CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

9

(DESTRUCTION OF RECORD RULES,1990)

INDEX

O.A/T.A No. 64/2007

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet....OA.....Pg...1.....to..8.....
2. Judgment/Order dtd.15.9.2008.....Pg.1.....to25..Allowed
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....64.....Pg.1.....to.55.....
5. E.P/M.P.....Pg.....to.....
6. R.A/C.P.....Pg.....to.....
   W/S Rno-5 — Pg-1 — to 17
7. W.S. R.No-4.....Pg.1.....to.41.....
   W/S Rno-5 — Pg-1 — to 52
   W/S Rno 2&3 — Pg-1 — to 19
8. Rejoinder.....Pg.1.....to.27.....
   Addl. Rejoinder — Pg-1 — to 9
9. Reply. by R.No. 2&3.....Pg.1.....to.7.....
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendement Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

(1) Addl. Rejoinder to the R.No 2&3 page-1 to 5
(2) Objection to the amended application R.No 2&3 page-1 to 5
(3) W/S R.No 5 page-1 to 160
(4) Counter filed R.No-5 page 1 to 6
(5) Addl. W/S R.No 5 page-1 to 14

SECTION OFFICER (Judl.)

Lalita
25/09/17

OA-64/07

CO

Notes of the Registry | Orders of the Tribunal

Order dt. 28/5/08 - send to D/Section for issuing to applicant and to the respondents by post.
Cmb 30/5/08. D/No-2631 to 2636 Dt= 3/6/08.

15.09.2008 Judgment pronounced in open court kept in separate sheets

The O.A. is allowed in terms of the order with cost of Rs.2000/- on the Respondents each to be given to the Applicant.

(Khushiram)
Member (A)

(M.R.Mohanty)
Vice-Chairman

/bb/

5.6.08
Additional Written Statement submitted by Respt No. 5. Copy served.

The case is ready for hearing.

26.09.2008

10/2008
Certified copy of the Order has been collected by the L/Adv. for the Respt Nos. 4 & 5 and Applicant on 15.9.08 & 25.9.08 respectively and copy of the same send to the D/Section for issue to the Respt 1 to 3 by post & Hangout & copy from the Hon. C.A.T. as per the Respt 2 & 3.

15.1.09
Second wide M/Nos 4186 to 4188 dt. 6.10.08.
15/1/09

-7-

O.A 64/07

Notes of the Registry	Date	Order of the Tribunal
18.3.08 objection filed by Respondents 2 & 3. /bb/	04.04.2008	On the request of either party matter stands adjourned to 28.05.2008. (Khushiram) Member (A) (M.R.Mohanty) Vice-Chairman
20.3.08 Amended petition filed by the Applicant. Copy served. /bb/	28.05.2008	None for the Applicant nor the advocate is present. Mrs.M.Das, learned Counsel appearing for Respondent Nos.4 and 5 and Mr.G.Baishya, learned Sr.Standing Counsel appearing for the Union of India. Call this matter on 13.06.2008. Send copies of this order to the Applicant and the Respondents in address given in the O.A. (Khushiram) Member(A)
1.4.08 Objection filed by by the Respondent Nos. 2, 3 & 5. Copy served. lm	16.06.2008	Call this matter on 27.08.2008 for hearing. (Khushiram) Member(A) (M.R. Mohanty) Vice-Chairman
3.4.08 Rejoinder filed by the Applicant against the objection filed by Respondent Nos. ~~4 & 5~~ 2, 3, 4 and 5. Copy served. 3/4/08 nkm	27.08.2008	Heard Mr. Satyajit Sarma, learned counsel appearing for the Applicant, Mr.A.Thakur, learned counsel for the Respondent Nos. 2 & 3, and Mrs.M.Das, learned counsel for the Respondent Nos.4 & 5. Hearing concluded. Reserved for orders. (Khushiram) Member (A) (M.R.Mohanty) Vice-Chairman
9.4.08 Respondent No.5 submitted some documents /bb/ is ready		

4-

64/07

Notes of the Registry

Contd.
12.11.2007

states that vide a communication dated 12.11.2007 the Principal Secretary, Govt. of Assam, Department of Tourism and Finance and the Chairman of I.H.M., Guwahati has granted some benefits retrospectively to Respondent Nos. 4 & 5 w.e.f. 09.08.1999 and that, to bring the said factum on record, she wants to file additional written statement on behalf of Respondent Nos. 4 & 5 in this case. She may do so by 16th November, 2007. She should serve a copy of the said additional written statement on the Applicant and the co-Respondents.

Call on 07.12.07.

(M.R.Mohanty)
Vice-Chairman

13.11.07
W/s filed by the Respondent Nos. 2 & 3 & 4.
Addional W/s filed by Respondent No.5. Copy served by 2, 3, & 5.

Rejoinder not filed.
6.12.07.

/bb/

07.12.2007 In this case counter and additional counter have already been filed.

Subject to question of law to be examined at the time of final hearing this case is admitted and set for hearing on 11.12.2007.

Rejoinder not filed.
10.12.07.

(Khushiram)
Member (A)

(M.R.Mohanty)
Vice-Chairman

/bb/

(3)

O.A 64/07

Notes of the Registry | Order of the Tribunal

12.11.2007

Mr.D.K.Das, learned counsel for the Applicant is present. Mrs.M.Das, learned Advocate states that she has already filed written statement on behalf of Respondent No.4 and also a separate written statement on behalf of Respondent No.5. Mr.D.K.Das, learned counsel for the Applicant states that he has received copy of the written statement filed on behalf of Respondent No.5 and that he has not yet received copy of the written statement filed on behalf of Respondent No.4. Mrs. M. Das, learned Advocate undertakes to serve a copy of the written statement (filed on behalf of Respondent No.4) on Mr.D.K.Das. She also undertakes to file index to the written statements filed on behalf of Respondent No. 4 and also on behalf of Respondent No.5 by 16th November, 2007.

Mrs.G.Kalita, learned counsel appearing for the Respondent Nos. 2 & 3 undertakes to file written statement in course of the day. She may do so after serving copies thereof on Mr.D.K.Das, learned counsel for the Applicant and on Mrs.M.Das, learned Advocate for the Respondent Nos. 4 & 5.

Mr.D.K.Das, learned counsel for the Applicant undertakes to file rejoinder by 7th December, 2007.

Mrs.M.Das, learned Advocate appearing for the Respondent Nos. 4 & 5

Contd.....

3.10.07
W/S filed by Res. Respondents Nos. 4 & 5. Copy not served.

W/S filed by R. No. 4 & 5, other respondents not filed.
8.11.07.

159

O.A. 64 of 07

15.1.08

Reply to the Rejoinder submitted by Respondent 2008
Copy served.

Heard-in-part. Call this matter on 18th March, 2008.

(Khushiram)
Member (A)

(M.R.Mohanty)
Vice-Chairman

Lm

23.1.08

Reply to the Additional rejoinder filed by Respondent No. 2 and 3.
Copy served.

18.03.2008 In this part heard case a Misc. Petition has been filed seeking amendment of the O.A. Copies of the said Misc. Petition No.54/08 has already been served on the counsel appearing for different Respondents. Objection to the said amendment petition has already been filed by Mr G.Kalita, learned counsel appearing on behalf of Respondents No.2 & 3.

Having heard the learned counsel appearing for the parties this Petition for amendment is allowed; subject to question of law to be examined at the final hearing.

Applicant to incorporate the amendment by 20.03.2008 and serve copies of the amended Original Application on the counsel appearing for the Respondents by that date/20.03.2008. Respondents should file their additional reply, if any, by 31.03.2008.

Call this matter on 04.04.2008 for giving fresh hearing in the matter.

(Khushiram)
Member(A)

(M.R.Mohanty)
Vice-Chairman

The case is ready for hearing.

1.2.08.

The case is ready for hearing.

17.3.08

Due dated 18/3/08 received.

(SUMITRA SEN)
Applicant.
19/3/08.

Copy of order dt. 18.3.08 received on behalf of Mr. G. Baruah (Sr. CGSC)
Respondents

pg

11.12.2007 On the request of learned counsel for the Applicant, the case is adjourned to be taken up on 09.01.2008 for final hearing.

(Gautam Ray)
Member (A)

(M.R.Mohanty)
Vice-Chairman

12.12.07

Rejoinder submitted by the Applicant against the W/s filed by Rpdts. 2, 3, 4 & 5. Copy served.

/bb/

09.01.2008 On the prayer of learned counsels appearing for the parties, this case stands adjourned to be taken up for hearing on 04.02.2008. Govt. of India should file their reply well before 30.01.2008.

Send a copy of this order to the Respondent No.1 and a free copy of this order be handed over to Mr.G.Baishya, learned Sr. Standing counsel for the Union of India; who should take step for filing of written statement on behalf of Govt. of India. Respondent Nos. 2 to 4, if they intend to file any reply to the rejoinder of the Applicant, then, they should do it well before 25th of January, 2008.

(Khushiram)
Member (A)

(M.R.Mohanty)
Vice-Chairman

The case is ready for hearing.

8.1.08.

Addl. Rejoinder filed by the applicant against the W/s; R.No. 2 & 3.

8.1.08

Dt. 9.1.08.

/bb/

Pl. send a copy of the order to R-1.

A free copy of the order be handed over to Mr. G. Baishya, Sr. SC

9/1/08

Order dt 9/1/08 sent to D/Section for issuing to resp. nos 1 by post and another copy issuing to Sr. C.G.S.C. by

No-159 dtd 16.1

O.A. 64/07

12.6.07. Await Service Report. In the meantime, counsel for the respondents are at liberty to file written statement. Post the matter on 17.7.07.

Vice-Chairman

WS not filed.
16.7.07.

17.7.2007 Issue notice to the Respondents. Applicant will take appropriate step for furnishing envelopes for issuance of notice. Post the matter on 8.8.2007

Vice-Chairman

Notice & order sent to D/Section for issuing to D/Section for issuing to resp. nos. 1 to 5 by regd-A/D post.
19/7/07- D/No- 742 to 746
Dt= 20/7/07.

/bb/
20.8.07 Four weeks further time is granted to the respondents to file written statement. Post on 1.10.07 for orders.

Vice-Chairman

Pg

Notice for R-4 received back as unserved with postal remark— " Incomplete Add.
30/7/07.

01.10.07. Mr.S. K. Sinha, learned counsel appearing for Respondents No. 2 & 3 seeks more time to file reply statement. Prayer is allowed. Call this matter on 12.11.07, awaiting reply. Mrs. Manjula Das, Advocate, has filed written statement on behalf of the Respondents No.5 and undertakes to file reply on behalf of the Respondent No.4 during the course of the day. Mrs. Manjula Das, Advocate, should ~~send~~ serve the copies of the written statements to both the counsel appearing for the parties.

(1) Service report awaited.
28.8.07.

(1) Service awaited
(2) WS not filed

28.9.07.

(Krushiram)
Member(A)

(Manoranjan Mahanty)
Vice-Chairman

Dt. 1.10.07
Lm
Not complied

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

1. Original Application No. 64/07
2. Misc Petition No. /
3. Contempt Petition No. /
4. Review Application No. /

Applicant(S) Saumitra Sen VS Union of India & Ors.

Advocate for the Applicant(S) Mr. Satyajeet Sarma
Mr. Dhiraj Das
G. Baishya for Rs.No.1

Advocate for the Respondent(S) Ms. M. Das, Ms. R. Deka, Ms. L. Devi
Miss R. Singh for Respdt. Nos. 4 25.
A. Thakur, Ms. G. Kalita, Mr. S.K. Singha, for Rpt. Nos. 223

Notes of the Registry	Date	Order of the Tribunal
34G 651477 dt. 8.2.07	20.3.07.	Counsel for the applicant prays for adjournment. Post the matter on 28.3.07.
		Member Vice-Chairman
	lm	
Petition's Copy for Rsm which are received without envelops. 13.3.07	28.3.2007	Mr.G.Baishya, learned Sr.C.G.S.C. wanted to take instruction in the matter. Let it be done. Post on 1.5.2007.
		Vice-Chairman
	/bb/	
No W/S has been filed. 11.6.07.	1.5.07.	At the request of learned counsel for the respondents four weeks time is granted to file written statement. Post the matter on 4.6.07.
	lm	Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 64 of 2007

DATE OF DECISION: 15.09.2008

Soumitra Sen
.....Applicant/s

Mr. Satyajit Sarma
..... Advocate for the Applicant/s.

- Versus -

Union of India & Others
.....Respondent/s

Mr.A.Thakur for Respondents 2 & 3
Mrs.M.Das for Respondents 4 & 5.
.....Advocate for the Respondents

CORAM

THE HON'BLE MR. MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE MR. KHUSHIRAM, ADMINISTRATIVE MEMBER

1. Whether reporters of local newspapers may be allowed to see the Judgment? Yes/No

2. Whether to be referred to the Reporter or not? Yes/No

3. Whether their Lordships wish to see the fair copy of the Judgment? Yes/No

Vice-Chairman/Member (A)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.64 of 2007

Date of Order: This, the15th Day of September, 2008

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

HON'BLE SHRI KHUSHIRAM, ADMINISTRATIVE MEMBER

Soumitra Sen
Son of Late Arunmoy Sen
R/o. 14, Pub Sarania Bye Lane
No.6 (West), Guwahati-781 003.

..... Applicant.

By Advocates: Mr.Satyajit Sarma & Mr. Dhiraj Kr. Das

- Versus -

1. The Union of India
Represented by the Secretary
Ministry of Tourism
Transport Bhawan
1-Sansad Marg
New Delhi - 110 001.

2. National Council for Hotel Management &
Catering Technology, represented by its
Director Library Avenue, Pusa Complex
New Delhi - 110 012.

3. The Institute of Hotel Management,
Catering Technology & Applied Nutrition
Represented by its Principal, VIP Road
Chachal, Barbari, Hengrabari
Guwahati - 781 036.

4. Bablu Roy Choudhury
S/o Late B.K.Roy Choudhury
R/o. Near Lakshmi Mandir
Beltola, Guwahati.

5. Mrs. Nanda Baruah
W/o. Dr. Pranab Baruah

R/o. Near FCI Godown
Bamunimaidan, Guwahati.

··· Respondents.

By Advocates: Mr.G.Baishya, Sr.C.G.S.C. for Respondent No.1; Mr.A.Thakur, Mrs.G.Kalita & Mr.S.K.Sinha for Respondent Nos. 2 & 3; Mrs.M.Das, Smt.R.Deka, Smt. L.Devi & Ms. R.Singh for the Respondent Nos. 4 & 5.

ORDER
15.09.2008

KHUSHIRAM, MEMBER (A):

Applicant was appointed as Lecturer cum Instructor in the Food Craft Institute (FCI in short), Guwahati holding qualification of graduation with 3 years diploma in Hotel Management from National Institute. The FCI was imparting one year certificate course in Hotel Management, Supervisory Middle Management Level. The FCI was upgraded in April, 1995 as Institute of Hotel Management, Catering Technology and Applied Nutrition (IHMCTAN in short) imparting 3 years diploma in Hotel Management. To meet higher standard of 3 years diploma course, the Ministry of Tourism had sought for the report of the Staff Inspection Unit/Student Index Unit (SIU in short) and the recommendations of the SIU were adopted by the Respondent Institute also. The Board of Governors in its meeting held on 06.11.1998 approved the staff position of the Institute which included approving of 2 posts of Senior Lecturers; whereas earlier the Institute had one post of Senior Lecturer. On 11.02.1999, the

13

Principal of the Institute requested the Ministry of Tourism, New Delhi for grant of approval of extra staff as per SIU norms. Subsequently, he sent a letter dated 05.03.1999 to the Ministry of Tourism showing the sanctioned staff strength of the Institute as 30 numbers which includes 2 posts of Senior Lecturers. As an autonomous body, the society had the powers to sanction posts as per requirement norms set up by the National Council of Hotel Management. The staff position (as informed by the Institute to the Ministry of Tourism on 11.02.1999) indicated the sanctioned strength of 38 (in position 20 and vacancy 18) and 18 vacancies included 1 post of Principal, 1 HOD, 2 Senior Lecturers, 1 Lecturer, 2 Assistant Lecturers, 1 Accounts cum Administrative Officer, 1 Accountant-cum-OS and remaining as ministerial staff, driver, peon, watchman, electrician and Asstt. Librarian etc.. The Principal of the Institute received a letter dated 19.03.1999 from the National Council for Hotel Management & Catering Technology intimating as under:-

> "The National Council is in the process of advertising posts of Sr. Instructor (Group 'A') in the scale of 8000-275-13500/- in respect of IHM, Gurudaspur, for making selection. In this regard, please convey us whether any Group 'A' vacancy in respect of your Institute is likely to be filled up before the beginning of Next Academic Session so that consolidated advertisement is accordingly issued by the National Council as per the new recruitment rules already issued by Govt. of India."

The Principal i/c of the Institute vide his letter dated 31.03.1999 (Anenxure-4) written to the Director (A&F), National Council for Hotel Management and Catering Technology, New Delhi informing that (as per SIU norms) the requirement of posts had already been worked out by the Institute and the same had already been sent vide their letter dated 11.02.1999 (Annexure-1). The details of the posts under Group 'A' category were given as under:-

Sl.No.	Name of Post	No. of Post	Remarks
1.	Principal	1	Already advertised
2.	Sr. Lecturer	2	--
3.	Accountant-cum-Admn. Officer	1	--

Vide Annexure-5 letter dated 13.08.1999, the Principal of the Institute was informed as under:-

> "National Council will confine itself to process of filling up of posts of Principals and HOD's only for the present. The other staff of your Institute including Group 'A' posts will be recruited at your own level. However, you should associate the representative of National Council on the Board in the said selection process. You are, therefore, requested that the advertisement & selection process of Group 'A' posts except above mentioned posts may kindly be done at your level as per Revised Recruitment Rules, circulated by Ministry of Tourism."

The office note at page 40 of the O.A. indicates that staff position of the Institute was worked out and approved by the Board Members in the annual meeting held on 06.11.1998 which were

shown as under:-

Sl. No.	Name of the Post	Posts approved	In position	Vacant	Scale Rs.
1.	Sr. Lecturers	2	-	2	8000-275-13500
2.	Lecturers	5	4	1	6500-200-10500
3.	Asstt. Lecturers	6	4	2	5000-150-8000

It was also mentioned in the said note that as per Revised Recruitment Rules, 1998 the posts of Senior Lecturers may be filled up by promotion from amongst the common cadre of Lecturers working in IHMs failing which by Direct Recruitment. The methods for promotion were described therein as under:-

1. Selection-cum-Seniority
2. Selection by Merit and
3. Non selection or Seniority-cum-fitness method.

The essential qualifications and experience etc. for the post of Senior Lecturer are mentioned therein as under:-

1. Graduate with a 3 year diploma in H.M. having secured at least IInd Divn. From National Council/State Board of Technical Education

   OR

   Degree in H.M. from any recognized University with atleast IInd Division

   Experience: At least 5 years experience in the grade of lecturer.

2. As regards age limit and educational qualification, there will be no age limit for departmental

promotees, however, they must fulfil the educational qualifications.

" The educational qualifications, experience of the 4 lecturers working at the Institute for promotion to the posts of Sr. Lecturers were described in the aforesaid note as under:-

Sl. No.	Name	Age	Dt.of Joining	Education
1.	Bablu Roychowdhury	27.12.48 (51 yrs)	21-2-85	Pre-Uni. Science 3 yr Diploma in H.M. from State Council for Engg. & Technical Education, Govt. of W.Bengal
2.	Mrs.Nanda Barua	14-2-67 (38 yrs)	15-3-85	M.Sc. Food Service Mngmt. and Dietetics
3.	Mr. Gautam Das	17-8-59 (40 yrs)	27-4-85	Higher Secondary, B.Sc. Part I 3 yr. Diploma in H.M. from State Council for Engg. & Tech. Edun. Govt. of W. Bengal
4.	Mr.Soumitra Sen	25-5-58 (41 yrs)	5-9-85	B.A., 3 Yr. Diploma in H.M. from IHM

It is seen from the above that Sl. Nos.1 to 3 do not possess the required educational qualifications (Graduation with Diploma in IHM) for the promotion to the post of Senior Lecturer. Sl. No.2 - Mrs. Nanda Barua, though she is postgraduate but she does not possess 3 year Diploma in Hotel Management. Mr. Soumitra Sen, who is junior most, only fulfils the required qualifications and experience etc. The matter may be referred to the Departmental Promotion Committee for consideration.

2. The Respondents by order dated 12.10.2004 promoted the two Lecturers for the post of Senior Lecturers by denying promotion to the Applicant. According to the Applicant, the Respondents had waited for more than 4 (four) years for change of the Recruitment Rules for promotion of the said two Lecturers who did not have the required qualifications for promotion as per Recruitment Rules, 1998 and Recruitment Rules 2001. Against that action of the Respondents the Applicant had earlier filed O.A. No.211 of 2006 before this Tribunal and this Tribunal vide its order dated 23.08.2006 directed the Respondents to dispose of representation of the Applicant dated 14.12.2005 within three months from the date of receipt of the said order but the same was not responded to, nor the review DPC was held. On 27.11.2006, the Review DPC held that promotion has already been granted as per 2004 DPC on the basis of merit and based on record from 2002 to 2004. According to the Applicant, a wrong statement was made that Ministry vide its direction dated 27.01.1997 had prohibited the filling up of the post of Senior Lecturer. According to the Applicant, two posts of Senior Lecturers were lying vacant in 1998 as well as 1999 and the Board of Governors had also approved those posts. Applicant claimed that promotion to the post of Senior Lecturer should have been made in the year 1998 under the Recruitment Rules 1998 which were in vogue at the relevant time. But in spite of the fact that the National

Council of Hotel Management as well as the Ministry of Tourism had asked the Respondents to fill up the post of Senior Lecturer by promotion, the Respondents refrained from filling up the said post till change in the Recruitment Rules favouring Respondent Nos. 4 & 5. That apart, Respondent Nos.4 & 5 were given the benefit of ACP vide order dated 12.10.2007 with effect from 09.08.1999 in accordance with Recruitment & Promotion Rules 2003 although at the relevant time they were not even eligible for promotion for want of required qualifications. Hence, the Applicant has filed this present Original Application under Section 19 of the Administrative Tribunals Act, 1985 seeking mainly the following reliefs:-

"8. i) to direct the respondents to promote the applicants to the post of Senior Lecturers with effect from 9.8.99 I.e., since the date from which the applicant is drawing salaries of the scale of Senior Lecturer.

8 ii) To declare that the applicant has the experience of the post of senior lecturer since 9.8.99 so as to make him competent for the next post and the scale of Head of department in his due time by counting his experience as Senior Lecturer since 9.8.99.

8 iii) ...

8 iv) ...

8 v) To direct the respondent no. 1 to 3 to consider the applicant for promotion to the post of Senior Lecturer under Recruitment Rules, 1998. Since two posts of Senior Lecturers were vacant in the year 1998 and the applicant was only eligible person for promotion by setting aside

the promotion of the respondent no.4 and 5 as well as by setting aside the DPC dated 24.9.2004 and review DPC dated 27.11.2006.

8 vi) To declare that the Recruitment Rules 2003 so far it relates to relaxation of the qualification and eligibility criteria of Senior lecturers by promotion as contained in PRP 2003 at page 13 para 7 are illegal, arbitrary, unreasonable and unfair and the same are liable to be struck down.

8 vii) To declare that the respondent no.4 and 5 are not entitled to benefit of ACP Scheme retrospectively with effect from 9.8.99 in accordance with RPR 2003 and be pleased to set aside and quash the letter no. IHM(GH)/Estt.-15/06/927 dated 12.10.2007."

3. Respondent No.1 had not filed any written statement in this case. The Respondent Nos. 2 & 3 have filed written statement admitting the facts of the case in so far as it relates to upgradation of erstwhile FCI to the IHMCTAN and also admitting the fact 35 nos. of post including one Principal and two Senior Lecturers. It has been admitted that the Board of Governors of the erstwhile FCI (Guwahati Society) in a meeting on 16.07.1984 decided to decrease the staff position to 30 numbers with pay scales in a Central pattern subject to availability of fund position. With the upgradation of the FCI to IHMCTAN in April, 1995 the staff pattern was revised to suit higher responsibility of the Institute to impart training for 3 years Diploma courses in Hotel Management. But the Govt. of India, Department of Tourism vide its letter dated 27.01.1997 intimated the Respondents that the posts not filled up stood abolished. Thereafter

the Institute continued to correspond for granting sanction to fill up various important posts in academic cadres including Senior Lecturers during the period from 2004 to 2006. In the years 1998, 2001 and 2003 modification in the recruitment for Lecturer cadre was made by the Council of Hotel Management. After long persuasion the concerned Ministry vide its letter dated 17.05.2004 sanctioned one post of Head of the Department and two posts of Senior Lecturers to be appointed in the Institute. Respondents claimed that letter dated 11.02.1999 indicating the staff structure as per SIU norms in the Institute containing filling up of two vacant posts of Senior Lecturer cannot be interpreted to the advantage of the Applicant. Original post of Senior Lecturer sanctioned was also abolished vide letter dated 27.01.1997. With regard to the post of Asstt. Administrative Officer the concerned person was holding the post since 1988 has no bearing with the case of the Applicant since the said Asstt. Administrative Officer has not been a party in this case by the Applicant. The sanction letter for the Senior Lecturer was received only on 17.05.2004 wherein 4 persons in Lecturer grade including the Applicant were in the zone of consideration. The DPC reconfirmed the position as unaltered as the post of Senior Lecturer under Recruitment Rules 1988 was not available to be filled up. Since the Applicant had submitted a memorandum dated 07.11.2001 mentioning everything he cannot claim that he came to

know the context of the matter recently. It has been admitted that ACP to the Applicant has been granted w.e.f. 09.08.1999 in January, 2006 which does not imply carrying higher responsibility and designation. The representation of the Applicant was examined in detail by the review DPC convened on 27.11.2006. The committee found no cogent and justifiable reasons to consider the representation favourably. The existence of the two posts of Senior Lecturer under RPR 1998 and 2001 has been denied.

4. Respondent Nos. 4 & 5 each have filed separate written statements to buttress their claims on the basis of seniority over the Applicant. They have reiterated that with the upgradation of the FCI to IHMCTAN their services were absorbed in the same capacity w.e.f. 06.04.1995. Respondent No.5 further appeared in "bridge course" in 2002 and completed the same successfully for which she submitted copy of the marksheet vide letter dated 27.12.2002. Under RR 2001 qualification for promotion to the post of Senior Lecturer was from amongst Lecturers and the promotion to the selection post shall be on the basis of merit with due regard to seniority. The Respondent No.5 submitted that as per Recruitment Rules 2001 existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 would also be considered for all the posts from Lecturer to the Principal even if they do not possess the basic qualification 3 years

diploma in Hotel Management. In the erstwhile FCI there was one post of Senior Lecturer which was also abolished with the receipt of the letter dated 27.01.1997. With regard to letter dated 31.03.1999 wherein against the post of Senior Lecturer no. of post has been indicated as 2, the said Respondent have stated that 2 post of Senior Lecturer cannot be interpreted in favour of the Applicant. She claimed her eligibility with the successful completion of the "bridge course" in 2002. The rests of the averments more or less conform to averments made by the Respondent Nos.2 & 3 in their written statement.

5. We have heard Mr. Satyajit Sarma, learned counsel appearing for the Applicant, Mr.A.Thakur, learned counsel appearing for the Respondent Nos.2 & 3, Mrs.M.Das, learned counsel appearing for the Respondent Nos.4 & 5.

6. Learned counsel for the Applicant argued that Respondents had denied him the promotion to the post of Senior Lecturer, though he was the only eligible candidate for the post, under the pretext that the post has been abolished but the appointment to the post of Accounts Officer and Asstt. Accounts Officer was made, though those posts were also stated to have been abolished. Learned counsel for the Applicant argued that with the upgradation of the Institute to the IHMCTAN on 06.04.1995 the

minimum qualification for the post of Lecturer-cum-Instructor in the upgraded Institute could not have been less than that prescribed for similar Institutes elsewhere in the country. The Applicant has also placed on record copies of the Recruitment Rules 1998, revised Recruitment Rules, 2001 and 2003. In the Recruitment Rules 1998 the educational qualification and experience for promotion to the post of Senior Lecturer-cum-Senior Instructor were prescribed as under:-

> "Essential Qualifications:-
> Graduate with a 3 Year Diploma in Hotel Mgt., having secured at least IInd Division from National Council for Hotel Mgt./State Board of Technical Education.
>
> OR
>
> Degree in Hotel Mgt. from any recognized University with atleast IInd Division.
>
> Experience:-
> At least 5 years experience in the grade of Lecturer.

