/2019

By Speed Post
Hearing letter

11/4



Government of India
National Commission for Scheduled Castes

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

Floor Vth, Loknayak Bhawan,
Khan Market,
New Delhi-110003
Dated: 04.04.2019

1 APR 2019

To
The Secretary
Min. Health & Family Welfare
Nirman Bhawan, New Delhi

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

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

सिद्धांत प्रोबिस/फैकल्टी: डेली
सिद्धांत प्रोबिस/फैकल्टी: डेली
11/4/19
11/4/19
11/4/19
11/4/19

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

All:

I am directed to refer to the subject mentioned above and to say that Dr. (Ms.) Swara Vidwan, Hon'ble Member of this Commission has fixed a hearing in this case with you in person on 16.04.2019 at 2.00 P.M. in his chamber at 5th Floor, Lok Nayak Bhawan, 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.

Yours faithfully,

(C.S. Verma)
Director

Copy for information to the petitioner to attend the hearing in the Commission on 16.04.2019 at 2.00 P.M.

Dr. Biprab Mishra
Professor of Surgery
Room No. 224, JEN-ATC,
AIIMS, New Delhi.

Immediate Action

Scryler

11/4/19

As (E) A put
up on file. Pl. prepare
status report on this
case.

AS(A)-OT

AS(A)

AIIMS

By Speed Post
Hearing letter

RECEIVED
13/6/19



Government of India
National Commission for Scheduled Castes

15

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

Floor Vth, Loknayak Bhawan,
Khan Market,
New Delhi-110003

Dated: 07.06.2019

To

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

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

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

नाम किया/RECEIVED
आ. वि. शै. (भ.श.) कार्यालय, अ. भा. अ. श.
Jy. Director (Admin. 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.) Swaraj 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, Loknayak 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

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17/6/19

19/6/19

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File No. B-7/Health-2/2019/SSW-1
 National Commission for Scheduled Castes
 Lok Nayak Bhawan, Khan Market, New Delhi

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 (which it was due) but was selectively denied "inter-se seniority".

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 150th 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 150th 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.

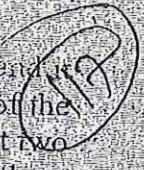
(4) Director, AIIMS along with the other officers submitted following points before Commission:

(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 Member's 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

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hospital or any other centre. In regard AIIMS has decided on the matter issued guidelines for working arrangement in 2014.



(iii) 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 Caste 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 out 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 150th 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 1st instance in 2013 would tantamount to disagreeing with the decision of the 150th 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

criticism of assessing an officer in the AIIMS. The authorities of the AIIMS have to develop justified and transparent way of assessing of a officer.

- (vi) It has also observed that there is a planned conspiracy against Dr. Biplab 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 running 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. Biplab 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.

The next date of hearing has been fixed on 17th July, 2019 at 2.00 P.M.

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

Government of India
National Commission for Scheduled Castes
(A constitutional body set up under Article 338 of the constitution of India)

File No. B-7/Health-2/2019/SSW-II [53387]

5th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110003
Dated: 09.05.2023

To

1. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi.
Email: secyhrw@nic.in
2. The Director,
All India Institute of Medical Science
Ansari Nagar, New Delhi
Email: director@aaims.gov.in
Email: director@aaims.edu
3. The Head of Department (Surgery),
All India Institute of Medical Science,
Ansari Nagar, New Delhi.

Subj: Representation of Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi regarding unfair and illegal denial of inter-se seniority to Dr. Biplab Mishra.

Sir,

In continuation of this Commission's letter of even number dated 27.04.2023 on the above mentioned subject and to enclose Minutes of the Hearing held in the NCSC Headquarter on dated 10.04.2023. Hon'ble Chairman, National Commission for Scheduled Castes (NCSC) has fixed next date of hearing in the matter on 22.05.2023 at 11.00 A.M. in his chamber in the NCSC Headquarter, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003. Accordingly, you are requested to make it convenient to appear in person for hearing before the Commission as per schedule given above alongwith up-to-date action taken report and all relevant documents including case files, case diaries etc. to facilitate the hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall remain present in the hearing. The petitioner may also be advised to attend the hearing.

2. Exemption from personal appearance in hearing is not granted except in exceptional circumstances. Request for exemption from personal appearance in hearing, if any, may be addressed to DIG (P) and a copy of the same may be endorsed to PS to Hon'ble Chairman, NCSC. Exemption from personal appearance is at the sole discretion of the Commission. In case, exemption is granted, then the next senior-most officer shall attend the hearing and the officer who would be attending the hearing on your behalf should be authorized to exercise your powers in the matter during the hearing. The same shall be communicated in writing.

Yours faithfully,


(Dr. Dinesh Vyas)
Deputy Director

Copy for information to:-

Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi Mobile No. 8010135279
Email: biplabaiims@gmail.com



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E OFFICE

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body set up under Article 338 of the Constitution of India)

बी-7/हिलथ-2/2019/एसएसडब्ल्यू-11

राष्ट्रीय अनुसूचित जाति आयोग

विषय: डॉ. विपलब मिश्रा, प्रोफेसर सर्जरी, रामा सर्जरी और फिजिकल केयर डिपार्टमेंट, अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का वरिष्ठता के मामले में भेदभाव के संबंध में अभ्यावेदन।

सुनवाई का कार्यवृत्त

1. मामले की सुनवाई आयोग मुख्यालय, नई दिल्ली में दिनांक 10.04.2023 को हुई है।
2. आयोग ने इस मामले को सचिव, स्वास्थ्य और परिवार कल्याण, नई दिल्ली और निदेशक, एस. नई दिल्ली के साथ उठाया।
3. इस मामले में आयोग के सामने याचिकाकर्ता डॉ. विपलब मिश्रा, प्रिंसिपल ऑफ़ीस (निदेशक), स्वास्थ्य और परिवार कल्याण, नई दिल्ली और डॉ. संजय कुमार आर्य, प्रोफेसर, अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली, डॉ. राजेश्वर लाल जैन, ऑफिसर प्रस्तुत हुए।
4. सुनवाई के दौरान याचिकाकर्ता ने आयोग को सूचित किया कि उसे पूर्व दिनांकित पदोन्नति दी गई है और इस संबंध में विद्युत लाभ भी दिए गए हैं। हालांकि, उनकी वरिष्ठता तय नहीं की गई है। वरिष्ठता में उन्हें योग्यता के अनुसार पद से काफी नीचे रखा गया है।
5. आयोग ने दोनों पक्षों को सुनने के बाद सन्तुष्टि की कि याचिकाकर्ता की भारतीय वरिष्ठता सही स्थिति पर तय की जाए और उसे उसके सभी कमिंट्री से वरिष्ठ बनाया जाए और इस प्रक्रिया को 15 दिनों के भीतर पूरी कर आयोग को तत्काल सूचित करें।
6. आयोग ने यह अनुशंसा की है कि यह कार्यवाही अभी तक क्यों नहीं की गई इसका जवाब दे तथा इस कार्यवाही को तुरन्त किया जाए व आयोग यह अनुशंसा करता है कि अगली तारीख तक कृत कार्यवाही करके आयोग के समक्ष रिपोर्ट प्रस्तुत करें।
7. इस मामले से सुनवाई की अगली तिथि 22.05.2023 को पूर्वाह्न 11.00 बजे निर्धारित की जाती है।

(विजय सापला)

अध्यक्ष

"Restore inter-se-seniority of Dr. Bipal Mishra"

623 Through EMAIL



Government of India
National Commission for Scheduled Castes
(A constitutional body set up under Article 338 of the Constitution of India)

File No. B-7/Health-2/2019/SSW-11 [553871]

5th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110003
Dated: 09.05.2023

To:

1. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi
Email: secyhfwr@nic.in

2. The Director
All India Institute of Medical Science
Ansari Nagar, New Delhi
Email: director@aiims.gov.in
Email: director@aiims.edu

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

Sub: Representation of Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi regarding unfair and illegal denial of inter-se seniority to Dr. Biplab Mishra.

Sir,

In continuation of this Commission's letter of even number dated 27.04.2023 on the above mentioned subject and to enclose Minutes of the Hearing held in the NCSC Headquarter on dated 10.04.2023, Hon'ble Chairman, National Commission for Scheduled Castes (NCSC) has fixed next date of hearing in the matter on 22.05.2023 at 11.00 A.M. in his chamber in the NCSC Headquarter, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003. Accordingly, you are requested to make it convenient to appear in person for hearing before the Commission as per schedule given above along with up-to-date action taken report and all relevant documents including case files, case diaries etc. to facilitate the hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall remain present in the hearing. The petitioner may also be advised to attend the hearing.

2. Exemption from personal appearance in hearing is not granted except in exceptional circumstances. Request for exemption from personal appearance in hearing, if any, may be addressed to DIG (P) and a copy of the same may be endorsed to PS to Hon'ble Chairman, NCSC. Exemption from personal appearance is at the sole discretion of the Commission. In case exemption is granted, then the next senior-most officer shall attend the hearing and the officer who would be attending the hearing on your behalf should be authorized to exercise your powers in the matter during the hearing. The same shall be communicated in writing.

Yours faithfully,

(Dr. Dinesh Vyas)
Deputy Director

Copy for information to:

Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi Mobile No. 9010135272
Email: biplabaiims@gmail.com

ADA/PI/LLFC

E-office

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Through EMAIL



Government of India
National Commission for Scheduled Castes
(A constitutional body set up under Article 338 of the constitution of India)

File No. B-7/Health-2/2019/SSW-II [55387]

5th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi-110003
Dated:-19.06.2023

To

1. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi
Email: secy/hfw@nic.in
2. The Secretary
Government of India
Department of Personnel and Training
North Block, New Delhi
Email: secy_mop@nic.in
3. The Director
All India Institute of Medical Science
Ansari Nagar, New Delhi
Email: director@aiims.gov.in
Email: director@aiims.edu
4. The Head of Department (Surgery)
All India Institute of Medical Science
Ansari Nagar, New Delhi

Sub: Representation of Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi regarding unfair and illegal denial of inter-se seniority to Dr. Biplab Mishra.

Sir,


I am directed to refer to the subject mentioned above and to enclose Minutes of the Hearing held in the NCSC Headquarter on dated 22.05.2023. Action Taken Report (ATR) on recommendations of the Commission may be sent, well before the next date of hearing.

2. Hon'ble Chairman, National Commission for Scheduled Castes (NCSC) has fixed next date of hearing in the matter on 27.06.2023 at 11.00 A.M. in his chamber in the NCSC Headquarter, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003. The Secretary, DoPT has ensured his presence on the above mentioned hearing scheduled. Accordingly, you are requested to make it convenient to appear in person for hearing before the Commission as per schedule given above alongwith up-to-date action taken report and all relevant documents including case files, case diaries etc. to facilitate the hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall remain present in the hearing. The petitioner may also be advised to attend the hearing.

2. Exemption from personal appearance in hearing is not granted except in exceptional circumstances. Request for exemption from personal appearance in hearing, if any, may be addressed to DIG (P) and a copy of the same may be endorsed to PS to Hon'ble Chairman, NCSC. Exemption from personal appearance is at the sole discretion of the Commission. In case, exemption is granted, then the next senior most officer shall attend the hearing and the officer who would be attending the hearing on your behalf should be authorized to exercise your powers in the matter during the hearing. The same shall be communicated in writing.

Encl: As above

Yours faithfully,


(Dr. Dinesh Vyas)
Deputy Director

Copy for information to:-

Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care,
JPNATC, AIIMS, New Delhi Mobile No. 8010135279
Email: biplabaiims@gmail.com



GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body set up under Article 338 of the Constitution of India)

फाइल सं० बी-7/एचएफडब्ल्यू-2/2019/सेवाए-1।

दिनांक 22.05.2023 को हुई सुनवाई का कार्यवृत्त

विषय: डॉ० बिप्लव मिश्रा, प्रोफेसर सर्जरी, ट्रामा सर्जरी और किटीकल केयर डिवीजन, अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का वरिष्ठता के मामले में भेदभाव के संबंध में प्राप्त अभ्यावेदन।

इस मामले की सुनवाई आयोग मुख्यालय, नई दिल्ली में दिनांक 22.05.2023 को हुई। प्रतिभागियों की सूची साथ संलग्न है।

2. सुनवाई के दौरान पाया गया कि प्रार्थी डॉ० बिप्लव मिश्रा को वित्तीय लाभ प्रदान किए गए परन्तु वरिष्ठता सूची में संशोधन नहीं किया गया है। जब प्रार्थी को वित्तीय लाभ, एरियर और पदोन्नति दे दी गई है तो प्रार्थी की वरिष्ठता भी उसी तिथि से दे दी जानी चाहिए जब से प्रार्थी पान्त्रता रखता है। इस संदर्भ में विभाग ने आयोग को बताया कि इस विषय में विधि और कार्मिक एवं प्रशिक्षण विभाग से परामर्श आवश्यक हो सकता है।

3. सुनवाई के दौरान, दोनों पक्षों को विस्तार से सुनने के बाद, आयोग यह अनुशंसा करता है कि प्रार्थी को पिछली तिथि से पान्त्रता के अनुसार वरिष्ठता सूची में स्थान दिया जाए और इस मामले में विधि और कार्मिक एवं प्रशिक्षण विभाग के परामर्श की आवश्यकता नहीं है। मामले की अगली सुनवाई में सचिव, कार्मिक एवं प्रशिक्षण विभाग, नई दिल्ली को नोटिस भेजकर उनकी उपस्थिति सुनिश्चित की जाए।

4. इस मामले में अगली सुनवाई दिनांक 27.06.2023 सुनिश्चित है।

Through EMAIL



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Government of India
National Commission for Scheduled Castes
(A constitutional body set up under Article 338 of the constitution of India)

File No. B-7/Health-2/2019/SSW-II [55387]

5th Floor, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated:-24.07.2023

To

1. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi
Email: secyhw@nic.in
2. The Secretary
Government of India
Department of Personnel and Training
North Block, New Delhi
Email: secy_mop@nic.in
3. The Director
All India Institute of Medical Science
Ansari Nagar, New Delhi
Email: director@aiims.gov.in
Email: director@aiims.edu
4. The Head of Department (Surgery)
All India Institute of Medical Science
Ansari Nagar, New Delhi
Email: hodsurgery5025@gmail.com
Email: surgery@aiims.edu
Email: sunil_chumber@hotmail.com;

Sub: Representation of Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care, JPNATC, AIIMS, New Delhi regarding unfair and illegal denial of inter-se seniority to Dr. Biplab Mishra.

