

Eleventh Meeting of Board of Governors

Date : 5th April, 2019
Time : 10:30 A.M. onwards
Venue : Board Room, IIIT-A
Jhalwa Campus, Allahabad

Minutes of the Eleventh Meeting of the Board of Governors of IIIT-Allahabad held on 5.4.2019 from 10:30 a.m. onwards in the Board Room of IIIT-Allahabad

The 11th Meeting of BOG was held in the Board Room of the Admin. Block of IIIT-Allahabad. The members in attendance were as follows:

1. **Prof. P. Nagabhushan** - Chairman
Director
Indian Institute of Information Technology, Allahabad
2. **Prof. Manindra Agrawal** -Member
Deputy Director
Indian Institute of Technology Kanpur
3. **Shri Praveer Saxena** -Member
Under Secretary to the Govt.
Ministry of Human Resource Development (MHRD)
(representing MHRD)
4. **Shri Rahul Singh** -Member
Managing Director, GAPL, Mumbai
5. **Dr. Anand Bulusu** -Member
Dept. of Electronics & Computer Engineering
Indian Institute of Technology Roorkee
6. **Prof. Arvind Choubey** -Member
Dept. of Electronics & Communication Engg.
National Institute of Technology Jamshedpur
7. **Shri M.B. Singh** -Member
Special Secretary (IT), Govt. of U.P.
Representing: Shri Alok Sinha, Additional Chief Secretary
Dept. of IT & Electronics, Govt. of Uttar Pradesh, Lucknow
8. **Prof. Shekhar Verma** - Member
Dean (Infrastructure, Planning & Resources Management)
Indian Institute of Information Technology, Allahabad
9. **Prof. U.S. Tiwary** - Member
Dean (Human Affairs)
Indian Institute of Information Technology, Allahabad
10. **Dr. Shirshu Varma** - Member Secretary
Registrar (Acting)
Indian Institute of Information Technology, Allahabad

11. Prof. O.P. Vyas - ^[1]Special Invitee
CVO, IIIT-A
12. Dr. Neetesh Purohit - ^[2]Special Invitee
Associate Dean (AAA), IIIT-A
13. Dr. P.K. Saini -Special / Permanent Invitee
Deputy Registrar (Establishment)
Representing:
Shri O.P. Srivastava
Deputy Registrar (F&A), IIIT-Allahabad

^[1] For Agenda No. 11.05 only.

^[2] For Agenda No. 11.07 only.

Leave of Absence:

14. Shri Prashant Agarwal - Member
Director (IITs'/IIITs'), MHRD
(representing Sh. S.S. Sandhu, AS (TE) & CVO
IITs, NITs, IIITs, TE, SPA, TEQUIP & Vigilance, MHRD)
15. Dr. Jaideep Kumar Mishra - Member
Joint Secretary & Group Coordinator (HRD)
Ministry of Electronics & IT (MeitY), New Delhi
16. Prof. Abhay Karandikar -Member
Director, IIT Kanpur
17. Prof. B.K. Mohanty -Member
Director (in-charge)
Indian Institute of Management Lucknow

After a brief exchange of pleasantries, the members took up the Agenda Items as follows:

11.01 To apprise the Board about relinquishing the charge of Chairmanship by Sh. Ravi kant ji

The Board put on record its highest appreciation for Hon'ble Sh. Ravi Kant for his invaluable contributions to the Institute. He has ably guided the Institute to accomplish the goals during his tenure and would ever remain a source of inspiration for the Institute.

Vide MHRD's letter No. F.No.45-5/2016-TS.I(pt.) dated 15th March, 2019, Prof. P. Nagabhushan, Director, IIITA would discharge the responsibilities of the Chairman, Board of Governors.

11.02 To receive the nomination of new members on BOG, IIIT-A from MHRD under Section 13 (1) & (2)(g) and 13 (2) (e) & (f) of the IIITs Act 2014

The Board welcomed the newly nominated members to BOG of the Institute by the MHRD. It further hoped that under their apt and able guidance, the Institute would reach to the highest echelons of academics and excellence.