In the revised Recruitment Rules, 2001, the educational qualification and experience for promotion to the post of Senior Lecturer-cum Sr. Instructor were prescribed as under:-

> "Essential Qualifications:-
> (i) Graduate from a recognized University
> (ii) Three year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks.

24

OR
Degree in Hotel Mgt. from any recognized University with atleast IInd Division.

Experience for promotion:-
At least 5 years experience in the grade of Lecturer-cum Instructor.

The aforesaid educational qualification and experience were modified in the Recruitment and Promotion Rules, 2003 which are described as under:-

"Essential Qualifications for Direct Recruitment
Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognised University. The candidate must have secured atleast 55% marks in Degree/Diploma in Hotel Management."

Eligibility for Promotion:
Candidate should have atleast 5 years experience in the grade of Lecturer-cum-Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made."

It is in the above background of the Rules that Respondent No.5 had to pass "bridge course" in December, 2002. Obviously, she was not entitled to promotion prior to December, 2002 for the post of Senior Lecturer. There was no material on record to indicate that "bridge course" once passed will make the

candidate equivalent to the eligibility condition prescribed under the Recruitment Rules. Since Recruitment Rules do not contain any note regarding "bridge course" being as the essential qualification for the post of Senior Lecturer (or its equivalence to 3 years Diploma in Hotel Management). It is doubtful whether she was qualified for consideration on this basis.

Respondent No.4 obtained diploma in Hotel Management from the Technical State Council Board, West Bengal, Kolkata in 1970 which is only a part of the prescribed qualification for appointment as Lecturer from amongst whom promotion to the post of Senior Lecturer had to be made. Though Respondent No.5 was postgraduate she did not have the 3 years Diploma in Hotel Management. Therefore, for 2 posts of Senior Lecturer, Applicant having the prescribed qualification was the only eligible to be considered for promotion. The Applicant has alleged that promotion to him was denied till the Respondent No.5 attained requisite qualification and Rules were amended from time to time to suit the eligibility and experience of the Respondent Nos.4 & 5. In this background he has alleged that grant of ACP benefit to Respondents 4 & 5, from the date (08.09.1999) he was given ACP, as illegal as Respondent No.5 in particular did not have the requisite basic qualification on that date and as per ACP scheme a person who is fit for promotion only can be considered for grant of ACP benefits in

lieu of promotion in case there is no post for advancement in career for the person concerned, on completion of 12 years of regular service. Those who fail the condition of eligibility for promotion cannot be considered for grant of ACP benefits also. Learned counsel for the Applicant argued that the Institute in collision with the Ministry of Tourism misused their powers to subserve the vested interest of Respondent No.5 who was holding the charge of the Institute. Therefore, the Respondents have forced the Applicant to file this avoidable litigation to seek justice.

Learned counsel for the Respondent Nos.2 & 3 submitted that the Institute whose interests are being jeopardized because of this litigation and in the interest of the Institute, the case should be decided expeditiously. He further submitted that Institute started imparting 3 years diploma in Hotel Management from 1995. Before that the Institute was imparting only certificate courses.

Learned counsel for the Respondent Nos. 4 & 5 Mrs. M. Das in her arguments stressed the point that the Respondent Nos. 4 & 5 were senior than the Applicant in the erstwhile FCI Institute and with its upgradation the staff stood transferred with their respective capacity in the newly upgraded Institute. The post of Senior Lecturer earlier occupied by one Ms. Sibani Roy in 1982 remained vacant w.e.f. 30.05.1990 after she resigned and the vacant post

stood abolished under the guidelines of the Govt. of India. She argued that the Applicant should have approached this Tribunal within one year from 27.01.1997 when he was not promoted. He has filed the O.A.211/2006 only in 2006 and therefore his prayers are barred by limitation. She has also reiterated that the post of Senior Lecturer was sanctioned on 30.04.2004 and in the DPC Respondent Nos. 4 & 5 were selected for the post of Senior Lecturer on 17.05.2004. She also argued that if the Applicant was aggrieved by the decision of the Respondents when the revised Recruitment Rules 2001 came into force, he could have agitated the issue at that point of time. Racking up this point at this belated stage has made the matter time barred.

7. We have considered the rival contentions advanced by the parties and have perused the materials placed on record. We are of the view that with the upgradation of the FCI to the IHMCTAN in April, 1995, the recruitment of the qualified staff was prime requisite for upgradation and continuance of the recognition of the Institute and since already two vacancies of Senior Lecturer existed in the erstwhile Institute the Respondents should have filled up the vacancies by promotion, failing which by direct recruitment which was not resorted to by them under one pretext or the other. The existence of the two vacancies is apparent from the Annexure-1 letter dated 11.02.1999 and Annexure-4 letter dated 31.03.1999 of

the O.A which were signed by the then Principal i/c of the Institute. By not promoting the Applicant or other qualified staff to the post of Senior Lecturer at that point of time, Respondents have violated the rights of the Applicant and that of other similarly placed persons appointed in the Institute. The educational qualification and experience for promotion to the post of Senior Lecturer as per Recruitment Rules, 1998 have been quoted above. At that relevant point of time, only the Applicant had the prescribed qualifications with over 5 years experience and Respondent No.5 (who did not possess the prescribed professional qualification) could not have been considered for promotion to the post of Senior Lecturer. In this background since the Applicant only had that requisite qualification with experience he should have been considered at the relevant point of time. Schedule (Academic) attached with the Recruitment Rules 1988 also indicated one post of Senior Lecturer-cum-Senior Instructor as existing and one post was proposed to be created (Part of Annexure-1 attached to Rejoinder by the Applicant). Revised Recruitment Rules 2001 which superceded earlier Recruitment Rules, 1998 retained the minimum educational qualification for the post of Senior Lecturer as before. Even this document indicate one post of Senior Lecturer was already available to take care of requirement of higher academic diploma courses. In the absence of requisite qualified academic staff, the recognition of the Institute by

the National Council of Hotel Management and Catering Technology could not have continued. Letter dated 31.03.1999 sent by the Principal i/c of the Institute to the Director (A&F), National Council for Hotel Management and Catering Technology, New Delhi also mentioned about two vacant posts of Senior Lecturers in the absence of requisite sanction. The Board of Governors (of the autonomous society controlling the Respondent Institute) had the power to create the requisite posts, therefore, question of seeking approval from the Ministry (Respondent No.1) who did not care to file reply to this O.A. also, has no relevance so long the Institute is financially self sufficient. Vide letter dated 13.08.1999 the Director (A&F), National Council for Hotel Management and Catering Technology, New Delhi had already advised the Principal of the Institute to recruit Group 'A' posts including Senior Lecturers locally. In this background the statement of the Respondents that the post of Senior Lecturer was abolished has no basis or justification, particularly, in the light of the facts that this rule was not kept in mind by the Respondent Institute while filling up the post of Administrative Officer and AAO. The Ministry of Tourism did not care to file any written statement to this O.A. Therefore, the role played by the Ministry of Tourism in the whole episode is not clear. In the letter dated 27.01.1997 the Asstt. Director (HMG), Deptt. of Tourism, addressed to the Principal of the Institute it was stated as

30

under:-

> "...As per the extant orders of the Ministry of Finance, the posts remaining unfilled for a period exceeding one year in your Organisation shall stand abolished. No action to make recruitment against such non-existent posts should be made without revival of the posts with prior approval of the Govt."

The aforesaid letter at Annexure-A of the written statement filed by the Respondent Nos.2 & 3 does not make sense because in the absence of Senior Lecturers the recognition of the professional training Institute imparting 3 years diploma course would have been questioned by the National Council for Hotel Management and Catering Technology. Creation of two posts of Senior Lecturer on 07.05.2004 when the Respondent No.5 had already passed the "bridge course" to make her eligible for promotion under the newly amended rules also smack of the complicity of Respondent No.5 with Respondent Nos.1, 2 & 3.

8. Learned counsel for the Applicant relied on certain decisions in support of his contention. In the case of **R.S.Ajara & Others vs. State of Gujarat & Others,** [reported in **(1997) 3 SCC 641],** wherein the Hon'ble Supreme Court held that a benefit that has accrued under the existing rules cannot be taken away by an amendment (with retrospective effect) and no rule can be framed under the proviso to Article 309 of the Constitution which affects or

impairs the vested rights. In the instant case, since the rights of the Applicant already existed under the old rules, he had right to be considered for promotion and subsequent amendment of the Recruitment Rules (though not retrospective in this case) could not have taken away his rights for consideration for promotion as the same was crystallized. In anther decision relied by him in the case of **Dr.Gopal Krishna Dhar Senapati & Another vs. State of Assam & Ors.** [reported in **(2003) GLR 290**] the Hon'ble Gauhati High Court directed the Respondents to consider the case of the Petitioners therein for promotion who became eligible for promotion against the vacancies occurred prior to the amendment made in the existing rules. In the present case vacancies were existing and Applicant having requisite qualification and experience had right to be considered under the earlier Rules against the existing vacancies of Senior Lecturer. In another decision, relied by the learned counsel for the Applicant, rendered in the case of **Janardhan Dutta vs. Tapas Pratim Saikia & Others,** [reported in **(2003) 2 GLR 512**] wherein the Hon'ble Gauhati High Court held that,

> "...having held that the appellant-respondent No.4 was entitled to be considered for promotion in the year 1982 being eligible under the Rules, we feel, it would be in fitness of things that a direction be issued to the State authorities to constitute a review DPC/Selection Board under the Rules to consider the merit and suitability of the appellant/respondent No.4 for promotion to the post of Assistant Engineer in the year 1982 on the

> basis of the relevant Character Rolls, personal files and other relevant records of the said officer. It is ordered accordingly."

In the instant case, Applicant had become eligible for promotion under the old Rules and vacancies also existed as per records submitted in this case. Therefore, the Applicant had right to be considered for promotion in the year 1999 itself under 1998 Recruitment Rules.

Learned counsel for the Respondent Nos.4 & 5 has submitted a decision of the Apex Court rendered in the case of **Union of India & Others vs. Kishorilal Bablani,** [reported in **(1999) 1 SCC 729]** wherein the Apex Court held that in the interest of proper functioning and morale of the services, error should not be reopened after 10 years and besides there was no right to appointment against a particular post and delay defeats equity. She claimed that since Applicant did not agitate the issue before this Tribunal earlier, therefore, the issue cannot be adjudicated upon at this stage. On going through the said judgment it is apparent that the relief had already been granted by the Tribunal and the Apex Court held that:-

> "We do not think that it would be fair to the respondent to take away the benefit which he has secured on the basis of the contentions which are accepted as justified. We, therefore, maintain the relief which has been granted to the respondent."

33

In the instant case, no such relief has already been granted to the Applicant and given the fact that he was not the in-charge of the Institute,nor he had easy access to the records of the Institute it was unlikely that he could have raised his grievances before he was in possession of the relevant records/documents to support his case and he had sought copies of the relevant records from the Institute. Therefore, not agitating the issue before the Tribunal earlier stood explained in view of the inadequacies that he suffered from with relation to the access to the records of the Institute. Moreover, there is no delay of 10 years as in the cited case. Hence, the ratio of the said case has no application in the present case. The Applicant had filed earlier O.A. No.211 of 2006 which was disposed of vide order dated 23.08.2006 to dispose of his representation. But the Respondents have not considered the same and have remained undecided till the filing of this O.A. Obviously, Applicant was eligible and qualified to be considered for promotion and therefore, he has been granted the ACP benefits w.e.f. 09.08.1999. But the grant of ACP benefits to Respondent No.5 prior to the date of earning eligibility in 2002 is illegal and dehorse the rules. Therefore, placing the ineligible Respondent No.5 on the same pedestal with the Applicant only indicate that Respondents have misused their powers and Institute to subserve vested interest of Respondent Nos.4 & 5 to the detriment of the Applicant.

9. In view of the forgoing discussions, we are of the considered view that the case of the Applicant deserves to be allowed on merits. We therefore, allow this amended O.A. to extent indicated below and pass the following orders:-

(i) We direct the Respondents to consider the case of the Applicant for promotion against the post of Senior Lecturer-cum Senior Instructor under the Recruitment Rules, 1998 as he was qualified person in the Institute having requisite qualification and experience for promotion to the aforesaid post.

(ii) Consequently, Applicant will be eligible to be considered for the post of Head of the Department in due course by counting his experience as Senior Lecturer under Recruitment Rules 1998 and hence we direct the Respondents to consider the case of the Applicant for the post of Director/HOD along with other similarly placed persons and in case he is found fit in merit, consequential reliefs shall be granted to him.

(iii) Accordingly, promotion granted to Respondent Nos.4 & 5 to the post of Senior Lecturer-cum- Senior Instructor is set aside and quashed.

(iv) We direct the Respondents to review the order granting ACP benefits to the Respondent Nos.4 & 5 and grant them

the said benefit from the dates they attained the eligibility for promotion.

(v) The Respondents are levied a cost of Rs.2000/- each for having forced the Applicant to file this litigation to be given to the Applicant.

15.09.08
(KHUSHIRAM)
ADMINISTRATIVE MEMBER

15/09/08
(MANORANJAN MOHANTY)
VICE-CHAIRMAN

/bb/

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
13 MAR 2001
गुवाहाटी न्यायपीठ
Guwahati Bench

36

APPENDIX

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE

TRIBUNAL ACT, 1985.

Title of the Case : Original

Application No. 64 / 2001

INDEX / SYNOPSIS

Sl. No. Pages	Description of documents relied upon
1.	Annexure no. 1 – letter dated 11.2.99 from From the Principal Incharge of respondent to the Ministry of Tourism enclosing staff patern as per S.I.U. Norms showing sanctioned posts
2.	Annexure no. 2 – Letter dated 5.3.99 of Principal Incharge showing Sanctioned staff strength and vacancies
3.	Annexure no. 3 – Letter dated 19.3.99 from the National Council by Director (A & F) regarding Fulfillment of vacancies of senior lecturer In respondent institute.
4.	Annexure no. 4 – Letter dated 31.3.99 written by The Principal Incharge to the National Council with Regard to posts of Group – 'A' intimating that post of Principal had already been advertised.
5.	Annexure no. 5 – letter dated 13.8.99 of Director (A and F), National Council advising the Principal to fill up the post of group – "A" at their own.
6.	Annexure no. 6 – letter dated 1.11.99 of the National Council, Director (A and F) advising The Principal to regularize the post of Assistant Administratrive Officer if it is sanctioned .
7.	Annexure no. 7 - letter dated 25.11.99 of the Principal Incharge of respondent to Ministry of Tourism inti-Mating them about sanctioned staff strength of Respondent institute.
8.	Annexure no. 8 – Letter dated 6.9.99 of the Principal Incharge of respondent to the National Council Director (A & F) to fill up the post of H.O.D. And Principal.

9. Annexure no. 9 - Appeal / representation Dated 7.11.01 of the appellant regarding his Promotion.

10. Annexure no. 10 - Appeal / representation Dated 18.3.2002 of the applicant regarding Illegally blocking of his promotion.

11. Annexure no. 11 – Reminder / representation Dated 27.5.02 of the applicant.

12. Annexure no. 12 - Appeal / Representation dated 1.11.02 of the applicant for considering his illegally stalled promotionm/

13 Annexure n o. 13. – Representation dated 3.11.04 by the appellant.

14. Annexure no.14 – Office Note dated 11.2.99 To 16.9.02 showing the reasons of not Promoting the applicant.

15. Annexure no. 15 – Appeal / representation dated 14.12.05 of the applicant with regard to his promotion.

16. Annexure no. 16 – letter dated 22.6.06 for Supplying Photocopies of relevant documents.

17. Annexure no. 17 – Extract of recruitment rules 1998.

18. Annexure no. 18 – Extract of recruitment Rules 2001.

19. Annexure – 19 – Extract of Recruitment Rules 2003.

20. Annexure –20 – Order dated 23.8.06 in A.O. NO. 211/06

21 Annexure – 21 – Representation dated 11.9.06 .

Signature of Applicant

For use in the Tribunal office :

Date of filing :-
Or date of receipt by Post
Registration No. :

Signature of the Registrar

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

O.A. NO. 64 2007

Soumitra Sen

S/o. late Arunmoy Sen

R/o. 14, Pub Sarania Bye Lane No. 6 (West), Guwahati – 781 003.

... ..Petitioner

Vs

1. Union of India, represented by Secretary, Ministry of Tourism, Transport Bhawan, 1 – Sansad Marg, New Delhi – 11001
2. National Council for Hotel Management & Catering Technology, represented by its Director Library Avenue, Pusa Complex, New Delhi – 110012
3. The Institute of Hotel Management, Catering Technology & Applied Nutrition, represented by its Principal, VIP Road, Chachal, Barbari, Hengrabari, Guwahati – 781036
4. Bablu Roy Choudhury, S/o. late B.K. Roy Choudhury R/o Near Lakshmi Mandir, Beltola, Guwahati.
5. Mrs. Nanda Baruah, W/o. Dr. Pranab Baruah

39

R/o. Near FCI Godown,
Bamunimaidan, Guwahati
... Respondents

1. Particulars of Orders against which the Application is made –

1.1 Letter no. 33(4) / 99 - H.M.C. dated 17/5/20/4 containing order for purportedly creating two post of Senior Lecturer at the instance of the Respondents although the posts of Senior Lecturers were already there in existence.

1.2 Order dated 12/10/2004 giving promotion to two lecturers i.e. respondent no. 4 and 5 by denying promotion to the petitioner which was due to him since the year 1998 and that too inspite of the petitioner being only lecturer in the respondent no. 3 institute qualified for promotion since the year 1998.

1.3 Recruirement rules 2003 relating to promotion to the post of Senior lecturer – cum- Senior Instructor from the post of lecturer – cum – Instructor . This promotion rule has been changed to deprived the petitioner of his legitimated promotion.

1.4 Non-disclosure / wrongly disclosing the petitioner the reasons for not promoting him inspite of him having the qualifications for promotion and non consideration of the repeated representations / appeals of the petitioner dated 7/11/2001, 18/3/2002, 27/5/2002, 9/11/2002, 4/11/2002 and 14/12/2005 as well as his verbal representations with regard to promotion.

1.5 Non consideration of the representation dated 11/9/2006 (received by respondent no. 3 on 18/9/2006) of the

40

petitioner in terms of order dated 23.8.2006 passed by this Hon'ble Tribunal in O.A. No. 211/2006.

2. Jurisdiction of the Tribunal - The applicant declares that subject matters of the orders against which redressal is sought for is within the jurisdiction of the Tribunal.

3. Limitation -

The applicant declares that the application is within the limitation period prescribed u/s. 21 of the Administrative Tribunal Act, 1985.

4. Facts of the Case -

4.1 That the applicant had been appointed as lecturer in the respondent no. 3 institute on 5/9/1985. Since then the applicant is working on the same post without any promotion. The respondent no. 3 institute was upgraded with effect from 6/4/1995.

4.2. That after upgradation of the institute the staff structure of respondent institute was to be maintained as per S.I.U. norms (Students Index Unit. Accordingly, the Principal of the Institute sent letter dated 11.2.99 to the Ministry of Tourism, New Delhi for granting approval of extra staff as per S.I.U norms. In the said letter itself the then Principal had described the existence of one sanctioned post of Principal, one post of H.O.D, two posts of Senior lecturers, 5 posts of lecturers etc. In the said letter itself it was mentioned that two sanctioned posts of Senior Lecturers were vacant at the relevant time. Subsequently, the Principal of the respondent no.3 institute had sent letter dated 5/3/1999 to the Ministry of Tourism

showing the sanctioned staff strength of the institute as 30 numbers which includes two posts of Senior lecturers.

Letter dated 11/2/1999 and 5/3/99 are annexed herewith as annexure no. 1 & 2.

4.3 That by letter no. AF-48(4)/98-N.C. dated 19/3/99 the director (A & F) of the National Council intimated to the Respondent no. 3 institute that they were going to advertise for post of Senior Instructor / Lecturer (Group-A) in respect of I.H.M. Gurdashpur and asked the Principal of the respondent no. 3 institute as to whether any Group A vacancy in respect of respondent institute was likely to be filled up before the beginning of next academic session so that consolidated advertisement is accordingly issued by National Council as per the new recruitment rules already issued by the Government of India. It is pertinent to mention that advertisement for vacant posts which are not fulfilled by promotion by the institute are done by the National Council established by the Govt. of India. In response to the said letter of National Council the respondent no. 3 institute by letter dated 31.3.99 intimated to the National Council that one post of Principal, two posts of Senior Lecturer and one post of accountant – cum – administrative officer were vacant in the institute out of which the post of Principal had already been advertised.

Copy of letters dated 19/3/99 and 31/3/99 are annexed herewith as annexure no. 3 and 4.

42

4.4 That subsequently by letter dated 13/8/99 the director (A & F) of the National Council had advised the respondent no. 3 Institute to fill up the vacancy of group –A post and other staff of institute at their own since National Council was to confine itself to the process of filling up of posts of Principal and H.O.D.'s only at relevant time. Post of Senior lecturers are the group post which were to be filled up by the respondent no. 3 institute itself. The respondent no. 3 institute was further advice to make appointment for the group – A post as per revised recruitment rules circulated by the Ministry of Tourism at the relevant time i.e. recruitment rules of 1998. By letter dated 1/11/99 the Director (A & F) of the respondent no. 2 had advised the respondent no. 3 institute that if the post of Assistant Administrative officer was a sanctioned post in that case his appointment may be regularized. Thereafter the respondent institute had regularized the promotion of Assistant Administrative Officer without obtaining any further sanction letter for the same. This also shows that none of the post of the institute required further sanction.

Letter dated 13/8/99 and 1/11/99 are annexed herewith as annexure no. 5 and 6.

4.5 That the respondent no. 1 had by letter dated 6/10/99 enquired about staff strength in respect of the respondent no. 3. In response to the said letter the respondent no. 3 institute had written letter dated 25/11/99 to the respondent no. 1 intimating

43

About total sanctioned staff strength, the post filled up and the post lying vacant. In this letter the respondent no. 3 institute had referred and relied upon its earlier letter dated 5/3/99 in this regard. In this letter it was further state that although as per new recruitment rules 1998 the post of Assistant Administrative officer was abolished but the Chairman and Board members desired that the post of Assistant Administrative officer may be continued as the post was in existence since the inception of the institute. Thus appointment and regularization to the post of Asst. Administrative officer was done even in violation of the recruitment rules. Again by letter dated 6/9/99 the respondent no. 3 institute requested the respondent no. 1 for advertisement for the post of H.O.D. and Principal.

Copies of letter dated 25/11/99 and 6/9/99 are annexed herewith as annexure no. 7 & 8.

4.6 That thus the two posts of Senior Lecturers were lying vacant in the respondent no. 3 institute. The promotion of the applicant was due by that time and he was the only eligible lecturer for promotion at the relevant time to the post of Senior Lecturer as per recruitment rules 1998. Although at the relevant time there were other 3 lecturers senior to the applicant from the date of joining but they were not eligible for the post of Senior lecturer because of not having the required eligibility criteria. The respondent no. 4 and 5 were not qualified for promotion since the respondent no. 4 did not have graduation degree and the respondent no. 5 although

she was a graduate but she did not possess 3 years diploma in Hotel Management. Another lecturer. Sri Gautam Das also not eligible since he was not a graduate. Thus all the said lecturers who were Senior to the applicant were not eligible for promotion as per recruitment rules 1998 and only the applicant was eligible for promotion.

4.7 That although there were vacant posts of senior lecturer in existence and the applicant was the only person eligible for promotion but even then he was deprived of his right to be promoted. As such the applicant had made representation to the Principal of the respondent no. 3 institute but surprisingly he was mislead by the Principal by saying that the Director (A & F) had stopped promotion by letter dated 1/11/99 since the post was not sanctioned. At the relevant time the applicant was not aware about all the aforesaid annexure i.e. correspondence between respondents no.1, 2 and 3 as such he had to remain containent with the reply of the Principal. The applicant had come to know about entire facts and injustice done to him only after he could receive these documents very recently. It is pertinent to mention that the applicant had never been shown any directive of Mr. K.K. Saraf, Director (A & F.). Now the applicant came to know that the said letter dated 1/11/99 was with regard to the post of Asstt. Administrative Officer and surprisingly inspite of the said letter the promotion to the post of Assistant Administrative officer was regularized even without obtaining any sanction although the post itself was abolished as per

recruitment rules 1998. Thus the applicant was kept completely in dark for malafied reasons promotion was not given to him.

4.8 That the applicant had repeated verbal as well as written representation by personally meeting the Principal of respondent no. 3 institute for giving him promotion. He had made written representation vide letter dated 7/11/2001, 18/3/2002, 27/5/2002, 1/11/2002, 4/11/2004, 14/12/2005 etc. since the applicant was mislead and made to understand that none of the post of the respondent no. 3 institute was sanctioned as such all this representation are also on the basis of misconception of this fact regarding sanction of post. However in these representation the applicant had questioned as to how the Principal, H.O.D. and Asstt. Administrative officer post were fulfilled if there was no sanction of post. The respondent had never replied in writing to the representation of the applicant and continued to give him wrong information verbally. Although as per verbal information given to him his promotion could not be done since none of the post of the institute were sanctioned but surprisingly in the mean time the posts of HOD and Principal were advertised and filled up post of Asstt. Administrative Officer (A.A.O.) was also filled up by promotion.

Copies of representation dated 7/11/2001, 18/3/2002, 27/5/2002, 1/11/2002, 4/11/2004, 14/12/2005 are annexed herewith 9 to 14.

4.9 That the applicant was not given promotion although his promotion was due and he was eligible and fit for promotion. The authorities continued to make false excuses for depriving the applicant only for the purpose of accommodating other Senior but none eligible lecturers. In similar circumstances other institute other then the National Council has given promotion to junior eligible lecturers if the Seniors are not eligible. For e.g. in I.H.M. Kolkata in similar circumstances promotion was given to a lecturer namely Bonphool Bandopadhay who was junior to Mr. Ashutosh Bhakta. The respondent no. 3 continued to do illegibility by even given A.C.P. to respondents no. 4 and 5 since 9.8.99 although at the relevant time they were not eligible for promotion. Thus this is a clear case of favouritism.

4.10 That ultimately the applicant had approached to this Hon'ble Tribunal by filling O.A. No. 211/06 and as per Order dated 23/8/2006 in the said case the applicant had made representation dated 11/9/2006 to the respondent no. 3 but the respondent no. 3 did not even respond to the representation even after expire of the period of 3 months time granted by this Tribunal.

Copy of Order dated 23/8/2006 and representation dated 11/9/2006 are annexed herewith as annexure no.20 and 21.

5. GROUNDS OF RELIEF WITH LEGAL PROVISIOS:

5.1 That the applicant most respectfully submits that the actions of the respondent authority as stated above in depriving the

applicant from being promoted are illegal and without authority of law. The applicant being eligible for promotion in the year 1999 itself his promotion should not have been stalled.

5.2. That the applicant submits that the post of senior lecturers were to be filled in the year 1999 and according to the recruitment rules 1998 and subsequent recruitment rules of 2001 the applicant was the only lecturer in the respondent institute who was eligible for the post of senior lecturer but the respondent waited for change of recruitment rules till 2003 only to accommodate the persons who were not qualified for the said promotional post as per the then recruitment rules.

5.3. That the actions of the respondent are violative of the applicants legal and fundamental rights. The applicant had been deprived of right to equality and equal opportunity as well as equality before law. The respondent had dealt with the applicant in the most arbitrary, unfair and unreasonable manner and discriminated without any reason and jurisdiction . As such the actions of respondent are violative of Article 14, 16 and 21 of the Constitution of India.

5.4. That the applicant submits that if other lecturers of the respondent institute were not eligible for the post of senior lecturer, it can not be a ground for depriving the petitioner of his legitimate right to promotion and career advancement and that too in view of the fact that he had been having excellent and unblemish service record with the respondent institute.

5.5. That the applicant submits that throughout the year 1999 the Principal of the institute had been stating that the post of senior

lecturer and other post of the institute were sanctioned but the applicant had been mis- informed by stating that because of non sanctioned of post his promotion could not be done and to justify their false representation they have obtained letter dated 17.5.04 showing sanctioning of post which were already sanctioned as appears from earlier correspondences. And this sanction letter is nothing but a eye wash only to justify the illegal activities of the respondent in not promoting the applicant. No such sanction letter are available with regard to other post of Asstt. Administrative Officer filled up by the respondent institute. Thus the authority had acted in most unreasonable manner and in colourable exercise of powers.

5.6. That the applicant submits that in any of the view of the matter the impugned actions of the authorities are illegal and the respOndent is bound to promote the applicant to the post of senior lecturer with retrospective effect since 9.8.99 i.e. the date from which he had been given the scale of senior lecturer.