Sir,

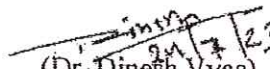
I am directed to refer to the subject mentioned above and to enclose Minutes of the Hearing held in the NCSC Headquarter on dated 27.06.2023. Action Taken Report (ATR) on recommendations of the Commission may be sent, before the next date of hearing.

2. The National Commission for Scheduled Castes (NCSC) has fixed next date of hearing in the matter on **04.09.2023 at 11.00 A.M.** in the NCSC Headquarter, 5th Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003. Accordingly, you are requested to make it convenient to appear in person for hearing before the Commission as per schedule given above alongwith up-to-date action taken report and all relevant documents including case files, case diaries etc. to facilitate the hearing. Liaison Officer for SC/ST of the Ministry/Department/Institute shall remain present in the hearing. The petitioner may also be advised to attend the hearing.

3. Exemption from personal appearance in hearing is not granted except in exceptional circumstances. Request for exemption from personal appearance in hearing, if any, may be addressed to DIG (P), NCSC. Exemption from personal appearance is at the sole discretion of the Commission. In case, exemption is granted, then the next senior-most officer shall attend the hearing and the officer who would be attending the hearing on your behalf should be authorized to exercise your powers in the matter during the hearing. The same shall be communicated in writing.

Encl: As above

Yours faithfully,


(Dr. Dinesh Vyas)

Deputy Director

Copy for information to:-

Dr. Biplab Mishra, Professor of Surgery, Division of Trauma Surgery and Critical Care,
JPNATC, AIIMS, New Delhi Mobile No. 8010135279
Email: biplabaiims@gmail.com



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सत्यमेव जयते

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body set up under Article 338 of the Constitution of India)

बी-7/हेल्थ-2/2019/एसएसडब्ल्यू-11

राष्ट्रीय अनुसूचित जाति आयोग

विषय:- डॉ० बिपलब मिश्रा, प्रोफेसर सर्जरी, ट्रामा सर्जरी और क्रिटिकल केयर डिवीजन, अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का वरिष्ठता के मामले में भेदभाव के सम्बन्ध में अम्प्रावेदन।

आयोग में दिनांक 27.06.2023 को हुई सुनवाई का कार्यवृत्त

1. मामले की सुनवाई आयोग मुख्यालय, नई दिल्ली में 27.06.2023 को हुई है।
2. सुनवाई के दौरान निदेशक, अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली, ने आयोग को बताया कि डॉ. विपलब मिश्रा की वरीयता के विषय में निर्णय लेने के लिए प्रस्ताव गर्बनिंग बाडी (GB) को प्रेषित कर दिया गया है।
3. सुनवाई के दौरान अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली, प्रबंधन ने आयोग को वे नियम प्रस्तुत किये जिनके तहत प्रार्थी को वित्तीय लाभ (परियर) बैंक डेट से दे दिए गये लेकिन वरीयता नहीं दी गई।
4. आयोग का मानना है कि जब प्रार्थी को वित्तीय लाभ बैंक डेट से दे दिए गए हैं तो वरीयता क्यों नहीं दी जा सकती है और इसके लिए प्रस्ताव गर्बनिंग बाडी (GB) में प्रेषित किये जाने की क्या आवश्यकता थी, इसका कारण आयोग को बताए।
5. सुनवाई के दौरान प्रस्तुत उप सचिव, DOPT ने भी आयोग के द्वारा की गई अनुशंसा को भी सही बताया।
6. सभी पक्षों को सुनने एवं तथ्यों के अवलोकन के आधार पर आयोग यह अनुशंसा करता है कि प्रार्थी की वरीयता उसकी सर्विस से बनती है और उसके लिए मामला गर्बनिंग बाडी (GB) का नहीं बनता है, प्रार्थी को जिस दिनांक से वित्तीय लाभ दिए गये हैं उसी दिनांक से वरीयता की गणना की जानी चाहिए। इसके उपरांत भी यदि ऐसा कोई नियम अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली के पास है जिसमें प्रार्थी को वित्तीय लाभ तो बैंक डेट से देने का प्रावधान है लेकिन वरीयता नहीं, तो आयोग के समक्ष उस नियम को प्रस्तुत करें।
7. आयोग यह भी अनुशंसा करता है कि यदि ऐसा कोई नियम अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली के पास नहीं है तो प्रार्थी को वरिष्ठता का लाभ बैंक डेट से दिया जाना चाहिए।
8. इस मामले में सुनवाई की अगली तिथि 04.09.2023 को पूर्वाह्न 11:00 बजे निर्धारित की जाती है।

(विजय सांपला)
अध्यक्ष

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

No.F. 20-14/2014(2017)/ESTT-I

628

Dated the: 25 AUG 2021

Subject:- Final Minutes of the 158th Meeting of the Governing Body held on 18.06.2021 in the Committee Room of Ministry of Health & Family Welfare, Nirman Bhawan, Nw Delhi.

Ref:- 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.

Consequent upon the directions of the National Commission for Scheduled Castes and after obtaining due approval of the Competent Authority of AIIMS, New Delhi, an Agenda Item in the matter of Dr. Biplab Mishra, Professor of Surgery for JPNATC, AIIMS, New Delhi was placed before the Governing Body in its 158th Meeting held on 18.06.2021 through the Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

"The Governing Body deliberated on the representation at length. Governing Body decided that decision of the Institute is correct and promotion can be given only when Standing Selection Committee found candidate to be suitable. Governing Body decided that status quo be maintained in case of Dr. Biplab Mishra and his representation is not agreed.

It is informed accordingly to Dr. Biplab Mishra Professor of Surgery, JPNATC, AIIMS, New Delhi.

This issues with the approval of the Competent Authority of AIIMS, New Delhi.

(Signature)
(B.S. GILL)

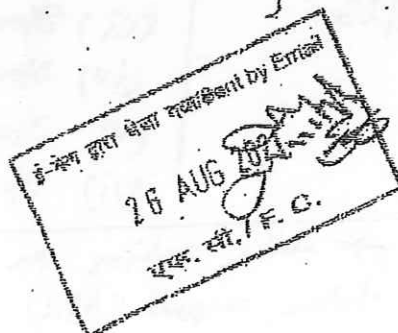
SR. ADMN. OFFICER

Encl.: As above

Dr. Biplab Mishra
Professor of General Surgery (JPNATC)
AIIMS, New Delhi
Thr. Chief of JPNATC
Copy to:-

The Administrative Officer
General Section, AIIMS

For updating the Action Taken at the end
of Faculty Cell of AIIMS, New Delhi



23/8/2021
395

629

Through Special Messenger
By Speed Post

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

F.No. 2-1/2021-Genl.(GB)

Ansari Nagar, New Delhi-29
Dated: 02.08.2021

MEMORANDUM

Subject:- Final minutes of the 158th Meeting of the Governing Body held on 18th June, 2021 at 02:30 P.M. in the Committee Room, 3rd Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.

The Final Minutes of the meeting of Governing Body held on 18th June, 2021 at 02:30 P.M. in the Conference Room, 3rd Floor, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi as approved by the Chairman of the Governing Body is being circulated to Chairman and all the Members of the Governing Body for information.

(PROF. RANDEEP GULERIA)
DIRECTOR &
MEMBER SECRETARY

Encl. As above

The Chairman and all the
Members of the Governing Body.

For ready ref.

Resit. Cell

- (i) Item No. 158/13
- (ii) Item No. 158/16
- (iii) Item No. 158/23

Faculty Cell

- (i) Item No. 158/9
- (ii) Item No. 158/11
- (iii) Item No. 158/12
- (iv) Item No. 158/14, 15
- (v) Item No. 158/17
- (vi) Item No. 158/18

It is requested to take action on the above and also provide action taken report (ATR) to General Section by 31/8/2021 positively.

23/8/2021

VT

MINUTES OF THE 158TH MEETING OF THE GOVERNING BODY OF AIIMS, NEW DELHI HELD ON 18TH JUNE, 2021 AT 02:30 P.M. UNDER THE CHAIRMANSHIP OF HON'BLE UNION MINISTER OF HEALTH & FAMILY WELFARE IN THE CONFERENCE ROOM (3RD FLOOR), MOHF&W, NIRMAN BHAWAN, NEW DELHI.

The 158th meeting of the Governing Body of AIIMS, New Delhi was held on 18th June, 2021 at 02:30 P.M. in Conference Room (Third Floor), Nirman Bhawan, New Delhi under the Chairmanship of Hon'ble Union Minister of Health and Family Welfare. The list of members who attended the meeting physically are as follows:-

- | | |
|--|------------------|
| 1. Dr. Harsh Vardhan
Hon'ble Union Minister of Health & Family Welfare
Government of India,
Nirman Bhawan,
New Delhi - 110 011 | Chairman |
| 2. Dr. Anil Jain
Member of Parliament (RS) | Member |
| 3. Shri Rajesh Bhushan
Secretary (H&FW)
Nirman Bhawan,
New Delhi - 110011 | Member |
| 4. Prof. P.C. Joshi
Vice Chancellor
University of Delhi,
Delhi - 110007 | Member |
| 5. Dr. D.S. Rana
Chairman,
Board of Management
Sir Ganga Ram Hospital,
New Delhi | Member |
| 6. Prof. Randeep Guleria
Director,
AIIMS, New Delhi - 110029 | Member Secretary |



The list of members who attended the meeting virtually are as follows:-

- | | |
|---|--------|
| 1. Dr. D.G. Mhaisekar
Vice Chancellor, MUHS
Nashik | Member |
| <hr/> | |
| 2. Dr. Mahesh B. Patel
F-001, Shilaekh Society,
Opposite Police Stadium,
Shahi Baug, Ahmedabad | Member |

Dr. Sunil Kumar DGHS, Shri Amit Khare, Secretary, Department of Higher Education, & Shri Manohar Agnani, Special Invitee could not attend the meeting. The quorum for the meeting was fulfilled. Smt. Vandana Jain, JS (Finance) MoHFW, attended the meeting on behalf of AS&FA, Shri Nilambuj Sharan, Economic Advisor, MoHFW, Dr. Anita Saxena, Dean (Academic) attended the meeting as Special Invitees. Shri Vishal Chauhan, Deputy Director Administration and Shri Neeraj Kumar Sharma, Sr. Financial Advisor, AIIMS also attended the meeting.

The deliberations on the agenda items are as follows:-

ITEM NO. GB-158/1

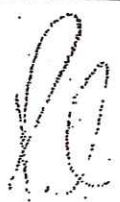
CONFIRMATION OF THE MINUTES OF THE 157TH MEETING OF THE GOVERNING BODY HELD ON 24TH JANUARY, 2019 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

Chairman desired that the Institute must ensure that all the agenda for the Governing Body are circulated to all the members well in advance. Agenda should be sent to members 15 days in advance. Supplementary agenda should be sent to members at least 7 days in advance. Accordingly, AIIMS authorities can fix a last date of receiving agenda for the meeting from various sections/divisions.

With regard to minutes of the meeting of the Governing Body held on 24th January, 2019, Director, AIIMS informed that no comments / observations have been received from any members of the Governing Body. Minutes of the Governing Body meeting held on 24th January, 2019 were confirmed.

ITEM NO. GB- 158/2

ACTION TAKEN REPORT ON THE MINUTES OF THE 157TH MEETING OF THE GOVERNING BODY HELD ON 24TH JANUARY, 2019 IN THE MINISTRY OF HEALTH & FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI



Director, AIIMS appraised the members about the action taken on the decision made in 157th Governing Body meeting held on 24.01.2019. The Governing Body noted the action taken.