11.03 To confirm the Minutes of the Tenth meeting of Board of Governors of the Institute held on 15.12.2018

The minutes of the meeting were circulated to the members vide E-mail dated 4.1.2019. The minutes were accordingly confirmed.



11.04 To review the Action Taken Report on the Minutes of the Tenth meeting of Board of Governors held on 15.12.2018

The review of Action Taken Report on the Minutes of Tenth meeting of the Board of Governors of the Institute held on **15.12.2018** was taken up.

After brief discussions, the ATR on the above Minutes was noted and received by the Board. Further the Board has advised as under to the following ATR:

Agenda Item	Decision of the Board
<p>Item 8.09</p> <p>To consider the report of High Level Committee to relook the cases of certain staff</p> <p>The Board directed that the issue should be closed by 31st January, 2019. The Committee should submit the report by the above date and matter should administratively be closed by the Director.</p>	<p>The Board perused the recommendations of the Committee as under:</p> <p>Mr. Ajay Kumar Tiwari No such case exists as the incumbent has vacated the post with effect from 08th August, 2016.</p> <p>Dr. Pallavi Dixit No such case exists as the incumbent has vacated the post with effect from 6th December, 2018.</p> <p>Mr. L.N. Sharma No such case exists as the incumbent has vacated the post with effect from 31st January, 2019.</p> <p>Mr. S.K. Dwivedi Mr. S.K. Dwivedi who has been working as Messenger for last 15 years in the Institute. As no such position as Messenger is/was sanctioned to IIIT Allahabad, his appointment cannot be continued in non-existing post.</p> <p>It was brought to the notice of the Board that in case of Dr Pallavi Dixit and Mr. Ajay Kumar Tiwari, the recommendation of designated committee did not speak as to how to deal with the past services rendered by them in project mode as they were now been selected in regular Institute position through open recruitment. In the backdrop of the above, the competent authority accepted the following administrative note.</p> <p>For Dr. Pallavi Dixit: Dr Pallavi Dixit has been selected through open selection for the post of Jr. Technical Superintendent and she has joined her services from 6th December 2018. Her earlier services on IRCB project mode from 17.3.2005(F/N) to 5.12.2018 (A/N) as Jr. Technical Assistant cannot be linked/carry forwarded with regular appointment as Jr. Technical Supdt. in the Institute. Her services deemed to be terminated w.e.f. 5.12.2018 (F/N) being appointment dehors the rules as per High Level Committee. Henceforth, her case may be closed for further consideration.</p> <p>For Mr. Ajay Kumar Tiwari: Mr. Ajay Kumar Tiwari was selected through open selection to the post of Technical Officer (earlier Sr. Programmer) and he joined his duties from 8.6.2016 (A/N). His project mode services as Computer Operator in IRCB project from 4.1.2005 to 8.6.2016(F/N) cannot be linked/carry forwarded with his regular services through open selection as Technical Officer in the Institute. His services deemed to be terminated w.e.f. 8.06.2016 (A/N) being appointment dehors the rules as per High Level Committee. Henceforth, his case may be closed for further consideration.</p> <p>For Mr. L N Sharma The Institute did not follow the due procedure with regard to selection of Mr. L N Sharma. His appointment even was not approved by the BoG/BoM. The High Level Committee finds that ab-initio appointment of Mr Sharma was dehors the rules. However, Mr. L N Sharma has resigned of his own w.e.f. 31st January 2019. Hence, his case may be closed.</p> <p>For Mr. Swatantra Kumar Dwivedi: Action on the basis of designated committee's report and further approval of the Competent Authority has been taken and a letter giving one month notice has been served to Mr. Swatantra Kumar Dwivedi. Hence, his case may be closed for further consideration.</p> <p>After having gone through the above, the Board approved the same.</p>