5.7. That the actions of the respondent in not promoting the applicant are based on irrelevant and extraneous considerations and favouritism only to accommodate some particular persons. Thus the actions of the respondent are illegal and the respondent had deprived the advancement of the service career of the applicant in most illegal manner for which the applicant has to remain on the same post for about last 21 years. And his entire future prospect of career had been doomed without any reason forcing him to retire on the post on which he had joined the service.

6. <u>DETAILS OF REMEDIES EXHAUSTED :</u>

The applicant had submitted several representations verbal as well as written such as dated 7.11.01, 18.3.02, 27.5.02, 1.11.02 to the respondents no. 1 to 3 without any reply from them. The appeal dated 1.11.02 and subsequent representation dated 4.11.04 and 14.12.05 had also not been considered by the respondents. The applicant had approached this Hon'ble Tribunal by filing O.A. no. 211/06 which was disposed off by Order dated 23.8.2006 in terms of the said Order also the applicant had made representation dated 11.9.2006 but the same was not considered and no reply was given. The respondents no. 1 to 3 did not consider any of the representation and appeal submitted by the applicant and did not give any reply to him.

7. **MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT :**

The applicant declares that he has not previously filed any application, writ petition or suit, regarding the matter in respect of which the instant application has been filed before any court, authority or other Tribunal.

8. **RELIEFS SOUGHT FOR** :-

That in view of the circumstances above mentioned in paragraph no. 4 of the application as well as on the grounds above the applicant prays for following reliefs :-

i) to direct the respondents to promote the applicants to the post of Senior Lecturers with effect from 9.8.99 i.e. since the date from which the applicant is drawing salaries of the scale of Senior Lecturer.

ii) To declare that the applicant has the experience of the post of senior lecturer since 9.8.99 so as to make him competent for the next post and the scale of Head of department in his due time by counting his experience as Senior Lecturer since 9.8.99.

iii) Any other relief or reliefs to which the applicant may be entitled in the facts and circumstances of the case and as may be deemed fit and proper by the Honourable Tribunal .

iv) Cost of this application in favour of the applicant.

9. **Particulars of the I.P.O.**

i) I.P.O. No. :

ii) Date :

iii) Payable at : Guwahati

10. **List of enclosurers**: -

As stated in the Index.

VERIFICATION

I Shri Soumitra Sen, son of late Arunmoy Sen, resident of 14, Pub-Sarania Bye Lane no. 6 (West) Guwahati – 781 003, District – Kamrup, Assam, aged about 38 Years, do hereby vefify that the contents of paragraphs no. 1,2,3,4 to _____ are true to my knowledge and those made kin paragraph no. 2 to 5.7. being matters of records are true to my information derived from record and the rests are my humble submissions made before this Hon'ble Tribunal and I have not suppressed any material facts.

Soumitra Sen.

Soumitra Sen

ANNEXURE No.- 1

(81)

Dt:11/2/99

No:IHM(GH)/Admn-40/99/1727-1730

To

The Additional Director General,
Govt.of India,
Ministry of Tourism,
Transport Bhaban,
1-Sansad Marg,
New Delhi-110001.

Sub : Staff pattern as per SIU Norms in respect of IHM, Guwahati.

Sir, The staff structure of IHM,Guwahati has been worked-out as per the Guide lines contained in the SIU norms. A Statement together with relevant enclosures are sent herewith for necessary action at the earliest.

As the work of the Institute is being hampered for shortage of staff, you are requested to kindly grant necessary approval as early as possible.

Thanking you,

Yours faithfully,

Sd/-
(B. ROYCHAUDHURI)
PRINCIPAL I/c.

Enclo: As stated.

Copy for information and necessary action to :

1. Mr. P.N.Vali, Asstt.Director, Deptt.of Tourism, IHC Division, C-1 Hutment, Dalhousie Road, New Delhi.

2. Mr. K.R.Arya, Deputy Director General, Govt.of India, Ministry of Tourism, Transport Bhaban, 1-Sansad Marg, New Delhi-110001.

3. Mr. K.K.Garg, Director(A&F), National Council for Hotel Management and Catering Technology, Pusa Complex, Library Avenue, New Delhi-110012. He is requested to refer this office letter of even No.1433 dt.7.12.99 in this regard.

Principal I/c.

mdr/-

Certified to be true Copy
Dipak Kr. Das
Advocate

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Staff pattern as per SIU Norms.

S.No.	Name of the post	San.	In position	Vacant	Remarks
1.	Principal	1	-	1	Officiating
2.	HOD	1	-	1	
3.	Sr. Lecturer	2	-	2	
4.	Lecturer	5	4	1	
5.	Asstt. Lecturer	6	4	2	Deputation
6.	Accounts-cum-Admn. Officer	1	-	1	UDC o/g as AAO
7.	Accountant-cum- US	1	-	1	1 UDC Adhoc basis
8.	UDC	3	2	-	
9.	Steno	1	1	2	
10.	LDC	3	1	1	
11.	Driver	1	-	1	
12.	Peon-cum-Attendent	6	5	2	
13.	Watchman/Security/ mali	4	2	1	
14.	Asstt. Maint. Foreman (~~Electrician~~)	1	-	1	
15.	Electrician	1	1	-	
16.	Asstt. Librarian	1	-	1	
		38	20	18	

Note: Two posts of sweepers/and watchman would continue till retirement or otherwise.
1 post of store-keeper will be designated as UDC (store).

9/2/98
Administrative Officer.

17

54

ANNEXURE No.-2

69

D.O.No. /2222

Dt:5/3/99

No:IHM(GH)/Admn-40/98/17-89

To Shri M.K.Kharma,
Additional Director General,
Govt.of India,
Ministry of Tourism,
Transport Bhaban,
1-Sansad Marg,
New Delhi-110001.

Sir,

Kindly refer to your D.O.letter No.33(4)/99-HMC dt.3/3/99 regarding furnishing information for staff matters of the Institute.The information has been furnished below as desired.

1.Sanction staff strength of the Institute -- 30
As per SIU norms the sanction strength of IHM was worked out as -- 38

2.Number of employees appointed on Ad-hoc basis(in UDC cadre) -- 01
The Director of Tourism,Govt.of Assam, Guwahati was the Chairman of the Selection Committee and Commissioner and Secretary, Department of Tourism,Govt.of Assam was the Chairman of earstwhile Food Craft Institute, Guwahati,who approved the appointment.

3.Posts lying vacant as on date --18
(The details are enclosed as Annexure-I)

Yours faithfully,

(B.ROYCHAUDHURI)
PRINCIPAL i/c

Encl: As stated.

Certified to be true copy
Dilip K. Das

mdr/Rs-

18

55

17

ANNEXURE No.-3

Diary No. 1237
Dt. of Receipt dt. 31/3/99
IHMCTAN, Guwahati

राष्ट्रीय परिषद होटल प्रबन्ध और केटरिंग तकनालॉजी (70)
(पर्यटन मंत्रालय, भारत सरकार द्वारा संस्थापित)
National Council For Hotel Management & Catering Technology
(Established by Govt. of India, Min. of Tourism)

No.AF.48(4)/98-NC

Dated. 19-03-99

To

The Principal,
Institute of Hotel Management
Catering Technology & A.N.,
Guwahati.

Sir,

The National Council is in the process of advertising posts of Sr. Instructor (Group 'A') in the scale of Rs. 8000-275-13500/- in respect of IHM, Gurudaspur, for making selection. In this regard, please convey us whether any Group 'A'vacancy in repsect of your Institute is likely to be filled up before the beginning of Next Academic Session so that consolidated advertisement is accordingly issued by the National Council as per the new recruitment rules already issued by Govt. of India. This information is required by this Council urgently so that the matter of advertisement and selection of similar Group 'A' posts for all the Institutes is taken up simultaneously.

This may be treated as MOST URGENT

Yours faithfully,

(K.K. SARAF)
DIRECTOR(A&F)

A.O. copy please urgent 31/3/99

CC: ADG(T)/CEO for information.

Certified to be true Copy
Dhiraj Kumar Das
Advocate.
12/3/07.

(72) 19

ANNEXURE No.- 4

Dt:31/3/99

No:IHM(GH)/Admn-40/99/19

To : Shri K.K.Saraf,
Director(A&F),
National Council for Hotel Management
and Catering Technology,
Library Avenue,
Pusa Complex,
New Delhi-110012.

Sir, Please refer to your letter No:AF 48(4)98-NC dt:19.3.99 regarding advertisement for selection of Group-'A' posts.

In this regard it is intimated that as per SIU norms the requisitment of posts had already been worked out by this Institute and sent vide this office letter of even no.1730 dt.11.2.99(copy enclosed).The details of posts under Group'A' category are given below as desired.

Sl.No.	Name of post	No.of post	Remarks
1.	Principal	1	Already advertised
2.	Sr.Lecturer	2	--
3.	Accountantcum-Admn. Officer	1	--

It is requested that necessary action may kindly be taken to advertise the posts.

Thanking you,

Yours faithfully,

(B.ROYCHAWDHURI)
PRINCIPAL i/c

Encl: As stated.

mdr/-

Certified to be true Copy
D. K. Das
Advocate

20

ANNEXURE No.- 5

राष्ट्रीय परिषद होटल प्रबन्ध और (FC)
केटरिंग तकनालॉजी
(पर्यटन मंत्रालय, भारत सरकार द्वारा संस्थापित)
National Council For Hotel
Management & Catering Technology
(Established by Govt. of India, Min. of Tourism)

13th August, 1999.

No.AF.48(4)/98-NC

To

The Principal,
Institute of Hotel Management,
Catering Tech. & Applied Nutrition,
Guwahati.

Subject: Regarding filling up of Group 'A' posts of IHMs.

Sir,

With reference to your letters on the above subject, Addl. Director General(T)/C.E.O., National Council has directed to inform you that National Council will confine itself to process filling up of posts of Principals and HOD's only for the present. The other staff of your Institute including Group 'A' posts will be recruited at your own level. However, you should associate the representative of National Council on their Board in the said selection process. You are, therefore, requested that the advertisement & selection process of Group 'A' posts except above mentioned posts may kindly be done at your level as per Revised Recruitment Rules, circulated by Ministry of Tourism.

Since the advertisement for the vacant posts of Principals of various IHMs. has already been notified in the Press by the Council, it is requested that the information in respect of the vacant post of HOD's required to be filled up may kindly be intimated to this Council specifying the subject/Deptt. and No. of posts so that we may be able to advertise the same in the Newspapers at the earliest.

This may be treated as MOST URGENT.

Yours faithfully,

(K.K. SARAF)
DIRECTOR(AGF)

Certified to be
true copy

एवेन्यू, पूसा कॉम्प्लेक्स, नई दिल्ली-110012, तार : कैथोटैक, फोन : 5782799, 5781969, 5751754, 5717411, 5751756 फैक्स : 91-11-
AVENUE, PUSA COMPLEX, NEW DELHI-110012, GRAMS : "CATHOTECH" PH. 5782799, 5781969, 5751754, 5717411, 5751756 FAX : 91-11

21

ANNEXURE No.- 6

FAX

राष्ट्रीय परिषद होटल प्रबन्ध और
केटरिंग तकनीकलॉजी
(पर्यटन मंत्रालय, भारत सरकार द्वारा स्थापित)
National Council For Hotel
Management & Catering Technology
(Established by Govt. of India, Min. of Tourism)

No.AF.24(18-IIHM)/97-NC

1.11.99

To

The Principal I/C,
Institute of Hotel Management,
GUWAHATI.

Subject: 8th Meeting of Board of Governors to be held on 3rd November, 1999 at 3 PM at IIHM, Guwahati.

Sir,

Please refer toyour letter No.IHM(GH)/Admn.6/95/1074 dated 15.10.99 on the above cited subject and to say that I am not able to attend the said meeting due to my pre-occupation. Board may please be requested to grant leave of my absence. As regards agenda item Nos.6,8, the following points may be considered by the Board before arrival at the final decision:

Item No:6: (I) Whether enquiry was conducted as per rules and d.o. was given opportunity to defend.

(II) What steps are to be taken by Institute for recovery of the Govt. money.

Item No:8 Be regularised only if the post of Asst. Admn. Officer duly sanctioned by Central Govt.

Yours faithfully,

(K.K. SARAF)
DIRECTOR(ASF)

लाइब्रेरी एवेन्यू, पूसा कॉम्प्लेक्स, नई दिल्ली-110012, तार : कैथोटेक, फोन : 5782799, 5781959, 5751754, 5717411, 5751756 फैक्स : 91-11-5718094
LIBRARY AVENUE, PUSA COMPLEX, NEW DELHI-110012. GRAMS : "CATHOTECH" PH 5782799, 5781959, 5751754, 5717411, 5751756 FAX 91-11-5718094

Certified to be true Copy
Divya Kumar De
Advocate

ANNEXURE No. 7

Speed post

No:IHM(GH)/Admn-40/99/1272-1273 Dt:25/11/99

To Shri M.K.Khanna,
Additional Director General,
Govt.of India,Ministry of Tourism,
Transport Bhaban,1-Sansad Marg,
New Delhi-110001.

Sir,

Kindly refer to your D.O.letter No.33(4)/99-HMC dt.6.10.99 regarding furnishing information of staff strength in respect of IHM, Guwahati.In this regard kindly refer to office letter of even no.1789 dt.5.3.99(copy enclosed for ready reference) and however the required information is again furnished below as desired.

1.Total sanction of staff strength of IHM, Guwahati(approved by Board members as per SIU norms) = 38

Out of these 38 posts 22 posts have been filled up since inception of FCI.

2.Number of post filled up = 22
3.Number of post lying vacant = 16
3.Additional staff strength require = 01 (A.A.O.)
4.Full justification for additional staff strength. As per new recruitment rule-1998 the post of AAO was abolished.

However the Chairman and Board members desired that the post of AAO may be continued as the post was in existence since the inception of FCI. The total strength of IHM,Guwahati would be 39 inclusive the post of AAO.

I shall be thankful if necessary approval of staff strength is accorded at your earliest.

Thanking you,
Yours faithfully,

(Mrs.S.Rehman)
Principal i/c

Copy forwarde to : Shri K.K.Saraf,Director(A&F),National Council for Hotel Management,Pusa,Library Avenue,New Delhi
Please refer this office letter of even no.1433 dt.7.12.98 regarding staff pattern,Your communi is still awaited.Kindly expedite.

Principal i/c

mdr/-

Certified to be true Copy

ANNEXURE No.- 8

78

No.IHM(GH)/Admn-40/99/1968 dt.6/09/99

TO:

Shri K.K. Saraf,
Director (A & F),
National Council for Hotel Management,
and Catering Technology,
Library Avenue,
Pusa Complex,
New Delhi- 110012.

Sub: Regarding filling up of group 'A' posts of IHMs.

Sir,

Please refer to your letter No.AF 48(4)/98-NC/1180 dt. 13-8-1999 on the above mentioned subject.

In this regard I am to inform you that one post of HOD in Food Production Department is vacant in this Institute.

You are therefore requested to take necessary steps to fill up the post of HOD and Principal at the earliest.

Yours faithfully,

(S. Lohiya)
Principal 1/c

Sd/-

Certified to be true
Copy
Dhyan Kumar Das
Advocate

Received
4/12/01
Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition Guwahati

ANNEXURE No.- 9

To,
The Principal,
Institute of Hotel Management, Catering Technology
& Applied Nutrition;
Bhangagarh, ABC Bus Stop,
Guwahati – 781005.

07/11/2001,
Guwahati.

Subject :- An Appeal

Respected Sir,

I have the honour to put forward following points for your kind attention and necessary action:-

1) For almost last 16 years I am working as Lecturer-cum-Instructor without any promotion in this organisation. However, three years back a directive was received by our Institute from Ministry of Tourism, Govt. of India to promote the staff provided they fulfil the essential criteria of the post promoted to. Accordingly it was found among the four Lecturers my qualifications etc. fulfilled all the set criteria for promotion to Sr. Lecturer post. Hence the relevant file was moved by Mr. A.H.Wasnik the then A.O. to Mr. Sanjay Lohia the then Principal of the Institute. Subsequently another directive came from Mr. K.K.Saraf, Director A & F, National Council for Hotel Management, New Delhi that the promotion / regularization etc. can only be done if the posts have prior sanctions from concerned Ministry. As no posts of our Institute has the formal sanction from the Ministry the said file concerning promotion was stalled. But contrary to Mr. Saraf's directive A.A.O. I/c was promoted /regularized in a non sanctioned post. Now if the same can be done to one staff why such benefit cannot be extended to others? Is it not Sir, a clear violation of " Fundamental Rights" as enshrined in our Constitution which guarantees "Right to Equality"as has been enumerated in the Article 14? This point is brought to your kind notice time and again in our discussions but I am till to receive any justice.

2) The failure on the part of the management to implement a clear cut promotion policy in absence of sanctioned posts coupled with the "A.C.P" scheme of Govt. of India vis-a- vis receiving approval of implementation of A.C.P. and hopefully sanctioning of relevant posts by the Ministry of Tourism, Govt. of India for our Institute will put all of us who are eligible otherwise for promotions in a position of dilemma where we stand to loose for no faults of us the 2nd phase benefit of A.C.P. along with further scope of career advancement about which all the facts and figures are brought in details to your kind notice.

Considering the gravity of the above facts it is being earnestly urged that Sir, you may use your good office to bring the above facts to the notice of our Hon'ble Chairman for his valued guidance & directives or alternately allowed us (all those who are otherwise eligible but failed to get promotion due to absence of sanctioned posts) to plead before him for the mitigation of our genuine grievances. This if done will save us from our present state of utter hopelessness and frustration due to total lack of motivation and non- existence of career advancement opportunities in our Institute.

Hope my above plea will receive a favourable response from your kindself at the earliest possible to safeguard the interest of not only us the affected one's but our family members too.

Thanking you,
Yours faithfully,

(Soumitra Sen),Lecturer.

Certified to be true Copy
Dhiraj Kumar Das
Advocate

25

ANNEXURE No.- 10

To

Mr. K.K. Saraf, Director(A&F),
National Council for Hotel Management&
Catering Technology,
Pusa Complex, Library Avenue,
New Delhi - 110012.

18/03/2002,
Guwahati - 5.

Subject :- An Appeal.

Forwarded through proper channel.

Respected Sir,

I have the honour to put forward following points for your kind attention and necessary action as per your directive through our telephonic conversation on 16/03/02:-

i) For almost last 16 years I am working as Lecturer – cum – Instructor without any promotion in the Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati. However, three years back a directive was received by our Institute from Ministry of Tourism, Govt. of India to promote the staff provided they fulfil the essential criteria of the promoted post. Accordingly it was found among the four Lecturers my qualification etc. fulfilled all the set criteria for promotion to Sr. Lecturer post as out of remaining three members of faculties who are seniors to me two are undergraduate & the other have to successfully undergo the "Bridge – Course" of National Council". Hence the relevant file was moved by Mr. A.H. Wasnik the then A.O. to Mr. Sanjay Lohia the then Principal of the Institute. Subsequently another directive came from your good office that the promotion/regularisation etc. can only be done if the posts have prior sanctions from the concerned Ministry. As no posts of our Institute has the formal sanction from the Ministry the said file concerning promotion was stalled. But in contrary to your directive A.A.O. i/c, was promoted/regularised in a non sanctioned post. Now if the same can be done to one staff why such benefit cannot be extended to others as an " Act of Precedence ?? Is it not Sir, a clear violation of " Fundamental Rights" as enshrined in our Constitution which guarantees "Right to Equality" as has been enumerated in the Article 14 ? Attention of your kindself is also drawn

Certified to be true Copy

Dhiraj Kumar Das.
Advocate

towards the minute of item no. 09.03 of 9th BOG meeting of this Institute held on 23/11/2000 (filling up of vacant post as per SIU norms).

All these points were already brought to the notice of our principal Mr. S. P. Bhattacharya in my letter dated 07/11/2001.

ii) Even after fulfilling all the necessary criteria required for promotion to higher posts in this Institute a scenario is reached where all my career advancement opportunities is blocked for no fault of mine as I will be unable to fulfill the requisite experience criteria & age limit as stated in the Recruitment Rule'2001 thereby leading to a member of faculty much junior to me occupying a higher post. In this context it may be worth mentioning that in many of our sister Institute of Hotel Management, faculty members joining the service at the same time with me have not only got promotions but a few of them have reached the post of HOD's of their respective Institutes.

Considering the gravity of the above facts it is being earnestly urged that Sir, you may use your good office to mitigate the injustice meted out to me and save me from the state of utter hopelessness and frustration due to total lack of motivation and non-existence of career advancement opportunity in this Institute.

Hope my above plea will receive a favourable response from your kindself at the earliest possible.

Thanking you,

Yours faithfully,

(Soumitra Sen) *Lecturer.*

Forwarded for necessary action/ Guidance please.

Principal,
Institute of Hotel Management Catering Technology Applied Nutrition, Guwahati.

18/3/2002

ANNEXURE No.- 11

To

The Principal,

Institue of Hotel Management,Catering Technology

& Applied Nutrition,

Bhangagrh,ABC Bus Stop,

Guwahati - 781 005.

27/05/2002,

Guwahati - 5,

Subject:-*Request for furnishing with suitable replies to my earlier letters dated 07/11/2001 & 08/04/2002.*

Respected Sir,

This is to draw your kind attention to the fact that I am yet to receive any replies from your end to my earlier letter dated 07/11/2001(Subject - An Appeal) as well as to the letter dated 08/04/2002(Subject - Request for full implementation of ACP in lieu of existing fragmented version of ACP) till date.

Considering the seriousness and urgency of the matters stated in my letters I once again urge upon you to furnish with suitable replies to my communiqué. I may take liberty at this juncture to state that in absence of any reply forthcoming from your end within ten days it will left with no other alternative on my part rather than to take recourse of approaching concerned Honlb Minister/Ministry, Public Grievance Cell under P.M.O, Judicial verdict to get a proper & just redressal of my grievances of genuine deprivation and denial of justice.

Moreover, even after fulfilling all the necessary criteria required for promotion to higher posts in this Institute a scenario is reached where all my career advancement opportunities is totally blocked for no fault of mine as I will be unable to fulfill the requisite experience & age limit criteria as prescribed in the Recruitment Rule'2001 thereby leading to a member of faculty much junior to me occupying a higher post. In this context, it may be worth mentioning that in many of our sister Institutes of Hotel Management, faculty members joining the service at the same time with me have not only got promotions but a few of them have reached the post of HOD's of their respective Institute's. Hence, in case of any All India Cadre being drawn up

--contd.

Certified to be true Copy

Dilip Kumar Das

Advocate

for promotion etc by concerned authority; my case will not get due weightage under the above circumstances. Again, in total violation of FRSR which is further substantiated by ACP(OM, No.35034/1/97-Estt(D), dt-09/08/1999, Rule 6 & F.No 35034/1/97- Estt(D),dt-10/02/2000-Rule-16) and implemented by our Institute, I am being denied my rightful claim whenever such situation arises in the Institute thereby denying me the opportunity to add the valuable experience criteria as required by R.R-2001 for further advancement of my career.

Considering the gravity of the above facts it is being earnestly urged that Sir, you may use your good office to mitigate the injustice meted out to me and save me from the state of utter hopelessness & frustration due to total lack of motivation alongwith non-existence of career advancement opportunities in this Institute. In case of non-receipt of any formal reply from you within 10 days it will be assumed at this end that the authority of the Institute have no objection of mine to take any or many of the remedial measures as suggested above.

Looking forward for your kind consideration & co-operation.

Thanking you in anticipation,

Yours faithfully,

(Soumitra Sen), *Lecturer.*

Received Original letter
27/5/2012

Principal
Institute of Hotel Management
Catering Technology & Applied
Jamshedpur

ANNEXURE No.- 12

~~ANNEXURE No.-~~

To

The Principal,

I.H.M.C.T.A.N,

Bhangagarh, Guwahati – 5.

01/11/20002,

Guwahati,

Subject:- An Appeal.

Respected Sir,

With reference to my earlier letters dated 07/11/2001,18/03/2002 & 27/05/2002 on the captioned subject above to you and Mr. K.K. Saraf (A&F), NCHMCT, Pusa,N.Delhi; I once again take this opportunity to highlight the points of great injustice being meted out to me by the Management of this Institute & seek an early redressal of the same :

i) As indicated in my letters of 07/11/02 & 18/03/02, I have been denied promotion even after fulfilling all requisite criteria for the same (incidentally I am the only one to fulfill all promotional criteria among the senior cadre of the Institute) in absence of sanction posts whereas extending the benefit to other under similar circumstances. This in itself is a serious violation of Article 14 (Right of Equality) of Fundamental Right as enshrined in our Constitution.

Again, even in recent past a Group – C staff is installed in this Institute without any sanctioned post for the same. Thus the very "locus standi & tenet of sanctioned post" stood defeated.

ii) Moreover, in continuation of para-2 of my letter dated 27/05/02, the career advancement scenario in this Institute have reached such a dead end for me that I will be unable to fulfill ever the requisite age & experience criteria of H.O.D selection norms as prescribed in Recruitment Rule'2001 for no fault or shortcoming on my part. This in turn tantamount to violation of Article 16 of Fundamental Rights which guarantee me the right of livelihood as concurred upon by all the administrative & legal experts on service matters whom I conferred.

iii) In this context it is worth mentioning that even after favourable

---- contd.

Certified to be true copy

Dhruv Kumar

Advocate

recommendation from this office (vide letter no. IIHM(GH)/Estt-1/99/322 dt. 30/05/2000). I did not even received a call letter for interview of H.O.D's at All India level due to shortfall of requisite experience criteria although I am eligible for the same otherwise.

iv) Thus a situation will arise one day here that even putting more than a decade & half of dedicated service shouldering extra responsibilities meant for higher hierarchical posts apart from performing normal duties of teaching as will be proved by my ACR's; a rank outsider by virtue of working in senior position even in smaller organization & junior to me will occupy higher post in this Institute contrary to set norms of natural justice. This in turn may project me as incapable & incompetent in the eyes of my peers in general and student community in particular.

Hence, I once again urge upon you Sir to take appropriate step so that the Management fulfill its' responsibilities to provide appropriate Career Advancement opportunity as envisaged in FRSR pertaining to Govt. staff in this Institute. This if done will not only mitigate the injustice meted out to me and save me from the state of utter hopelessness & frustration due to lack of motivation here but repose faith and confidence on the Management of the Institute.

Thanking you in anticipation,

Yours truly,

01/11/02

(Soumitra Sen) *Lecturer*

31

68

ANNEXURE No.-13

To
The Principal,
Institute of Hotel Management, Catering Technology
& Applied Nutrition,
Bhangagarh,
Guwahati – 781005.

03/11/04
Guwahati.

Sub: - Career Advancement.

Respected Sir,

In view of the forthcoming Board Meeting schedule on 04/11/2004, I have following submissions to make for the kind consideration of our Honlb. Board Members:-

1) In my earlier representations dated 07/11/01, 18/03/02, 27/05/02 & 01/11/02, I had pointed out how **disparity** was done to me vis-à-vis "Promotion & Sanction Post"- for which I am yet to receive any official intimation from the Institute.

2) Now with the implementation of new R.R-2003 which recommends promotion only on the basis of "**Merit-cum-Seniority**"; I found myself not even being considered in Merit List panel for promotion. This happened even after me being entrusted by the Institute right from its inception with every major task of starting any new co-curricular activities & subsequent successful implementation including setting up of Examination Cell, Training of Students, Attendance Maintaining Methodology etc till the very latest being of IGNOU coordinator from among all the senior members of faculty.

Hence, I will be obliged if the parameters for determining Merit in this Institute be enlighten so as to assuage the feeling of not being discriminated against & helping in augmenting my future performances.

3) Again; with new R.R-03 in vogue it will be of immense help if scope & avenues of **Career Advancement** be made known.

4) Continuing with the saga of **deprivation**, even after giving almost 18 years of dedicated service the legitimate pay upgradation under **ACP benefit** of Vth Central Pay Commission is also denied as can be seen from the enclosed table below though the other benefit of 50% DA merger in full is being sanctioned.

Keeping all the above facts in consideration I earnestly want to appeal through you to all the Honlb. Board Members & Honlb. Chairman in particular to enable me to place & discuss my above pleas in person in the ensuing Board Meeting.

Looking forward to your kind consideration & approval.

Thanking you,

Yours faithfully,

(Soumitra Sen), Faculty Member.

Encl:- As stated above.

Certified to be true Copy

ANNEXURE No. 14

I.H.M.C.T. & R.I., GUWAHATI

File No. IHMCGHY/Admn-10/97

Sub:- Staff pattern as per SIU norms in r/o IHM Guwahati

Sir, We have worked out the staff structure for running Hotel Management Institute as per SIU norms. A letter along with the copies of statement was sent to National Council vide our letter dt. 7-12-98.