ITEM NO. GB- 158/3

CONFIRMATION OF THE MINUTES OF THE 218TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 17TH JANUARY, 2019 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 218th meeting of the Standing Finance Committee.

ITEM NO. GB- 158/4

CONFIRMATION OF THE MINUTES OF THE 219TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 30TH AUGUST, 2019 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 219th meeting of the Standing Finance Committee.

ITEM NO. GB- 158/5

CONFIRMATION OF THE MINUTES OF THE 220TH MEETING OF THE STANDING FINANCE COMMITTEE HELD ON 22ND JUNE, 2020 IN THE MINISTRY OF HEALTH AND FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.

The Governing Body ratified the minutes of the 220th meeting of the Standing Finance Committee. Chairman expressed his concern on delay in commissioning of Mother & Child block. He desired that Mother & Child block may be commissioned by 15th July, 2021.

ITEM NO. GB- 158/6

TO CONSIDER THE MODIFIED MINUTES OF THE 117TH ACADEMIC COMMITTEE MEETING HELD ON 20.11.2018 AT AIIMS, NEW DELHI.

V

The Governing Body ratified the modified minutes of the 117th meeting of the Academic Committee.

ITEM NO. GB-158/7

TO CONSIDER THE MINUTES OF THE 118TH ACADEMIC COMMITTEE MEETING HELD ON 06.02.2020 AT AIIMS, NEW DELHI.

The Governing Body ratified the minutes of the 118th meeting of the Academic Committee.

ITEM NO. GB-158/8

TO CONSIDER THE MINUTES OF THE 119TH ACADEMIC COMMITTEE MEETING HELD ON 19.05.2020 AT AIIMS, NEW DELHI.

The Governing Body ratified the minutes of the 119th meeting of the Academic Committee.

ITEM NO. GB-158/9

TO CONSIDER THE PROPOSAL TO TRANSFER PROF. SHYAM SINGH CHAUDHAN FROM THE DEPARTMENT OF BIOCHEMISTRY TO THE DEPARTMENT OF BIOTECHNOLOGY AND TO APPOINT HIM AS HEAD OF THE DEPARTMENT OF BIOTECHNOLOGY AT THE AIIMS, NEW DELHI.

Governing Body agreed with the proposal.

ITEM NO. GB-158/10

TO CONSIDER THE REPRESENTATIONS REGARDING APPROVED GUIDELINES FOR FUNCTIONING OF CENTRES, FORMATION OF DIVISIONS AND UNITS AT AIIMS, NEW DELHI.

The Governing Body desired that this agenda and representations of aggrieved persons may be referred to the Academic Committee. Academic Committee should give personal hearing to all concerned & give recommendation on this issue. The recommendations of the committee may be put up to GB in its next meeting for consideration

ITEM NO. GB-158/11

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

Secretary-MOHFW presented this agenda to the Governing body.

The Governing Body deliberated on the representation at length. Governing Body decided that decision of the Institute is correct and promotion can be given only when Standing Selection Committee found candidate to be suitable. Governing Body decided that status quo be maintained in case of Dr. Biplab Mishra and his representation is not agreed.

Members also commented in a general way that sanctity of process of selection should be preserved and it should be done in transparent manner.

ITEM NO. GB-158/12

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

The Governing Body deliberated and decided not to agree with the representation of Dr. Biswaroop Chakrabarty. It was decided that status quo will be maintained in the case for year of promotion.

ITEM NO. GB-158/13

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

Governing Body has considered and gave ex-post-facto approval.

ITEM NO. GB-158/14

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:-

FOR RECRUITMENT OF ASSISTANT PROFESSORS & LECTURER-IN-NURSING; AND

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

Governing Body has considered and gave ex-post-facto approval.

ITEM NO. GB-158/15

TO CONSIDER/ EX-POST-FACTO APPROVAL OF THE RECOMMENDATIONS OF THE STANDING SELECTION COMMITTEE MEETINGS HELD ON 11TH & 12TH 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 (APS) AT THE AIIMS, NEW DELHI

Governing Body has considered and gave ex-post-facto approval.

ITEM NO. GB-158/16

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

The Governing Body advised that the AIIMS may refer the proposal to MOHFW for examination. Ministry to examine this proposal and comewith recommendation in the next GB.

ITEM NO. GB-158/17

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

The Governing Body approved the proposal.

ITEM NO. GB-158/18

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.

The Governing Body deliberated on the proposal and directed that this proposal may be examined in the Ministry and be referred to DoE and D/o Pension for their consideration.

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ITEM NO. GB- 158/19

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

The proposal was approved. It was decided that agency for execution of this project may be selected after due deliberation in consultation with MOHFW.

ITEM NO. GB- 158/20

POST-FACTO APPROVAL OF THE GOVERNING BODY BE SOUGHT FOR 220TH FC AGENDA ITEM NO. 220/8.

Governing Body has considered and gave ex-post-facto approval.

ITEM NO. GB- 158/21

TO CONSIDER THE APPEAL OF SH. VINAY PANDE, SYSTEM ANALYST, COMPUTER FACILITY, AIIMS, NEW DELHI AGAINST THE PENALTY OF REDUCTION OF LOWER STAGE IN THE TIME SCALE OF PAY FOR THE PERIOD TILL THE DATE OF ATTAINING THE AGE OF SUPERANNUATION I.E. 03.2020 WITHOUT CUMULATIVE EFFECT OF NOT ADVERSELY AFFECTING HIS PENSION" IMPOSED ON HIM UNDER RULE 16 OF CCS (CCA) RULES, 1965

The Governing Body deliberated and did not agree with the representation of Shri Vinay Pande. It was decided to maintain status quo.

ITEM NO. GB- 158/22

TO CONSIDER THE APPEAL DATED 08.04.2015 FILED BY MS. GEETA HANKAR, NURSING OFFICER, JPNA TRAUMA CENTRE, AIIMS, NEW DELHI AGAINST THE PENALTY OF REDUCTION TO A LOWER STAGE IN TIME SCALE OF PAY, BY TWO STAGE, FOR A PERIOD OF FOUR YEARS, WITH CUMULATIVE EFFECT, DURING WHICH SHE WILL NOT EARN INCREMENTS, THE EXPIRY OF WHICH WILL NOT HAVE THE EFFECT OF POSTPONING THE FUTURE INCREMENTS OF HER PAY IMPOSED AGAINST HER VIDE ORDER DATED 12.02.2015 AS A OUTCOME OF A DISCIPLINARY PROCEEDINGS UNDER CCS (CCA) RULES, 1965.

The Governing Body deliberated and did not agree with the representation of Ms. Geeta Hankar, Nursing Officer. It was decided to maintain status quo.

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ITEM NO. GB-158/23

TO CONSIDER THE PROPOSAL FOR ABSORPTION AND REGULARIZATION OF RESEARCH STAFF AFTER COMPLETION OF 15 YEARS OF SERVICES RENDERED BY THEM IN VARIOUS RESEARCH PROJECT AT AIIMS, NEW DELHI.

Governing Body approved the proposal. The GB inquired about the progress made on earlier recommendation to phase out research staff so that need for absorption is not there. It was informed that Research Section is finalizing a proposal in this regard, Governing body desired that AIIMS should send this proposal as per the recommendations given by MOHFW in this regard to MOHFW at the earliest.

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



(PROF. RANDEEP GULERIA)
Member-Secretary
Governing Body, AIIMS, New Delhi.



Hon'ble HFM & President
Governing Body, AIIMS, New Delhi

H/11/2022-12

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

20-14/2014 (2017) - Estt.I

638

Dated the:

10 NOV 2022

To
The Under Secretary
to the Govt. of India,
INI-1 Section, Ministry of Health
& Family Welfare,
Nirman Bhawan, New Delhi.

Handwritten signature
10/10/22

Subject: Recommendations of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Fifteenth Report - 17th Lok Sabha) in respect of grievance of Dr. Biplab Mishra, Professor of Surgery Division of JPNATC, AIIMS, New Delhi regarding inter-se-seniority in the grade of Professor.

Sir,

I am directed to inform that the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Fifteenth Report (17th Lok Sabha) considered the grievance of Dr. Biplab Mishra, Professor of Surgery Division of JPNATC of AIIMS, New Delhi and gave recommendations regarding inter-se-seniority in the grade of Professor. The detail of the same is as under:

Complaints and Grievances

8. The Committee recommend that the Ministry of Health and Family Welfare AIIMS collectively should made sincere efforts in resolving complaints and grievances of SC/ST faculty Members, employees/ students up to their satisfaction and ensure that they are not met with undue discrimination on any basis. The Committee has come across a case with a faculty member belonging to SC category who has been discriminated during the promotion of Additional Professor's post in spite of having all meritorious quality of excellent surgeon record and good conduct. Furthermore, in spite of clear cut decision of the National Commission for Scheduled Castes and Scheduled Tribes that gross injustice has been meted out to the surgeon inter-se-seniority in the grade of Professor has not been restored so far. The Committee in the interest of justice to the individual a learned SC Professor earnestly request that matter may be placed before Governing Body of AIIMS with SC members DGHS to review and decide matter on merit. If necessary before placing the matter before the governing body of AIIMS matter may be refer to DoPT and Ministry of Law & Justice to take legal opinion in the matter. The Committee feels that after expert review committee decided the matter in favour of SC Professor surgeon, there is no ambiguity to provide him the consequential benefits including inter-seniority in Professor grade along with promotions. Legal advice received from the Ministry of Law and DoPT outcome of the consideration of the Governing Body of AIIMS thereafter to tackle the issue of inter-seniority of SCs and STs at the level of faculty may be provided to the Committee for further course of action, if any, in the matter.

Contd. to Page No. 2/-----

10 NOV 2022

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The matter has been considered by the Director, AIIMS and keeping in view the recommendations of the Parliament Committee, opinion of DoPT and Ministry of Law & Justice need to be taken first before the issue is brought before the Governing Body for deliberation as directed by the Parliament Committee.

Accordingly, the details of the case of Dr. Biplab Mishra is submitted as under:-

- Dr. Biplab Mishra of 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 which was accordingly approved by the Governing Body of this Institute in its 149th Meeting (Annexure-I).
- 'Unfit' Faculty members made representations and their representations were placed before the Governing Body (the Appointing Authority) for consideration in its 150th Meeting and it was decided to refer back these cases to the Standing Selection Committee (Annexure-II).
- The Standing Selection Committee interviewed them again in the month of April, 2014 and found 14 candidates out of 17 (including Dr. Biplab Mishra) declared 'FIT for Promotion'. The recommendations of the Standing Selection Committee were placed before the Governing Body in its 151st and the GB decided as under:-

"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"

The Minutes of 151st Meeting of GB along-with a list of Fit & Unfit Faculty Members may be seen at Annexure-III.

- 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 2012) was in continuation of decision made in 147th Meeting of Governing Body (Annexure-IV).
- It is also to submit 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 147th Meeting held on 14.04.2012 (Annexure-IV may be seen again) 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 principal to promote all the 39 faculty to their respective higher grades. It was categorically stipulated that this decision was in no way a reflection on the Standing Selection Committee and that this will be a onetime relief measure not to be quoted as precedent. The matter was accordingly resolved." 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.

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.

After that, Dr. Biplab Mishra represented before the National Commission for Scheduled Castes and subsequently an order was received from the Hon'ble Commission and it was advised that the matter of inter-se seniority of Dr. Biplab Mishra may be placed before the Governing Body of the Institute through Secretary Health & Family Welfare (Annexure- V).

Accordingly, the matter has been placed before the GB in its meeting held on 18.6.2021 and the GB decided as under:-

"The Governing Body deliberated on the representations at length. Governing Body decided that decision of the Institute is correct and promotion can be given only when Standing Selection Committee found candidate to be suitable. Governing Body decided that status quo be maintain in case of Dr. Biplab Mishra and his representation is not agreed.

Dr. Biplab Mishra has been informed accordingly (Annexure-VI).

(Signature)

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In view of position explained above and keeping in view of recommendations of the Parliamentary Committee, the matter is referred to the Ministry for taking opinion of DoPT & Ministry of Law & Justice in the matter.

An early action in the matter is requested.

This issues with the approval of the Director, AIIMS.

Encl: As above

Yours faithfully,



(B.S. GILL)

Sr. Administrative Officer

No. V-16020/39/2019-INT-1 (Pt. D)
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare

Nirman Bhawan, New Delhi
Dated 23-05-2023

To

The Director,
AIIMS,
Ansari Nagar,
New Delhi-110029

Subject: Recommendation of the Parliamentary Committee on the Welfare of Scheduled Caste and Scheduled Tribes (Fifteenth Report, 17th Lok Sabha) in respect of grievance of Dr. Biplab Mishra, Professor of Surgery Division of JPNATC, AIIMS, New Delhi regarding inter se seniority.

Sir,

I am directed to refer to the Institute's letter No. E20-14/2014 (2017) Instt dated 08-05-2023 on the subject mentioned above and to say that the proposal forwarded by the Institute vide letter dated 10-11-2022 seeking advice from DoPT and Ministry of Law and Justice has been taken with them and the comments received in matter are being forwarded for clarification of AIIMS, New Delhi and further necessary action.