<p>Item 10.03</p> <p>To consider the disciplinary case of Dr. Pragya Singh, Assistant Professor, Department of Management Studies at the Institute</p> <p>The BoG desired that there should be a brief of the case with chronology of event. The Board resolved that due to absence of sufficient information the item was withdrawn.</p> <p>The matter may be placed in next meeting with brief of the case, chronology of the events and complete flow chart of the process adopted. This should be placed to the Board after having seen by the Director.</p>	<p>As desired by the Board, the chronology of events was placed the BOG. The matter was briefed by Prof. U.S. Tiwary, Dean (HA), IIIT-A.</p> <p>The Board was informed that Dr. Pragya Singh submitted a request letter to waive off holding of two increments as proposed in the punishment under minor penalty.</p> <p>The Board decided that a Show Cause Notice mentioning the holding of two increments, should be served on her. Her subsequent appeal upon the Notice should be taken up in the next Board meeting.</p> <p>The Board directed that withholding her increment shall not be implemented without the decision being arrived at by the Board. If it is required, the decision may be arrived by circulation.</p>
<p>Item 10.12</p> <p>(B) To consider and ratify the selections for Faculty positions for IT, EC and Applied Science Department</p> <p>*The Board directed to hold back the appointment of Professor and desired that the process/procedure adopted for the recruitment by the Institute be vetted by the Supreme Court lawyer with respect to the rules applicable for appointment in the Institute.</p> <p>The recommendation of the selection committee for the post of Professor should be placed to the Board in its next meeting after complying with the above requirement.</p>	<p>The Legally vetted opinion of the Supreme Court Lawyer was placed and perused by the Board.</p> <p>The Board accepted the legal opinion. Accordingly, the Sealed Envelope was opened:</p> <p>The recommendation of the Selection Committee to the post of Professor for <u>Dr. Shirshu Varma, Level 14A (As per 7th CPC)</u> was approved by the Board.</p>

11.05 To recommend the action on the complaint against Dr. M.D. Tiwari, Former Director, IIIT-Allahabad

The BoG was informed about the various complaints against former Director Dr. M.D.Tiwari and related developments. MHRD vide its letter F.No.25-10/2014-TS.I dated Nil, August 2017 forwarded the list of actionable complaints as contained in the Enquiry Report of the Fact Finding Committee with members Shri Amit Shukla, Director (UGC), MHRD and Prof. Manindra Agrawal, IIT Kanpur and Member BoM.

It was further apprised to the Board that the Vigilance Wing of MHRD referred the matter to Central Vigilance Commission for further investigation and appropriate action. The CVC vide their O.M. dated 20.09.2016 advised the Ministry to carry out detailed investigations.

The MHRD directed IIIT Allahabad vide their *ibid* letter that a detailed investigation may be conducted and Action Taken Report be prepared and sent to MHRD for



further transmission to CVC. Accordingly, the matter was forwarded to the then CVO (part time) of the Institute as resolved by the Board in its 6th meeting held on 08.09.2017 vide Agenda Item No. 6.12 (b).

The CVO (Part Time), IIT-Allahabad prepared an Interim Report after a detail perusal of all the records which was submitted to MHRD while mentioning that "*Dr. M.D. Tiwari, Former Director, IIT-A had been removed from his post vide judgment of Hon'ble High Court dated 08.01.2014 and is no longer associated with IITA. Therefore, any investigation by the IITA would not be practically feasible or legally permissible*"

Subsequently, in pursuance of MHRD letter F. No C-13011/155/2012-Vig. Dated: 21.12.2018 which was in reply to the above submission, an **Expert Committee** consisting of three external members 1) Sh. Arkesh K., IGP (Retd.), Mysore, 2) Sh. K.V. Satya Murty, Registrar, IISER, Bhopal and 3) Prof. P. Venkataram, Professor, IISC, Bangalore was constituted to avoid any internal hindrance.