We may r/o submit the statements to Mining Tourism, N. Delhi for perusal & early approval.

A dft placed below for approval.

Submitted please

Principal
12/2/99

Dharmajit
11/2/99
A.O.

We have received a letter vide No. D.O. No. 33(4)98-HMC dt. 3-3-98 from Shri M.K. Khanna AD(T) Mining Tourism, GOI, New Delhi requesting us for furnishing the information regarding staff strength of IHM Ghy. We required information have been prepared

A dft placed below for approval please

Submitted please

Principal
5/3/99

Dharmajit
5/3/99
A.O.

We have received a letter dt. 15.3 from Shri P.K. Sood, Director (Hotels) National Council to provide information to convert the post under Group 'D' category we have already worked out the post as per SIU norms accordingly Hotel wise work load for N.E. wise H.K. office is dt. 11-2-98 was duly informed N.E. the post being vacant is over for A.C. etc. etc.

The dft is placed below for approval

Principal
31/3/99

31/3/99

Certified to be true copy

Dharmajit
Advocate

A.O. please submit letter to MD & CE

We have received a letter dt. -8-99 from Kaliana council regarding filling up of Group 'D' post. In this, we have already furnished our staff strength as per SLO norms including Group 'A' post.

We may accordingly furnish the information to Kaliana council.

Dft placed below for approval please.

21/9/99

J.S.T.
principal

21/9/99

We have received a DO lr dt 6-10-99 from the Kaliana, DDG Dept of Education, regarding staff strength & SLO norms. In the said lr the information regd staff strength has been asked for.

Accordingly the dft is placed below for approval pl.

25/11

UST
principal

25/11/99

A.O. Kindly refer our earlier letter of 99.

25/11/99

Draft has been included in Kaliana council's letter please.

Refer letter placed below for signature pl.

25/11/99

UST
Principal

25/11/99

Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati

NOTES

Sub: An Appeal by Mr. Soumitra Sen, Lecturer dtd. 7/11/01 and the reminder dtd. 27/5/2002

We have received an appeal from Mr. S. Sen, Lecturer regarding promotion to Sr. Lecturer and the implementation of ACP benefit. The ACP benefit as per the letter No. 1(7)/99-HMC dt. 29/11/01 (Ministry of Tourism, Govt of India) has been implemented. The summary of the appeal (point No. 1) is as follows:— "that the file for promotion to Sr. Lecturer was put up by the then A.O to the then Principal, but another directive came from Mr. Kirti Sarab, Director (A & F), NCHMCT, New Delhi that the promotion/regularisation etc. can only be done if the posts have prior sanction from concerned Ministry. So the file for promotion was stalled. But contrary to Mr. Sarab's directive AAO i/c was promoted/regularised in a non sanctioned post."

In this respect the following points/clarifications are submitted after having gone through the file:—

1. The file for promotion of Sr. Lecturer was moved on 6/9/99.

On the other hand, the regularisation of the post of AAO was done on 25/6/99 by the authority as the concerned incumbent was holding the charge of AAO since 1988 (June) & till regularisation i.e. 24/6/99 = 11 years. which was later on ratified by the 8th BOG Meeting held on 3/11/99.

2. The file for promotion (Sr. Lecturer) was not stalled only because of the directive came from NCHMCT dtd. 1/11/99. But the file was stalled as per the direction of the then Chairman who discussed the matter with National Council as well as with the Ministry of Tourism. The Chairman in

Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati

NOTES

In the endorsement (Note 8) of this file mentioned that the recent interviews held by IHM, Delhi (Sr. Lecturer) was objected to by the Ministry and the matter was kept pending. So, he suggested that the matter may be kept pending till amendment of Recruitment Rule (reg. qualification of Sr. Lecturer) for which Annual General Meeting (of NCHMCT) was fixed in Nov' 99.

So, it is seen that the regularisation of the post of AAO was nowhere connected with the post of Sr. Lecturer.

Ultimately the new R.R. came on 19/2/01 and correspondences have been done for early sanction/revival of the posts with the Ministry. The matter was put up in the 10th BOG also held on 1/2/02. The Board has expressed deep concern over the fact that the sanction of some of the posts is still awaited from G.O.I. The Board suggested to do correspondence with concerned Ministry at the Chairman's level which has been continuing but no reply was received.

As the staff members are suffering for not getting promotion for 16/17 years, so the matter may be taken up with the Ministry at Chairman's level as 'Top priority' basis for getting sanction/revival from Ministry so that process may be done for DPC Meeting.

Submitted for kind orders please.

Bonnie 16/9/02

Principal

Since the BOG meeting is in near future, AAO may kindly keep in BOG Meeting in an appropriate level Sir.

TYPE COPY

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23

IHMCTKAN
GUWAHATI

File No: IHM(411)/ Admn-40/98

Sub : Staff Pattern as per SIU Norms in V/O IHM Guwahati

We have worked out the staff structural strength of our Institute as per SIU norms. A letter along with the copies of statement was sent to National Council vide our letter dt. 7.12.98.

We hereby also submitted the statements to Ministry of Tourism, N.Delhi for early approval. A dfa placed below for approval. Submitted please.

Illegible 11.2.99

Principal 12/2/99

A.O.

We have received D.O. letter being no. 33(4) 99-HMC dt. 3.3.99 from Sri M K Khanna A DG Min. of Tourism , GOI, New delhi regarding furnishing the information regarding staff strength of IHMCT&AN, Ghy. The required information has been proposed.

A dft. Placed below for approval please . Submitted please.

Principal

5.3.99

Illegible

A.O. 3.3.99

Certified to be true Type copy

Dy. Law Officer

Advocate

We have received 9 letters dt. -8-99 from National Council regarding filling up of Group 'a' posts of HPM . We have already worked out staff strength as per SIU norms including Group 'A' posts. We hereby accordingly furnish the information to National Council.

Dft./ placed before board for approval please

Principal 2/9/99 Illegible 2/9/99.

We have received a DO letter dt. 6.10.99 from Dr. M.K. Khanna ADG Deptt. of Tourism, N Delhi regarding staff strength of IHM Guwahati. In the said letter the information regarding staff strength has been asked to furnish.

Accordingly the dft. Is placed for approval pl.

Principal 25/11/99 Illegible 25/11/99

A.O. kindly refer one earlier letter of '98.

Sd/- Illegible 25/11/99.

This has been included in National Council's letter please.

Further letter placed below for signature pl.

Principal 26/11/99 Illegible 25/11/99.

Institute of Hotel Management Catering Technology & Applied Nutrition, Guwahati.

NOTES

Sub: An Appeal by Mr. Soumitra Sen, Lecturer dt. 7/11/01 and the reminder dt. 27.5.2002

We have received an appeal from Mr. S. Sen, Lecturer regarding promotion to Sr. Lecturer and the implementation of ACP benefit as per the letter No. 1(7)/99*HML dt. 29/11/01 (Ministry of Tourism, Govt. of India) has been implemented. The summary of the appeal (point no. 1) is as follows :- " That the files for promotion to Sr. Lecturer was put up by the then A.O. for the then Principal, but another directive came from Mr. K.K.Saraf. Director (A & H) NCHMCT, New Delhi that the promotion/ regularization etc. can only be done if the posts have prior sanction from concerned Ministry. So the file for promotion was stalled. But contrary to Mr. Saraf's directive AAO I/c. was promoted/regularized in a non sactioned post."

In this respect the following posts / clarifications are submitted after having gone through the file:-

1. The file for promotion of Sr. Lecturer was moved on 6.9.99. On the other hand the regularization of the post of AAO was done on 25/6/99 by the authority as the concerned incumbent was holding the charge of AAO since 1988 (June) to till regularization i.e. 24.6.99 = 11 years which was later on ratified by the 8th BOG meeting held on 3.11.99.

2. The file for promotion (Sr. Lecturer) was not stalled, only because of the directive came from NCHMCT dt. 1/11/99 . But the file was stalled as per the direction of the then chairman who discussed the matter with National Council as well as with the Ministry of

Tourism. The Chairman in his endorsement (Note 8) of this file mentioned that the recent interview held by IHMCT&AN ,N. Delhi (Sr. lecturer) we objected to by the Ministry and the matter was kept pending . So, he suggested that the matter may be kept pending till amendmen t of recruitment Rule (reg. qualification of sr. lecturer) for which annual General Meeting (of NCHMCT) or as fixed in Nov. 99.

so it is seen that the regularisation of the post of AAO was nowhere connected with the post of Sr. lecturer.

Ultimately the new RR came on 19.2.01 and correspondences have been doing for early sanction / revival of the posts with the Ministry. The matter was put up in the 10th B OG also held on 1/2/02. The Board has expressed deep concern over the fact that the sanction of some of the posts is still awaited from G.O.I. The Board suggested to do corresplondlence with concerned Ministry at the Chairman's level which has been continuing but no reply was received.

As the staff members are suffering for not getting promotion for 16/17 year, so the month may be takeh up with the Ministry at chairman's level as 'Top pushing, ban's for getting sanction / revival from Ministry so that process may be done for DPC Meeting.

Submitted for f.O. order please.

Principal Illegible 16.9.02.

Since the BOG meeting is in new future, AAO, may please keepm in BOG Meeting in an appropriate.

Sub:-Regarding filling up of posts of Sr.Lecturers in IHM Guwahati.

We have received a letter bearing No.AF48(4)/98-NC/1180 dt.13-8-1999 from National Council for H.M.& C.T.,Pusa Complex, New Delhi regarding filling up of Group A Posts of IHMs. As per the contents of the aforesaid letter National Council would confine itself to process filling up of the posts of Principals and HODs only and other staff of the respective IHMs including group A posts would be recruited by them at their own level. However the representative(Board Members)of National Council on their Board should be associated in the selection process as per the Revised Recruitment Rules, 1998.

In this regard it is submitted that the staff position of our Institute was worked out/and approved by the Board Members in the annual meeting held on 6th November 1998 at IHM premises. The following academic staff was approved by the Board Members. The details thereof including pay scale etc.are as under:

Sl.No.	Name of the post	posts apprvd	In-position	Vacant	Scale Rs.
1.	Sr.Lecturers	2	-	2	8000-275-13500
2.	Lecturers	5	4	1	6500-200-10500
3.	Asstt.Lecturers	6	4	2	5000-150-8000

The posts at sl.1 comes under group 'A'. Sl.2 under group 'B' and sl.3 under group 'C'. We may consider to process the filling up of the post of sr.lecturer and other academic staff at sl.2 and 3, as per the guide lines contained in the Revised Recruitment Rules.

It is further submitted that as per RRRs 1998, the posts of Sr.Lectuters may be filled up by promotion from amongst the common cadre of Lecturers working in IHMs failing which by Direct Recruitment. The methods for promotions are as under:

1. Selection-cum-Seniority.
2. Selection by Merit and
3. ~~Non-selection or Seniority-cum-fitness method~~.

The zone of consideration of eligible candidates with reference to the assessed vacancies would be as under:

No.of vacancies	Normal zone	Extended zone for SC/ST
2	8	10

contd...

(ii) Assessment of Officers:- The assessment of each officer should be made on a fair, just and non-discriminatory evaluation of the C.Rs for the preceding 5(five) years or years required for the qualifying service.

The essentials qualifications and experience for the post of Sr.Lecturer etc. are mentioned below: P. 25

1. Graduate with a 3 year diploma in H.M. having secured at least IInd Divn. from National Council/ State Board of Technical Education

O R

Degree in H.M. from any recognised University with atleast IInd Division.

Experience: At least 5 years experience in the grade of lectuter.

2. As regard age limit and educational qualifications, there will be no age limit for departmental promotees, however they must fulfil the educational qualifications.

It may be submitted that for promotions to the posts of Sr.Lecturers, the lecturers of our Institute may be considered for promotions.

At present we are having 4 lecturers in our institute. The educational qualifications, experience etc. are mentioned below:

S.No.	Name S/shri	Age	Dt.of joining	Education
1.	Bablu Roychowdhury	27-12-48 (31 yrs)	21-2-85	Pre-Uni.Science, 3 yr Diploma in H.M. from State Council for Engg.& Technical Education, Govt.of W.Bengal.
2.	Mrs.Nanda Barua	14-2-61 (38 yrs)	15-3-85	M.Sc.Food Service Mngmt. and Dietetics.
3.	Mr.Gautam Das	17-8-59 (40 yrs)	27-4-85	Higher Secondary, B.Sc.Part I 3 yr.Diploma in H.M. from State Council for Engg. & Tech.Edun.Govt.of W.Bengal.
4.	Mr.Soumitra Sen	25-5-58 (41 yrs)	5-9-85	B.A., 3 Yr.Diploma in H.M. from State Council of W.Bengal

It would be seen from above that sl.1 to 3 do not possess the required educational qualifications for the promotion to the post of Sr.Lecturer. Mrs.Nanda Barua, though she is graduate but do not possess 3 year diploma in hotel management. Mr.Soumitra Sen, who is juniormost, only fulfils the required qualifications and experience etc.

The matter may be referred to the Departmental Promotion Committee for consideration. Any Representative from National council may also be associated for selection. S/A P. 22

Submitted for further orders please.

continued

-42-

ANNEXURE No.- 15

To
The Principal,
Institute of Hotel Management, Catering Technology
& Applied Nutrition,
Bhangagarh,
Guwahati - 781005.

14/12/2005,
Guwahati.

Sub: - Career Advancement.

Respected Sir,

In view of the forthcoming Board Meeting schedule on 16th December 2005, I have following submissions to make for the kind consideration of our Honlb. Board Members :

1. In my earlier representations dated 07/11/01, 18/03/02, 27/05/02, 01/011/02 & 03/11/04, I had pointed out how disparity was done to me vis-à-vis "Promotion & Sanction Post" – for which I am yet to receive any official intimation from the Institute.
2. Now with the implementation of new R.R-2003 which recommends promotion only on the basis of "Merit-cum-Seniority"; I found myself not even being considered in the Merit list panel for promotion. This happened even after me being entrusted by the Institute right from its inception with every major task of starting any new co-curricular activities & subsequent successful implementation including setting up of Examination Cell, Training of Students, Attendance Maintaining Methodology etc till the very latest being of IGNOU coordinator from among all the senior members of faculty.

   Hence, I will be obliged if the parameters for determining Merit in this Institute be enlighten so as to assuage the feeling of not being discriminated against & helping in augmenting my future performances.
3. Again, with new R.R-03 in vogue it will be of immense help if scope and avenues of Career Advancement be made known.

Looking forward to your kind consideration & approval.

Thanking you,

Yours faithfully,

(Soumitra Sen), Lecturer.

Certified to be true Copy
Dhiraj kumar Das
Advocate

ANNEXURE No.- 16

22/06/2006,

Guwahati.

To

The Principal,

Institute of Hotel Management, Catering Technology &

Applied Nutrition,

ABC Bus Stop, Bhangagarh,

G.S. Road,

Guwahat-781 005.

Subject :- *Allowing to have photocopies of documents & correspondences related with staff promotion.*

Respected Sir,

It will be kind of you to furnish me with the photocopies of the relevant documents, letters and correspondences with respect to staff promotions of our institute as the same are required at this end in pursuance with my earlier appeals regarding deprivation of promotion.

Looking forward for your kind approval and necessary directives.

Thanking you,

Yours faithfully,

(Soumitra Sen), *Lecturer.*

22/6/06

Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition Guwahati-5

Certified to be true Copy
Dipak Kumar Das
Advocate

-88-

1998 ANNEXURE No.-17

1.	Name of Post:	Sr.Lecturer cum Sr.Instructor
2.	Scale of Pay:	Rs.8000-275-13500
3.	Method of Recruitment:	Promotion from amongst the common cadre of Lecturers working in IHMs, failing which by Direct recuritment.
4.	Whether post is Selection or Non Selection:	Selection.
5.	Educational and other qualifications and experience required for direct recuits.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt. from any recognised Univesity with atleast IInd Division. For Subject specific: Minimum IInd Class Graduate in Computers or MCA Accounts & Law - M.Com/ICWA/LLB Experience: Atleast 5 years experience in the grade of Lecturer. For Direct Recruitment: Atleast 8 years teaching experience in recognised educational Institute of atleast diploma level or in a supervisory capacity in Hotel Industry. (3 Star or above). Desirable: Working knowledge of Computers. Teachers Training Degree or Diploma; Post Diploma in Specialised Hotel Management; Post Graduate qualification in the subject specific for the post.
6.	Age limits for direct recruits.	40-45 Yrs. (Relaxable by 5 years in uppger age limit for SCs & STs, departmental candiates and categories as specified by Govt. of India from time to time.
7.	Whether age limits,qualifications etc.applicable to promotees.	Age limit: No Educational Qualification: Yes
8.	Appointing Authority for the post.	Central Government.

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Advocate

1998 ANNEXURE No. 17 Contd.

1.	Name of Post	Lecturer cum Instructor
2.	Scale of Pay:	Rs.6500-200-10500
3.	Method of Recruitment:	Promotion from amongst Asstt.Lecturers failing which by Direct recruitment.
4.	Whether post is Selection or Non Selection:	Selection
5.	Educational and other qualifications and experience required for direct recruit.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt.from any recognised Univesity with atleast IInd Division. For Selection by Promotion: Five years regular service in the post of Asstt.Lecturer-cum-Astt.Instructor. For Direct Recruitment: Atleast 5 years teaching and or supervisory experience in a Government recognised Hotel Mgt.Institute of atleast diploma level or Hotel Industry in 3 Star or above category. Desirable: Working knowledge of Computers. Teachers Training Degree or Diploma; PG Diploma in Food Production or Accommodation operation.
6.	Age limits for direct recruits.	35-40 Yrs. (Relaxable by 5 years in upper age limit for SCs & STs and departmental candiates and categories as specified by Govt. of India from time to time.
7.	Whether age limits,qualifications etc.applicable to promotees.	Age limit : N.A. Education Qlf. : Yes.
8.	Appointing Authority for the post.	Board of Governors.

R.R. 2001 ANNEXURE No.- 18

1.	Name of the Post	:	**Sr.Lecturer-cum-Sr.Instructor**
2.	Scale of Pay	:	Rs.8,000-275-13,500
3.	Method of Recruitment	:	Promotion from amongst the Lecturers-cum-Instructors working in the concerned IIHM, failing which by direct recruitment.
4.	Whether post is Selection/Non Selection	:	Selection-cum-seniority
5.	Educational and other Qualifications and Experience for direct recruitment	(i)	**Essential Qualifications:** Graduate from a recognised University
		(ii)	Three year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks.

For specific subjects :
Computer Science Graduate with 50% marks in Computers or MCA;Accounts & Law – M.Com./ ICWA with 50% marks.

Experience for Direct Recruitment :
At least 7 years teaching experience in an Institute of Hotel Management or affiliated to National Council for Hotel Management and Catering Technology

OR

Minimum 7 years of Industry experience in a supervisory capacity in 3-star or above category of approved hotel.

Experience for promotion :
At least 5 years in the grade of Lecturer-cum-Instructor.

Desirable :
Working knowledge of Computers; Teachers Training Degree or Diploma; Post diploma in Specialised Hotel Management; Post Graduate qualification in the subject specific for the post. Knowledge of foreign language.

Certified to be true Copy
Jiten Lamar Das
Advocate

6.	Age limit for direct recruits	:	Not exceeding 40 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and as specified for other categories, by Govt. of India, from time to time.
7.	Whether age limits, qualifications applicable to promotees	:	Age-not applicable. Essential qualifications-applicable.
8.	Appointing Authority for the post	:	Board of Governors of the respective Institute of Hotel Management, Catering Technology and Applied Nutrition.

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R.R. 2001

ANNEXURE No.- 18 Colly

1.	Name of the Post	:	**Lecturer-cum-Instructor**
2.	Scale of Pay	:	Rs.6,500-200-10,500
3.	Method of Recruitment	:	Promotion from amongst the Asstt.Lecturers-cum-Asstt.Instructors working in the concerned IHM, failing which by direct recruitment.
4.	Whether post is Selection/Non Selection	:	Selection cum seniority
5.	Educational and other Qualifications and Experience for direct recruitment	:	**Essential Qualifications:**
		(i)	3-year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks.
			For specific subjects :
		(ii)	Computer Science Graduate with 50% marks in Computers or MCA;Accounts & Law – M.Com./ ICWA with 50% marks.
			Experience for Promotion :
		(iii)	At least 5 years in the grade of Asstt.Lecturer-cum-Asstt.Instructor.
			Experience for Direct Recruitment :
		(iv)	At least 5 years teaching experience in a Hotel Management Institute affiliated to National Council for Hotel Management & Catering Technology OR 5 years of industry experience in a supervisory capacity in 3-star and above category of approved hotel.
			Desirable :
		(i)	Working knowledge of Computers.
		(ii)	Teacher training diploma
		(iii)	Experience in Administration and Finance
		(iv)	Post Graduate Degree/Diploma in Hotel Management
		(v)	Knowledge of foreign language
6.	Age limit for direct recruits		Not exceeding 35 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and

Certified to be true Copy

Dhiraj Kumar Das

Advocate

- 28 -

			as specified for other categories, by Govt. of India, from time to time.
7.	Whether age limits, qualifications applicable to promotees	:	Age-not applicable. Essential qualifications-applicable.
8.	Appointing Authority for the post	:	Board of Governors of the respective Institute Hotel Management, Catering Technology and Applied Nutrition.

2003

ANNEXURE No.- 19

1. Name of the Post: **Senior Lecturer-cum-Senior Instructor**
2. Scale of Pay: Rs.8,000-275-13,500
3. Method of Recruitment: Promotion from amongst the Lecturer-cum-Instructors working in the Institute, failing Which by Direct Recruitment.
4. Whether post is Selection/Non-selection: Promotion / Selection
5. Qualifications and Experience required:

Essential Qualifications for Direct Recruitment:

Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognized University. The candidate must have secured atleast 55% marks in Degree/Diploma in Hotel Management.

For specific subjects:

Management Subjects: MBA / Post Graduate Diploma in Business Management with 50% marks

Computer science: Graduate with Computer Science or Computer Application as main or subsidiary subject with 50% marks or MCA.

Accounts & Law – M.Com / ICWA with 50% marks.

Languages: Graduate in concerned language from recognized University.

Food Science and Nutrition: Post Graduate with Food Science or Nutrition related subject from recognized University with 50% marks.

Experience for Direct Recruitment:

At least 5 years experience as Lecturer-cum-Instructor in an Institute of Hotel Management affiliated to National Council for Hotel Management & Catering Technology.

OR

At least 12 years of experience in teaching and/or hotel industry including minimum 5 years teaching experience as Lecturer-cum- Instructor in an Institute of Hotel Management affiliated to State Board of Technical Education / Recognized University.

OR

At least 12 years of experience in teaching and/or hotel industry including 5 years teaching experience as Lecturer-cum-Instructor in a Food Craft Institute affiliated to National Council for Hotel Management and Catering Technology.

OR

At least 12 years Hotel industry experience including minimum 5 years in Supervisory capacity in 3 star/Heritage or above category approved hotel.

Certified to be true Copy

Advocate

6. Age limit for direct recruits: Not exceeding 40 years.
Upper age limit is Relaxable up to 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time.

7. **Eligibility for Promotion:**
Candidate should have atleast 5 years experience in the grade of Lecturer-cum-Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made.

8. Appointing Authority: Executive Committee

Sl. No. 213
Annexure - 20

CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

Original Application No.211 of 2006

Date of order: This the 23rd Day of August, 2006.

HON'BLE MR.K.V.SACHIDANANDAN, VICE-CHAIRMAN

Shri Soumitra Sen
Son of Late Arunmoy Sen
Resident of 14, Pubsarania Bye Lane No.6 (West),
Guwahati-781003. Petitioner

By Advocate Mr. Satyajeet Sarma , Mr. Santanu Chakraborty.

-Versus-

1. Union of India, represented by Secretary, Ministry of Tourism, Transport Bhaban,1-Sansad Marg New Delhi-110001.
2. National Council For Hotel Management & Catering Technology, represented by its Director, Library Avenue, Pusa Complex, New Delhi-11002.
3. The Institute of Hotel Management, Catering Tchonology & Applied Nutrition- represented by its principal Bhangagarh, ABC Bus stop,Guwahati-5. respondents

By Advocate Mr.G.Baishya, Sr.C.G.S.C.

ORDER (ORAL)

SACHIDANANDAN,V.C.:

The applicant is working as lecturer under the Respondents. Vide order dated 12.10.2004 the respondents have given promotion to two Lecturers for the post of Senior Lecturers by denying promotion to the applicant. The contention of the applicant is that after waiting for more than 4(four) years for change of recruitment Rules for promotion the said two Lecturers who did not had qualifications for promotion as per recruitment Rules of the year 1998 and recruitment Rules 2001 were promoted. Being aggrieved the applicant has filed this O.A for seeking following reliefs:-

Certified to be true Copy
Dhiraj Kumar Das
Advocate

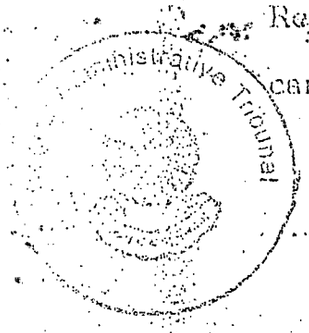
"i) To direct the respondents to promote the applicant to the post of Senior lecturers with effect from 9.8.99 since when the applicant is drawing salaries of the scale of Head of Department in his due time.

ii) To declare the applicant to have the experience of the post of senior lecturer since 9.8.99 as to make him competent for the next post and scale of Head of Department in his due time.

iii) Any other relief or reliefs to which the applicant may be deemed fit and proper by the Honorable Tribunal.

iv) Cost of this application in favour of the applicant."

I have heard Mr. Satyajeet Sarma learned counsel for the applicant and G. Baishya, learned Sr.C.G.S.C. for the respondents. When the matter came up for hearing the learned counsel for the applicant has submitted that the criteria for promotion even as per Recruitment Rules have not been found in case of the other candidates which is reproduced as follows:-



"Eligibility for promotion:

"Candidate should have at least 5 years experience in the grade of Lecturer-cum-Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made."

2. The counsel for the applicant has also submitted that he has made representation dated 14.12.2005 (Annexure 15) before the respondents, which was not disposed of. The counsel has submitted that he will be satisfied if a direction is given to the respondents to dispose of such representation. Mr. G. Baishya, learned Sr.C.G.S.C. has no objection. For the ends of justice I direct the Respondents to consider and dispose of the representation dated 14.12.05 (Annexure

15) with a speaking order within three months from the date of receipt of this order.

The applicant will also sent the copies of the representation and the copy of the order to the respondents forthwith to avoid any delay.

The O.A. is accordingly disposed of. There will be no order as to costs.

sd/VICE CHAIRMAN

Date of Application : 28.8.06
Date on which copy is ready : 7.9.06
Date on which copy is delivered : 7.9.06
Certified to be true copy

7.9.06
Section Officer (Judl)
C. A. T. Guwahati Bench
Guwahati-5

Annexure - 20

Received
18/9/06

Institute of Hotel Management Catering Technology & Nutrition

To,
The Principal,
Institute of Hotel Management,
ABC Bus Stop, Bhangagargh,
Guwahati-781 005.

11/09/2006,
Guwahati-3.

Subject:- Order received from Central Administrative Tribunal.

Respected Sir,

Please find enclosed herewith the "Order" received by the undersigned from Hon'ble Mr. K.V. Sachidanandan, Vice-Chairman, Central Administrative Tribunal, Guwahati Bench dated 23rd August 2006 directing that the said "Order" be delivered to your kind self along with my representation submitted before the Hon'ble Court for necessary action at your end.

In this regard, I take this opportunity to draw your attention to the "point (i) in page-2" of the said "Order" where may be due to oversight it is being stated " the scale of Head of Department" instead of "the scale of Senior Lecturer" as submitted in my original representation [vide page-12, point-i)] to the Hon'ble Central Administrative Tribunal. Accordingly, the necessary prayer is being put forward to the Hon'ble Central Administrative Tribunal, Guwahati Bench for necessary rectification.

Lastly, in light of my representation vis-a-vis Hon'ble Central Administrative Tribunal Order, I once again appeal to your kind self to give due consideration to mitigate the grave injustice meted out to me which is resulting in total stagnation of my career in spite of giving dedicated quality service to our esteemed Institution for last 21 years without any blemish.

Looking forward for your kind positive response.

Thanking you,

Yours faithfully,

(Soumitra Sen), *Lecturer.*

Encl:- *As stated above-03pages(Hon'ble Central Administrative Tribunal Order) + 52 pages (Representation) = 55 pages.*

Certified to be true Copy
Advocate

Central Administrative Tribunal
13 NOV 2007
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH,
GUWAHATI.