Encl. As above

Yours faithfully,

Signed by

(Bisnoo Rada Kiranya)

Under Secretary to the Government of India

Date: 23-05-2023 12:47

Tel. 23061843

previous pages regarding the observations of the Parliamentary Standing Committee on the Welfare of SCs and STs with regard to the promotion of Dr. Biplob Mishra Professor of Surgery Division of JPNATC or AIIMS, New Delhi.


2. It is observed that promotion of Doctors in the AIIMS is governed by the Assessment Promotion Scheme for Doctors. It does not appear that the scheme was framed with the prior approval of the Department of Personnel and Training (DoPT). In any case it is informed that the instructions issued by the Department do not seem to apply to employees of *inferior* autonomous bodies. Therefore, the case of Dr. Biplob Mishra Professor has to be examined strictly in terms of the provisions of the Assessment Promotion Scheme for Doctors.

3. It is further informed that DoPT has issued instructions on promotion through the Departmental Promotion Committee (DPC). These instructions provide that the primary objective of holding a Review DPC is to rectify any mistake that took place at the time of holding of the original DPC. It is for the MoHFW to examine whether these instructions or holding of Review DPC's applicable in cases covered under the Assessment Promotion Scheme for Doctors. It is observed that under the Assessment Promotion Scheme for Doctors, the seniority of the Doctors shall be determined in the order of merit in which they were selected for appointment to the grade in question and those selected on an earlier occasion being ranked senior as a block to those selected later.

4. It is further informed that para 2.2.1 of the consolidated instructions on seniority issued vide OM No. DoPT/1857554806251 dated 16.09.2022, inter alia states that "where however, a person is considered as unfit for promotion and is superseded by a junior officer, persons shall not, if he/she is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him/her. Persons appointed as a result of an earlier selection shall be senior to those appointed as a result of subsequent selection."

5. MoHFW may accordingly decide the matter in consultation with DoLA.

6. This issues with the approval of Secretary (P).


(R.K. Sinha)
Under Secretary

Dr. Biplob Mishra, Professor of Surgery, JPNATC, AIIMS, New Delhi. Under Secretary

The Ministry of Health & Family Welfare has forwarded this reference to the Department of Legal Affairs and sought advice on the decision taken in 1517th meeting of the Governing Body (GB) of the All India Institute of Medical Sciences (AIIMS) in consonance with the recommendations of the Honble Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Fifteen Report-17th Lok Sabha) and concern of the National Commission for Scheduled Caste (NCSC) in respect of grievance of Dr. Biplab Mishra of JPNATC of AIIMS, New Delhi and others.

2. The brief facts stated by the administrative Ministry are as under: -

(i) Dr. Biplab Mishra of JPNATC 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 the applicable Assessment Promotion Scheme. He was, along with various other eligible candidates, interviewed by the Standing Selection Committee (SSC). The SSC declared 17 candidates (including Dr. Biplab Mishra) UNFIT for promotion which was accordingly approved by the Governing Body (GB) of this Institute in its 149 Meeting.

(ii) Dr. Biplab Mishra represented before the National Commission for Scheduled Castes. The Commission directed that the matter may be placed before the Governing Body (GB) of the Institute through Secretary (Health & FW).

(iii) The matter was accordingly placed before the GB of AIIMS which after detailed deliberation decided that decision of the Institute is correct and promotion can be given only when SSC found a candidate to be suitable. However, the GB decided that the status quo be maintained in the matter.

(iv) After the review process the fresh recommendations of SSC were referred to GB of AIIMS and vide its 151st meeting decided as under:-

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' (emphasis is mine)

(v) The Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes in its Fifteen Report (17th Lok Sabha) considered the matter and made the following observations:

The Committee recommend that the Ministry of Health and Family Welfare AIIMS collectively should make sincere efforts in resolving complaints and grievances of SC/ST faculty members, employers, students up to their satisfaction and ensure that they are not met with undue discrimination on any basis. The Committee has come across a case with a faculty member belonging to SC category who has been discriminated during the promotion of Additional Professor post in spite of having all meritorious quality of excellent surgeon, tenor and good conduct. Furthermore, in spite of clear cut decision of the National Commission for Scheduled Castes and Scheduled Tribes that gross injustice has been meted out to the surgeon, his seniority in the grade of Professor has not been restored so far. The Committee in the interest of justice to the individual, a learned SC Professor earnestly request that matter may be placed before Governing Body of AIIMS with SC members DGH&S to review and decide matter on merit. If necessary before placing the matter before the governing body of AIIMS matter may be refer to DoPT and Ministry of Law

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 The legal opinion in the matter. The Committee feels that after expert review committee decided the matter in favor of SC Professor surgeon, there is no ambiguity to provide him the consequential benefits including inter-seniority in Professor grade along with promotions. Legal advice received from the Ministry of Law and DoPT outcome of the consideration of the consideration of the Governing Body of AIIMS hereafter to tackle the issue of inter-seniority of SCs and STs at the level of faculty may be provided to the Committee for further course of action, if any, in the matter."

3. The administrative Ministry as per our advice has obtained the comments of DoPT dated 17.04.2023 and the relevant part of para 2&3 as under.

(i) It is observed that the promotion of Doctors in the AIIMS is governed by the Assessment Promotion Scheme for Doctors. It does not appear that the scheme was framed with the prior approval of the Department of Personnel and Training (DoPT).

(ii) It is further informed that DoPT has issued instructions on promotion through the Departmental Promotion Committee (DPC). These instructions provide that the primary objective of holding a Review DPC is to rectify any mistake that took place at the time of holding of the original DPC. Finally, it is for the MoHFW to examine whether these instructions on holding of Review DPC is applicable in cases covered under the Assessment Promotion Scheme for Doctors or otherwise.

4. In order to understand the nature of experience required to induct as a student or Faculty in our prestigious AIIMS it is desirable to consider the preposition of laws expressed in the following judgments passed by the Hon'ble Supreme Court.

(i) **Rajasthan Public Service Commission v. Kaila Kumar Paliwal [(2007) 10 SCC 260 : (2007) 6 Scale 531] Court held: (SCC p. 267, para 23)**

"23. We are not oblivious of the fact that the question as to whether a person fulfils the criteria of teaching experience or not would depend upon the rules operating in the field. When the rules are clear and explicit, the same has to be given effect to. Only in a case where the rules are not clear, the candidate concerned must place adequate material to show that he fulfils the requisite qualification. (See **State of Bihar v. Dr. Asis Kumar Mukherjee [(1975) 3 SCC 602 : 1975 SCC (L&S) 51 : AIR 1975 SC 192.]**)"

(ii) In **Preell Snyaslava case [(1999) 7 SCC 120]** the Constitution Bench had an occasion to consider Regulation 27 of the Post Graduate Institute of Medical Education and Research, Chandigarh Regulations, 1967, whereby 20% of seats in every course of study in the institute was to be reserved for candidates belonging to the Scheduled Castes, Scheduled Tribes or other categories of persons. In accordance with the general rules of the Central Government promulgated from time to time. The Constitution Bench came to the conclusion that Regulation 27 could not have any application at the highest level of super specialty as this would defeat the very object of imparting the best possible training to selected meritorious candidates, who could contribute to the advancement of knowledge in the field of medical research and its applications. Their Lordships ultimately went on to hold that there could not be any type of relaxation at the super-specialty level.

5. Further, that the doctrine of **Functus Officio** is a doctrine of wide application, and it could be applied to both the judicial and the quasi-judicial authorities. The concept of functus officio is not applicable to the Selection Committee as the recommendations of the said committee are administrative in nature and the Selection Committee does not perform either judicial or quasi-judicial functions. In this context, the following observations extracted from the judgment of the Hon'ble Supreme Court.

(i) **National Institute of Mental Health and Neuro Sciences v. K. Kalyana Raman (Dr), 1992**

7. We will first consider the second point. In the first place, it must be noted that the function of the Selection Committee is neither judicial nor adjudicatory. It is purely administrative. The High Court seems to be in error in stating that the Selection Committee ought to have given some reasons for preferring Dr Gauri Davi as against the other candidate. The selection has been made by the assessment of relative merits of rival candidates determined in the course of the interview of candidates possessing the required eligibility. There is no rule or regulation brought to our notice requiring the Selection Committee to record reasons. In the absence of any such legal requirement the selection made without recording reasons cannot be found fault with.

(ii) *National Institute of Mental Health and Neuro Sciences V. K. Kalyana Raman (Dr)*, 1992 Supp (2) SCC 481 : 1992 SCC (L&S) 959 : (1992) 21 ATC 680 at page 485

8. As to the first point we may state at the outset that giving of reasons for decision is different from, and in principle distinct from, the requirements of procedural fairness. The procedural fairness is the main requirement in the administrative action. The 'fairness' or 'fair procedure' in the administrative action ought to be observed. The Selection Committee cannot be an exception to this principle. It must take a decision reasonably without being guided by extraneous or irrelevant consideration. But there is nothing on record to suggest that the Selection Committee did anything to the contrary. The High Court however, observed, that Dr Kalyana Raman did not receive a fair and reasonable consideration by the Selection Committee. The inference in this regard has been drawn by the High Court from the statement of objections dated February 18, 1980 filed on behalf of the Selection Committee. It appears that the Selection Committee took the stand that Dr Kalyana Raman did not satisfy the minimum requirement of experience and was not eligible for selection. The High Court went on to state that it was somewhat extraordinary for the Selection Committee after calling him for the interview and selecting him for the post by placing him second, to have stated that he did not satisfy the minimum qualifications prescribed for eligibility. According to the High Court the stand taken by the Selection Committee raises serious doubts as to whether the deliberations of the Selection Committee were such as to inspire confidence and reassurance as to the related equally and justness of an effective consideration of this case. It is true that selection of the petitioner and the stand taken by the Selection Committee before the High Court that he was not eligible at all are indeed antithetical and cannot co-exist. But the fact remains that the case of Dr Kalyana Raman was considered and he was placed second in the panel of names. It is not shown that the selection was arbitrary or whimsical or the Selection Committee did not act fairly towards Dr Kalyana Raman. The fact that he was placed second in the panel, itself indicates that there was proper consideration of his case and he has been treated fairly. It should not be lost sight of that the Selection Committee consisted of experts in the subject for selection. They were men of high status and also of unquestionable impartiality. The Court should be slow to interfere with their opinion."

(iii) *In. UPSC Vs. K. Rajalan* (2005) 10 SCC 15 : 2005 SCC (L&S) 738 : 2005 SCC OnLine SC 915 at page 20

19. We cannot also endorse the view taken by the High Court that consistent with the principle of fair play the Selection Committee ought to have recorded reasons while giving a lesser grading to the first respondent. The High Court relied on the decision of this Court in *National Institute of Mental Health & Neuro Sciences V. Dr. K. Kalyana Raman* [1992 Supp (2) SCC 481 : 1992 SCC (L&S) 959 : (1992) 21 ATC 680 : AIR 1992 SC 1806] but in supporting the view taken by the High Court, the said decision laid down the proposition that the function of the Selection Committee being administrative in nature it is under no obligation to record the reasons for its decision when there is no rule or regulation obligating the Selection Committee to record the reasons. This Court then observed (SCC p 485, para 7)

(Even the principles of natural justice do not require an administrative authority or a Selection Committee or an examiner to record reasons for the selection or non-selection of a person in the absence of statutory requirement. This principle has been stated by this Court in *R. S. Dass V. Union of India* [1986 Supp SCC 617 : (1987) 2 ATC 628] (SCC at p 613)

paragraph, the learned Judges indicated as to what is expected of the Selection Committee, in the following words: (SCC p 485, para 8)

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[We may state at the outset that giving of reasons for decision is different from, and in principle distinct from, the requirements of procedural fairness. The procedural fairness is the main requirement in the administrative action. The fairness or fair procedure in the administrative action ought to be observed. The Selection Committee cannot be an exception to this principle. It must take a decision reasonably without being guided by extraneous or irrelevant consideration. But there is nothing on record to suggest that the Selection Committee did anything to the contrary.]

6 Before concluding our discussions it is not out of context to refer the DOPI OM dated 17.04.2023 given in the instant matter alongside the Importance of the Selection of Medical Faculty/Professionals etc as expressed in Ministry of Home Affairs Office Memorandum No. 20/97/68 Estt. (B) dated the 26th February, 1969 & view of the Estimates Committee in their 93rd Report on the estimates on the Union Public Service Commission. The relevant para of the same is reproduced below

The Committee note that a majority of the cases of delay (ranging from 5 to 24 months) pointed out of the Union Public Service Commission in Appendix XV (For 1963-64) pertains to Scientists, Engineers, Technologists and Professional person from whom there is considerable demand both in public and private sectors. The Committee expects that Government will realise that the long period of waiting and consequent uncertainty is found to act as a damper on the enthusiasm of candidates, particularly the more promising ones (as per ILS Rules, 1957), for entering public service, and to make them physiologically more receptive to offers from private agencies with prospect of prompt engagement.