The report of the committee was sent to the Chairman, BoG, IIT-Allahabad for his comment. The major recommendation of the Committee is as under:-

1. *"The disciplinary authority for taking action against Dr. M.D. Tiwari, is the Central Government, in the capacity of appointing authority. The Central Govt. as suggested by the CVC, vide its letter dated 20.09.2016 may request the CVC for assigning all the cases of administrative and financial irregularity in a comprehensive manner through an agency like CBI.*
2. *The BoG may recommend to Ministry of HRD accordingly and also that Dr. M.D. Tiwari is ineligible for any further Govt. assignment and the public functions, following the irregularities and offences committed during his tenure at IIT-Allahabad."*

In compliance of the recommendations of the Expert Committee, the developments and actions taken by the Institute as follows are presented;

(i) Allegations having Criminal angle

As directed to fix the responsibility of erring officials with respect to the allegations following actions were initiated;

(a) Advertisements for recruitment to teaching/ non teaching positions was issued.

The **Expert Committee** has observed that Advt No. FS-01/2013 with diluted norms was released by Dy. Registrar (Estt.) Dr. Seema Shah. The Institute had issued a show-

cause to Dr. Seema Shah which was replied by her with a document indicating that she was instructed to issue the said defective Advt with malafide intention.

(b) Appointment of Shri L.N.Sharma

The **Expert Committee** has recommended that the appointment of Sh L N Sharma needs to be canceled with immediate effect. The Board was apprised that Sh L.N. Sharma resigned from his position on 31.01.19.

It was also observed the erring officials were AFO/DFO Mr. RB Singh and the then Director Dr.MD Tiwari and suitable action is initiated accordingly.

(c) Appointment of Superannuated persons & (d) Library Procurements

The appointments of superannuated persons in IIIT-A was not in accordance with the Recruitment Rules and thus, allegations in this regard seem to be established. It was also learnt that one Mr. S.C. Khare who had earlier superannuated from UP-AG was hired to work as Accounts Officer on contract basis d'hors the Recruitment Rules.

It was seen that subsequently this Mr. Khare had passed various dubious bills from Account Section as observed in case of illegal procurement of library books and the beneficiary appears to be either Dr. M.D. Tiwari or someone closely associated with him.

The **Expert Committee** has reported that financial irregularities have been committed by Dr. M.D.Tiwari by causing loss to the tune of 3.15 Crores to the exchequer in Library books and journals.

Further CAG (Audit) has issued an audit Para no. "12.16 Irregular Expenditure in procurement of Books and Journals" ,on perusal of Audit Para, it is established that IIIT, Allahabad incurred and expenditure of Rs. 1.50 crore towards purchase of 1,830 books/journals from a non empanelled publisher in violation of its own laid down procedure and the provisions of GFR. Out of these, 1,830 books/journals , there is no receipt nor entry in Library Accession Register pertaining to 801 books and journals worth Rs. 81.45 lakh which renders the expenditure doubtful.

It also appears that the erring officials in the case is Dr. M.D. Tiwari as he himself acknowledged having received the books and distributed but no records were kept.

Looking into the involvement of publishers from Denmark namely M/s River Publications as one of the beneficiaries and involvement of others the expert committee has recommended the matter to be investigated by the CBI.



e) Irregular admissions in B.Tech

The Board took serious note of 10 irregular admissions to B.Tech Program, as the candidates were neither qualified through the central admission authorities nor were they selected through DASA category.

In compliance of one of the recommendations of the **Expert Committee**, in the matter of irregular admission through Institute's Senate on urgent basis, an Emergent Senate meeting was called on 30.01.2018 to look up the matter of irregular admission. The Board was apprised that as per Senate decision, the following actions were taken:

1. *The course of action should proceed legally.*
2. *Explanation has been asked from the Officer I/c, Faculty I/c and Staff who were involved in the process of the admission during the academic years 2004, 2005 & 2010.*
3. *The affected 10 students have been asked to produce the seat allotment letter/admission offer letter issued from centralized admission agency (CCB) within 10 days"*

The Senate has gone through various admissions related documents of these 10 candidates. The replies of various officials of IIIT-A involved in the admission process, were gone through by the Institute and being presented before the BoG.

In case of two such admissions namely Ms. Yamini gupta and Mr. Kartikeya Tiwari, the Institute employee Mr. Vivekanand Sinha (holding the position of Computer/Data Processor at that time), has submitted his reply in which he had written that these two admissions were made under the direct instructions/orders/direction from the Head of Institute at that time (i.e. Director of the Institute). In support of this reply, Mr. Sinha has attached relevant documents with his reply.

It is also to include that one reply by a student namely Mr. Karan Gupta forwarded thorough an Advocate that *"in pursuance to the previous communications, it is most respectfully stated that I was an applicant for a seat at Indian Institute of Information Technology, Allahabad in the year of 2005 for the course of B.Tech. That subsequently, I was in receipt of Admission Letter from the above said institute confirming my candidature, and therefore I was requested to deposit the Academic Fee and report to the Institute for commencement of academic session in the month of July, 2005 itself for the batch of 2005-2009. That subsequent to deposition of fees to the above said Institute, Enrollment No. was generated in my favour which was B2005038."*



The Board took a serious note as such irregular admissions have not only violated the 'Merit based admission process' of an Institute of National importance but have raised grave concerns over the validity of the candidates' degree as such. The Board, thus accepted the Expert Committee recommendations that this case may be handed over to CBI for comprehensive investigations.

(ii) Allegations having Vigilance angle

a) Tendering Process

The Expert Committee reported that the Reports of Prof. Manindra Agrawal Committee had highlighted that the tenders have been extended without competitive process. The amount of contracts for the entire period runs into crores of rupees since the only part of Vaish family contracts runs into 3.75 Crores per annum for a period of atleast 8 years alongwith many other such contracts. The Expert Committee recommended thorough investigation by the CBI with intention to pass on the financial benefits.

(iii) Allegations having Administrative angle

The Board was apprised of the various allegations having administrative angle and as per the reports, the erring officials are identified and thus the departmental enquiry has to be initiated against them. The Board authorized the Chairman, BoG to form suitable committee for initiating actions as per Institute rules.

The Board perused and accepted the Report of the designated Expert Committee with following **strong observations**:

"The Board of Governors recommended to the Ministry of HRD to assign the job of conducting a comprehensive enquiry and investigation by the Central Bureau of Investigation (CBI) which is appropriate agency for such matters of composite nature running into crores of Rupees of financial irregularity, administrative irregularity, and misuse of position, blatant violation of Institutes MOA and Regulations, UGC Regulations applicable to IIT-A, the Recruitment Rules, usurping of powers of higher managerial bodies and functionaries , criminal conspiracy by extending undue benefits by assigning statutory authorities to superannuated employees, dilution of academic and research standards of the Institute by making irregular academic and non academic appointments in respect of ineligible people duly flouting the rules and depriving the eligible candidates in the open market. The actions of Dr. M.D. Tiwari in admitting students without fundamental eligibility, appointment of contractors without conducting tendering process thus passing on benefit to identified contractors, etc., have taken the form of a very big scam involving various officials and consultants appointed without following due process and is a fit case for high



level enquiry by the crime investigation agency, vested with such powers. The fact finding enquiries of numerous nature have already established these irregularities by the then founding Director, Dr. M.D. Tiwari, who is personally responsible for this complete mismanagement of a Institute of National Importance, in a proprietary manner for the self benefits. The major independent beneficiary of Vaish family having bagged many contracts, faculty positions and admissions also forms the part of the conspiracy and scam. Thus, BoG recommend to the MHRD to initiate action against Dr. M.D. Tiwari by assigning all the cases to CBI."

In view of the above observations, the following decision of BoG be informed to MHRD for further directions/action from MHRD:

- (i) The complete matter covering all issues as referred to by MHRD, should be handed over to CBI.**
- (ii) The MHRD should consider declaring that Dr. M.D. Tiwari would be ineligible for any further Govt. assignment and the public functions, following the irregularities and offences committed during his tenure at IIT-Allahabad.**

Further, regarding the involvement of Institute officials, it was resolved that an independent external enquiry committee be constituted to fix the responsibility of erring officials with respect to the above allegations.

11.06 To decide the case related with unauthorized absence of Dr. Seema Awasthi, Assistant Professor

The Board accepted the Legal Opinion of High Court Lawyer in the matter. Accordingly, the Board resolved that:

Dr. Seema Awasthi should be informed that her services as Assistant Professor (on contract) are being terminated with immediate effect as per the Contract Agreement. Since the Institute has already given her two months' salary for the period in which she was absent from Institute, "one month salary or notice in lieu thereof" should be treated as adjusted from the above, and remaining one month salary should be recovered from her.

11.07 To consider and approve AVIRAL Project with budgetary allocation

Dr. Neetesh Purohit, Principal Co-Investigator of the AVIRAL Project, gave a brief presentation before the Board. The members considered and approved the Project with the remark that there should be a proper Phase-wise Review of the Project, targets completed and proper utilization of allocated funds. The BoG also appreciated the efforts by the officer to develop the software.

11.08 (a) To receive the Minutes of 39th meeting of Finance Committee held



on 15.12.2018

The Minutes of the 39th meeting of the Finance Committee of the Institute held on 15.12.2018 were got approved by circulation to the BOG members vide e-mail dated 24.1.2019. No comments were received and the Minutes were taken as confirmed.

The Board, accordingly, received the Minutes of 39th FC Meeting.

(b) To receive the Minutes of 40th meeting of Finance Committee held on 5.4.2019

The Secretary BOG briefed the Board about the Agenda Items discussed and the decisions taken thereon in the 40th meeting of Finance Committee held on the same day (i.e. 5.4.2019) in the morning at 9:00 a.m. It was also informed to the Board that the minutes of the 40th FC meeting would be circulated to the BOG members for approval.

11.09 To receive and deliberate the Minutes of 13th Senate Meeting (Emergent) held on 30th January, 2019

The Board received and noted the Minutes of 13th Senate Meeting (Emergent) held on 30th January, 2019.

11.10 To receive the Minutes of 4th meeting of Building & Works Committee held on 26.2.2019

The Board perused the Minutes of 4th meeting of Building & Works Committee held on 26.2.2019 and received the same.

11.11 To appraise the Board regarding the invitation as Chief Guest to Prof. A.K. Jain, Distinguished Professor at Michigan State University, USA at the 14th Convocation of the Institute scheduled on 14.09.2019

The Board appreciated and ratified the invitation as Chief Guest to Prof. A.K. Jain, Distinguished Professor at Michigan State University, USA at the 14th Convocation of the Institute scheduled on 14.09.2019.

11.12 To receive the implementation of Revision of allowances of faculty, Scientific/Design staff and non-teaching staff as per recommendations of 7th CPC

The Board received the implementation of Revision of allowances of faculty, Scientific/Design staff and non-teaching staff as per recommendations of 7th CPC at the Institute.

11.13 To be apprised of the Legal issues (Court Cases) of the Institute

The Board was apprised of the Legal issues (Court Cases) currently being defended by the Institute in various Courts. The Board observed that the Institute should try to wind up pending Court Cases on priority.



11.14 To ratify the draft MoU between IIIT-Allahabad and Dept. of Higher Education, MHRD for 2019-2020

The draft Memorandum of Understanding (MoU) to be signed between MHRD and IIIT-Allahabad for the year 2019-2020 was considered and approved by the Board.

11.15 To report and condole the sad demise of Dr. Lord Sushanta Kumar Bhattacharyya on 1.3.2019, awarded with Honorary Doctoral Degree at the 13th Convocation of the Institute

The Board was apprised with grief, about the sad demise of Dr. Lord Sushanta Kumar Bhattacharyya on 1.3.2019. The Board expressed their deepest condolences to the departed soul.


11.16 Any other item with the permission of the Chair

S-1 To consider and approve the list of Experts as BOG nominee for various Selection Committees of teaching and non-teaching positions

The proposed list of Experts as BOG nominees for various Selection Committees of teaching and non-teaching positions was perused and approved by the Board. The Board also suggested that the list could be updated periodically by circulation depending upon the need.

There was no other item for the meeting.

The meeting ended with a Vote of Thanks.


Shirshu Varma
Secretary, BoG, IIIT-A


24/4/19
P. Nagabhushan
Chairman & Director, IIIT-A