

**MINUTES OF THE EIGHTH MEETING OF THE SPECIAL CELL
HELD ON 31ST DECEMBER, 2020 AT COMMITTEE ROOM OF
NIT UTTARAKHAND, SRINAGAR (GARHWAL)**

The following members were present:

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| 1. Dr. Hariharan Muthusamy, Dean (FW) | - | Ex-Officio Chairperson |
| 2. Dr. P. M. Kala, Registrar | - | Ex-Officio Member Secretary |
| 3. Prof. Deepak Kumar, Professor, HNBGU Srinagar | - | External Member |
| 4. Dr. I. M. Nagpure, Asstt. Prof. (Gr-I) | - | Member |
| 5. Dr. Parveen Kumar, Liaison Officer (SC/ST/PWD/ESM) | - | Ex-Officio Member |
| 6. Dr. Abhimanyu Kumar, Liaison Officer (OBC/EWS) | - | Ex-Officio Member |
| 7. Mr. Jagdeep Singh, Assistant Registrar (Estt.) | - | Ex-Officio Member |

Dr. Parveen Kumar and Dr. Abhimanyu Kumar, Ex-Officio Members of the Special Cell attended the meeting through Video Conferencing.

At the outset Member Secretary, Special Cell welcomed the Chairperson and all the members, and requested Chairperson, Special Cell to preside over the meeting.

The Special Cell discussed the following agenda:

SC 08.01: To deliberate upon the complaint received from NCSC, Lucknow regarding Workplace Harassment, Neglect and Humiliation of Mr. Neeraj Kumar, Ex-Trainee Teacher, Department of Civil Engineering.

Institute has received a letter from Mr. Tarun Khanna, Assistant Director, National Commission for Schedules Castes (NCSC), Lucknow on the subject cited above.

Hence, the complaint letter along with case summary is placed alongside for the information.

The Special Cell is requested to deliberate upon the issue.

Resolution: *The Special Cell deliberated upon the agenda item and after scrutiny of documents and detailed deliberations on the complaint received from NCSC, Lucknow regarding Workplace Harassment, Neglect and Humiliation to Mr. Neeraj Kumar, Ex-Trainee Teacher, Department of Civil Engineering. The Special Cell unanimously deliberated following i.r.o. of Mr. Neeraj Kumar.*

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Allegation	Resolve
<p>Mr. Neeraj Kumar joined National Institute of Technology, Uttarakhand as a Trainee Teacher Department of Civil Engineering under Trainee Teacher Scheme (aiming for bright UG students) on 13th June 2016 with lot of beaming hopes to cherish my dreams and grinning expectations to work at place of social equality, dignity, genuine respect, lawful procedural fairness. But, the experience which I have received at National Institute of Technology, Uttarakhand was really pathetic, discriminated, continuously hurted me psychologically, shattered me emotionally, tempered with my self-respect and dignity by all means, at last life threatening.</p>	<ol style="list-style-type: none"> 1. Institute had advertised the post of Trainee Teachers in the various departments in the Institute vide advertisement no.4/2016 dated 21/02/2016 on All India basis. The Personal Interviews were conducted from 09/04/2016 to 11/04/2016 for various departments. 2. With reference to the Office Order No.A-42 dated 22/04/2016, Mr. Neeraj Kumar was appointed as Trainee Teacher in the Department of Civil Engineering on the consolidated Basic Pay of `17,060/- and joined the Institute on 13/06/2016. 3. With reference to the Office Order No.A-285 & A-286 dated 21/07/2016, Mr. Neeraj Kumar was deputed for M.Tech./Ph.D. course work at IIT Roorkee for the Academic Year 2016-17 w.e.f. 21/07/2016. During the entire course work, Institute had paid the monthly salary amounting to Rs.3,23,982/-. 4. To support his M.Tech./Ph.D, Institute has sanctioned him 62 days Special Casual Leave. 5. During the period, he was reimbursed the Tuition Fees amounting to Rs.2,61,500/- as per TT Scheme. 6. He acquired M.Tech. degree from IIT Roorkee on 30/06/2018 and obtained 8.353/10 CGPA. Further, IIT Roorkee has not offered him the admission into Ph.D. programme and told him to complete M.Tech and again apply for Part Time Ph.D. programme for which he has to once again undergo six months of course work. Further, with reference to the letter no.2007 dated 22/11/2017 sent to the Director, IIT Roorkee, Institute has put the extra efforts for getting his admission in the Ph.D. programme. Accordingly, he was issued NOC on 22/03/2018 for admission into Ph.D. programme against his request dated 26/02/2018. 7. Institute has conducted a Performance Review of Mr. Neeraj Kumar on 31.05.2019 along with all faculty members and Trainee Teachers of Department of Civil Engineering and review committee has awarded him "Satisfactory" remarks. 8. Further, he resigned from the Institute on 16/09/2019 and relieved from the Institute on 08/11/2019. <p>Allegation of Mr. Neeraj Kumar are false hence denied.</p>
<p>Humiliation publically at the workplace on 7th October, 2018 by a group of 7 people chiefly conspired and leaded by Dr. Pawan Kumar Rakesh, Associate Dean (Faculty Welfare).</p>	<p>The matter has already been addressed in the 3rd Meeting of Special Cell of the Institute (copy enclosed). However, the Special Cell called Dr. Pawan Kumar Rakesh, the then Associate Dean (Faculty Welfare) regarding the issue and inquired the complete matter and submission of Dr. Rakesh is as follows:</p> <ol style="list-style-type: none"> a) During the period, the Institute was facing the student agitation and atmosphere was very tense. All faculty members were assigned the duties in the Polytechnic Campus to control the agitating students. b) Mr. Neeraj Kumar was also assigned the roster duty to control the agitating students. Further, Mr. Neeraj had sent an email to Dr. Rakesh regarding modus operandi to be maintained while performing the duty. c) In response to his email, Dr. Rakesh had requested Mr. Neeraj meet at Polytechnic Campus, since, Dr. Rakesh was busy managing the situation of agitating students. d) Further, being a senior and experienced faculty of the Institute, Dr. Rakesh and other faculty members firmly consoled Mr. Neeraj at Polytechnic Campus regarding his queries. But, Mr. Neeraj has taken it another way. e) After this incident, Institute administration had issued an Advisory for maintaining firm behaviors with all employees at the workplace.
<p>Financially harassed by Institute administration for unauthorized recovery.</p>	<p>Due to student agitation in Srinagar (Garhwal), the Ministry of Education had shifted the students to MNIT Jaipur and created the Satellite Campus for NIT Uttarakhand. Accordingly, few employees were transferred to Jaipur w.e.f. 15.01.2019 including of Mr. Neeraj Kumar. Since, the HRA rate of Srinagar (10%) and Jaipur (20%) are different and due to haphazard situation in the month of January-2019, Institute had paid extra HRA to three Trainee Teachers including Mr. Neeraj Kumar. Subsequently, Institute had recovered the excess amount paid to all three Trainee Teachers as per following details in the month of February-2019:</p> <p>1) Rohit Kumar, Trainee Teacher (Electrical) - Amount recovered (Rs.1083)</p>