O.A.No.64/07

Written Statement on behalf of respondent no 4 to Original Application no.64/07.

Sri Soumitra Sen
...Applicant.
-Vs-
The Union of India and ors.
...Respondents.

INDEX

Sl no.	Annexures	Particulars	Page no.
1.	-	Written statement	1 to 15
2.	-	Verification	16.
3.	A	Certificate dated 07.01.71	17.
4.	B	Appointment order dated 09.02.05	18.
5.	C	Confirmation letter dated 23.03.87	19.
6.	D	DPC meeting held on 24.09.04 for promotion to the post of Senior Lecturer.	20.
7.	E	Promotion to the post of Senior Lecturer vide order dated 12.10.04	21.
8.	F.	Representation alongwith the enclosures dated 06.08.07 made by the respondent no.4	22 to 41.

Date: 12.11.07.

Filed by:-

Lipika Devi
12.11.07.
Advocate.

Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Filed by:- Sri B. Roy Choudhury ---Respondent No.4 Through --- L. Das Advocate CAT 1/10/07

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of:
O.A. no.64/07
Sri Soumitra Sen
...Applicant
-Vs-
Union of India and ors
...Respondents
-AND-
In the matter of:
Written statement on behalf of respondent no.4

B. Roychoudhury

(WRITTEN STATEMENT ON BEHALF OF RESPONDENT NO.4)

I, Sri B.R.Choudhury s/o late Bijoy Kr. Roy Choudhury resident of Lakhi Mandir, A.G. Road, Beltola, presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition , Hengrabari, Guwahati do hereby solemnly affirm and state as follows:

1. That I have been impleaded as party respondent no.4 in the aforesaid application and accordingly a copy of the same has been served upon me.. I have gone through the same and have understood the contents thereof. I am acquainted with the facts and circumstances of the case thereof.

2. That I do not admit any of the averments except which are specifically admitted hereinafter and the same are deemed and denied.

3. That the answering respondent i.e. the respondent no.4, obtained Diploma of Hotel Management from the Technical State Council Board, West Bengal, Kolkata in the year 1970 and Teachers' Training of ALCT, All India Council of Techniqual in the year 1987.

4. That as being selected by the Selection Committee for the post of Lecturer cum Instructor the answering respondent was appointed for the post of Lecturer cum Instructor vide order dated 09.02.85.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

25

5. That in the year 1995 the erstwhile Food Craft Institute Guwahati was upgraded to the Institute of Hotel Management, and all the existing staff of the erstwhile Food Craft Institute, Guwahati were adsorbed in the Institute of Hotel Management, Guwahati in the same capacity.

6. That the Board of Governors of the Institute of Hotel Management, Catering Technology and Applied Nutrition has approved the recommendation of the DPC meeting held on 06.02.96 regarding the regularization of the services of the staff members of the erstwhile Food Craft Institute, Guwahati into the Institute of Hotel Management in their respective posts from the date of re-registration of the Institute of Hotel Management Guwahati with effect from 06.04.95.

7. That the Recruitment Rules 1998 provide the promotion of Senior Lecturer- cum- Instructor by way of promotion and direct recruitment so far the 'promotion' is concerned,

" the promotion for amongst the common cadre of Lecturers working in IHMs failing which by direct recruitment"

And the eligibility criterion for promotion is 5 years regular service. Thereafter the Government of India introduced the Revised Recruitment Rules 2001 for Institute of Hotel Management and consequently the earlier Recruitment Rule introduced in September 1998 was superceded and as per the revised Recruitment Rules 2001 under sub rule 14.3

" the promotion to selection post shall be on the basis of merit with due regard to seniority".

Further there is a noting as follows :

" Existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 will also be considered for all the posts from the Lecturer to the Principal even if they do not possess the qualification of " Three Years Diploma in

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Hotel Management from the National Council for Hotel Management and Catering Technology."

8. Thereafter the Government of India for further streamline amended the existing Recruitment Rules- 2001 for Institute of Hotel management. The new/revised Recruitment Rules has been termed as 'Recruitment and Promotions Rules-2003'. The new Recruitment Rules 2003 provided the General Principle of Promotion under Rule 14 and as per sub- rule 14.3

" The promotion to selection post shall be on the basis of merit with due regard to seniority".

And the eligibility for promotion is as follows:-

" Candidates should have at least 5 years experience in the grade of lecturer cum instructor ....Guwahati."

9. That the answering respondent fulfill all suitability and eligibility criteria by having all requisite qualification and 19 years teaching experience having been placed in the first position in the seniority list was suitable for the post of Senior Lecturer and accordingly he was promoted vide order dated 12.10.04 and he immediately joined in the said post and still continuing as such.

10. Being aggrieved with the said promotion of the respondent no.4 and 5 the application preferred an Original Application no.211/06 before this Hon'ble Tribunal after hearing was pleased to dispose of the matter vide order dated 23.08.06 directing to the respondent to consider and dispose the representation dated 14.10.05 within 3 months time from the date of receipt of the order.

In compliance with the aforesaid order dated 23.08.06 the respondents considered the representation of the applicant and consequently held a review DPC meeting on 27.11.06. And after examining the ACRs and other records the review DPC Committee reconfirmed the position of the 4

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ

persons including the applicant, respondent no.4 and 5. Further it was found that the respondents no 4 and 5 in 5 years ACR gradings got from very good to excellent progressively and the applicant also at par with them. The management of the institution did not loose any time to fill the two posts of Senior Lecturers as sanctioned by the Government of India vide order dated 17.05.04 and accordingly the respondent nos.4 and 5 being the seniormost faculty member as per seniority list were considered for promotion to the DPC when it met on 2004.

11. Reply to the facts of the case:

11.1. That with regard to the statements made in paragraph 4.1 of the application the humble answering respondent begs to state that he obtained Diploma of Hotel Management from the Technical State Council Board, West Bengal, Kolkata in the year 1970 and Teachers' Training of ALCT, All India Council of Techniqual in the year 1987.

That in pursuance of the advertisement in the year 1984 inviting application for different posts in Food and Craft Institute, Guwahati in response to that the answering respondent applied for the post of Lecturer cum Instructor. Thereafter he appeared before the Interview Board and was selected and found his place in the merit list and accordingly was appointed to the said post vide order dated 09.02.85. He immediately joined in his service. Thereafter his service was confirmed with effect from 21.02.87 on completion of 2 years provisionary period vide order dated 23.03.87.

Whereas in the said select list the applicant's name did not appear as he was not the candidate of the said interview. However, in the subsequent advertisement he offered his candidature and was selected. He got his appointment for the post of Lecturer on 09.02.85.

Copies of the certificates of the qualifications and appointment order dated 09.02.85 and confirmation order dated 23.03.87are annexed herewith and marked as annexure 'A-series', 'B' and 'C' respectively.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

11.2. That with regard to the statements made in paragraph 4.2 of the application the humble answering respondent begs to state that in the year 1995 the erstwhile Food Craft Institute Guwahati was upgraded to the Institute of Hotel Management, and all the existing staff of the erstwhile Food Craft Institute, Guwahati were adsorbed in the Institute of Hotel Management, Guwahati in the same capacity.

That the Board of Governors of the Institute of Hotel Management, Catering Technology and Applied Nutrition approved the recommendation of the DPC meeting held on 06.02.96 regarding the regularization of the services of the staff members of the erstwhile Food Craft Institute, Guwahati into the Institute of Hotel Management in their respective posts from the date of re-registration of the Institute of Hotel Management Guwahati with effect from 06.04.95.

Further it is stated that the total sanctioned post of the erstwhile Food Craft Institute, Guwahati was 30. The list as approved by the Board of Governors meeting is as follows :-

I. Principal	-	1.
II. Senior Lecturer	-	1.
III. Lecturer-cum-Instructor	-	6.
IV. **********		
V.**********		
*.**********		
*.**********		
XIV.**********		
**********		
Total	-	30 posts.

However, Smt. Sibani Roy was appointed as Senior Lecturer and was the Principle-In-Charge from her service and consequently, the post of the Senior Lecturer, IHM, Guwahati, remained vacant and unfilled for long years. Hence as per the instruction of Government of India vide letter dated 27.01.97 as the said post was unfilled for 1 year was automatically abolished. Consequently there were no sanctioned post of Senior Lecturer in

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ

the Institution.

11.3. That with regard to the statements made in paragraph 4.3 of the application the humble answering respondent begs to state that the reply of the statement is to be made by respondent no.3. However in connection with the letter dated 31.03.99 (Annexure-4 to the Original Application) the humble answering respondent begs to state that from the bare perusal it is understood that the post mentioned in the letter has been worked out by the institute. That doesn't mean that the two posts of Senior Lecturers are sanctioned.

Further the applicant is very much aware and having full knowledge that there were no sanctioned posts of Senior Lecturers which he himself admitted in his representation dated 07.11.01 (Annexure -9 to the Original Application). Thus thereby, he established his case any how by misinterpreting and misleading the court.

11.4. That with regard to the statements made in paragraph 4.4 of the application the humble answering respondent has nothing to make comment on it as they are to be replied by the Respondent no.3.

11.5. That with regard to the statements made in paragraph 4.5 of the application the humble answering respondent begs to state that as stated in paragraph 13.2 of this written statement the total sanctioned posts in the erstwhile Food Craft Institute was 30 and after upgradation to Indian Institute of Hotel Management, the services of all the staff were regularize in their respective post. That the single post of Senior Lecturer was abolished due to not filling the post within a year. Hence there is no sanctioned post of the Senior Lecturer of the institute till 30.04.04.

Further it is categorically stated that if there would have been vacant or sanctioned post of Senior Lecturer then the respondents no.4 and 5 would have definitely been promoted to the post of Senior Lecturer as they fulfilled

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

the suitability and eligibility criteria as per Recruitment Rules 1992 and 1998.

Further the applicant also admitted that the appointment and regularization to the abolished post is in violation of the Recruitment Rules.

11.6. That with regard to the statements made in paragraph 4.6 of the application the humble answering respondent begs to state that the two posts of Senior Lecturers was sanctioned only on 30.04.04 which was communicated to the institution by the Government of India, Tourism Department vide letter dated 17.05.04 as appears in Annexure –E to the present written statement. Hence earlier to that there is no question for promotion to the Senior Lecturer from Lecturer-cum- Instructor of the Institute.

It is not correct that the applicant was only eligible Lecturer for promotion to the post of Senior Lecturer at that relevant time. It is surprising that inspite of being awared that the two Senior Lecturers i.e. Respondent no.4 and 5 to the applicant are having the requisite qualification and eligibility criteria and suitable for being promoted to the post of Senior Lecturer as per Recruitment Rules 1982, 1998 and 2001 he deliberately declared that he is the only eligible candidate which infact is false statement, misleading and misrepresentation before this Hon'ble Tribunal.

As per superceded Rule 1998 which the promotion to the Senior Lecturer the method of recruitment is promotion or direct recruitment. The provision for promotion to the Sr. Lecturer is,

" Promotion from amongst the common cadre of Lecturers working in the IHMs failing which by Direct Recruitment."

For the direct recruitments the educational and other qualification and experience required for Direct Recruit are as follows:

" Graduate with 3 Years Diploma in Hotel Management having secured atleast 2nd Division from National Council for Hotel Management/ State Board of Technical Education"

'or'

Central Administrative Tribunal
10 OCT 20
गुवाहाटी न्यायपीठ
Guwahati Bench

Degree in Hotel Management from any recognized university.

Further eligibility criteria as per rules is as follows :-

Experience:

For promotion - At least 5 years in the grade of Lecturer.

For Direct Recruit - At least 8 years teaching experience.

Further as per Rule 14.3 the requirement for promotion to selection post is provided as follows :

> "Promotion to selection posts shall be on the basis of merit with due regard to seniority. The appropriate staff selection committee shall judge the merit and suitability of eligible employees for promotion on the basis of records of services, including confidential reports and recommend the order in which they may be promoted."

In the instant application the applicant mentioned in case of Direct Recruits which infact is not applicable to the answering respondent as well as the applicant as all are the candidates for promotion and not for the Direct Recruits.

Further the answering respondent begs to state that even assuming but not admitting the two posts of Sr. Lecturers were sanctioned at that relevant time than also the applicant would not get the promotion to the Sr. Lecturer as at that relevant time as the senior persons in cadre i.e. the respondent no.4 and 5 are eligible and suitable for being promoted to the post of Sr. Lecturer.

It is not understood as to why and what circumstances the applicant tried to establish his case with misconception, misrepresentation and misinterpretation and not with fair intention.

11.7. That with regard to the statement made in paragraph 4.7 of the application the humble answering respondent begs to state that the reply is to be made by the respondent no.3. However the answering respondent begs to state that the promotion is not a matter of right. The applicant may be eligible having requisite qualification but he cannot supercede the senior person who are also eligible for being promoted.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

102

The institution may have the shortage of staff and there may be requirement for creation of posts. But as per mandate of law the post should be sanctioned by the Central Government. Unless and until the post of Sr. Lecturer in the Institution is sanctioned even no eligible candidate in queue shall be promoted.

B. Roy Choudhury

11.8. That with regard to the statements made in paragraph 4.8 of the application the humble answering respondent has nothing to make comment on it as they are to be replied by respondent no.3.

11.9. That with regard to the statement made in paragraph 4.9 of the application the humble answering respondent begs to state that the benefit of Assured Career Progression Scheme was given to all the four Lecturers including the applicant and the respondents no.4 and 5.

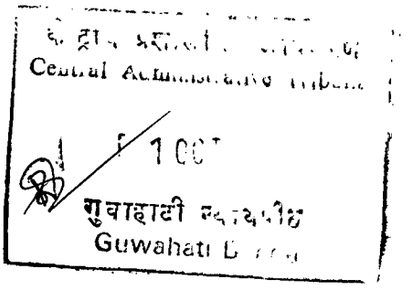
In this connection the answering respondent begs to state that the post of Sr. Lecturer were sanctioned on 30.04.04 which was communicated to the Institution on 17.05.04. Further the applicant himself admitted in his representation dated 07.11.01 and 18.03.02 by citing as follows:

> ****** " As no posts of our Institution has the formal sanction from the Ministry the said file concerning promotion was stalled."********

Hence it is crystal clear from the records as well as the admitted statement of the applicants that the post of Sr. Lecturer was not sanctioned. However that was sanctioned on 30.04.04.

Further the answering respondent begs to state that the Government of India introduce the revised Recruitment Rule 2001 for Institute of Hotel Management and consequently the earlier Recruitment Rule introduced in September 1998 was superceded and as per the revised Recruitment Rules under sub rule 14.3

> " the promotion to selection post shall be on the basis of merit with due regard to seniority".



Further there is a noting as follows :

" Existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 will also be considered for all the posts from the Lecturer to the Principal even if they do not possess the qualification of " Three Years Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology."

Thereafter the Government of India for further streamline amended the existing Recruitment Rules- 2001 for Institute of Hotel management. The new/revised Recruitment Rules has been termed as 'Recruitment and Promotions Rules-2003'. The new Recruitment Rules 2003 provided the General Principal of Promotion under Rule 14 and as per sub- rule 14.3

" The promotion to selection post shall be on the basis of merit with due regard to seniority".

And the eligibility for promotion is as follows:-

" Candidates should have at least 5 years experience in the grade of lecturer cum instructor ....Guwahati."

Further it is stated that the answering respondent no.5 fulfill all the eligibility and suitability criteria as per Recruitment Rules 2003, even superceded Rules 1998 and 2001 by having all requisite qualification and 19 years teaching experience and having placed in 1st position in the seniority list and was found to be suitable for promotion to the post of Sr. Lecturer by the DPC held on 24.09.04 and accordingly he was promoted to the sanctioned post of Sr. Lecturer alongwith the 2nd nominee Smt. Nanda Baruah (respondent no. 5) vide order dated 12.10.04 and he joined in the post of Sr. Lecturer and still continuing as such.

The answering respondent craves leave to produce the Recruitment Rules 2003 of the Institution as well as the superceded Rules 1998 and 2003 as and when it is required.

Copies of the minutes of DPC meeting dated 24.09.04 and promotional order dated 12.10.04 are annexed

Central Administrative Tribunal
1 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

herewith and marked as annexures 'D and 'E' respectively.

11.10. That with regard to the statements made in paragraph 4.10 of the application the humble answering respondent begs to state that being aggrieved with the said promotion of the respondent no.4 and 5 the applicant preferred an Original Application no.211/06 before this Hon'ble Tribunal and the Hon'ble Tribunal after hearing was pleased to dispose of the matter vide order dated 23.08.06 directing the respondent to consider and dispose of the representation dated 14.12.05 with a speaking order within 3 months time from the date of receipt of the order.

Thereafter in compliance with the aforesaid order dated 28.08.06 the respondents considered the representation of the applicant and consequently held a review DPC meeting on 27.11.06 and the review DPC reconfirmed the position of 4 person and placed the answering respondent as 1st nominee and the respondent no.5 as 2nd nominee.

11.11. That the applicant in his application sought for promotion to senior lecturer with effect from 09.08.99 since the date from which the applicant is drawing salaries of the scale of senior lecturer and to make him competent for the next post and the scale of the Head of Department.

But it is very interesting that in entire facts in the application he did not utter any words about getting the senior scale since 09.08.99.

The Respondent no.5 has come to know about the drawing of senior scale by the applicant under the ACP scheme only after perusing this application and immediately, thereafter, the other senior persons including the answering respondent made representation before the authority on 06.08.07 with a prayer to make enquiry into the matter of financial irregularity and illegality done by concerned authority by giving first financial upgradation to the applicant in the scale of senior lecturer instead of lecturer with effect from 09.08.1999 by depriving the senior persons in irregular manner. Further prayed to take necessary action against the

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

concerned person who committed the great financial irregularity. The financial upgradation to the applicant in the senior scale is not only irregular, illegal, unreasonable but also violative of the instruction of the Government of India communicated to all the Principals vide letter dated 29.11.01.

In response to the said memorandum dated 6.08.07 the Chairman of Institute called for the reports from the respondent no.3 and so far the knowledge of the respondent no.4, 'a note' has been given by the authority to pay ACP to the respondent no.4, 5 and other Sri Gautam Das all seniors to the applicant in senior scale with effect from 09.08.99.

Copy of the representation dated 06.08.07 is annexed herewith and marked as Annexure 'F'.

12. **Reply to the grounds of the case:**

12.1 In response to the ground 5.1 of the application the humble answering respondent begs to submit that the posts of Senior Lecturer were sanctioned vide order dated 30.04.04 under letter no.581/EC/ECOORD.1/2004 by the Ministry of Finance and which was communicated vide letter dated 17.05.04 by the Under Secretary to the Government of India, Tourism department informing the Institution, Guwahati about the sanctioning of two posts of Senior Lecturers. The respondent no.5 was found to be suitable and having the second position in the List prepared by the Departmental Promotion Committee was promoted to the post of Senior Lecturer vide order dated 12.10.04, whereas the applicant got his position against serial no.4. So far the promotion is concerned that is to be made against the existing vacancy/ sanctioned post of the Senior Lecturer. Merely eligible does not confer any right to be promoted. Hence there is no deprivation towards the applicant and no question for stalling the promotion.

12.2 In response to the ground 5.2 of the application the humble answering respondent begs to submit that the Revised Recruitment and Promotion Rule 2003 superceded the earlier Recruitment Rules. The two

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ

posts for the Senior Lecturer were sanctioned on 2004, naturally for the promotion to the said two posts would be governed by the existing rules in force i.e. Recruitment and Promotion Rules 2003. The submissions made by the applicant that the post of Senior Lecturer were to be filled up in the year 1999 is infact is irrelevant submissions. Until and unless there is any vacancy no appointment/ promotions is to be made. Further the respondent no.5 is all along senior to the applicant and also having the eligibility criteria.

12.3. In response to the ground 5.3 of the application the humble answering respondent begs to submit that there was no violative action on the part of the respondent. The post of Senior Lecturers were created on 2004 and the promotion were made as per Recruitment and Promotion rules in force. Hence there is no question of discrimination or arbitrary. Further there was no infringement of Fundamental Rights.

12.4. In response to the ground 5.4 of the application the humble answering respondent begs to submit, that the Departmental Promotion Committee held on 27.11.06 found the respondent no.4 and 5 as suitable and placed them as first and second nominees in the list and the promotion were made in accordance with the select list. As stated above mere eligibility does not confer any right to be promoted.

12.4. In response to the ground 5.5 of the application the humble answering respondent has nothing to make comment on it as the reply is to be made by the respondent no.3.

12.5. In response to the ground 5.6 of the application, the humble answering respondent begs to submit that the authority of the institute without having any right illegally and irregularly allowed the applicant to draw the scale of Senior Lecturer under ACP Scheme since 09.08.99 that too by violating the instruction of the Government of India. It is submitted that

Central Administrative Tribunal
10 OCT 20
गुवाहाटी न्यायपीठ
Guwahati Bench

in the instant case the applicant is drawing the salary of senior scale superceding the other senior persons in illegal and irregular manner which does not accrued any right to the applicant for being promoted to the higher post. Promotion is made on the basis merit with due regard to the seniority. Hence this submissions made by the applicant is baseless and not on legal ground

12.6. In response to the ground 5.7 of the application the humble answering respondent begs to submit that the DPC meeting held on 27.11.06 examined in detail the Annual Confidential Reports of all the 4 lecturers of the institution and after examining records and as per rules in force placed the position of the applicant in 4th (last). Thereafter the respondent no.4 and 5 as being the 1st and 2nd were promoted to the sanctioned post of Senior Lecturers. Mere selection does not confer any right to be promoted until and unless there is a vacancy. The submission made by the applicant is not based on valid reasons or any legal ground.

13. That the humble answering respondent begs to submit that the applicant sought for relief is not on the basis of legal footing whatever he is getting is not regular and illegal and violative of the instruction of the Government of India and under challenge before the concerned authority.

14. That the humble answering respondent begs to submit that by getting an irregular and illegal scale does not confer any right to be promoted to a particular promotional post by superceding the eligible senior persons. Hence the instant application is liable to dismissed with costs.

15. That the humble answering respondent begs to submit that the applicant inspite of being aware that the respondent no.4 and 5 is the eligible candidate having the requisite qualification and experience and also the first nominee in the select list unnecessarily dragged them in this Hon'ble Tribunal and that too without having any right for these two sanctioned posts

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

being the 4th nominee. Hence this application is liable to be dismissed with costs.

16. That this application had no merit at all and is liable to be dismissed.

Central Administrative Tribunal
गुवाहाटी

VERIFICATION.

I, , Sri B.R.Choudhury s/o late Bijoy Kr. Roy Choudhury resident of Lakhi Mandir, A.G. Road, Beltola, aged about 59...years presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition , Hengrabari, Guwahati do hereby verify that the statements made in paragraphs 1,2,3,9,11:3 to 11:8..... are true to my knowledge ; those made in paragraphs 4 to 10, 11:1, 11:2, 11:9 to 11:11 are being matters of records of the case derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

I have not suppressed any materials thereof.

And I sign this verification on ...1st....day of ..Oct.....2007.

B Roychoudhury

SIGNATURE

-17- ANNEXURE - A

110

INSTITUTE OF CATERING TECHNOLOGY
&
APPLIED NUTRITION
21, CONVENT ROAD, CALCUTTA-14

Chairman
B. B. Ghosh

Phone No.
24-6338

Ref. No. Ct/edn-6a/71/17 Date Jany. 7 1971

To whom it may concern

Certified that Mr.B.Ray Chowdhury was a student of the three years diploma in hotel management catering technology & Applied Nutrition of this Institute. He completed the above training and passed the final diploma examination conducted by the State Council for Engineering & Technical Education, Govt.of West Bengal in 1970. I have nothing to report against his conduct, behaviour and aptitude towards the training during the period of his tenure at this Institute.

P.K.Koolly

certified to be true
Ldr
Adv.
1.10.07.

ANNEXURE B.

(True Copy)

FOODRAFT INSTITUTE (GUWAHATI) SOCIETY
GUWAHATI.

No. DT-C/620/84/ dated Guwahati the 9th Feb/85

From: The Secretary,
Foodcraft Institute (Guwahati) Society,
C/O Director of Tourism, Assam,
Guwahati – 7.

To: Mr. B. Raychoudhury,
Satribari Mission Hosp.
P.O- Rehabari,
Guwahati – 8.

Sub: Appointment.

Sir,

With reference to your acceptence of terms and conditions laid down vide this office letter No. DT-C/620/84/, dt. 8.1.85, vide your letter dt. 1.2.85, you are hereby appointed temporarily as Lecturer cum Instructor in the Foodcraft Institute (Guwahati) Society in the scale of pay Rs. 650-30-740-35-880-EB-40-960/- p.m. plus other allowances admissible to Central Government employees. Please note that this appointment will be confirmed after 12 months probation subject to your being examined and found fit by a medical authority nominated by the Society and suitable police verification report. The Board of Governors reserves the right to terminate at any time your service without assigning any reason thereof.

You are requested to submit your joining report in triplicate as per proforma enclosed herewith.

For and on behalf of the
Foodcraft Institute (Guwahati) Society,

Sd /-
SECRETARY

C. C. to the Accounts Branch.

certified to be true
Adv.
1.10.07.

Personal file - 19 - ANNEXURE-C

FIG/1/210

23rd March 87.

To: Shri Bablu Roy Choudhury,
Lecturer, Food Craft Institute,
Beltola, Guwahati- 28.

Sub: **CONFIRMATION**

Sir,

I have the pleasure in informing you that your service has been confirmed with effect from the 21st February 1987 on completion of your 2 years probationery period.

With best wishes.

Yours faithfully.

Sibani Roy

(MRS SIBANI ROY)
Acting principal/Secy.

O/C

23/3/87

certified to be true
Adv.

ANNEXURE-D

-20-

MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24.09.2004 AT IHM GHY PREMISES

The Departmental Promotion Committee for promotion of two Lecturers to Sr. Lecturers & two Asst. Lecturers in resultant vacancy of Lecturers of IHM Guwahati was held under the Chairmanship of Sri S. L. Khyriem, Regional Director, Indiatourism, (NE), Govt. of India, Ulubari Guwahati on 24.09.2004 at IHM Guwahati premises.

The following members were present:

1. Sri S. L. Khyriem,
   Regional Director, Indiatourism (NE),
   Govt. of India, Ulubari, Guwahati

2. Sri S. Ahmed,
   Director of Tourism I/C
   Govt. of Assam, Guwahati

3. Sri G. C. Das,
   Dy. Secretary to the Govt. of Assam
   WPT & BC Department,
   Guwahati.

4. Sri S. P. Bhattacharyya
   Principal IHM, Guwahati

The Committee has examined all the relevant documents including Rules & Regulations (RPR 2003) pertaining to IHMs & found that the papers submitted by the Institute are in order. Accordingly, the Committee recommends that the promotion to the Grade of Sr. Lecturer & Lecturer (Resultant Vacancy) in order of merit will be as follows:

A. PANNEL OF LECTURERS TO BE PROMOTED TO SR. LECTURERS

1. Sri Bablu Roychoudhuri
2. Dr. Mrs. Nanda Baruah
3. Sri Gautam Das

B. PANNEL OF ASST. LECTURERS TO BE PROMOTED TO THE RESULTANT VACANCY OF LECTURERS

1. Sri Alok Sarkar
2. Sri Amit Kr. Roy
3. Sri Sakya Sinha

The committee also granted Leave of absence to Sri K. K. Saraf, Director (A & F), NCHMCT, New Delhi 110012.

The meeting thereafter ended with a vote of thanks to the chair.

24/9/04

(S. P. Bhattacharyya)
Principal
IHMCTAN
Guwahati

24.9.04

(G.C. Das)
Dy. Secretary
WPT & BC Dept.
Govt. of Assam
Guwahati

24/9/04

(S. Ahmed)
Director of Tourism I/C
Govt. of Assam
Guwahati

24/9/04

(S.L. Khyriem)
Regional Director
Indiatourism,
Govt. of India
Guwahati

Certified to be true
Adv.
1.10.07

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

ANNEXURE – E

IHM(GH) – Estt./19/04/1002. 12.10.2004.

To

Sri Bablu Roychoudhuri,
Lecturer - cum - Instructor,
Institute of Hotel management,
Guwahati.

SUB: Promotion in the post of Sr. Lecturer – cum – Sr. Instructor

Sir,

On behalf of the Hon'ble Chairman and the Executive Committee of The Institute of Hotel Management, Catering Technology & Applied Nutrition (Guwahati) Society, Guwahati, the undersigned is pleased to inform you that you are hereby temporarily promoted in the post of Sr. Lecturer - cum – Sr. Instructor (in the scale of Rs 8,000-275-13,500) in this Institute. It will be effective from the date of your joining in this post, and you will be under probation for a period of one year from that date.