The Committee recommended that the entire procedure for recruitment may be critically reviewed by the Government so as to eliminate delays which are occurring at different stages such as intimation of vacancies to the Union Public Service Commission, medical examination of successful candidates, verification of antecedents and issue of offer of appointment. The committee would suggest that cases of delay beyond specific period, particularly sending out of offer of appointments to candidates selected by Union Public Service Commission should be reviewed by the Secretary of the Ministry/ Head of the Department concerned.

7 That, considering the above legal position of the Standing Selection Committee as discussed above, the SSC's recommendation and the decision of GB of AIIMS a cogent reason is desirable for the distinct dates of promotion between two categories of faculty members one who found fit at first instance and the other after reviewing their own recommendation for appropriate decision.

8 Further, it appears from the service jurisprudence that the review process is an opportunity for the decision-making authority to improve its own decision or recommendation rather than an opportunity for the eligible candidates to improve their experience or qualifications etc.

9 However, in the instant matter, it is also not clear in any Rules whether SSC has the authority to fix seniority in practice or otherwise.

10 It is settled position of law and practice that the decisions or administrative acts by public bodies under judicial review are not necessarily controlled in the same way that judicial decisions are, rather a court will enforce that principles of procedural fairness are followed when making judicial decisions.

11 The administrative Ministry vide OM dated 10.05.2023 has appraised this Department that the

National Commission for Scheduled Caste (NCSC) is directed to comply with their directions before the next date of hearing fix as on 22.05.2023. However, we have no observation on the directions of NCSC.

12. - That, considering the above factual and legal matrix, the first part of the decision taken by the Governing Body upon the assessment of SSC regarding fitness for promotion to the next grade from the date of eligibility is within the domain of SSC of AIIMS whereas the second part of assessment/decision to *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* is not sufficiently supported by reasons, hence appears to be discriminatory for the affected faculty member(s).

13. In view of the foregoing, the administrative Ministry may take a conscious administrative decision in the instant matter as desired by the Hon'ble Parliamentary Standing Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

May kindly see

16/05/2023 05:23 PM

KRISHNA MOHAN ARYA
DEPUTY LEGAL ADVISOR, DOLA

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Minutes of the Committee Meeting regarding the examination of representations in the case of Dr. Biplab Mishra, Professor, JPNATC, AIIMS, New Delhi for Inter-se-Seniority upon his Promotion to Additional Professor w.e.f. 1.7.2012, held on April 19, 2024, in the Office of the Additional Director (ADMN.), AIIMS, New Delhi.

The 160th Governing Body in its meeting held on 13.12.2023, deliberated Dr. Biplab Mishra's inter-se-seniority case extensively and directed to form a committee for further examination and recommendation in view of representations received in the matter. In compliance of the decision a committee consisting of the following was constituted vide OM, No.F.20- 14/2014(2017)/Estt.1 (F.Cell) dated 18.4.2024:-

1. Shri Karan Singh, Additional Director (Admn.), AIIMS, New Delhi - Chairman
2. Ms. Priyadarshika Srivastava, Director, INI-I Section, MoHFW - Member
3. Dr. Rajpal, Liaison Officer, SC/ST, AIIMS, New Delhi - Member

2. A meeting of the committee was held on 19.4.2024 in the Office of the Additional Director (Admn.), AIIMS, New Delhi. As directed by the GB it was noted that only one representation has been received related to deliberated Dr. Biplab Mishra's inter-se-seniority case. The representation has been made by Dr. Sushma Sagar of same department against Dr. Biplab Mishra's claim for seniority (copy enclosed). She has cited the decision of previous GB, has mentioned that she also belongs to Scheduled Caste (SC) category and has asserted that if Dr. Biplab Mishra's request for seniority is granted this would affect her seniority unfairly.

3. The Committee at the outset examined the background of the case as detailed in the paras below:-

- i. Dr. Biplab Mishra joined JPNATC, AIIMS, New Delhi as an Assistant Professor of General Surgery, JPNATC on October 7, 2005. He was promoted to Associate Professor under the Assessment Promotion Scheme w.e.f. 1.7.2009. He was declared unfit for promotion to Additional Professor in the batch of July 1, 2012, along with 16 other candidates by the Standing Selection Committee (SSC). The Governing Body (GB) approved the SSC recommendations, promoting eligible faculty members. Dr. Sushma Sagar, junior to Dr. Mishra at the time in the same discipline, was promoted to Additional Professor in this selection.
- ii. On receipt of various representations in the matter, the 150th GB (Agenda Item No. 150/8) in its meeting held on 28.2.2014 decided to refer cases of unfit candidates back to the SSC for review of assessment of 17 faculty members for promotion to respective higher grade with new experts to participate in the process of review. It is pertinent to mention that Governing Body in the same meeting while directing review of the 17 candidates, also agreed 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. Dr. Mishra was among 13 out of 17 candidates declared "FIT" for promotion after a review by the SSC in April 2014. However, those promoted after review were placed below those initially promoted.

iii. Due to the revised seniority, Dr. Mishra became junior to Dr. Sushma Sagar. Dr. Mishra appealed to the National Commission for Scheduled Castes. The 158th Governing Body (meeting date: June 18, 2021) upheld its earlier decision and maintained the status quo. Further, the Parliamentary Committee on Scheduled Castes and Scheduled Tribes directed AIIMS to seek advice from DoPT and the Ministry of Law & Justice (DoL&J). Following receipt of comments, the matter was placed before the GB on December 13, 2023, for consideration. The GB subsequently directed the Institute to "further examine the matter in view of the representation received on the subject".

4. The administration section AIIMS was asked to examine the relative seniority of the concerned faculty members. It was submitted that Dr. Biplab Mishra joined the JPNATC as an Assistant Professor of General Surgery on October 7, 2005. He was subsequently promoted to Associate Professor on July 1, 2009. Dr. Sushma Sagar also joined the JPNATC as an Assistant Professor of General Surgery on October 1, 2005, and received a promotion to Associate Professor on July 1, 2009. Throughout as Assistant and Associate Professors, Dr. Mishra held seniority over Dr. Sagar. However, upon promotion to Additional Professor effective July 1, 2012, a GB decision (Agenda Item No. 151/3) placed those promoted after review below those initially promoted. As a result, Dr. Mishra's seniority now falls below Dr. Jagriti Bhatia.

5. The committee also took cognizance of the following facts-

- a. The 147th GB (Agenda item No.147/1) held in April, 2012 had elaborate discussion on the issue of 39 faculty members who had not been recommended for promotion by the SSC. It was pointed out that considering their promotion by the GB 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 SSC and that this will be a onetime relief measure not to be quoted as precedent.
- b. However, as per the Assessment Promotion Policy in 2007 there was a cap that not more than 75% percent of the Associate members found fit for promotion would actually be promoted, therefore to avoid any resentment, the Governing Body reconsidered the matter (Agenda Item No.147/2) and decided that the 39 faculty members so promoted would be placed immediately below the last faculty member of their respect year of eligibility already promoted, without affecting the batch wise seniority of faculty members already promoted as per SSC in 2010.
- c. With regard to above, the present committee is of the view that the promotion of 39 people cited supra was a case totally different from Dr. Biplab Mishra case as there was no review of selection done.
- d. Further, the committee took note that Dr. Biplab batch had 17 members out of which four were found unfit again during the review done by SSC as advised by 150th GB. Out of the 13 members, one has expired (Dr. Seema Tyagi) and three have retired (Dr. T.K. Das, Dr. S. Vivekanandhan




and Dr. Binod Kumar Khaitan) thus 09 faculty members including Dr. Biplab remained in the batch. It is pertinent to mention that none of the members apart from Dr. Biplab have pursued the matter of restoration of original seniority as none of them have become junior to any member in their own department. However, it is imperative to note that restoration of seniority of Dr. Biplab Mishra and representations from remaining faculty members, will impact overall seniority list of faculty members of AIIMS. The impact so analyzed by the administrative section (Faculty Cell) of AIIMS is enclosed as annexure for perusal.

6. After detailed deliberation and discussion by the Committee after taking into consideration background/facts of the case, representations of Dr. Biplab Mishra, Dr. Sushma Sagar, recommendations of Hon'ble National Commission for Scheduled Caste, Hon'ble Parliamentary Committee on Scheduled Castes and Scheduled Tribes, opinion/comments of the Department of Personnel & Training (DoPT) and Department of Legal Affairs (DoLA), the committee has considered that:-


- The concluding paragraph of the opinion from Department of Legal Affairs provides that considering the factual and legal matrix, the first part of the decision taken by the Governing Body upon the assessment of SSC regarding fitness for promotion to the next graded from the dated of eligibility is within the domain of SSC of AIIMS whereas the second part of assessment/decision to 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 is not sufficiently supported by reasons, hence appears to be discriminatory for the affected faculty member(s).
- Further, Department of Personnel Training (DoPT) in its opinion dated 17.4.2023 has mentioned that the promotion of doctors in AIIMS is governed by Assessment Promotion Scheme for doctors and further that rules/instructions of DoPT do not suo-moto apply to employees of inter-alia autonomous bodies. Further, it is noted as per DoPT OM dated 10.4.1989, referenced again in DoPT Consolidated Guidelines on DPCs issued vide OM dated 27.3.2022, it is mentioned that a "Review DPC" is done only to consider a technical or factual mistake that took place earlier and after the Review DPC, the seniority would be determined in the order in which his name, on review, has been placed in the select list by the DPC.
- As regards, representations of Dr. Sushma Sagar, the committee considered that Dr. Biplab Mishra's initial placement below promoted faculty members in the same batch made Dr. Sushma Sagar his senior within their discipline as both became Additional Professors and subsequently Professors. Restoring Dr. Biplab Mishra's seniority wouldn't affect Dr. Sushma Sagar's original seniority established as Assistant Professor/Associate Professor, but it will affect her present seniority.

7. In view of the above, after taking all relevant facts of the case and considering Dr. Biplab Mishra's original seniority as Associate Professor, his subsequent 'FIT' rating by the SSC, and the retroactive promotion to Additional Professor with financial benefits (effective July 1, 2012), the committee recommends to grant him the benefit of his Associate Professor seniority upon promotion to Additional

Professor, effective July 1, 2012 and maintain his inter-se-seniority as Additional Professor. Therefore, Dr. Biplab Mishra may be placed appropriately in the seniority list as of July 1, 2012, for Additional Professor based on his original seniority as Assistant Professor and Associate Professor and subsequently from July 1, 2016, for Professor based on his original seniority. Further, it may be mentioned that if the seniority of Dr. Biplab Mishra is restored, there might be representations from the remaining faculty members for restoration of their Inter-se-seniority as well. This would impact the overall present seniority of the faculty members.

8. The present Committee was constituted as per directions of the Governing Body, therefore, recommendations made hereby needs to be placed before the GB for appropriate decision in the matter.
The meeting ended with the vote of the thanks to the Chair.


(Priyadarshika Srivastava)
Member


(Dr. Rajpal)
Member


(Karan Singh)
Chairman

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Analysis for Seniority in case of restoration of inter-se-seniority in the case of Dr. Biplab Mishra & Others.

Sl. No.	Name	Sl. No. In Current Seniority List	In case of revision	Remarks
01	Dr. Biplab Mishra	213	194	Below to Dr. Vaishali Suri
02	Dr. Chhavi Sawhney	214	204	Below to Dr. Babita Gupta
03	Dr. Rashmi Ramachandran	215	204 (A)	Below to Dr. Babita Gupta/Dr. Chhavi Sawhney
04	Dr. S. Senthil Kumaran	216	211	Below to Dr. Mamta Sood
05	Dr. Immaculata Xess	73	70	Below to Dr. D. S. Arya
06	Dr. Viveka P. Jyotsna	163	153	Below to Dr. Suman Bhaskar
07	Dr. Sushmita Pathy	164	153 (A)	Below to Dr. Suman Bhaskar/Dr. Viveka P. Jyotsna
08	Dr. Nalin Mehta	98	76	Below to Dr. Benu Dhawan
09	Dr. Sheffali Gulati	99	97	Below to Dr. Arti Vij
10	Dr. Binod Kumar Khaitan	--	--	Retired
11	Dr. Seema Tyagi	--	--	Expired
12	Dr. S. Vivekahandhan	--	--	Retired
13	Dr. T. K. Das	--	--	Retired.



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Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar
Consultant & Professor
Division of Trauma Surgery & Critical care

Raj Nagar, New Delhi
Phone : 011-2673118
Mobile: 9868397702, Fax: 26106826
Email : sagar.sushma@gmail.com

To

11/12/2023

The President

A.I.I.M.S.

New Delhi

(Through Proper Channel)

Subject: Representation regarding the claim of seniority by Dr. Biplab Mishra

Respected Sir,

I have come to know that there is an agenda regarding the seniority issue of Dr Biplab Mishra, Professor of Surgery (JPNATC) in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I wish to apprise you that Dr Biplab Mishra appeared for APS interview of Additional Professor in April 2013 along with 4 more faculty members of surgery (JPNATC). First time, he was not found fit to be promoted while the other 4 faculty members of Surgery (JPNATC) got promoted to the grade of Additional professor (Annexure 1). Dr Biplab Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months along with 17 faculty members from various department through a new selection committee and a new set of examiners. However it was decided by the then Governing Body that these faculty members may be promoted from the back date if found fit but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case. After this Dr. Biplab Mishra was placed below the other faculty members.

In 2016 we all 5 appeared for the interview of professor interview (APS) as per the new seniority list and all were promoted to the grade of Professors maintaining the same seniority. Sir, I am looking after the administrative and academic responsibilities of the division of Trauma Surgery and Critical Care as faculty in charge with utmost sincerity.

Sir, I fail to understand that when Dr Biplab appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC) then how can he claim the seniority. His seniority was decided by the then GB of the institute.

This matter may kindly be considered in totality and based on facts. I being a female faculty belonging to the same category as Dr Biplab Mishra appeal for the natural justice too. Any untoward decision would directly affect me and none other person. I once again reiterate that there is no merit in his claim

Thanking you & With regards

Sushma

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o. 20-1/2023 (Misc.) Representation of Dr. Sushma, Prof. Surgery, JPNATC/Estt.-I (Computer No. 324
1294785/2023) Office of director



Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar
Consultant & Professor
Division of Trauma Surgery & Critical care

Raj Nagar, New Delhi
Phone : 011-2673118
Mobile: 9868397702, Fax: 26106826
Email : sagar.sushma@gmail.com

To

11/12/2023

The President

A.I.I.M.S.

New Delhi

(Through Proper Channel)

Subject: Representation regarding the claim of seniority by Dr. Biplab Mishra

Respected Sir,

I have come to know that there is an agenda regarding the seniority issue of Dr. Biplab Mishra, Professor of Surgery (JPNATC) in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I wish to apprise you that Dr. Biplab Mishra appeared for APS interview of Additional Professor in April 2013 along with 4 more faculty members of surgery (JPNATC). First time, he was not found fit to be promoted while the other 4 faculty members of Surgery (JPNATC) got promoted to the grade of Additional professor (Annexure 1). Dr. Biplab Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months along with 17 faculty members from various department through a new selection committee and a new set of examiners. However it was decided by the then Governing Body that these faculty members may be promoted from the back date if found fit but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case. After this Dr. Biplab Mishra was placed below the other faculty members.

In 2016 we all 5 appeared for the interview of professor interview (APS) as per the new seniority list and all were promoted to the grade of Professors maintaining the same seniority. Sir, I am looking after the administrative and academic responsibilities of the division of Trauma Surgery and Critical Care as faculty in charge with utmost sincerity.

Sir, I fail to understand that when Dr. Biplab appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC) then how can he claim the seniority. His seniority was decided by the then GB of the institute.

This matter may kindly be considered in totality and based on facts. I being a female faculty belonging to the same category as Dr. Biplab Mishra appeal for the natural justice too. Any untoward decision would directly affect me and none other person. I once again reiterate that there is no merit in his claim.

Thanking you & with regards

Sushma

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES
ANSARI NAGAR, NEW DELHI-110 029**

No. F-11-2/2015-Part. 1.

Dated/Date: 01 NOV 2016

OFFICE MEMORANDUM

Subject: Promotion to the grade of Professor under the Assessment Promotion Scheme (APS) at the AIIMS, New Delhi.

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Additional Professors are promoted to the grade of Professors in their respective discipline/department in the pay scale of PB-04 (Rs. 37400-7000/-) subject to minimum pay being Rs. 51600/- and Academic Grade Pay of Rs. 10500/- plus other usual allowances from their due dates i.e. with effect from 1st July, 2016 under Assessment Promotion Scheme:-

Sl. No.	Name of the faculty member	Department/Speciality
01	Dr. Rama Jayasunder	Nuclear Magnetic Resonance (NMR)
02	Dr. Shambhurnath Das	Cardiac Anaesthesia
03	Dr. Sajoy Pal	GI Surgery & Liver Transplantation
04	Dr. Sandeep K. Mathur	Pathology
05	Dr. Rakesh Lodha	Paediatrics
06	Dr. Sajeed Kumar Bhoi	Medicine (JPNAIC)
07	Dr. Rabita Chatterjee	Pathology (Transfusion Medicine)
08	Dr. Tulika Seth	Haematology
09	Dr. Sujata Mohanty	Stem Cell
10	Dr. Smriti Hari	Radio-Diagnosis
11	Dr. Renu Sahu	Anaesthesia (Dr. R.P.C.)
12	Dr. Ganga Prasad Rath	Neuro-Anaesthesia
13	Dr. Priya Jogle	Cardiac Radiology
14	Dr. Vijay Kumar	Orthopaedics
15	Dr. Iushar Agarwal	Ophthalmology
16	Dr. Manita Bhushan Singh	Clinical Neurophysiology (Department of Neurology)
17	Dr. Vijay Prakash Mathur	Pedodontics & Preventive Dentistry (CDIR)
18	Dr. Shivanand Ganaiyagatti	Radio-Imaging (JPNAIC)
19	Dr. Atin Kumar	Radio-Imaging (JPNAIC)
20	Dr. Rachna Seth	Paediatrics
21	Dr. Sanjady Lalwani	Forensic Medicine (JPNAIC)
22	Dr. Nand Kumar	Psychiatry

23	Dr. M. Yanathi	Ophthalmology
24	Dr. Rajesh Bhatia	Ophthalmology
25	Dr. Nihar Ranjan Das	G. I. Surgery & Liver Transplantation
26	Dr. Ajay Laxhara	Conservative Dentistry & Endodontics (C.D.E.R.)
27	Dr. Jyotsna (Juni)	Anaesthesiology
28	Dr. Ambuj Roy	Cardiology
29	Dr. Vaishali Suri	Neuro-Pathology
30	Dr. Hemanshu Prabhakar	Neuro-Anaesthesia
31	Dr. S. Ramakrishnan	Cardiology
32	Dr. S. Aruseeli	Laboratory Medicine (JPNATC)
33	Dr. Purva Mathur	Laboratory Medicine (JPNATC)
34	Dr. Sushma	General Surgery (JPNATC)
35	Dr. Amit Gupta	General Surgery (JPNATC)
36	Dr. Subodh Kumar	General Surgery (JPNATC)
37	Dr. Manesah Singhal	General Surgery (JPNATC)
38	Dr. Bhayna Chawla	Ophthalmology
39	Dr. Isha Gupta	Lab. Oncology (Dr. B.R. AIRCH)
40	Dr. Vijay Sharma	Orthopaedics (JPNATC)
41	Dr. Buddhadev Choudhary	Orthopaedics (JPNATC)
42	Dr. Vivek Trilcha	Orthopaedics (JPNATC)
43	Dr. Gupta Babita	Anaesthesiology (JPNATC)
44	Dr. Ravinder Kumar Pandey	Anaesthesiology
45	Dr. Ramesh Kr. Agarwal	Paediatrics
46	Dr. Vandana Jain	Paediatrics
47	Dr. Adarsh Kumar	Forensic Medicine (JPNATC)
48	Dr. Deepak Agarwal	Neuro-Surgery (JPNATC)
49	Dr. Deepak Kumar Gupta	Neuro-Surgery (JPNATC)
50	Dr. Simil Sinha	Neuro-Surgery (JPNATC)
51	Dr. Mamta Sood	Psychiatry
52	Dr. Anjolie Chhabra	Anaesthesiology
53	Dr. Surender Singh	Pharmacology
54	Dr. ICH Reeta	Pharmacology

55	Dr. Suresh Gupta	Dermatology & Venereology
56	Dr. Urvashi Halbir Singh	Microbiology
57	Dr. Atul Ambekar	Psychiatry
58	Dr. Tarag Gharde	Cardiac Anaesthesia
59	Dr. Vishwas Mallick	Cardiac Anaesthesia
60	Dr. Pratik Chandra Mishra	Clinical Haematology (Audit)
61	Dr. Jagriti Bhatia	Pharmacology
62	Dr. Biplob Mishra	General Surgery (JENATC)
63	Dr. Chhavi Sawhney	Anesthesiology (JENATC)
64	Dr. Rashmi Ramachandran	Anesthesiology
65	Dr. S. Senthil Kumaran	NMR

Other terms and conditions of their services will be the same as are applicable to other employees of the Institute.

(Authority: Item No. GB/03 of the 154th meeting of the Governing Body held on 21.10.2016)

(M.C. MISRA)
DIRECTOR

Distribution:-

1. All Officers concerned
2. The Medical Superintendent
3. The Dean (Examinations)
4. All Chief of Centres/Departments concerned
5. The P.S to Director, AIIMS
6. The P.S to Dy. Director (Admin), AIIMS
7. The PA to Sr. Financial Advisor
8. The Chief Administrative Officer
9. The Accounts Section-II & III
10. The Estate Section
11. The Personal file of person concerned

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
Ansari Nagar, New Delhi-110 029.

No.F.11-1/2012-ES-II

Date: (19th July, 2012)**MEMORANDUM**

Subject: Promotion to the grade of Additional Professor under the Assessment Promotion Scheme at AIIMS, New Delhi.

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Associates Professors are promoted to the grade of Additional Professors in their respective discipline/department in the pay scale of PB-4 (Rs. 7400-67000/-) subject to maximum pay being Rs.60000/- and Academic Grade Pay of Rs.9500/- plus other usual allowances from their due dates, i.e. with effect from 1st July 2012 under the Assessment Promotion Scheme.

Sl. No.	Name	Department/Speciality
1	Dr. Shambhurnath Das	Cardiac Anaesthesia
2	Dr. Sujoy Pal	Ear, Surgery & Liver Transplantation
3	Dr. Sandeep K. Mathur	Pathology
4	Dr. Rakesh Lodha	Paediatrics
5	Dr. Sanjeev K. Bhoi	Medicine (JPNAIC)
6	Dr. Kavita Chatterjee	Pathology (G.F.)
7	Dr. Tulika Sethi	Haematology
8	Dr. Sujata Mohanty	Stem Cell
9	Dr. Suresh Hari	Radio Diagnosis
10	Dr. Renu Sinha	Anaesthesiology (RPC)
11	Dr. Grijya Prasad Rath	Neuro Anaesthesia
12	Dr. Priya Jagia	Cardiac Radiology
13	Dr. Vilay Kumar	Orthopaedics
14	Dr. Tuhina Agarwal	Ophthalmology
15	Dr. Manata Bhushan Singh	Clinical Neurophysiology (Deptt. of Neurology)
16	Dr. Vijay Prakash Mathur	Pedodontics & Preventive Dentistry (C.D. IIC)
17	Dr. Santyarnand Jannanagatti	Radio Imaging (JPNAIC)
18	Dr. Anil Kumar	Radio Imaging (JPNAIC)
19	Dr. Rachna Sethi	Paediatrics
20	Dr. Sanjeev Lalwani	Forensic Medicine (JPNAIC)
21	Dr. Nand Kumar	Psychiatry
22	Dr. M. Vanathi	Ophthalmology

23	Dr. Rajesh Sinha	Ophthalmology
24	Dr. Nihar Ranjan Das	GI Surgery & Liver Transplantation
25	Dr. Ajay Logan	Conservative Dentistry & Endodontics (IAPD)
26	Dr. Jyoti Pujari	Anaesthesiology
27	Dr. Anbu Roy	Cardiology
28	Dr. Varshali Buij	Neuro Radiology
29	Dr. Hemantshu Wadhakar	Neuro-Anaesthesia
30	Dr. S. Ramakrishnan	Cardiology
31	Dr. S. Arunima	Laboratory Medicine (JPNATC)
32	Dr. Parvathyathar	Laboratory Medicine (JPNATC)
33	Dr. Sasitima	General Surgery (JPNATC)
34	Dr. Amit Gupta	General Surgery (JPNATC)
35	Dr. Chhedi Kumar	General Surgery (JPNATC)
36	Dr. Manish	General Surgery (JPNATC)
37	Dr. Bhuvna Chavla	Ophthalmology
38	Dr. YK Kusuma Kumari	Community Medicine (Non-M.D. Ambu 200)
39	Dr. Rishi Gupta	Laboratory Medicine
40	Dr. Vinay Sharma	Orthopaedics (JPNATC)
41	Dr. Buddhadev Choudhary	Orthopaedics (JPNATC)
42	Dr. Vivek Tripathi	Orthopaedics (JPNATC)
43	Dr. Gupta Babita	Anaesthesiology (JPNATC)
44	Dr. Ravinder Kumar Pandey	Anaesthesiology
45	Dr. Ramesh Kumar Agarwal	Paediatrics
46	Dr. Vandana Jain	Paediatrics
47	Dr. Adarsh Kumar	Forensic Medicine (JPNATC)
48	Dr. Deepak Agarwal	Neurosurgery (JPNATC)
49	Dr. Deepak Kumar Gupta	Neurosurgery (JPNATC)
50	Dr. Girish Shaha	Neurosurgery (JPNATC)
51	Dr. Manita Seed	Psychiatry
52	Dr. Anjali Chhabra	Anaesthesiology
53	Dr. Sonender Singh	Pharmacology
54	Dr. KH Raeta	Pharmacology
55	Dr. Suresh Gupta	Dermatology & Venereology
56	Dr. Divyanshu Rishi Saxena	Microbiology

57	Dr. Atul Ambekar	Psychiatry
58	Dr. Parag Garde	Cardiac Anaesthesia
59	Dr. Vishwas Mallick	Cardiac Anaesthesia
60	Dr. Pravas Chandra Mishra	Clinical Haematology (Adult)
61	Dr. Jagriti Bhunia	Pharmacology

Other terms and conditions of their services will be the same as are applicable to other employees of the Institute.

The aforesaid promotions shall be subject to outcome of the Writ Petition (Civil) No. 7256/2003 pending before the Hon'ble High Court of Delhi.

(Authority :- Item No. EB/03 of the 149th meeting of the Governing Body held on 19.07.2013)

Rajendra Singh
(R.C. DUKRY)
DIRECTOR

19/7/13

Distribution:

1. All Officers concerned
2. The Dean, AIIMS
3. The Medical Superintendent, AIIMS
4. All Courts/Departments concerned
5. The Deputy Director (Admin.)
6. The Sr. Financial Advisor
7. Accounts Section II & III
8. Estate Section
9. Personal file of person concerned.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
ANSARI NAGAR, NEW DELHI - 110 029

No.F.11.1/2010-Estt. I.

Dated the 19th March 2011

MEMORANDUM

Subject: Promotion to the grade of Associate Professor under the Assessment Promotion Scheme at the AIIMS, New Delhi.

On the recommendations of the Standing Selection Committee and with the approval of the Governing Body, the following Assistant Professors are promoted to the grade of Associate Professors in their respective disciplines/department in the pay scale of A14 (Rs. 340370/-) subject to minimum pay being 100% and Assesable Grade pay of Rs. 200/- plus other usual allowances from their respective pay with effect from 10 July 2009 under the Assessment Promotion Scheme.

Sl.No.	Name of the Faculty member	Department/Specialty
01	Dr. Shanbhurath Das	Cardiac Anacathesis
02	Dr. Sujay Pal	G.I. Surgery & Liver Transplantation
03	Dr. Sandeep R. Mathur	Pathology
04	Dr. Rakesh Lodha	Paediatrics
05	Dr. Saravjot Bhoi	Medicine (JPNATC)
06	Dr. Rabika Chatterjee	Pathology (Blood Transfusion)
07	Dr. Tulika Sethi	Haematology
08	Dr. Sujata Mohanty	Stem Cell
09	Dr. Smriti Hari	Radio-Diagnosis
10	Dr. Renu Singh	Anesthesiology (Cr. RPC)
11	Dr. Ghisla Praad Rathi	Neuro-Anaesthesia
12	Dr. Priya Jagin	Cardiac Radiology
13	Dr. Vijay Kumar	Orthopaedics
14	Dr. C. Venkata Karthikeyan	I.N.T.
15	Dr. Inshar Agarwal	Ophthalmology
16	Dr. Manita Bhushan Singh	Clinical Neurophysiology (Dept. of Neurology)
17	Dr. Vijay Prakash Mathur	Pedodontics & Preventive Dentistry (CDR)
18	Dr. Shivaram Ganapathi	Radio Imaging (JPNATC)
19	Dr. Anil Kumar	Radio Imaging (JPNATC)

Annexure VI

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Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar
Consultant & Professor
Division of Trauma Surgery & Critical care

Raj Nagar, New Delhi
Phone : 011-2673118
Mobile: 9868397702, Fax: 26106826
Email : sagar.sushma@gmail.com

To
The President
A.I.I.M.S.
New Delhi

11/12/2023



11/12/2023

(Through Proper Channel)

Subject: Representation regarding the claim of seniority by Dr. Biplab Mishra

Respected Sir,

I have come to know that there is an agenda regarding the seniority issue of Dr Biplab Mishra, Professor of Surgery (JPNATC) in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I wish to apprise you that Dr Biplab Mishra appeared for APS interview of Additional Professor in April 2013 along with 4 more faculty members of surgery (JPNATC). First time, he was not found fit to be promoted while the other 4 faculty members of Surgery (JPNATC) got promoted to the grade of Additional professor (Annexure 1). Dr Biplab Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months along with 17 faculty members from various department through a new selection committee and a new set of examiners. However it was decided by the then Governing Body that these faculty members may be promoted from the back date if found fit but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case. After this Dr. Biplab Mishra was placed below the other faculty members.

In 2016 we all 5 appeared for the interview of professor interview (APS) as per the new seniority list and all were promoted to the grade of Professors maintaining the same seniority. Sir, I am looking after the administrative and academic responsibilities of the division of Trauma Surgery and Critical Care as faculty in charge with utmost sincerity.

Sir, I fail to understand that when Dr Biplab appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC) then how can he claim the seniority. His seniority was decided by the then GB of the institute.

This matter may kindly be considered in totality and based on facts, I being a female faculty belonging to the same category as Dr Biplab Mishra appeal for the natural justice too. Any untoward decision would directly affect me and none other person. I once again reiterate that there is no merit in his claim

Thanking you & With regards

Sushma



664

Jai Prakash Narayan Apex Trauma Centre
All India Institute of Medical Sciences, New Delhi

Dr. Sushma Sagar MS, FAMS, FACS, FRCS
Professor
Division of Trauma Surgery & Critical Care

Raj Nagar, New Delhi
Phone : 011-2673118
Mobile: 9868397702, Fax: 26106826
Email : sagar.sushma@aiims.edu

To

07/10/2024

The President

A.I.I.M.S New Delhi

(Through Proper Channel)

Subject: Representation regarding the claim of seniority by Dr. Biplab Mishra

Respected Sir,

I have come to know that there is an upcoming agenda regarding the seniority issue of Dr Biplab Mishra, Professor of Surgery (JPNATC) in the upcoming Governing Body meeting of AIIMS, New Delhi.

Sir, I had placed the facts earlier also in previous GB held in December 2023 (attached document). Dr Biplab Mishra appeared 2nd time for the APS of Additional Professor after approximately 9 months (in 2013), along with 17 faculty members from various departments through a new selection committee and a new set of examiners. However, it was decided by the then **Governing Body** that **these faculty members may be promoted from the back date if found fit, but their seniority will not be maintained as they had appeared twice for the APS interview for the same grade as a special case.**

Sir, I fail to understand that when Dr Biplab appeared twice for APS of Additional professor and got promoted at a later date than other faculty members of Surgery (JPNATC) then how can he claim the seniority. His seniority was decided by the then GB of the Institute.

This matter may kindly be considered in totality and based on facts. I being a female faculty belonging to the same category as Dr Biplab Mishra appeal for the natural justice too. Any untoward decision would directly affect me and none other person. This will disturb the whole Eco system of AIIMS and **WOULD PLACE ADMINISTRATION IN DILEMMA**

I once again reiterate that there is no merit in his claim when I too can go to commission for the injustice.

Thank you & With regards

Yours Sincerely

Sushma Sagar

Encl: Previous request letter given to President AIIMS

NOTE FOR THE GOVERNING BODY

ITEM NO. GB-162/22

To consider the request of Dr. Pankaj Jorwal for withdrawl of his resignation and reinstate him to the position of Additional Professor of Medicine at AIIMS, New Delhi

Item No. GB/162-22

To consider the request of Dr. Pankaj Jorwal for withdrawal of his resignation and reinstate him to the position of Additional Professor of Medicine at AIIMS, New Delhi.

Introduction:-

Dr. Pankaj Jorwal, formerly Additional Professor of Medicine, submitted an email on September 21, 2024, requesting the withdrawal of his resignation and reinstate him to the position of Additional Professor of Medicine at AIIMS, New Delhi. He had submitted his resignation on April 24, 2024, which was accepted on May 31, 2024. He had cited unavoidable personal circumstances for his initial decision (Annexure-I).

Administrative Comments:-

Dr. Jorwal had tendered his resignation on April 24, 2024. Following approval from the President, AIIMS, his resignation was accepted and was relieved on May 31, 2024.

As per established guidelines (Annexure-II), withdrawal of a resignation after being relieved is possible for permanent employees under specific conditions:

- Availability of the vacated post or a comparable one.
- Resignation due to compelling reasons that don't reflect negatively on integrity, efficiency, or conduct.
- A significant change in circumstances leading to the withdrawal request.
- Resignation not submitted to take a private commercial position.
- Absence from duty within 90 days (or longer with DoPT sanction).
- Accordingly, Dr. Pankaj Jorwal was asked to provide details regarding circumstances which had led him to resign & reasons for his desire to join back. He has given his submission vide letter dated 07.10.2024 (Annexure-III). The information sought and his responses are outlined below:

Sl. No.	Information asked	Dr. Jorwal's Submission
1	Reasons for Resignation: The resignation must have been tendered for compelling reasons that do not reflect negatively on your integrity, efficiency, or conduct	Dr. Jorwal submitted his resignation notice on April 24, 2024. He details his reasons here. He joined the Institute in August 2014 and consistently maintained high professional standards throughout his tenure. His annual reports, ACRs, and timely promotions reflect this (reports attached). His primary reason for resigning stemmed from a personal issue: his younger son's learning disability (report attached). This caused significant distress and impacted his family dynamics. They needed to find additional educational support and specialized care abroad, necessitating his resignation.

2	<p>Material Change in Circumstances: The withdrawal request must be due to a significant change in circumstances that originally prompted your resignation.</p>	<p>Dr. Jorwal explored various options abroad but found the facilities and resources did not meet their expectations. The available support was limited, and securing the necessary assistance for his son's development proved difficult. Conversely, the school at AIIMS, upon continuous effort and formal assessment, has agreed to provide the extra support his son needs. The family has adapted to his needs, and the child has shown improvement. This experience has reaffirmed Dr. Jorwal's faith in the Institute.</p>
3	<p>No Private Employment: The resignation should not have been tendered with the intention of accepting a position in a private commercial company or an entity controlled or financed by the Government.</p>	<p>Dr. Jorwal confirms the decision to resign was not driven by a desire for financial gain or other lucrative offers. His sole motivation was to find help for his son. He did not join any commercial company or government-controlled entity.</p>
4	<p>Timeframe: The absence from duty between the date of resignation and the resumption of duties should not exceed 90 days.</p>	<p>Dr. Jorwal acknowledges that a sabbatical or leave of absence could have been explored as an alternative. However, he was under significant pressure due to his son's diagnosis and was misinformed about the complexity of such leave options. He understands exceeding the 90-day timeframe requires special consideration and apologizes for any inconvenience. He emphasizes the exceptional circumstances and hopes his sincerity is recognized.</p>

From the submission of Dr. Jorwal, it is apparent that the for leaving the job of the Institute, were not commercially motivated but driven by the need for better healthcare for his child. His track record at AIIMS was impeccable and his request deserves sympathetic consideration due to the extenuating circumstances.

Dr. Pankaj Jorwal joined the Institute as Assistant Professor of Medicine on June 5, 2015. He got promoted to Associate Professor on 01.07.2018 and Additional Professor on 01.07.2021. The position vacated by Dr. Jorwal is unfilled as of today.

Proposal:-

Considering the above, Dr. Pankaj Jorwal's request to withdraw his resignation and be reinstated as Additional Professor in the Department of Medicine is presented to the Governing Body for kind consideration and decision.

This agenda item is with the approval of the Director, AIIMS.



Dr. Pankaj Jorwal
Additional Professor

ANNEXURE - 1
Department of Medicine
All India Institute of Medical Sciences
Ansari Nagar, New Delhi - 110029

667

Tel: 91-11-26594001

pankajjorwal.aiims@gmail.com

April 24, 2024

(Through proper channel)

The Director
AIIMS, New Delhi

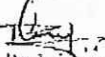
Sub: Regarding resignation from the post of Additional Professor (Medicine)

Respected Sir,

Due to unavoidable personal circumstances I would like to resign from my post of Additional Professor in Department of Medicine at AIIMS, New Delhi. Kindly consider this letter dated 24/04/2024, as my notice period of 03 months, as per rules

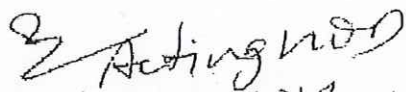
Thanking you,

Regards


Pankaj Jorwal
Additional Professor
Department of Medicine

24/4/24
डॉ. राजेश कुमार
Dr. RAJESH K. VIJAYAM
Senior Professor & Head Unit II
Department of Medicine
AIIMS

Forwarded as per rules


24.4.24



Dr. SANJEEV SINHA
M.B.B.S., M.D., (Medicine), MNAMS, FNAAC
Professor
Head of Medicine (Unit III)
Department of Medicine
All India Institute of Medical Sciences
New Delhi-110029



Department of Medicine
All India Institute of Medical Sciences
Ansari Nagar, New Delhi - 110029

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Dr. Pankaj Jorwal
Additional Professor

Tel: 91-11-26594001

pankajjorwal.alims@gmail.com

May 6th, 2024

(Through proper channel)

The Director
AIIMS, New Delhi

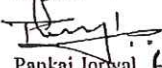
Sub: Regarding resignation from the post of Additional Professor (Medicine) w.e.f. 31/05/2024


Respected Sir,


In continuation of letter dated 24.04.2024 (copy attached), I beg to say that due to unavoidable family circumstances I would not be able to serve the total duration of notice period i.e. till 23rd July 2024 and would be resigning w.e.f. 31/05/2024 (afternoon). I agree to pay the short fall amount ranging from 01st June to 23rd July 2024. Kindly let me know the exact amount and other formalities, if any.


Thanking you,

Regards


Pankaj Jorwal 6/5/2024
Additional Professor
Department of Medicine


Dr. NAVAL K. VIKRAM, MD, MAMMS
Professor
Department of Medicine
All India Institute of Medical Sciences
New Delhi-110029


6.5.24


Dr. SANDEEP SINGH
M.D. (Medicine), MAMMS, FRCGS
Professor & Actg. HOD
Head of Medicine (Unit 1)
Department of Medicine
All India Institute of Medical Sciences
New Delhi-110029

Office Memorandum

Subject: Withdrawal of resignation of Central Government servants appointed after 31.12.2003 covered under the National Pension System (NPS)-reg.

The undersigned is directed to say that instructions on the procedure to be followed for 'Resignation from service' have been provided vide Ministry of Home Affairs O.M. No.39/6/57-Ests.(A) dated 06.05.1958, Department of Personnel & Training (DoPT) O.M. No.28034/25/87-Estt(A) dated 11.02.1988, No.28034/4/94-Estt.(A) dated 31.05.1994 and No.28035/2/2007-Estt.(A) dated 04.12.2007. Para 5 of DoPT O.M. dated 11.02.1988 referred to above, provides the procedure for withdrawal of resignation as governed by Rule 26 (4) to (6) of Central Civil Services (Pension) Rules, 1972. References are being received from Ministries/Departments on the request for withdrawal of resignation by Government servants appointed after 31.12.2003 and for whom CCS(Pension) Rules are not applicable. The matter of withdrawal of resignation of Government servants of Central Civil Services/Posts, appointed after 31.12.2003 who are covered under the National Pension System (NPS) and for whom CCS (Pension) Rules, 1972 is not applicable has been considered in this Department and with the approval of the competent authority, it has been decided that the following guidelines/instructions may be followed while considering the request for withdrawal of resignation of the aforesaid Government servants.

2. The appointing authority may permit a person to withdraw his resignation in the public interest on the following conditions, namely:

(a) that the resignation was tendered by the Government Servant for some compelling reasons which did not involve any reflection on his integrity, efficiency, or conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation;

(b) that during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper;

(c) that the period of absence from duty between the date on which the resignation became effective and the date on which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days;

(d) that the post, which was vacated by the Government servant on the acceptance of his resignation or any other comparable post, is available.

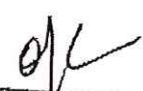
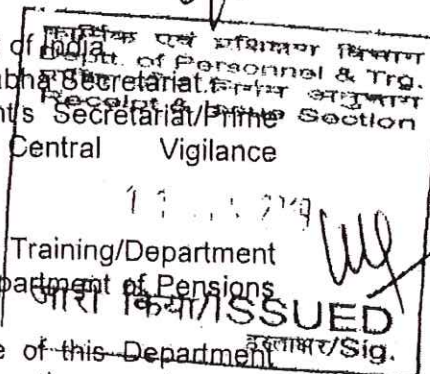
3. Request for withdrawal of a resignation shall not be accepted by the appointing authority where a Government servant resigns his service or post with a view to taking up an appointment in or under a private commercial company or in or under a corporation or company wholly or substantially owned or controlled by the Government or in or under a body controlled or financed by the Government.
4. When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service for the purpose.
5. No withdrawal from NPS corpus shall be permissible within a period of 90 days from the date on which the resignation becomes effective i.e. the resignation is accepted by the competent authority and the Government servant is relieved of his duties. However, the aforesaid condition shall not be applicable in case of death of the government servant after the resignation becomes effective.
6. The provision for withdrawal of resignation shall not be applicable for temporary Government Servants.
7. Above guidelines/instructions will be applicable only for the Government servants appointed on Central Civil Service/Posts after 31.12.2003 who are covered under the National Pension System (NPS) and for whom CCS(Pension) Rules, 1972 is not applicable. Further, these guidelines/instructions will be applicable till the time the statutory rules regarding withdrawal of resignation for such Government servants are notified.
8. This O.M. shall be prospective and cases already settled shall not be opened.
9. This issues in consultation with the Office of Comptroller and Auditor General of India.
10. It is requested to bring it to the notice of all concerned for strict compliance.



 (Kabindra Joshi)
 Director

All Ministries/Departments of the Govt. of India
(As per standard list)

Copy also forwarded to:

- 1) Secretary General/Registrar General, Supreme Court of India
- 2) Secretary General of Lok Sabha Secretariat/Rajya Sabha Secretariat
- 3) Secretaries in President's Secretariat/Vice-President's Secretariat/Prime Minister's Office/ Cabinet Secretariat/ Central Vigilance Commission/UPSC/NITI Aayog.
- 4) Comptroller and Auditor General of India, New Delhi.
- 5) All Officers/Sections of Department of Personnel and Training/Department of Administrative Reforms and Public Grievances/Department of Pensions and Pensioners Welfare/PESB.
- 6) Director, NIC, DoP&T for uploading on the website of this Department under Notifications/OM & Orders-Establishment-Resignation.
- 7) 10 Spare copies.



 जारी किया/ISSUED
 हस्ताक्षर/Sig.


 (Kabindra Joshi)
 Director

To
The Director
AIIMS, New Delhi

Dr:07/10/2024

Reference - File no. F.6-105/2014/Estt.I

Subject: Regarding information on consideration for withdrawal of resignation

Respected Sir,

With reference to letter dated 07th October 2024, I am writing this letter to you so as to share the main reason behind my resignation and the compelling circumstances for its withdrawal, in a pointwise manner;

1. Reason for resignation : I had submitted the notice for resignation on 24th April, 2024 and it was accepted on 31st May, 2024. I would like to explain the reason behind it in detail here, I joined the institute in August 2014 and ever since that day till my last day i.e. 31st May 2024, my conduct, efficiency, integrity and work ethics were up to the professional standards of the institute and I was always given very good/ outstanding remarks by my superiors and colleagues, which is evident by my annual reports, ACR's and timely promotions. My decision was primarily driven by a personal issue, which was my younger son's learning disability (reports attached), it was distressful at that time and had significantly impacted my family dynamics and necessitated changes to be made to the existing setting specially with regards to his education and support for special needs, these were not being provided at many levels, in spite of our best efforts. At that time, I believed that seeking additional educational support and specialized care abroad would be the best course of action for us as a family and hence the decision was taken.
2. Material change in circumstances: However, after exploring various options and strategies, I have come to the realization that the facilities and resources I anticipated do not meet our expectations. The available support has proven to be limited, and I find myself in a peculiar position where I am unable to secure even the basic necessary assistance for my child's development which I was able to manage much easily earlier. Moreover, our continuous efforts and a formal assessment has prompted the school to give him the extra support and consideration that he deserved. With time, we as a family have become better adapted to his needs and the child also has shown much improvement, as was told by colleagues here at the institute, which reaffirms my faith in this great institution.
3. No Private Employment : As the decision was never driven by want of monetary gains, materialistic needs or any other lucrative offers but was merely a father's cry for help for his child and the stresses which it brings. Therefore, I did not join any commercial company or any other entity, organisation controlled by the government.

4. **Timeframe:** I do agree that there was an option of taking a sabbatical / leave of absence etc. which could have been explored and I wanted to pursue that too but was told that it is a complex, long drawn process requiring many clearances and hurdles. Unfortunately, my judgement, thinking and decision making ability wasn't the best at that time, due to the acute diagnosis and family pressures, all of it resulted in the extreme step. I was made aware about the 90 day time period when I approached the institute and I know that the request is being made a little over that period and this will require an effort and much consideration on your behalf, I sincerely apologise for putting you in that position. But, given the full context of things and the way the things unfolded, I hope you are able to see the honesty and sincerity in my efforts and actions, none of it was ever planned this way, it was predominantly a decision driven by emotion and therefore the approach, methods and realization of time frame is lacking.


I now have had time to think and reflect on it, and I have come to the conclusion that the best way to serve my country, my family and myself is through the service that I provided to my patients in the institute. I hope you would sympathise with my situation and would consider my request purely on humanitarian grounds as that is the core principle on which our great institution operates.

In the end, I would like to reaffirm my commitment to the All India Institute of Medical Sciences, New Delhi. I have always held a deep respect for the institution and its mission, and throughout my tenure here I have conducted myself with utmost sincerity, punctuality and hard work. I believe my continued involvement would allow me to contribute meaningfully to our community and support my family simultaneously.

I would be grateful if you could consider my request to withdraw my resignation, allowing me to resume my responsibilities in the Department of Medicine.

Thank you for your understanding and support. I look forward to your favourable response.

Sincere regards



7/10/24

Dr Pankaj Jorwal
Ex-Additional Professor
AIIMS, New Delhi.



Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice and Empowerment, Government of India
Acknowledgement / Resident Copy

Person with Disability Registration

Enrolment No: 0709/00000/2305/0462498

Enrolment Date: 09/05/2023

PERSONAL DETAILS			
Name of Applicant	Divit Jorwal	आवेदक का नाम	डिविट जोरवाल
Applicant Father's Name	Pankaj Jorwal	आवेदक के पिता का नाम	पंकज जोरवाल
Applicant Mother's Name	-----	आवेदक के माता का नाम	-----
Date of Birth	05/02/2016	Age	7 Year(s)
Gender	Male	E-Mail Id	-----
Mark of Identification	-----	Category	General
Mobile Number	9311857110	Blood Group	-----
Marital Status	Unmarried		
Relation with PWD (Person with Disability)	Father		
Name of Guardian / Caretaker / Attendant / Related	Pankaj Jorwal	Contact No. of Guardian / Caretaker / Attendant / Related	9311857110



Address of Correspondence

Address 108 Pocket - 6, Sector D - 6, Vasant Kunj, Defence Colony, South East, Delhi - 110070
 पता १०८ पॉकेट - ६, सेक्टर डी - ६, वसंत कुंज, Defence Colony, South East, Delhi - 110070
 Nature of Document for Address Proof Aadhaar Card

Permanent Address

Address 108 Pocket - 6, Sector D - 6, Vasant Kunj, South East, Delhi - 110070
 पता १०८ पॉकेट - ६, सेक्टर डी - ६, वसंत कुंज, South East, Delhi - 110070

Educational Details

Highest Qualification -----

DISABILITY DETAILS

Do you have disability certificate? No Disability Type Autism Spectrum Disorder

674

Disability Area	-----	Disability Since	2016
Pension Card Number	-----		
Hospital Treating Disability	AIIMS DEPARTMENT OF PSYCHIATRY	Disability Due To	-----

EMPLOYMENT DETAILS

Employed or Unemployed	-----	Occupation	-----
BPL / APL	-----		
Personal Income (Annual)	-----	Father Income (Annual)	-----

IDENTITY DETAILS

Identity Proof	Aadhaar Card	TIN (NPR)	-----
Aadhaar No.	570836515342		

This is computer generated receipt and does not require any signature.

Date: 15th June '23

Summary Table

Tools Administered	Result
LDDI	Dyslexia and Dysgraphia
CBCL	Anxious and Attention Problems
ADHD	Recurring signs of Inattention

DISCUSSION & RECOMMENDATION

Adnan is a 7-year-4-months old boy. On the basis of self-report measures by the informants and clinical observation done, he displays subtle signs of Inattention and being anxious, and having attention problems. He has a learning disability specifically related to Listening, Reading, and Writing.

On the basis of this discussion, we are recommending the following:

- **Parent Counselling:** Counselling helps parents recognize the needs of the child and provide better care which helps the child function better, both emotionally and physically. It helps strengthen the family system and elevates a child's positive emotional quotient. This is recommended once every week.
- **Social Communication & Behavior Therapy** for working with his emotional and anxious tendencies. The sessions will ensure that his difficulties and the social implications of it do not impact the self-concept and confidence of the child. It is recommended 2 times a week.
- **Special Education** sessions would be helpful for the child to increase his intellectual abilities and overall conceptual understanding. We recommend 5 sessions per week.
- We recommend an **Occupational Therapy Screening** to rule out the possibility of a Sensory Processing Disorder.

Rashi Bhardwaj
 Founder, Asha Hai, The Dangling Thread
 Clinical Consultant, Psychologist, Child Development Clinic (Srinam Dharma Institute of Science and Research)
 Registered Dance Movement Psychotherapist (ADMP-UK), Child and Adolescent Rehabilitation Psychologist
 (CERT No. AX9902)