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	<p>2) Himesh Kumar, Trainee Teacher (Electrical) – Amount recovered (Rs.1051)</p> <p>3) Neeraj Kumar, Trainee Teacher (Civil) – Amount recovered (Rs.1051)</p> <p>The above information is also shared with Mr. Neeraj Kumar through email on 20/05/2019.</p>
Pressurized and threatened with rebuking remarks and false allegations by the Director, NIT Uttarakhand to withdraw the applications without any written apology from the persons involved in the act.	<p>Since, the matter is directly related with the Competent Authority of the Institute and whatever the allegations raised by Mr. Neeraj Kumar must have been known to Prof. Shyam Lal Soni, the then Director, NIT Uttarakhand only. Unfortunately, Prof. Shyam Lal Soni is no longer with the Institute as he passed away due to COVID-19 on 27/11/2020 at AIIMS Rishikesh.</p>
Intentionally (financially) harassed for not sanctioning of LTC.	<p>LTC Application of Mr. Neeraj Kumar was received by Administration on 27 March 2019 after due recommendation of Head of Department, Civil. Administration processed the application well in time but it was delayed due to following administrative constraints.</p> <p>Student agitation in Srinagar (Garhwal), the Ministry of Education had shifted the students to MNIT Jaipur and created the Satellite Campus for NIT Uttarakhand. Since, the Institute headquarter was located at Srinagar (Garhwal) and the sitting of the Hon'ble Director and Registrar were at Satellite Campus, Jaipur, the movement of files were very lengthy from Headquarter to Satellite Campus and vice versa. Moreover, the posting of Mr. Neeraj was at Jaipur and due to this the LTC application of Mr. Neeraj got delayed. The Special Cell went through the complete applications and its sequencing and it is clearly noticed that the delay occurred due to operationalization of two campuses, moreover, not availability of Competent Authority in the Parent Campus, Srinagar. Hence, there was no such ill intention of the Institute for not sanctioning the LTC of Mr. Neeraj Kumar. Moreover, he resigned from the Institute and his application was already infectious.</p>
Hurting of dignity in the open forums, intentionally delaying processing of applications pertaining to academic works, personal applications, neglecting mails and pressuring for unethical decisions by the Dr. Kranti Jain, HoD (Civil).	<p>The Special Cell called Dr. Kranti Jain, the then HoD (Civil) regarding the issue and inquired the complete matter and submission of Dr. Jain is as follows:</p> <p>a) At that time Institute was running in two campuses Srinagar and Jaipur. Dr. Kranti Jain was posted at Srinagar (Headquarter) while Mr. Neeraj Kumar was posted at Jaipur (Satellite Campus) and during the entire tenure of Dr. Kranti Jain as HoD, Mr. Neeraj Kumar remains posted at Jaipur. Further, the Institute had appointed Dr. Smita Kaloni as Coordinator (Civil) for managing the academic and other affairs of NITUK-Satellite Campus. Beside this as per notice dated 25.03.2019 separate DFB was constituted for both the campuses.</p> <p>b) Being a HoD, Dr. Kranti Jain had allotted the Course Development Workshop (CDW) related responsibilities to the all departments faculty members/Trainee Teachers including Mr. Neeraj Kumar. Accordingly, Mr. Neeraj Kumar and Mr. Muskan Mayank were assigned the responsibility for preparing the minutes of the meeting. Further, Mr. Neeraj Kumar had expressed his inability to prepare the minutes of the CDW. On the scrutiny of documents presented by the Dr. Jain, it is observed that he had never hurt the dignity of Mr. Neeraj in any open forums of the department. On one occasion, Dr. Jain had expressed his apology for typographically writing the designation of Mr. Neeraj Kumar as "Teacher Trainee" instead of "Trainee Teacher".</p> <p>c) As per documents presented by Dr. Jain, it has been observed that there was no delay for processing/forwarding of any request/application of Mr. Neeraj Kumar.</p> <p>Hence, Special Cell unanimously observed that there were no such merit of allegation raised by the Mr. Neeraj Kumar related to the discrimination.</p>
Complaint to CVO regarding misuse of Government money for organizing a recreation trip (pleasure trip) on the name of industrial visit to Goa.	<p>Special Cell gone through the matter and it is observed that the issue not related to the discrimination of the complainant.</p>
Forced/pressurized by Director, NIT Uttarakhand to write Undertaking letter on 7 th November, 2019 in order to get relieving and Experience Certificate	<p>Since, the matter is directly related with the Competent Authority of the Institute and whatever the allegations raised by Mr. Neeraj Kumar must have been known to Prof. Shyam Lal Soni, the then Director, NIT Uttarakhand only. Unfortunately, Prof. Shyam Lal Soni is no longer with the Institute as he passed away due to COVID-19 on 27/11/2020 at AIIMS Rishikesh.</p>
Non encashment of Earned Leave.	<p>Institute had encashed the balance EL of Mr. Neeraj Kumar and transferred an amount of Rs.23,898/- to him vide cheque no.206821 dated 20/04/2020.</p>
Not forwarding of applications for outside employment for the post of Assistant Registrar at NIT	<p>The Special Cell went through the forwarding applications of Mr. Neeraj Kumar and it is observed that Institute administration had timely processed/forwarded his application for outside employment as per the spirit of NIT Statutes. However, the</p>