This issue with the approval of the Hon'ble Chairman and the Executive Committee, IHMCTAN (Guwahati) Society.

(Shakti Pada Bhattacharyya)
PRINCIPAL / SECRETARY

Copy to:

1. Hon'ble Chairman IHM Guwahati for kind information
2. All the members of Board of Governors IHM Guwahati for kind information.
3. Director (Studies), National Council for Hotel Management & Catering Technology, New Delhi for kind information.
4. Accounts section IHM Guwahati.
5. Circular
6. Personal File

PRINCIPAL

certified to be true
Adv.

G. S. Road, Bus Stop ABC, Bhangagarh, Guwahati - 781005, Tel : 0361 - 2452273, 2529440 Tele-Fax : 0361-2452271 (Direct)
e-mail ihmctaughy@hotmail.com Visit us at http//ihmctaughy.org

ANNEXURE- F

-22-

To,

The Chairman,
Board of Governors,
Institute of Hotel Management Guwahati &
Commissioner to the Government of Assam
Tourism and Finance Department
Dispur Guwahati -6

(Through proper channel)

Sub - Implementation of ACP (Assured career Progression) Scheme at IHM Guwahati.

Sir,

Respectfully I beg to state the following few lines for favour of your kind information and consideration for immediate necessary action.

1. That Sir, I was appointed as Lecturer cum Instructor in the Food Craft Institute, Guwahati and I joined in my service on 21 - 2- 1985. It is pertinent to mention here that in the year 1995, the erstwhile Food and Craft Institute, Guwahati was upgraded to the Institute of Hotel Management and all the existing staff of the erstwhile Food and Craft Institute , Guwahati was absorbed in the Institute of Hotel Management, Guwahati in the same capacity maintaining the same seniority [Enclosure - A] .

2. That Sir, due to non - sanction of the post of Senior Lecture in the Institute no promotion was made to the post of Senior Lecturer till 2004. The two posts of Senior Lecturer were sanctioned by the Government of India vide approval dated 17-5—04 and the same was communicated to the Institute, Guwahati vide letter dated 30-04-04. Being the 1st position in the seniority list and as selected by the DPC, I was appointed on promotion to the post of Senior Lecturer vide order dated 12-10—04 and since then I am serving as Senior Lecturer in the Institute [Enclosure - B] .

3. That Sir, in view of the implementation of the ACP scheme by the Govt. of India the Ministry of Tourism, HRD Division, Govt. of India vide letter dated 29-11-01 informed all the Principals of all Institute of Hotel Management including Guwahati to grant financial up gradation to the eligible employees who completed 12 / 24 years service without promotion. As per the scheme the scales of the Lecturers and Senior Lecturers of the Institute of Hotel Management was recommended for up gradation as follows. [Enclosure 'C']

Post/ Grade	Present Scale	First Financial Up gradation after 12 Years,	Second Financial Up gradation after 24 Year
Sr. Lecturer (S-15)	8000--275--13500	10000--325--15200	12000—375--16500
Lecturer (S—11)	6500—200—10500	7450—225—11500	7500—250--12000

certified to be true
Adv.
1.10.07

4. That Sir, in view of the implementation of the ACP scheme, I was granted the benefit of the up gradation in the scale of Lecturer with effect from 09-08- 1999 as per rule.

5. That Sir, on 22- 7- 07, I received a Notice from the CAT, Guwahati by Registered post, where I came to know that one Sri Soumitra Sen who is presently working as Lecturer cum Instructor in the Institute of Hotel Management , Guwahati filed an application bearing No. O.A. 64/07 before the Hon'ble Central Administrative Tribunal , Guwahati Bench, with a prayer as follows -

I. "To promote the applicant to the post of Senior Lecturer with effect from 09 - 08 - 99 i.e. since the date from which the applicant is drawing salaries of the scale of Senior Lecture "

II. To declare that the applicant has the experience of the post of the Senior Lecturer since 09 - 08 - 99 so as to make competent for the next post at the scale of Head of the Department in his due time by counting his experience as Senior Lecturer since 09-08 -99 ."

In the said case I have been impleaded as a party Respondent No. 4 and accordingly a copy of the same has been served upon me vide notice dated 19 - 07 - 07.

In the said application he stated that he was drawing the salaries of the scale of Senior Lecturer w.e.f. 09-08-1999. I was shocked and surprised to came to know that Mr. S. Sen who was holding the post of Lecture of the Institute was granted the 1st financial up gradation for the scale of Senior Lecturer with effect from 09 08 1999 and not for the Lecturer. Whereas all the other 3 (three) Lecturers who were senior to Mr. S. Sen, i.e, I am being the seniormost, Mrs. Nanda Baruah in the 2nd position and Sri Gautam Das having the 3rd position in the grade of Lecturer were awarded the financial upgradation in the scale of Lecturer with effect from 09 - 08 - 1999.

Copies of the salary statement of me and Sri S. Sen is annexed herewith and marked as [Enclosure 'D' and 'E'].

6. That Sir, from the above, it is crystal clear that the authority of the Inistitute has not implemented the ACP scheme as per its norms and instruction dated 29 - 11 - 01 issued by the Govt. of India , The granting of the pay scale of Senior Lecturer to Sri S . Sen is in total violation of the instruction issued by the Govt. of India and thereby causing huge financial loss to the Institute.

7. That Sir, the authority has committed a serious financial irregularity and illegality by giving the financial up gradation to Sri S. Sen in the scale of Senior Lecturer instead of Lecturer of Institute of Hotel Management w.e.f. 09 – 08 – 1999 by violating all norms and procedure. Because of this violation of the ACP scale by the Authority by giving scale of Senior Lecturer to Mr S Sen w.e.f. 09 -8 -1999 now he has taken the advantage of this fact to claim his seniority as Senior Lecturer w.e.f 09 - 08 1999 as he has been unable to get promotion by normal procedure.

8. That Sir, further I beg to state that a review DPC meeting of the institution was held on 27 – 11- 06 and in the minutes it appears that the Committee has noted that all the Lecturers are benefited with the scheme of ACP and their pay scale is at par with the pay scale of the Senior Lecture i.e. Rs 8000 – 275 – 13500.[Enclosure - F].

It is surprising, that the committee has noted a wrong finding by observing, the pay scale at par with the pay scale of the Senior Lecturer, although I along with Mrs. Nanda Baruah and Mr Gautam Das were drawing the pay scale lower than Mr S. Sen w.e.f 09 08-1999.

9. That Sir, even after the review DPC meeting (held on 27 – 11 – 2006) wherein the Authorities committed that the pay scale of all the 3 (three) Lecturers who were Senior to Mr. S. Sen was at per with that of Mr S. Sen knowing fully that it was incorrect, the Authorities did not take any steps to rectify the anomaly / discrepancy. Of late, only when the matter came to be known to us through the CAT case, the Authorities moved the Chairman to grant the ACP to myself along with Mrs. Nanda Baruah and with Mr. Gautam Das at the scale of the Sr. Lecturer w.e.f. 9 – 8 – 1999 for approval [Enclosure – G].

10. That Sir, further , as reflected in the O.A. no. 64 / 07 pending before the Hon'ble Central Administrative Tribunal , Mr. Sen was very much aware that he was drawing the financial up gradation in the scale of Senior Lecture w.e.f 09 – 08 – 1999 as and when he was neither promoted nor holding the post of Senior Lecturer and there was no sanctioned post of Senior Lecturer in the Institute. Even today he is holding the post of Lecturer. Hence, it is easily understandable that without having any right and entitlement he has been knowingly with connivance with the office drawing the salaries of the Senior Lecturer which amounts to be a misconduct in his service and thereby also projected his performance in a dishonest manner.

11. That Sir, it will not the out of context to mentioned here that the Authority conspicuously remain silent from replying to the Hon'ble CAT Guwahati regarding Mr. S. Sen's earlier representation vide OA No. 211/ 2006 dated 23 – 8 – 06 within the stipulated time of 3 (three) months which expired on 22 – 11- 06 by holding the review DPC meeting only on 27 – 11 – 06. This again put him in an advantageous position to file another case at the Hon'ble CAT , Guwahati .

12. That Sir, by repeatedly approaching the Hon'ble CAT Guwahati on incorrect facts Mr S. Sen has vitiated the academic atmosphere of the Institute.

13. That Sir, this representation has been filed bonafide and in the interest of justice.

I) make
irregularities ..
giving the 1st finan..
Senior Lecturer instead o..

II) why the discriminatory actio
granting ACP to other three Lecture

III) as to why the norms of ACP scheme and inst..
No. 1(7) / 99-HMC dated 29 - 11- 01 issued by the Govt. of Ind...
violated.

IV) why the review DPC meeting, the Committee noted that the pay scale of the all the four Lecturers were at per w.e.f. 09 - 08 - 1999

V) further , be pleased to take necessary action against the concerned persons, who committed the great financial irregularities as stated above and / or pass such further order or orders as your Honour my deem fit and proper.

Remedy sought for - Considering the urgency of the matter I request your kind self to take appropriate remedial measures at the earliest.

Your sincerely ,

(Sri Bablu Roychoudhury)
Senior Lecturer, Institute of Hotel Management,
Catering Technology and Applied Nutrition, Guwahati.
Hengrabari, Assam

Copy forwarded for information and necessary action :-

1. The Secretary, Ministry of Tourism, Transport Bhawan, 1 Sansad Marg , New Delhi- 110001, as he has been impleaded as a party Respondent No 1. in the case No. OA - 64 / 2007 in the Hon'ble Court of CAT, Guwahati. Copy of the O/A is enclosed as Annexure - 1.
2. The Director (A&F) National Council for Hotel Management and Catering Technology, Library Avenue , PUSA Complex New Delhi 110012 ; as he has been impleaded as a party Respondent No 2. in the case No. OA 64 / 2007 in the Hon'ble Court of CAT, Guwahati. Copy of the O/A is enclosed as Annexure - 1.

Babu Roychoudhury 6/07/07

(Sri Bablu Roychoudhury)
Senior Lecturer, Institute of Hotel Management,
Catering Technology and Applied Nutrition, Guwahati.
Hengrabari, Assam

(7)

(Th 119

Minutes of the Ist Selection Committee/Departmental Promotion Committee of Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati held on 6/2/96 at the Institute premises.

Members Present

1. Shri J. N. Goswami, Director of Tourism, Govt. of Assam, Station Road, Panbazar, Guwahati-1. — Chairman

2. Shri K. L. Das, Director, Govt. of India Tourist Office, Ulubari, Guwahati-7.

3. Shri A. K. Bhardwaj, General Manager, Hotel Brahmaputra Ashok, Panbazar, Guwahati.

4. Shri Ranjan Mukherjee, Principal/Secretary, IHMCTAN, Guwahati.

Leave of absence was granted to the Director, Technical Education, Assam.

Shri J. N. Goswami, Director, Tourism, Assam took the Chair. The Principal/Secretary appraised the Committee that as per the resolution No. 2(c) of 18th Board of Governors Meeting of Food Craft Institute, Guwahati and resolution No. 1(a) of 1st Board of Governors Meeting of IHM, Guwahati the regular staff members of the erstwhile Food Craft Institute (Guwahati) Society to be regularsed in the respective Post with the IHM(Guwahati) Society since the Food Craft Institute (Guwahati) Society has been changed to IHM(Guwahati) Society being re-registered with the Registrar of Societies Assam under Societies Registration Act XXI, 1860.

certified to be true
Adv.

A comprehensive statement of educational qualification, age, experience and the present post held of the individual incumbent, the bio-datas and personal files of the individual staff members placed before the Committee.

The Committee as wished by Shri A. K. Bhardwaj, General Manager, Hotel Brahmaputra Ashok personally interviwed all faculty members of the Institute as well as the officiating AAO and the store-keeper.

Being satisfied with the personal interview and the credential of the individual staff which are in conformity with the norms laid down in the recruitment rules of the IHM(Guwahati) Society, the Committee resolved to recommend to the Board of Governors of the Institute, the regularisation of the service of the following staff in their respective post with the IHM (Guwahati) Society.

1. Mr. Bablu Roychoudhury, Lecturer
2. Mrs. Nanda Baruah, Lecturer
3. Mr. Gautam Das, Lecturer
4. Mr. Soumitra Sen, Lecturer
5. Mr. Alok Sarkar, Asstt. Lecturer
6. Mr. Amit Roy, Asstt. Lecturer
7. Mr. Sakya Sinha, Asstt. Lecturer
8. Mr. Khagen Saikia, Asstt. Lecturer
9. Mrs. Puspanjalee Gogoi Baruah, AAO(Officiating)
10. Mr. Anup Kumar Phukan, Store Keeper
11. Mrs. Meena Devi, Stenographer
12. Mr. Ganga Dhar Das, LDC
13. Mr. Amuly Pator, Electrician
14. Mr. Nabin Chandra Bania, Peon
15. Mr. Bhagadutta Deoraja, Peon
16. Mr. Anamuddin Mazumdar, Laboratory Attendent

Gd/

17. Mr. Aditya Barman, Laboratory Attendent
18. Mr. Rati Kanta Das, Watchman
19. Mr. Babul Baishya, Watchman
20. Mr. Hiren Baishya, Laboratory Attendent
21. Mr. Ajit Basfor, Sweeper
22. Mr. Basudev Basfor, Sweeper

The meeting ended with a vote of thanks to the chair.

(J. N. Goswami)
Director of Tourism,
Assam & Chairman
Selection / Departmental
Promotion Committee
of IHMCTAN, Guwahati.

Gd/

- 29 -

MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24.09.2004 AT IHM GHY PREMISES

Departmental Promotion Committee for promotion of two Lecturers to Sr. Lecturers & two Sr. Lecturers in resultant vacancy of Lecturers of IHM Guwahati was held under the chairmanship of Sri S. L. Khyriem, Regional Director, Indiatourism, (NE), Govt. of India, Ulubari Guwahati on 24.09.2004 at IHM Guwahati premises.

The following members were present:

1. Sri S. L. Khyriem,
   Regional Director, Indiatourism (NE),
   Govt. of India, Ulubari, Guwahati

2. Sri S. Ahmed,
   Director of Tourism I/C
   Govt. of Assam, Guwahati

3. Sri G. C. Das,
   Dy. Secretary to the Govt. of Assam
   WPT & BC Department,
   Guwahati

4. Sri S. P. Bhattacharyya
   Principal IHM, Guwahati

The Committee has examined all the relevant documents including Rules & Regulations (RPR 2003) pertaining to IHMs & found that the papers submitted by the Institute are in order. Accordingly, the Committee recommends that the promotion to the Grade of Sr. Lecturer & Lecturer (Resultant Vacancy) in order of merit will be as follows:

A. PANNEL OF LECTURERS TO BE PROMOTED TO SR. LECTURERS

1. Sri Bablu Roychoudhuri
2. Dr. Mrs. Nanda Baruah
3. Sri Gautam Das

B. PANNEL OF ASST. LECTURERS TO BE PROMOTED TO THE RESULTANT VACANCY OF LECTURERS

1. Sri Alok Sarkar
2. Sri Amit Kr. Roy
3. Sri Sakya Sinha

The committee also granted Leave of absence to Sri K. K. Saraf, Director (A & F), NCHMCT, New Delhi 110012.
The meeting thereafter ended with a vote of thanks to the chair.

24/9/04	24.9.04	24/9/04	24/9/04
(S. P. Bhattacharyya) Principal IHMCTAN Guwahati	(G.C. Das) Dy. Secretary WPT & BC Dept. Govt. of Assam Guwahati	(S. Ahmed) Director of Tourism I/C Govt. of Assam Guwahati	(S.L. Khyriem) Regional Director Indiatourism, Govt. of India Guwahati

Certified to be true
Adv.
1.10.07

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT,
CATERING TECHNOLOGY AND
APPLIED NUTRITION
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

IHM(GH) – Estt./ 19/04/ 1002, 12.10.2004.

To

Sri Bablu Roychoudhuri,
Lecturer - cum - Instructor,
Institute of Hotel management,
Guwahati.

SUB: Promotion in the post of Sr. Lecturer – cum – Sr. Instructor

Sir,

On behalf of the Hon'ble Chairman and the Executive Committee of The Institute of Hotel Management, Catering Technology & Applied Nutrition (Guwahati) Society, Guwahati, the undersigned is pleased to inform you that you are hereby temporarily promoted in the post of Sr. Lecturer – cum – Sr. Instructor (in the scale of Rs 8,000-275-13,500) in this Institute. It will be effective from the date of your joining in this post, and you will be under probation for a period of one year from that date.

This issue with the approval of the Hon'ble Chairman and the Executive Committee, IHMCTAN (Guwahati) Society.

(Shakti Pada Bhattacharyya)
PRINCIPAL / SECRETARY

Copy to:

1. Hon'ble Chairman IHM Guwahati for kind information
2. All the members of Board of Governors IHM Guwahati for kind information
3. Director (Studies), National Council for Hotel Management & Catering Technology, New Delhi for kind information.
4. Accounts section IHM Guwahati
5. Circular
6. Personal File

PRINCIPAL

G. S. Road, Bus Stop ABC, Bhangagarh, Guwahati - 781005, Tel : 0361 - 2452273, 2529440 Tele Fax : 0361-2452271 (Direct)

31 -

AAO 10/12/01

IHM, GHY
10 DEC. 2001
DIARY NO. 2.1.2.

Government of India
Ministry of Tourism
HRD Division

C-I Hutment,
Dalhousie Rd.
New Delhi – 110 011.

No.1(7)/99-HMC

Dated: 29 November, 2001.

The Principals,
All Institute of Hotel Management, Catering
Technology & Applied Nutrition Guwahati

Subject: **Implementation of ACP Scheme in IHMs.**

Sir,

Please refer to this Ministry's letter of even number dated 1st June, 2000 on the above subject. The matter has been examined in consultation with Integrated Finance Division about uniformity of pay scales while adopting ACP Scheme for the staff & officers of IHMs. While considering the ACP Scheme, the first and second financial upgradations may be granted to the eligible employees of IHMs as under :

1. Financial upgradations recommended for the Teaching/Technical Staff

S. N.	Post/Grade	Present scale	First Financial upgradation after 12 yrs	Second financial upgradation after 24 yrs.
1.	Principal (S-24)	14300-400-18300	No financial upgradation admissible beyond this level	
2.	HOD (S-19)	10000-325-15200	12000-375-16500	12000-375-18000
3.	Sr.Lecturer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
4.	Lecturer (S-11)	6500-200-10500	7450-225-11500	7500-250-12000
5.	Asstt Lecturer (S-9)	5000-150-8000	5500-175-9000	6500-200-10500
6.	Maintenance fore-man/caretaker(S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7.	Asstt. foreman/ Asst caretaker (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8.	Librarian (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
9.	Asstt Librarian (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-6000
10	Carpenter/Painter /Electrician (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-600
11	Technician (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590
12	Lab Attendant (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590

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1.10.07

II. Financial upgradations recommended for the Administrative Staff

S. N.	Post/Grade	Present Scale	First financial upgradation	Second financial upgradation
1	Adm-cum-Account Officer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
2	Office Supdt.(S-10)	5500-175-9000	6500-200-10500	7450-225-11500
3	Accountant (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
4	Accountant cum Office Supdt (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
5	Asstt. Supdt. (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
6	PA to Principal (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7	UDC/ Snackteria Supervisor (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8	Store Keeper (S-7	4000-100-6000	4500-125-7000	5000-150-8000
9	Stenographer (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
10	Cashier (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
11	Driver cum mechanic(S-6)	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
12	Head Watchman/Head Mali/HeadSafaiwala	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
13	Gestetner Operator (S-3)	2650-65-3300- 70-4000	2750-70-3800-75 -4400	3050-75-3950 -80-4590
14	Daftary (S-2)	2610-60-3150- 65-3540	2650-65-3300- 70-4000	2750-70-3800-75 -4400
15	Peon/watchman/ Mali/Safaiwala/ Attendant (S-1)	2550-55-2660-3200	2610-60-3150-65 -3540	2650-65-3300-70-4000

As already advised vide this Ministry's letter of even number dated 1.6.2001, the implementation of ACP Scheme may be considered with the approval of BOG without compromising the aim of self sufficiency and the entire liability in this regard will be borne by NCHMCT.

Yours faithfully,

(P.S. Kharola)
Director (K)

TUTE OF HOTEL MANAGEMENT CATERING TECHNOLOGY AND APPLIED NUTRITION,GUWAHATI--5

ar accrue/recovery(due) to ACP(Full) Implementation

me and Designation : Mr.Soumitra Sen, Lecturer.

				DUE										
Months	Pay	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Pay	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Diff.Amt.	Remark
Sept' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	DA-37%
Oct' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Nov' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Dec' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Jan'2000	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	DA-38%
Feb' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
March' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
April' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
May' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
June' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
July' 2k	9375	3844	1406	200	400	15225	9250	3793	1388	200	200	14831	394	DA-41%
Aug' 2k	9375	3844	1406	200	400	15225	9250	3793	1388	200	200	14831	394	
Sept' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Oct' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Nov' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Dec' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Jan'2001	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	DA-43%
Feb' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
March' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
April' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
May' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
June' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
July' 01	9650	4343	1448	200	400	16041	9475	4264	1421	200	200	15560	481	DA-45%
Aug' 01	9650	4343	1448	200	400	16041	9475	4264	1421	200	200	15560	481	
Sept' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Oct' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Nov' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Dec' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Jan' 2002	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957	DA-49%
											Total (page no.1)Rs.		13613	

Enclosure 5

33-

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Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition Guwahati-5

126

ihm ,Guwahati-5

Name and Designation : Mr.Soumitra Sen, Lecturer.

Feb' 02	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957	
March,02	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957	
						0		1164				1164	-1164	DA-4%
April, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569	
May, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569	
June, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569	
July, 02	9925	5161	1489	200	400	17176	9700	4753	1455	200	200	16308	867	DA-52%
Aug' 02	9925	5161	1489	200	400	17176	9700	4753	1455	200	200	16308	867	
Sept' 02	10200	5304	1530	200	400	17634	9925	4863	1489	200	200	16677	957	
Oct' 02	10200	5304	1530	200	400	17634	9925	4863	1489	200	200	16677	957	
						0		1177				1177	-1177	DA-3%
Nov' 02	10200	5304	1530	200	400	17634	9925	5161	1489	200	200	16975	659	
Dec' 02	10200	5304	1530	200	400	17634	9925	5161	1489	200	200	16975	659	
Jan' 2003	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965	DA-55%
Feb' 03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965	
March,03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965	
						0		893				893	-893	DA-3%
April, 03	10200	5610	1530	200	400	17940	9925	5459	1489	200	200	17273	667	
May, 03	10200	5610	1530	200	400	17940	9925	5459	1489	200	200	17273	667	
June, 03	10200	5610	1530	200	400	17940	9925	5459	1489	200	200	17273	667	
July, 03	10200	6018	1530	200	400	18348	9925	5459	1489	200	200	17273	1075	DA-59%
Aug' 03	10200	6018	1530	200	400	18348	9925	5459	1489	200	200	17273	1075	
						0		794				794	-794	DA-4%
Sept' 03	10475	6180	1571	200	400	18826	10150	5989	1523	200	200	18062	764	
Oct' 03	10475	6180	1571	200	400	18826	10150	5989	1523	200	200	18062	764	
Nov' 03	10475	6180	1571	200	400	18826	10150	5989	1523	200	200	18062	764	
Dec' 03	10475	6180	1571	200	400	18826	10150	5989	1523	200	200	18062	764	
Jan' 04	10475	6390	1571	200	400	19036	10150	5989	1523	200	200	18062	974	DA-61%
Feb' 04	10475	6390	1571	200	400	19036	10150	5989	1523	200	200	18062	974	
Mar,04	10475	6390	1571	200	400	19036	10150	5989	1523	200	200	18062	974	
											Total(page no:2)Rs.		17563	

Principal
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Catering Technology & Applied Nutrition

ihm, Guwahati-5																3
Name and Designation : Mr.Soumitra Sen, Lecturer.																
				DUE								DRAWN				
Months	Pay	DP	DA	H.R.A	S.C.A	T.A	Gross Amt.	Pay	DP	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Diff.Amt.	Remark
April, 04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
May, 04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
June,04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
July, 04	10475	5238	2200	2357	200	400	20870	10150	0	5989	1523	200	200	18062	2808	DA-14%
Aug' 04	10475	5238	2200	2357	200	400	20870	10150	0	5989	1523	200	200	18062	2808	
Sept,04	10750	5375	2238	2419	200	400	21382	10375	0	6121	1556	200	200	18452	2930	
Da arrear							0			1218				1218	-1218	DA-2%
Da arrear							0			1534				1534	-1534	DA-5%
Oct' 04	10750	5375	2238	2419	200	400	21382	10375	0	6640	1556	200	200	18971	2411	
Dp arrear							0		9910					9910	-9910	
Nov' 04	10750	5375	2238	2419	200	400	21382	10375	5188	2179	2334	200	200	20476	906	
Dec'04	10750	5375	2238	2419	200	400	21382	10375	5188	2179	2334	200	200	20476	906	
Jan'05	10750	5375	2718	2419	200	400	21882	10375	5188	2179	2334	200	200	20476	1386	DA-17%
Feb'05	10750	5375	2718	2419	200	400	21882	10375	5188	2179	2334	200	200	20476	1386	
Mar,05	10750	5375	2718	2419	200	400	21882	10375	5188	2179	2334	200	200	20476	1386	
Da arrear							0			1400				1400	-1400	DA-3%
April, 05	10750	5375	2718	2419	200	400	21882	10375	5188	2646	2334	200	200	20943	919	
May, 05	10750	5375	2718	2419	200	400	21882	10375	5188	2646	2334	200	200	20943	919	
June,05	10750	5375	2718	2419	200	400	21882	10375	5188	2646	2334	200	200	20943	919	
July, 05	10750	5375	3357	2419	200	400	22501	10375	5188	2646	2334	200	200	20943	1558	DA-21%
Aug' 05	10750	5375	3357	2419	200	400	22501	10375	5188	2646	2334	200	200	20943	1558	
Sept,05	11025	5513	3473	2481	200	400	23092	10600	5300	2703	2385	200	200	21388	1704	
Da arrear							0			1881	0			1881	-1881	DA-4%
Oct' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Nov' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Dec' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Jan 06	11025	5513	3473	2481	200	400	23092	11025	5513	3473	2481	200	400	23092	0	
													Total(page no.3)Rs.		18773	

Enclosure E

129

Institute Of Hotel Management Catering Technology And Applied Nutrition, GHY-6

Arrear accrued due to ACP Implementation

Name and Designation MR. B. ROYCHOWDHURY, LECTURER

Months	DUE Pay	D.A	H.R.A	S.C.A	T.A	Spl Allw		DRAWN Gross Amt.	Pay	D.A	H.R.A	S.C.A	T.A	Spl Allw		Gross Amt.	Diff. Amt.	Remark
Aug'99	4863	2589	1029	148	—	45		10684	6603	2493	300	113	—	45		10200	484	
Sept'99	9250	3428	1388	200	—	60		14326	8900	3378	1335	160	—	60		13718	573	
Oct'99	9250	3428	1388	200	200	60		14326	8900	3378	1335	160	200	60		13918	573	
Nov'99	9250	3428	1388	200	200	60		14326	8900	3378	1335	160	200	60		13918	573	
Dec'99	9250	3428	1388	200	200	60		14326	8900	3378	1335	160	200	60		13918	573	
Jan'00	9250	3515	1388	200	200	60		14524	8900	3378	1335	160	200	60		13918	573	
Feb'00	9250	3515	1388	200	200	60		14613	8900	3378	1335	160	200	60		13918	573	
March'00	9250	3515	1388	200	200	60		14613	9100	3367	1365	200	200	60		14252	361	
April'00	9250	3515	1388	200	200	60.		14613	9100	3367	1365	200	200	60		14252	361	
Arrear Pay & DA								14613		362						14252	361	
May'00	9250	3515	1388	200	—	60		14483	9100	3158	1365	200	—	60		362	(-)362	
June'00	9250	3515	1388	200	200	60		14683	9100	3158	1365	200	200	60		14183	230	
July'00	9450	3793	1388	200	200	60		14891	9100	3158	1365	200	200	60		14383	230	
Aug'00	9475	3885	1421	200	200	60		15241	9100	3158	1365	200	200	60		14383	508	
Arrear Pay & DA										546						14383	858	
Sept'00	9475	3885	1421	200	200	60		15241	9100	3731	1365	200	200	60		546	(-)546	
Oct'00	9475	3885	1421	200	200	60		15241	9100	3731	1365	200	200	60		14656	585	
Nov'00	9475	3885	1421	200	200	60		15241	9100	3731	1365	200	200	60		14656	585	
Dec'00	9475	3885	1421	200	200	60		15241	9100	3731	1365	200	200	60		14656	585	
Jan'01	9475	4074	1421	200	200	60		15430	9100	3731	1365	200	200	60		14656	774	
Feb'01	9475	4074	1421	200	200	60		15430	9300	3813	1395	200	200	60		14968	462	
March'01	9475	4074	1421	200	200	60		15430	9300	3813	1395	200	200	60		14968	462	
Arrear Pay & DA										554						554	(-)554	
April'01	9475	4074	1421	200	200	60		15430	9300	3799	1395	200	200	60		15154	276	
May'01	9475	4074	1421	200	200	60		15570	9300	3799	1395	200	200	280		15274	296	

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1.10.07.

-37-

130

Institute Of Hotel Management Catering Technology And Applied Nutrition, GHY-5

Page no. 3.

Year accrue due to ACP Implementation

Name and Designation Sri. B. Roy Choudhury Receptionist

	DUE								DRAWN								
MONTHS	PAY	D.A.	H.R.A.	S.C.A.	T.A.	Spl. Allo.		Gross Amt.	Pay	D.A.	H.R.A.	S.C.A.	T.A.	Spl. All.		Gross Amt.	Diff. Amt.	Remark
										757						564	(-)193	
Pay no																		
1.1.24 B	418113	167856	62733	8718	8200	5895		690493	405303	181058	60795	8519	8200	5695		669720	20773	

Arrear due to ACP Implementation Rs. 20773/- Rupees Twenty thousand seven hundred seventy three only

Paid vide chq. no. 150419 dtd. 30/4/13 Rs. 5193 after deduction of Rs. 193 for 1st prop. incr.

30/4/13

Asstt. Administrative Officer
IHMCTAN, Guwahati

Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition, Guwahati-5

(S-11)

Enclosure-I

INSTITUTE OF HOTEL MANAGEMENT, GUWAHATI

MINUTES OF THE DPC MEETING HELD ON 27.11.2006

On the advice of the Legal Counsel of the Institute of Hotel Management, Guwahati, Mr.Ashwini Thakur and on the compliance of the directives of the Hon. Tribunal, meeting to review DPC meeting was held on 27.11.2006 at IHM, Guwahati. The following members were present:

1.	Shri S.P.Bhattacharya	-	Chairman
2.	Shri K.K.Saraf	-	Member
3.	Shri Ronjon Lahiri	-	Member
4.	Shri D.K.Baruah	-	Member
5.	Shri G.C.Das	-	Member

Shri Ashwini Thakur, Legal Counsel of IHM, Guwahati was also invited, who apprised the Committee Members about the issues raised by Shri S.Sen, Lecturer and the directions given by the Hon. Tribunal in the matter. Shri Thakur informed that Hon. Tribunal has directed that representation of Shri S.Sen dated 14.12.2005 should be disposed off by 17.12.2006. It was further indicated by the Counsel that in his petition Shri S.Sen has raised questions abut merit list panel presented by the Institute before the DPC meeting in 2004. The Legal Counsel further informed that Zone of consideration indicated in the RPR-2003 is ambiguous whereby three senior candidates are considered for promotion post. It, however, is not clarified that the said Zone of consideration is applicable for one vacancy. The Council, therefore, advised that in view of this ambiguity, Review DPC may therefore rely on the Zone of consideration stipulated in the Swamy's Hand Book and therefore should consider the case of all the four Lecturers including the case of Mr.S.Sen as it falls within the Zone of consideration.

Certified to be true
Adv.

Accordingly, the DPC meeting called for all the relevant files and papers in order to reconsider all relevant parameters for consideration by the Committee. The members of the Committee examined the seniority list maintained by IIHM, Guwahati for the post of Lecturers. It also examined the reservation roster maintained by the Institute to crosscheck if the two vacancies in 2004 were meant for General Category or for reserved category. The Committee also examined in detail the Annual Confidential Reports of all the four Lecturers that existed as on August 2004. After examining all these records the position of seniority emerged as under:

S.No.	Name	Designation	Date of Joining
1.	Shri Bablu Roychowdhuri	Lecturer	21.02.1985
2.	Dr.Mrs.Nanda Baruah	Lecturer	15.03.1985
3.	Shri Gautam Das	Lecturer	27.04.1985
4.	Shri Soumitra Sen	Lecturer	05.09.1985

On perusal of the personal files and ACR's of all the four Lecturers of IIHM, Guwahati, the grading of Lecturers was observed as under:

Sl. No.	Name	Designation	Year wise grading of ACT				
			2000	2001	2002	2003	2004
1.	Shri Bablu Roychowdhury	Lecturer	VG	VG	VG	Excl	Excl
2.	Dr.Mrs.Nanda Baruah	Lecturer	VG	VG	VG	Excl	Excl
3.	Shri Gautam Das	Lecturer	VG	VG	VG	Excl	Excl
4.	Shri Soumitra Sen	Lecturer	VG	VG	VG	Excl	Excl

VG: Very Good Excl: Excellent

The Committee also noted from the personal files of the Lecturers that all the four Lecturers in question benefited from implementation of Assured Career Progression scheme of the Government of India by the Institute from 1999, as they were given a higher pay scale as per the stipulations in the ACP Scheme. It was observed that the said pay scale is at par with the pay scale of the Senior Lecturer i.e. Rs.8000-275-13500. On crosschecking the vacancy position of Senior Lecturers in the Institute, the Committee relied on the orders of the Ministry of

Tourism No.33(4)/99-HMC dated 17.05.2004, which confirmed that there were only two posts of Senior Lecturers as available before the DPC at the time when it met last to consider the cases of promotion.

All the four cases of Lecturers including Mr.Bablu Roychowdhury and Mrs.Nanda Baruah enjoyed ACR Grading from Very Good to Excellent progressively. The ACR Grading of the other two Lecturers viz., Mr.Gautam Das and Mr.Soumitra Sen were also at par with Mr.Bablu Roychowdhury and Mrs.Nanda Baruah. Therefore, in terms of job performance, all the four candidates were at par. The distinction among the four cases, therefore, has been relied on the seniority since merit is a common denominator. In terms of seniority, Mr.Bablu Roychowdhury and Mrs.Nanda Baruah, who respectively appearing at seniority No.1 & 2 were considered by the DPC Committee in past are found to be in order and this Review DPC Committee reconfirms the position as unaltered.

The Committee does not have any mandate to deliberate on the other issues raised by Shri S.Sen in his petition regarding depriving him of his rightful promotion in the year 1999 as RPR-1998. The Committee, however, crosschecked the facts and found that the Ministry of Tourism had directed not to fill up the post of the Senior Lecturer vide letter No.1(5)/97-HMC dated 27.01.1997 till such time the posts of the Senior Lecturer are revived by the Ministry of Tourism. Therefore, at the time of operation of the RPR-1998 the vacancy in question was not available.

It was also seen from the records that the posts were revived by the Ministry of Tourism vide order No.33(4)/99-HMC dated 17.5.2004 subsequent to which the management of the Institute did not lose any time to fill the two posts of Senior Lecturers whereby Shri Bablu Roychowdhury and Mrs.Nanda Baruah being the senior most faculty members as per seniority list were considered for promotion.

the DPC when it met in 2004. The Review DPC Meeting that was held on 27.11.2006 and the Members were briefed and informed that IHM Guwahati does not have any vacancy available as on date to be offered to Shri Gautam Das and Shri Soumitra Sen.

The members requested Chairman of the Committee to place the minutes before the Chairman of the Institute at the earliest, so that the Hon. Tribunal is informed about the action in the matter.

(G.C.Das)
Dy. Secretary, Govt. of Assam
WPT&BC Department
Rep. of SC/ST Commission
approved by Chairman

(D.K.Baruah)
Director (Tourism)
Govt. of Assam
Member, BOG & DPC, IHM

(Ronjon Lahiri)
Asstt. Director General
Ministry of Tourism
Govt. of India

(K.K.Saraf)
Director (A&F),
NCHMCT/
Member, BOG & DPC, IHM

(S.P.Bhattacharya)
Chairman, DPC/
Principal, IHM

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
13 NOV 200
गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH,
GUWAHATI.

O.A.No.64/07

Additional Written Statement on behalf of respondent no.5 to Original Application no.64/07.

Sri Soumitra Sen
...Applicant.
-Vs-
The Union of India and ors.
...Respondents.

INDEX

Sl. No.	Annexure	Particulars	Page no.
	-	Written statement	1 to 18.
	-	Verification	19.
	A series	Certificate of qualification	20 to 23.
	B	Appointment order	24.
	C	Statements of pay scales	25.
	D	Letter dated 27.01.97	26.
	E	Letter dated 17.05.04 whereby sanctioned the post in IHM, Guwahati.	27.
9.		ualification certificate 27.12.02 of Bridge ination	28.
		in Bridge ons	29.
10.		old on otion to Lecturer	30.
11.		ost of or	31.
12.			32.

12/11/07

Lipika Devi
12.11.07.

Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Filed by:- Dr. N. Baruah Respondent No. 5 Through Lipika Das Advocate Guwahati. 10/10/07

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of:
O.A. no.64/07
Sri Soumitra Sen
...Applicant
-Vs-
Union of India and ors
...Respondents
-AND-
In the matter of:
Written statement on behalf of respondent no.5

Nanda Baruah

(WRITTEN STATEMENT ON BEHALF OF RESPONDENT NO.5)

I, Smt (Dr.) N. Baruah wife of Dr. Pranab Baruah resident of Bamunimadaim, Guwahati- , presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition , Hengrabari, Guwahati do hereby solemnly affirm and state as follows:

1. That I have been impleaded as party respondent no.5 in the aforesaid application and accordingly a copy of the same has been served upon me.. I have gone through the same and have understood the contents thereof. I am acquainted with the facts and circumstances of the case thereof.

2. That I do not admit any of the averments except which are specifically admitted hereinafter and the same are deemed and denied.

3. That the answering respondent i.e. the respondent no.5 obtained Degree in Home Science with distinction from the Assam Agricultural University, Jorhat in the year 1982. She secured first position and accordingly was awarded University Gold Medal. Thereafter she obtained Master of Science in Food Service Management and Dietetics in the year 1984 by securing first class position from the Home Science College for Women under Bharathiar University at Coimbatore . She has also qualified for Doctor of Philosophy (PhD) from the Guwahati University in the year 2000.

Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

4. That an advertisement was made, as per Recruitment Rule 1982, in the year of 1984 inviting applications for different posts in the Food Craft Institute, Guwahati and in response to the said advertisement the respondent no.5 having the requisite qualification and being eligible applied for the post of Lecturer in the Food Craft Institute, Guwahati.

5. That, thereafter, she was called for interview vide letter dated 18.07.84 and accordingly she appeared before the Interview Board. The Selection Committee thereafter prepared a select list on the basis of merit for different posts including the Lecturers. The respondent no.5 found her place in the merit list in Category of Lecturer against Serial no.2 and thereafter vide order dated 05.03.85 she was appointed for the post of Lecturer –cum-instructor and accordingly she joined in her services on 15.03.1985.

Whereas in the said select list the applicant's name does not appear as he was not the candidate of the said interview. However, in the subsequent advertisement he offered his candidature and as selected he got his appointment for the post of Lecturer on 05.09.1985

6. That in the year 1995 the erstwhile Food Craft Institute Guwahati was upgraded to the Institute of Hotel Management, and all the existing staff of the erstwhile Food Craft Institute, Guwahati were adsorbed in the Institute of Hotel Management, Guwahati in the same capacity.

7. That the Board of Governors of the Institute of Hotel Management, Catering Technology and Applied Nutrition has approved the recommendation of the DPC meeting held on 06.02.96 regarding the regularization of the services of the staff members of the erstwhile Food Craft Institute, Guwahati into the Institute of Hotel Management in their respective posts from the date of re-registration of the Institute of Hotel Management Guwahati with effect from 06.04.95.

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
10 OCT 2011
गुवाहाटी न्यायपीठ
Guwahati Bench

8. That the National Council for Hotel Management and Catering Technology planned to conduct a Bridge Course Examination for the qualified academic staff in the Institute of Hotel Management who does not have the 3 Years Diploma qualification in Hotel Management to get their existing qualification equated to the 3 Years Diploma Programme. Accordingly through an advertisement the National Council invited the qualified academic staff in the Institute of Hotel Management with specialization in other areas but not in the possession of the 3 Year Diploma qualifications in Hotel Management to appear before the Bridge Course Examination held on July- December 2001. In response to the said advertisement the respondent no.5 appeared in the Bridge Course Examination in 2002 and she successfully completed the same. Accordingly the qualifying letter as well as the marksheet were issued by the Council vide letter dated 27.12.02.

9. That the Recruitment Rules 1998 provide the promotion of Senior Lecturer- cum- Instructor by way of promotion and direct recruitment so far the 'promotion' is concerned,

" the promotion for amongst the common cadre of Lecturers working in IHMs failing which by direct recruitment"

And the eligibility criterion for promotion is 5 years regular service. Thereafter the Government of India introduced the Revised Recruitment Rules 2001 for Institute of Hotel Management and consequently the earlier Recruitment Rule introduced in September 1998 was superceded and as per the revised Recruitment Rules 2001 under sub rule 14.3

" the promotion to selection post shall be on the basis of merit with due regard to seniority".

Further there is a noting as follows :

" Existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 will also be

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

considered for all the posts from the Lecturer to the Principal even if they do not possess the qualification of " Three Years Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology."

10. Thereafter the Government of India for further streamline amended the existing Recruitment Rules- 2001 for Institute of Hotel management. The new/revised Recruitment Rules has been termed as 'Recruitment and Promotions Rules-2003'. The new Recruitment Rules 2003 provided the General Principle of Promotion under Rule 14 and as per sub- rule 14.3

" The promotion to selection post shall be on the basis of merit with due regard to seniority".

And the eligibility for promotion is as follows:-

" Candidates should have at least 5 years experience in the grade of lecturer cum instructor ....Guwahati."

11. That the answering respondent no.5 fulfilled all suitability and eligibility criteria as per rules by having all requisite qualifications and 19 years teaching experience and having placed in 2nd position in the seniority list was suitable for the post of the Senior Lecturer and accordingly she was promoted to the post of Senior Lecturer alongwith the 1st nominee Bablu Ray Choudhury, respondent no.4 vide order dated 12.10.04 and she immediately joined in the post of Sr. Lecturer post and still continuing as such.

12. Being aggrieved with the said promotion of the respondent no.4 and 5 the application preferred an Original Application no.211/06 before this Hon'ble Tribunal after hearing was pleased to dispose of the matter vide order dated 23.08.06 directing to the respondent to consider and dispose the representation dated 14.10.05 within 3 months time from the date of receipt of the order.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

In compliance with the aforesaid order dated 23.08.06 the respondents considered the representation of the applicant and consequently held a review DPC meeting on 27.11.06. And after examining the ACRs and other records the review DPC Committee reconfirmed the position of the 4 persons including the applicant, respondent no.4 and 5. Further it was found that the respondents no 4 and 5 in 5 years ACR gradings got from very good to excellent progressively and the applicant also at par with them. The management of the institution did not loose any time to fill the two posts of Senior Lecturers as sanctioned by the Government of India vide order dated 17.05.04 and accordingly the respondent nos.4 and 5 being the seniormost faculty member as per seniority list were considered for promotion to the DPC when it met on 2004.

13. **Reply to the facts of the case:**

13.1. That with regards to the statements made in paragraphs 4.1 of the application the humble answering respondent begs to state that she obtained the Degree in Home Science from the with distinction from the Assam Agricultural University, Jorhat in the year 1982. She secured first position and accordingly was awarded University Gold Medal. Thereafter she obtained Master of Science in Food Service Management and Dietetics in the year 1984 by securing first class position from the Home Science College for Women under Bharathiar University at Coimbatore. She has also qualified for Doctor of Philosophy (PhD) from the Guwahati University in the year 2000.

That an advertisement was made, as per Recruitment Rule 1982, in the year of 1984 inviting applications for different posts in the Food Craft Institute, Guwahati and in response to the said advertisement the respondent no.5 having the requisite qualification and being eligible applied for the post of Lecturer in the Food Craft Institute, Guwahati.

That, thereafter, she was called for interview vide letter dated 18.07.84 and accordingly she appeared before the Interview Board. The

केन्द्रीय प्रशासनिक
Central Administrative
7 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

Selection Committee thereafter prepared a select list on the basis of merit for different posts including the Lecturers. The respondent no.5 found her place in the merit list in Category of Lecturer against Serial no.2 and thereafter vide order dated 05.03.85 she was appointed for the post of Lecturer -cum-instructor and accordingly she joined in her services on 15.03.1985.

Whereas in the said select list the applicant's name did not appear as he was not the candidate of the said interview. However, in the subsequent advertisement he offered his candidature and was selected. He got his appointment for the post of Lecturer on 05.09.1985

Copies of the certificates of the qualifications and appointment order dated 05.03.85 are annexed herewith and marked as annexure 'A-series' and 'B' respectively.

13.2. That with regard to the statements made in paragraph 4.2 of the application the humble answering respondent begs to state that in the year 1995 the erstwhile Food Craft Institute Guwahati was upgraded to the Institute of Hotel Management, and all the existing staff of the erstwhile Food Craft Institute, Guwahati were adsorbed in the Institute of Hotel Management, Guwahati in the same capacity.

That the Board of Governors of the Institute of Hotel Management, Catering Technology and Applied Nutrition approved the recommendation of the DPC meeting held on 06.02.96 regarding the regularization of the services of the staff members of the erstwhile Food Craft Institute, Guwahati into the Institute of Hotel Management in their respective posts from the date of re-registration of the Institute of Hotel Management Guwahati with effect from 06.04.95.

Further it is stated that the total sanctioned post of the erstwhile Food Craft Institute, Guwahati was 30. The list as approved by the Board of Governors meeting is as follows :-

I. Principal	-	1.
II. Senior Lecturer	-	1.
III. Lecturer-cum-Instructor	-	6.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 OCT 20
गुवाहाटी न्यायपीठ
Guwahati Bench

IV. **********

V.**********

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*.**********

XIV.**********

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Total - 30 posts.

Smt. Sibani Roy was appointed as Senior Lecturer and was the Principal-in-charge resigned from her service and consequently, the post of the Senior Lecturer, IHM, Guwahati, remained vacant and unfilled for long years. As per the extent orders of Government of India, Ministry of Finance, the post of the Institutes and National Council remaining unfilled for a period exceeding one year shall stand abolished. The said instruction was issued by the Government of India, Tourism Department vide letter dated 27.01.97. As per the said instruction the only post of Senior Lecturer at the IHM, Guwahati stand automatically abolished, consequently there were no sanction posts of Senior Lecturer in the institute.

Further the answering respondent begs to state that the letter dated 11.02.99 sent by respondent no.3 seeking approval for was only the worked out staff as per guidelines. It was not fact that there were two posts of Senior Lecturer sanctioned. The letter dated 11.02.99 (Annexure-1 to the Original Application) indicates about seeking of the approval of the workout staff. It is not correct there are two sanctioned post of the Senior-Lecturer in the Institute of Hotel Management, Guwahati.

In this connection the humble answering respondent begs to state that the Ministry of Finance vide letter no.581/ECOORD.1/2004 dated 30.04.04 approved the two posts of Senior Lecturer as created in the Institution of Hotel Management, Guwahati and accordingly a letter dated 17.05.04 was issued by the Under Secretary to the Government of India, Tourism Department informing the Secretary, Institution of Hotel Management Guwahati about the sanctioning of the two posts of Senior Lecturers and the final position of the sanctioned post as mentioned in the

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 20
गुवाहाटी न्यायपीठ
Guwahati Bench

category of Senior Lecturers was 2. Hence the enclosure shown in the letter dated 11.02.99 (Annexure 1 to the Original Application) is not correct may be typographical mistake.

Further in the latter dated 05.03.99 (annexure 2 of the Original Application) it is specifically mentioned by the Principal that the sanctioned posts of the staff as 30 and worked out staff as 38. That the statement of the applicant that the two posts of Senior Lecturers in the staff strength of 30 is not correct.

Copies of the approved lists of the posts by the Board of Governors, letter dated 27.01.97 and sanctioned letter dated 17.05.04 are annexed herewith and marked as annexures 'C', 'D' and 'E' respectively.

13.3. That with regard to the statements made in paragraph 4.3 of the application the humble answering respondent begs to state that the reply of the statement is to be made by respondent no.3. However in connection with the letter dated 31.03.99 (Annexure-4 to the Original Application) the humble answering respondent begs to state that from the bare perusal it is understood that the post mentioned in the letter has been worked out by the institute. That doesn't mean that the two posts of Senior Lecturers are sanctioned.

Further the applicant is very much aware and having full knowledge that there were no sanctioned posts of Senior Lecturers which he himself admitted in his representation dated 07.11.01 (Annexure -9 to the Original Application). Thus thereby, he established his case any how by misinterpreting and misleading the court.

13.4. That with regard to the statements made in paragraph 4.4 of the application the humble answering respondent has nothing to make comment on it as they are to be replied by the Respondent no.3.

Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

13.5. That with regard to the statements made in paragraph 4.5 of the application the humble answering respondent begs to state that as stated in paragraph 13.2 of this written statement the total sanctioned posts in the erstwhile Food Craft Institute was 30 and after upgradation to Indian Institute of Hotel Management, the services of all the staff were regularize in their respective post. That the single post of Senior Lecturer was abolished due to not filling the post within a year. Hence there is no sanctioned post of the Senior Lecturer of the institute till 30.04.04.

Further it is categorically stated that if there would have been vacant or sanctioned post of Senior Lecturer then the respondents no.4 and 5 would have definitely been promoted to the post of Senior Lecturer as they fulfilled the suitability and eligibility criteria as per Recruitment Rules 1992 and 1998.

Further the applicant also admitted that the appointment and regularization to the abolished post is in violation of the Recruitment Rules.

13.6. That with regard to the statements made in paragraph 4.6 of the application the humble answering respondent begs to state that the two posts of Senior Lecturers was sanctioned only on 30.04.04 which was communicated to the institution by the Government of India, Tourism Department vide letter dated 17.05.04 as appears in Annexure –E to the present written statement. Hence earlier to that there is no question for promotion to the Senior Lecturer from Lecturer-cum- Instructor of the Institute.

It is not correct that the applicant was only eligible Lecturer for promotion to the post of Senior Lecturer at that relevant time. It is surprising that inspite of being awared that the two Senior Lecturers i.e. Respondent no.4 and 5 to the applicant are having the requisite qualification and eligibility criteria and suitable for being promoted to the post of Senior Lecturer as per Recruitment Rules 1982, 1998 and 2001 he deliberately declared that he is the only eligible candidate which infact is false statement, misleading and misrepresentation before this Hon'ble Tribunal.

Central Administrative
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

As per superceded Rule 1998 which the promotion to the Senior Lecturer the method of recruitment is promotion or direct recruitment. The provision for promotion to the Sr. Lecturer is,

" Promotion from amongst the common cadre of Lecturers working in the IHMs failing which by Direct Recruitment."

For the direct recruitments the educational and other qualification and experience required for Direct Recruit are as follows:

" Graduate with 3 Years Diploma in Hotel Management having secured atleast 2nd Division from National Council for Hotel Management/ State Board of Technical Education"

'or'

Degree in Hotel Management from any recognized university.

Further eligibility criteria as per rules is as follows :-

Experience:

For promotion - At least 5 years in the grade of Lecturer.

For Direct Recruit - At least 8 years teaching experience.

Further as per Rule 14.3 the requirement for promotion to selection post is provided as follows :

"Promotion to selection posts shall be on the basis of merit with due regard to seniority. The appropriate staff selection committee shall judge the merit and suitability of eligible employees for promotion on the basis of records of services, including confidential reports and recommend the order in which they may be promoted."

In the instant application the applicant mentioned in case of Direct Recruits which infact is not applicable to the answering respondent as well as the applicant as all are the candidates for promotion and not for the Direct Recruits.

Further the answering respondent begs to state that even assuming but not admitting the two posts of Sr. Lecturers were sanctioned at that relevant time than also the applicant would not get the promotion to the Sr. Lecturer

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

as at that relevant time as the senior persons in cadre i.e. the respondent no.4 and 5 are eligible and suitable for being promoted to the post of Sr. Lecturer.

It is not understood as to why and what circumstances the applicant tried to establish his case with misconception, misrepresentation and misinterpretation and not with fair intention.

13.7. That with regard to the statement made in paragraph 4.7 of the application the humble answering respondent begs to state that the reply is to be made by the respondent no.3. However the answering respondent begs to state that the promotion is not a matter of right. The applicant may be eligible having requisite qualification but he cannot supercede the senior person who are also eligible for being promoted.

The institution may have the shortage of staff and there may be requirement for creation of posts. But as per mandate of law the post should be sanctioned by the Central Government. Unless and until the post of Sr. Lecturer in the Institution is sanctioned even no eligible candidate in queue shall be promoted.

13.8. That with regard to the statements made in paragraph 4.8 of the application the humble answering respondent has nothing to make comment on it as they are to be replied by respondent no.3.

13.9. That with regard to the statement made in paragraph 4.9 of the application the humble answering respondent begs to state that the benefit of Assured Career Progression Scheme was given to all the four Lecturers including the applicant and the respondents no.4 and 5.

In this connection the answering respondent begs to state that the post of Sr. Lecturer were sanctioned on 30.04.04 which was communicated to the Institution on 17.05.04. Further the applicant himself admitted in his representation dated 07.11.01 and 18.03.02 by citing as follows:

Central ... Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

****** " As no posts of our Institution has the formal sanction from the Ministry the said file concerning promotion was stalled."********

Hence it is crystal clear from the records as well as the admitted statement of the applicants that the post of Sr. Lecturer was not sanctioned. However that was sanctioned on 30.04.04.

Further the answering respondent begs to state that the Government of India introduce the revised Recruitment Rule 2001 for Institute of Hotel Management and consequently the earlier Recruitment Rule introduced in September 1998 was superceded and as per the revised Recruitment Rules under sub rule 14.3

" the promotion to selection post shall be on the basis of merit with due regard to seniority".

Further there is a noting as follows :

" Existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 will also be considered for all the posts from the Lecturer to the Principal even if they do not possess the qualification of " Three Years Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology."

Thereafter the Government of India for further streamline amended the existing Recruitment Rules- 2001 for Institute of Hotel management. The new/revised Recruitment Rules has been termed as 'Recruitment and Promotions Rules-2003'. The new Recruitment Rules 2003 provided the General Principal of Promotion under Rule 14 and as per sub- rule 14.3

" The promotion to selection post shall be on the basis of merit with due regard to seniority".

And the eligibility for promotion is as follows:-

" Candidates should have at least 5 years experience in the grade of lecturer cum instructor ....Guwahati."

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

That the National Council for Hotel Management and Catering Technology has planned to offer a Bridge Course Examination for the qualified academic staff in the Institute of Hotel Management who does not have the 3 Years Diploma qualification in Hotel Management to get their existing qualification equated to the 3 Years Diploma Programme. Accordingly through an advertisement the National Council invited the qualified academic staff in the Institute of Hotel Management with specialization in other areas but not in the possession of the 3 Year Diploma qualifications in Hotel Management to appear before the Bridge Course Examination held on July- December 2001. In response to the said advertisement the respondent no.5 appeared in the Bridge Course Examination in 2002 and she successfully completed the same. Accordingly the qualifying letter as well as the marksheet were issued by the Council vide letter dated 27.12.02. The applicant was quite aware of the Bridge Course Examination system as mentioned by him in his application.

Further it is stated that the answering respondent no.5 fulfill all the eligibility and suitability criteria as per Recruitment Rules 2003, even superceded Rules 1998 and 2001 by having all requisite qualification and 19 years teaching experience and having placed in 2nd position in the seniority list and was found to be suitable for promotion to the post of Sr. Lecturer by the DPC held on 24.9.04 and accordingly she was promoted to the sanctioned post of Sr. Lecturer alongwith the 1st nominee Sri B.R. Choudhury (respondent no. 4) vide order dated 12.10.04 and she joined in the post of Sr. Lecturer and still continuing as such.

The answering respondent craves leave to produce the Recruitment Rules 2003 of the Institution as well as the superceded Rules 1998 and 2003 as and when it is required.

Copies of the Bridge Course Clearance letter dated 27.12.02, Marksheet of the Bridge Course Examination and promotional order dated 12.10.04 are annexed herewith and marked as annexures 'F', 'G' and 'H' respectively. Minutes of DPC dt. 24.9.04 and 1

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

13.10. That with regard to the statements made in paragraph 4.10 of the application the humble answering respondent begs to state that being aggrieved with the said promotion of the respondent no.4 and 5 the applicant preferred an Original Application no.211/06 before this Hon'ble Tribunal and the Hon'ble Tribunal after hearing was pleased to dispose of the matter vide order dated 23.08.06 directing the respondent to consider and dispose of the representation dated 14.12.05 with a speaking order within 3 months time from the date of receipt of the order.

Thereafter in compliance with the aforesaid order dated 28.08.06 the respondents considered the representation of the applicant and consequently held a review DPC meeting on 27.11.06 and after examining the ACRs and other records, the review DPC Committee reconfirmed the position of the 4 persons including the applicant, respondent no.4 and 5. Further it was found that the respondents no 4 and 5 in 5 years ACR gradings got from Very Good to Excellent progressively and the applicant also at par with them. The management of the institution did not loose any time to fill up the two posts of Senior Lecturers as sanctioned by the Government of India vide order dated 17.05.04 and accordingly the respondent nos.4 and 5 being the senior most faculty members as per seniority list and as selected as 1st and 2nd nominees in the merit were considered by the DPC met on 2004 for promotion to post of Senior Lecturer in the institute.

14. That the applicant in his application sought for promotion to senior lecturer with effect from 09.08.99 since the date from which the applicant is drawing salaries of the scale of senior lecturer and to make him competent for the next post and the scale of the Head of Department.

But it is very interesting that in entire facts in the application he did not utter any words about getting the senior scale since 09.08.99.

The Respondent no.5 has come to know about the drawing of senior scale by the applicant under the ACP scheme only after perusing this application and immediately, thereafter, the other senior persons including the answering respondent made representation before the authority on

Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

06.08.07 with a prayer to make enquiry into the matter of financial irregularity and illegality done by concerned authority by giving first financial upgradation to the applicant in the scale of senior lecturer instead of lecturer with effect from 09.08.1999 by depriving the senior persons in irregular manner. Further prayed to take necessary action against the concerned person who committed the great financial irregularity. The financial upgradation to the applicant in the senior scale is not only irregular, illegal, unreasonable but also violative of the instruction of the Government of India communicated to all the Principals vide letter dated 29.11.01.

In response to the said memorandum dated 6.08.07 the Chairman of Institute called for the reports from the respondent no.3 and so far the knowledge of the respondent no.4, 'a note' has been given by the authority to pay ACP to the respondent no.4, 5 and other Sri Gautam Das all seniors to the applicant in senior scale with effect from 09.08.99.

Copy of the representation dated 06.08.07 is annexed herewith and marked as Annexure 'I'

15. Reply to the grounds of the case:

15.1 In response to the ground 5.1 of the application the humble answering respondent begs to submit that the posts of Senior Lecturer were sanctioned vide order dated 30.04.04 under letter no.581/EC/ECOORD.1/2004 by the Ministry of Finance and which was communicated vide letter dated 17.05.04 by the Under Secretary to the Government of India, Tourism department informing the Institution, Guwahati about the sanctioning of two posts of Senior Lecturers. The respondent no.5 was found to be suitable and having the second position in the List prepared by the Departmental Promotion Committee was promoted to the post of Senior Lecturer vide order dated 12.10.04, whereas the applicant got his position against serial no.4. So far the promotion is concerned that is to be made against the existing vacancy/ sanctioned post of the Senior Lecturer. Merely eligible does not confer any right to be

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

promoted. Hence there is no deprivation towards the applicant and no question for stalling the promotion.

15.2 In response to the ground 5.2 of the application the humble answering respondent begs to submit that the Revised Recruitment and Promotion Rule 2003 superceded the earlier Recruitment Rules. The two posts for the Senior Lecturer were sanctioned on 2004, naturally for the promotion to the said two posts would be governed by the existing rules in force i.e. Recruitment and Promotion Rules 2003. The submissions made by the applicant that the post of Senior Lecturer were to be filled up in the year 1999 is infact is irrelevant submissions. Until and unless there is any vacancy no appointment/ promotions is to be made. Further the respondent no.5 is all along senior to the applicant and also having the eligibility criteria.

15.3. In response to the ground 5.3 of the application the humble answering respondent begs to submit that there was no violative action on the part of the respondent. The post of Senior Lecturers were created on 2004 and the promotion were made as per Recruitment and Promotion rules in force. Hence there is no question of discrimination or arbitrary. Further there was no infringement of Fundamental Rights.

15.4. In response to the ground 5.4 of the application the humble answering respondent begs to submit, that the Departmental Promotion Committee held on 24.1.06 found the respondent no.4 and 5 as suitable and placed them as first and second nominees in the list and the promotion were made in accordance with the select list. As stated above mere eligibility does not confer any right to be promoted.

15.4. In response to the ground 5.5 of the application the humble answering respondent has nothing to make comment on it as the reply is to be made by the respondent no.3.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

15.5. In response to the ground 5.6 of the application, the humble answering respondent begs to submit that the authority of the institute without having any right illegally and irregularly allowed the applicant to draw the scale of Senior Lecturer under ACP Scheme since 09.08.99 that too by violating the instruction of the Government of India. It is submitted that in the instant case the applicant is drawing the salary of senior scale superceding the other senior persons in illegal and irregular manner which does not accrued any right to the applicant for being promoted to the higher post. Promotion is made on the basis merit with due regard to the seniority. Hence this submissions made by the applicant is baseless and not on legal ground

15.7. In response to the ground 5.7 of the application the humble answering respondent begs to submit that the Review DPC meeting held on 27.11.06 examined in detail the Annual Confidential Reports of all the 4 lecturers of the institution and after examining records and as per rules in force placed the position of the applicant in 4th (last). Thereafter the respondent no.4 and 5 as being the 1st and 2nd were promoted to the sanctioned post of Senior Lecturers. Mere selection does not confer any right to be promoted until and unless there is a vacancy. The submission made by the applicant is not based on valid reasons or any legal ground.

16. That the humble answering respondent begs to submit that the applicant sought for relief is not on the basis of legal footing whatever he is getting is not regular and illegal and violative of the instruction of the Government of India and under challenge before the concerned authority.

17. That the humble answering respondent begs to submit that by getting an irregular and illegal scale does not confer any right to be promoted to a particular promotional post by superceding the eligible senior persons. Hence the instant application is liable to dismissed with costs.

Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

153

18. That the humble answering respondent begs to submit that the applicant inspite of being aware that the respondent no.4 and 5 is the eligible candidate having the requisite qualification and experience and also the first and second nominees in the select list unnecessarily dragged them in this Hon'ble Tribunal and that too without having any right for these two sanctioned posts being the 4th nominee. Hence this application is liable to be dismissed with costs.

19. That this application had no merit at all and is liable to be dismissed.

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

15

VERIFICATION

I, Smt (Dr.) N. Baruah wife of Dr. Pranab Baruah resident of Bamunimadaim, Guwahati, aged about 46 years presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition , Hengrabari, Guwahati do hereby verify that the statements made in paragraphs 1,2,4,13:3 to 13:8 are true to my knowledge ; those made in paragraphs 3,5 to 12, 13:1, 13:2 & 13:9 are being matters of records of the case derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

I have not suppressed any materials thereof.

And I sign this verification on 1st day of Oct' 2007.

Nanda Baruah

DEPONENT.

ANNEXURE- A-Seri

The Assam Agricultural University, Jorhat.

This is to certify that

Nanda Bharali

of the College of Home Science has been awarded the

University Gold Medal

for securing the first position with O. G. P. A. 3·81

(4.00 basis) in the B. Sc. (Home Science) degree

programme of 1978 - 1982.

JORHAT, Assam

The 9 MAY 1983, 19

Vice-Chancellor

Central Administrative Tribunal
Guwahati Bench

The Assam Agricultural University, Jorhat

Upon the recommendations of the Academic Council
and on the authority of the Board of Management

Nanda Bharali

has been admitted to the degree of

Bachelor of Science (Home Science)

With Distinction

with all rights and honours pertaining thereto in the year 1982. Her overall grade point average was 3.81 in the scale of 4.00 In testimony whereof the seal of the University and Signatures of its officials are affixed.

Jorhat
The 9 MAY 1990

Registrar **Dean** **Vice-Chancellor**

Certified to be true Copy Adv. 1.10.07

Reg.No: 538

Central Administrative Tribunal
Received on 10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

பாரதியார் பல்கலைக் கழகம்
Bharathiar University

அறிவியல் புலம்
FACULTY OF SCIENCE

பாரதியார் பல்கலைக் கழகத்துடன் இணைந்த தன்னாட்சிக் கல்லூரியான, கோயம்புத்தூர் ஸ்ரீ அவிநாசிலிங்கம் மனையியல் மகளிர் கல்லூரி மே 1984ஆம் ஆண்டு நடத்திய உணவுப்பணி மேலாண்மை மற்றும் உணவுத்திட்டவியல் தேர்வில் நந்த பாரால் முதல் வகுப்பில் தேர்ச்சி பெற்றுத் தகுதியடைந்திருப்பதாக, உரிய தேர்வாளர்கள் சான்றளித்தை ஏற்று, அறிவியல் நிறைஞர் என்னும் பட்டத்திலை அவருக்குப் பல்கலைக் கழ இலச்சினையுடன், பாரதியார் பல்கலைக் கழக ஆட்சிக் குழு வழங்குகின்றது.

The Syndicate of the Bharathiar University hereby makes known that **NANDA BHARAL** *has been admitted to the Degree of* **MASTER OF SCIENCE,** *having been certified by duly appointe Examiners to be qualified to receive the same in* **FOOD SERVICE MANAGEMENT AND DIETETICS** *and was placed in* **FIRST** *Class, at the Examination held in* **MAY 1984** *through* **SRI AVINASHILINGAM HOME SCIENCE COLLEGE FOR WOMEN, COIMBATORE,** *an autonomous Col affiliated to this University.*

Given under the Seal of the University.

கோயம்புத்தூர்
Coimbatore

நாள்
Dated: 5th September 1995

k3927576

பதிவாளர்
Registrar

துணைவேந்தர்
Vice-Chancellor

ISSUED ON 10 JUN 1999

Certified to be true copy
Adv.
1.10.07.

157

(12)

(18)

Central Administrative Tribunal
OCT 2007
Guwahati Bench

University of Gauhati

DOCTOR OF PHILOSOPHY

No 000277

This is to certify that

Nanda Bharali

(Registration No. 001221 of 1992-93)

qualified for the Degree of Doctor of Philosophy (Ph. D.) of this University, in the Faculty of Science (Chemistry)

in the year ~~19~~2000, for his/her thesis "Studies of Dietary Factors Correlating Cholesterol, Triglycerides, Alkaline Phosphatase and Atherosclerosis"

Gopinath Bardoloi Nagar
Guwahati-781014 (Assam)

Honoral

Certified to be true Copy
Learned Adv.
1.10.07

ANNEXURE-B

FOODCRAFT INSTITUTE(GUWAHATI) SOCIETY
GUWAHATI.

NO. DT-C/620/84/250/ dated Guwahati the 5th March/85.

From : Miss Sibani Ray,
Secretary,
Foodcraft Institute(Guwahati)Society,
C/O Director of Tourism, Assam,
Guwahati-7.

To Miss Nanda Bharali,
C/O Shri Jesadananda Bharali,
Barnachal, Bamunimaidan,
Guwahati-21.

Sub : Appointment.

Madam,

With reference to your acceptance of terms and conditions laid down vide this office letter No.DT-C/620/84/40, dt.26.2.85, vide your letter dt. 1.3.85, you are hereby appointed temporarily as Lecturer cum Instructor for House Keeping in the Foodcraft Institute (Guwahati) Society in the scale of pay Rs.650-30-740-35-880-EB-40-960/- p.m. plus other allowances as admissible to Central Government employees. Please note that this appointment will be confirmed after 12 months' probation subject to your being examined and found fit by a medical authority nominated by the Society and suitable Police verification report. The Board of Governors reserves the right to terminate at any time your service without assigning any reason thereof.

You are requested to submit your joining report in triplicate as per proforma enclosed herewith.

For and on behalf of the
Foodcraft Institute(Guwahati) Society,

Sibani Roy.

(SECRETARY)

C.C. to the Accounts Branch.

...

13

certified to be
true copy
Adv.
1.10.07.

ANNEXURE-C

Approved in the 2nd BOG Meeting held on 16.7.84

Annexure 'A'

STATEMENT INDICATING STRUCTURE AND PAY SCALES, CROSS EMOLOMENTS ADMISSIBLE AT MINIMUM AND MAXIMUM THEREOF, UNDER THE SCHEME APPROVED FOR SETTING UP-OF FOODCRAFT INSTITUTE

Name of the posts	No.	Scale	Minimum (inclusive of all allowanace such as HRA, DA, ADA, IR and CCA etc.)	Maximum (inclusive of all allowances such as HRA, DA, ADA, IR and CCA etc.)
				(in Rs.)
Principal	1	1100-50-1600	2555.50	3190.50
Sr. Lecturer	1	700-1300	1802.00	2785.50
Lecturer and Instructor	6	650-950	1668.35	2394.50
Asstt. Instructor	6	470-750	1270.45	1925.75
Lab. Attendent	3	196-232	620.35	724.10
Machinist-cum-Electrician	1	260-400	850.50	1149.70
Store keeper	1	330-560	995.00	1445.60
Stenographer	1	330-560	995.00	1445.60
Admn. Officer (C.S)	1	550-900	1420,90	2280.50
U.D.C.	2	330-560	995.00	1445.60
L.D.C.	1	260-400	805.50	1149.70
Watchman	2	196-232	620.35	724.10
Sweeper	2	196-232	620.35	724.10
Peon	2	196-232	620.35	724.10

Certified to be true copy
Adv.
1.10.07.

ANNEXURE-D

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

10 OCT

गुवाहाटी न्यायपीठ
No. Guwahati Bench

Government of India
Department of Tourism
HMC Division

Dated. 27.1.97

The Principal,
Institute of Hotel Management,
Catering Tech. & Applied Nutrition, and
Director (A&F), National Council for HMCT.
Guwahati

Sir/Madam

This has referance to the information furnished regarding vacancy position in the Institutes and National Council. As per the extant orders of the Ministry of Finance, the posts remaining unfilled for a period exceeding one year in your Organisation shall stand abolished. No action to male recruitment against such non-existant posts should be made without revival of the posts with prior approval of the Govt.

These instructions should be noted for strict compliance.

Yours faithfully,

(P. N. WALI)
Asstt. Director (HMC)

Certified to be true copy
Adv.
1.10.07

-27- ANNEXURE- E

(15)

GOVERNMENT OF INDIA
DEPARTMENT OF TOURISM
(HRD DIVISION)

Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

C-1 Hutments
Dalhousie Road
New Delhi-110011.
Tele: 011-23012810
Fax: 011-23011518

No.33(4)/99-HMC

Dated: 17.5.2004

To

The Secretary
Institute of Hotel Management,
Catering Technology and Applied Nutrition
G.S. Road, Bus Stop ABC
Bhangagarh,
GUWAHATI-781005

IHM
GUWAHATI
- 1 JUN 2004
DIARY NO. 129

Subject: Creation and Abolition of Academic Posts in IHM, Guwahati.

Sir,

I am directed to convey the sanction of the Government to the creation/ abolition of the following posts in the Institute of Hotel Management, Catering Technology and Applied Nutrition, Guwahati:

S.NO	Post / Pay Scale	Earlier Sanctioned Posts	Post Created / Abolished vide this order	Final Position of Sanctioned Posts
1	Head Of Department (HOD)/ Rs. 10,000-325-15,200)	NIL	1 Post Created	1 Post
2	Senior lecturer / Rs. 8,000-275-13,500)	NIL	2 Posts Created	2 Posts
3.	Lecturer / Rs. 6,500-200-10,500	6 Posts	2 Posts Abolished	4 Posts

3. This issues with the approval of M/o Finance I.D. No. 581/ E. Coord.1/2004 dated 30.4.2004

Yours faithfully,

(N. K. Saini)
Under Secretary to the Government of India

Copy to:

1. Integrated Finance, Ministry of Tourism, Transport Bhawan, New Delhi w.r.t. their UO No. 227/IF/2004 dated 12-05-2004
2. Director (S)/Director (A&F), NCHMCT, Pusa, New Delhi.

(H.C.Bhatt)
Assistant Director

certified to be true Copy
Adv.
1.10.07

-28-

ANNEXURE - F

103

राष्ट्रीय परिषद होटल प्रबन्ध और केटरिंग तकनालॉजी
(पर्यटन मंत्रालय, भारत सरकार द्वारा संस्थापित)
National Council For Hotel Management & Catering Technology
(Established by Govt. of India Min. of Tourism)

D.No. 47
dt. 7/1/03

No. AF. 4(5)/2001/NC
Dated: 27.12.2002

Dear Sh. Bhattacharya,

The following members of faculty from your Institute have successfully qualified the Bridge Course Examination conducted by the National Council in March this year.

Name	Marks obtained						
	HRM 100	BC 100	S&M 100	BP&E 100	FM 100	Computers Th. 50	Pr. 50
Ms. Nanda Baruah	63	58	--	--	--	--	--
Mr. Sakya Sinha	56	--	--	--	--	--	--
Mr. A.Sarkar	52	--	53	--	--	--	--

It is also confirmed that attendance at the Bridge Course Examination is to be termed "on duty" for which the concerned faculty members will be entitled to draw normal TA/DA as per entitlement.

Yours sincerely,

(K.K.Saraf)

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Sh. Shaktipada Bhattacharya,
Principal,
Institute of Hotel Management,
AIDC Building, ABC Stoppage,
G.B.Road, Bhangagarh,
Guwahati-781005.

Certified to be true Copy
Adv.
1.10.07

लाइब्रेरी एवेन्यू पूसा कम्पलैक्स, नई दिल्ली - 110012, तार : कैथोटैक, फोन : 5782799, 5781969, 5751756, 5763586, 5782744 फैक्स : 91-11-5782799
LIBRARY AVENUE, PUSA COMPLEX, NEW DELHI-110012 GRAMS : CATHOTECH PH.: 5782799,5781969,5751756,5763586,5782744 Fax : 91-11-5782799
E-mail : nchm@vsnl.com Website : www.nchmct.org

R HOTEL MANAGEMENT
TECHNOLOGY
mplex, New Delhi-110 012

ANNEXURE-6

B 000015

(13+14)

Central Administrative Tribunal
Guwahati Bench

BRIDGE COURSE EXAMINATION

YEAR : 2002

NAME : Ms. NANDA BARUAH

INSTITUTE : GUWAHATI

SUBJECT (Marks)	CREDIT	MAX	PASS	OBTAINED
1.HUMAN RESOURCE MANAGEMENT THEORY	8	100	50	63
2.BUSINESS COMMUNICATION THEORY	8	100	50	58
3.SALES AND MARKETING THEORY	4	100	50	-
4.BUSINESS POLICY AND MANAGERIAL ECONOMICS THEORY	4	100	50	-
5.FINANCIAL MANAGEMENT THEORY	4	100	50	-
6.COMPUTERS THEORY	4	50	25	-
PRACTICAL	4	50	25	-
7.INDUSTRIAL EXPOSURE	8	100	50	-

DATED : APRIL 2007

* Existing Credits	Deficite Credits	Bridge Course Credits
80	96 - 80 = 16	16

* Credits alocated for existing qualifications and training as defined in the "Scheme for Bridge Course Examination."

Certified to be true copy
Adv.
1.10.07

ANNEXURE-H

15

MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24.09.2004 AT IHM GHY PREMISES

The Departmental Promotion Committee for promotion of two Lecturers to Sr. Lecturers & two Asst. Lecturers in resultant vacancy of Lecturers of IHM Guwahati was held under the Chairmanship of Sri S. L. Khyriem, Regional Director, Indiatourism, (NE), Govt. of India, Ulubari Guwahati on 24.09.2004 at IHM Guwahati premises.

The following members were present:

1. Sri S. L. Khyriem,
   Regional Director, Indiatourism (NE),
   Govt. of India, Ulubari, Guwahati
2. Sri S. Ahmed,
   Director of Tourism I/C
   Govt. of Assam, Guwahati
3. Sri G. C. Das,
   Dy. Secretary to the Govt. of Assam
   WPT & BC Department,
   Guwahati
4. Sri S. P. Bhattacharyya
   Principal IHM, Guwahati

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 200
गुवाहाटी न्यायपीठ
Guwahati Bench

The Committee has examined all the relevant documents including Rules & Regulations (RPR 2003) pertaining to IHMs & found that the papers submitted by the Institute are in order. Accordingly, the Committee recommends that the promotion to the Grade of Sr. Lecturer & Lecturer (Resultant Vacancy) in order of merit will be as follows:

A. PANNEL OF LECTURERS TO BE PROMOTED TO SR. LECTURERS

1. Sri Bablu Roychoudhuri
2. Dr. Mrs. Nanda Baruah
3. Sri Gautam Das

B. PANNEL OF ASST. LECTURERS TO BE PROMOTED TO THE RESULTANT VACANCY OF LECTURERS

1. Sri Alok Sarkar
2. Sri Amit Kr. Roy
3. Sri Sakya Sinha

The committee also granted Leave of absence to Sri K. K. Saraf, Director (A & F), NCHMCT, New Delhi 110012.
The meeting thereafter ended with a vote of thanks to the chair.

24/9/04	24.9.04	24/9/04	24/9/04
(S. P. Bhattacharyya) Principal IHMCTAN Guwahati	(G.C. Das) Dy. Secretary WPT & BC Dept. Govt. of Assam Guwahati	(S. Ahmed) Director of Tourism I/C Govt. of Assam Guwahati	(S.L. Khyriem) Regional Director Indiatourism, Govt. of India Guwahati

certified to be true
L. Devi
Advocate
1/10/07

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

ihm

-31-

ANNEXURE-1

IHM(GH) – Estt./ 19/04/ 1006

12.10.2004.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

To

Dr.(Mrs.) Nanda Baruah,
Lecturer - cum – Instructor,
Institute of Hotel management,
Guwahati.

SUB: Promotion in the post of Sr. Lecturer – cum – Sr. Instructor

Madam,

On behalf of the Hon'ble Chairman and the Executive Committee of The Institute of Hotel Management, Catering Technology & Applied Nutrition (Guwahati) Society, Guwahati, the undersigned is pleased to inform you that you are hereby temporarily promoted in the post of Sr. Lecturer – cum – Sr. Instructor (in the scale of Rs 8,000-275-13,500) in this Institute. It will be effective from the date of your joining in this post, and you will be under probation for a period of one year from that date.

This issue with the approval of the Hon'ble Chairman and the Executive Committee, IHMCTAN (Guwahati) Society.

(Shakti Pada Bhattacharyya)
PRINCIPAL / SECRETARY

Copy to:

1. Hon'ble Chairman IHM Guwahati for kind information
2. All the members of Board of Governors IHM Guwahati for kind information
3. Director (Studies), National Council for Hotel Management & Catering Technology, New Delhi for kind information.
4. Accounts section IHM Guwahati
5. Circular
6. Personal File

PRINCIPAL

certified to be true Copy
Adv.
1.10.07.

-32- ANNEXURE- J

Personal Copy

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

To,

The Chairman,
Board of Governors,
Institute of Hotel Management Guwahati &
Commissioner to the Government of Assam
Tourism and Finance Department
Dispur Guwahati -6

(Through proper channel)

Sub - Implementation of ACP (Assured career Progression) Scheme at IHM Guwahati.

Sir,

Respectfully, I beg to state the following few lines for favour of your kind information and consideration for immediate necessary action.

1. That Sir, I was appointed as Lecturer cum Instructor in the Food Craft Institute, Guwahati on 05-03-1985 and I joined in my service on 15-03 - 1985. It is pertinent to mention here that in the year 1995, the erstwhile Food and Craft Institute, Guwahati was upgraded to the Institute of Hotel Management and all the existing staff of the erstwhile Food and Craft Institute , Guwahati was absorbed in the Institute of Hotel Management, Guwahati in the same capacity maintaining the same seniority [Enclosure - A] .

2. That Sir, due to non - sanction of the post of Senior Lecture in the Institute no promotion was made to the post of Senior Lecturer till 2004. The two posts of Senior Lecturer were sanctioned by the Government of India vide approval dated 17-5—04 and the same was communicated to the Institute, Guwahati vide letter dated 30-04-04. Being the 2nd position in the seniority list and as selected by the DPC, I was appointed on promotion to the post of Senior Lecturer vide order dated 12-10—04 and since then I am serving as Senior Lecturer in the Institute [Enclosure - B] .

3. That Sir, in view of the implementation of the ACP scheme by the Govt. of India the Ministry of Tourism, HRD Division, Govt. of India vide letter No 1(7)/ 99-HMC dated 29-11-01 informed all the Principals of all Institute of Hotel Management including Guwahati to grant financial up gradation to the eligible employees who completed 12 / 24 years service without promotion. As per the scheme the scales of the Lecturers and Senior Lecturers of the Institute of Hotel Management was recommended for up gradation as follows. [Enclosure - C]

Post/ Grade	Present Scale	First Financial Up gradation after 12 Years	Second Financial Up gradation after 24 Year
Sr. Lecturer (S-15)	8000--275--13500	10000--325--15200	12000—375--16500
Lecturer (S—11)	6500—200—10500	7450—225—11500	7500—250--12000

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

168

4. That Sir, in view of the implementation of the ACP scheme, I was granted the benefit of the upgradation in the scale of Lecturer with effect from 09-08- 1999 as per rule.

5. That Sir, on 22- 7- 07, I received a Notice from the CAT, Guwahati by Registered post, where I came to know that one Sri Soumitra Sen who is presently working as Lecturer cum Instructor in the Institute of Hotel Management , Guwahati, filed an application bearing No. O.A. 64/07 before the Hon'ble Central Administrative Tribunal , Guwahati Bench, with a prayer as follows -

I. "To promote the applicant to the post of Senior Lecturer with effect from 09 - 08 - 99 i.e. since the date from which the applicant is drawing salaries of the scale of Senior Lecture"

II. To declare that the applicant has the experience of the post of the Senior Lecturer since 09 - 08 - 99 so as to make competent for the next post at the scale of Head of the Department in his due time by counting his experience as Senior Lecturer since 09-08 -99 ."

In the said case I have been impleaded as a party Respondent No. 5 and accordingly a copy of the same has been served upon me vide notice dated 19 - 07 - 07.

In the said application he stated that he was drawing the salaries of the scale of Senior Lecturer w.e.f. 09-08-1999. I was shocked and surprised to came to know that Mr. S. Sen who was holding the post of Lecture of the Institute was granted the 1st financial up gradation for the scale of Senior Lecturer with effect from 09 -08 1999 and not for the Lecturer. Whereas all the other 3 (three) Lecturers who were senior to Mr. S. Sen, i.e, I am being the 2nd senior most, Mr. B. R. Choudhury the senior most and Sri Gautam Das having the 3rd position in the grade of Lecturer were awarded the financial up gradation the scale of Lecturer with effect from 09 - 08 - 1999. Copies of the salary statement of me and Sri S. Sen is annexed herewith and marked as [Enclosure 'D' and 'E'].

6. That Sir, from the above, it is crystal clear that the authority of the Institute has not implemented the ACP scheme as per its norms and instruction dated 29 - 11 - 01 issued by the Govt. of India , The granting of the pay scale of Senior Lecturer to Sri S . Sen is in total violation of the instruction issued by the Govt. of India and thereby causing huge financial loss to the Institute.

7. That Sir, the authority has committed a serious financial irregularity and illegality by giving the financial up gradation to Sri S. Sen in the scale of Senior Lecturer instead of Lecturer of Institute of Hotel Management w.e.f. 09 - 08 - 1999 by violating all norms and procedure. Because of this violation of the ACP scale by the Authority by giving scale of Senior Lecturer to Mr S Sen w.e.f. 09 -8 -1999 now he has taken the advantage of this fact to claim his seniority as Senior Lecturer w.e.f 09 - 08 -1999 as he has been unable to get promotion by normal procedure.

Central ...
गुवाहाटी ...
...

8. That Sir, further I beg to state that a review DPC meeting of the institution was held on 27 - 11- 06 and in the minutes it appears that the Committee has noted that all the Lecturers are benefited with the scheme of ACP and their pay scale is at par with the pay scale of the Senior Lecture i.e. Rs 8000 - 275 - 13500.[Enclosure - F].

It is surprising that the committee has noted a wrong finding by observing the pay scale at par with the pay scale of the Senior Lecturer , although I along with Mr. Bablu Ray Choudhury and Mr Gautam Das were drawing the pay scale lower than Mr S. Sen w.e.f 09 -08 -1999.

9. That Sir, even after the review DPC meeting (held on 27 - 11 - 2006) wherein the Authorities committed that the pay scale of all the 3 (three) Lecturers who were Senior to Mr. S. Sen was at per with that of Mr. S. Sen knowing fully that it was incorrect, the Authorities did not take any steps to rectify the anomaly / discrepancy. