


**56<sup>th</sup> Meeting of the Board of Governors  
National Institute of Technology, Uttarakhand**

Date : 26<sup>th</sup> April, 2024  
Time : 11:00 AM  
Venue : NIT Uttarakhand, Srinagar (Garhwal)  
(Link shall be shared with the members)

**AGENDA**

Item No.	Items	Page No
BoG 56.01	Regarding the matter related to Mr. Nitesh Kumar, Ex-Trainee Teacher, Department of Electrical Engineering as per directions of the Hon'ble High Court of Uttarakhand.	02-03
BoG 56.02	Any other item with the permission of Chair.	03

  
Registrar &  
Secretary, BoG



**अभ्यासाध्यरयेतः विद्या**

**BoG 56.01: Regarding the matter related to Mr. Nitesh Kumar, Ex-Trainee Teacher, Department of Electrical Engineering as per directions of the Hon'ble High Court of Uttarakhand.**

Institute has received a request from Mr. Nitesh Kumar, Ex-Trainee Teacher vide inward no.111 dated 08/04/2024 regarding compliance with the final order and judgment dated 21<sup>st</sup> March, 2024 as passed in the case of Nitesh Kumar vs Union of India and another, WPSB No.81 of 2024 (**Annexure 56.01**).

The Ministry of Education erstwhile Ministry of Human Resource Development vide Order No.F.23-12/2009-TS.III (Pt.) dated 22/03/2013 (**Annexure 56.02**) notified the Trainee Teachers Scheme. The Trainee Teachers Scheme was adopted by the Institute vide Board resolution no.BoG 03.11 dated 08/10/2023 (**Annexure 56.03**).

Mr. Nitesh Kumar joined the services of the Institute on 02/07/2015 as a Trainee Teacher in the Department of Electrical Engineering under the Trainee Teachers Scheme on the basis of B.Tech. qualification. As per the Trainee Teachers Scheme, he was required to complete his M.Tech and Ph.D. degree within a period of 8 years i.e. upto 01/07/2023, within the eight years only otherwise his services will be terminated as per Trainee Teachers Scheme.

Mr. Nitesh Kumar was admitted in the Ph.D. programme at IIT Roorkee on 17/07/2017, the date of candidacy was 16/07/2018 and the final SRC was held on 20/06/2023.

The contract period of Mr. Nitesh Kumar was extended from 02/07/2023 to 14/08/2023 vide Institute's Chairman Note No.NITUK/R-Office/223/1477 dated 11/07/2023 and same was communicated to him vide Office Order No.A-477 dated 02/08/2023. The contract period of Mr. Nitesh Kumar was extended beyond eight years, vide Board agenda item no.BoG 46(23A) for further period of six months subject to submission of Ph.D. thesis latest by 20/06/2023 and the same was communicated to him vide Office Order No.A-123 dated 15/05/2023.

During the extension period from 02/07/2023 to 14/08/2023, Mr. Nitesh Kumar submitted his Ph.D. thesis on 10/07/2023 vide IIT Roorkee notification no.Ph.D.Thesis/Submission/100723 dated 10/07/2023. Further, the matter of Mr. Nitesh Kumar was placed before the Board vide agenda item no.BoG 49.16 dated 14/08/2023 and the Board resolved that keeping in view the Covid period during his Ph.D. work, the Board approves the six months extension after completion of 8 years (i.e. 02.07.2023) for completion of his Ph.D. The Board also approved not to grant any further extension beyond these 6 months to Mr. Nitesh Kumar for completion of the Ph.D.

As per BoG resolution vide agenda item no.BoG 49.16 dated 14/08/2023, the contract period of Mr. Nitesh Kumar was extended up to 01/01/2024.

The contract period of Mr. Nitesh Kumar was completed on 01/01/2024 vide Office Order No.A-113(A) dated 01/01/2024. Accordingly, the services of Mr. Nitesh Kumar were terminated from 01/01/2024 (AN).

Mr. Nitesh Kumar intimated through email on 13/02/2024 that he has completed the Ph.D. degree from IIT Roorkee and submitted the provisional degree certificate no.43219 dated 13/02/2024 and has requested vide email dated 15/02/2024 for extension of service till 14/02/2024. Accordingly, the request of Mr. Nitesh Kumar was placed before the Board vide agenda item no.52.08 for reappointment as Trainee Teacher. The resolution of the BoG in this case is as under:

**"Not Approved"**

The decision of the BoG was communicated to Mr. Nitesh Kumar vide letter no.A-1445 dated 08/03/2024 (**Annexure 56.04**). As on date, he is not working in the Institute and is not part of the Trainee Teachers Scheme.

It is pertinent to mention that as on date Institute has regularized 12 Trainee Teachers in the Institute as per the Trainee Teachers Scheme and all have completed their Ph.D. degree within the eight years of service and no Trainee Teacher was granted the extension.

Further, Mr. Nitesh Kumar has filed a Writ Petition vide WPSB No.81 of 2024 dated 04/03/2024 in the Hon'ble High Court of Uttarakhand, Nainital for regularization as a Trainee Teacher. The judgment of the Hon'ble High Court of Uttarakhand in this case is as under:

***“Without going into merits as to whether, extension given to the petitioner continued up to 14.02.2024 or not, we dispose of the writ petition with a direction to the Director, NIT, Srinagar to reconsider the case of the petitioner sympathetically, untrammelled by the order impugned in this writ petition and take decision afresh as per law within three weeks from the date of production of certified copy of this order.”***

Consequently, in compliance to the judgment of the Hon'ble High Court of Uttarakhand, Nainital and as per the request of Mr. Nitesh Kumar, the extension in the contract period of Mr. Nitesh Kumar be granted sympathetically from 02/01/2024 to 14/02/2024 and his services in the Institute shall be regularized as per the Trainee Teachers Scheme w.e.f. 13/02/2024 i.e. the date of acquiring of Ph.D. degree and the intervening period from 02/01/2024 to till his re-joining in the Institute after the decision of the Board shall be regularized by due and admissible leave i.e. EL/HPL/EOL.

The decision of the Board is required to be intimated to the Hon'ble High Court of Uttarakhand, Nainital within three weeks from the date of production of a certified copy of the order. The request of the petitioner (Mr. Nitesh Kumar) along with a certified copy of the order received by the Institute on 08/04/2024 and the decision of the Board in the above matter is required to be intimated to the Hon'ble High Court of Uttarakhand, Nainital on or before 29/04/2024.

Hence, the request of Mr. Nitesh Kumar, Ex-Trainee Teacher NIT Uttarakhand is placed before the members of the Board of Governors for deliberation and decision please.

Since, it is an urgent Board meeting therefore, the Institute may please be allowed to inform the Hon'ble High Court of Uttarakhand and issue speaking order in this matter within time frame as provided by the Hon'ble High Court.

**BoG 56.02: Any other item with the permission of Chair.**



**Registrar &  
Secretary, BoG**

**अभ्यासाध्यरयेतः विद्या**