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Andhra Pradesh and Assistant Professor at GBPIET Ghurdauri, Pauri Garhwal.

then Director, Late Prof. Shyam Lal Soni has not approved his request for forwarding of application for outside employment without assigning any reasons. Moreover, Late Prof. Shyam Lal Soni had approved the request of other Trainee Teachers during his tenure. It shows the discriminated and biasness in the attitude of Late Prof. Shyam Lal Soni towards Mr. Neeraj Kumar and try to obstruct his academic career and betterment of future. Hence, it shows the discrimination to Mr. Neeraj Kumar.

As per above deliberation Special Cell unanimously resolved that communication may be done with National Commission for Scheduled Caste, Lucknow, Uttar Pradesh after due approval of the Competent Authority of the Institute.

The meeting ended with vote of thanks to the Chair.

CSM
31/12/2020
(Jagdeep Singh)
Assistant Registrar (Estt.)
Ex-Officio Member

(Email consent attached)
(Dr. Parveen Kumar)
Liaison Officer (SC/ST/PWD/ESM)
Ex-Officio Member

Deepak
31/12/2020
(Prof. Deepak Kumar)
Professor, HN BGU Srinagar
External Member

H. P. Muthusamy
31/12/2020
(Dr. Hariharan Muthusamy)
Dean (Faculty Welfare)
Ex-Officio Chairperson

To,
The Director,
NIT Uttarakhand

(Email consent attached)
(Dr. Abhimanyu Kumar)
Liaison Officer (OBC/EWS)
Ex-Officio Member

Dr. I. M. Nagpure
31/12/20
(Dr. I. M. Nagpure)
Assistant Professor (Gr-I)
Member

P. M. Kala
31.12.20
(Dr. P. M. Kala)
Registrar
Ex-Officio Member Secretary

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For further necessary action
Delu
5/1/23

A. R. (Estt.) for T. A.

G. I. A.

Supst (special cell)
2/1/24
06/01/24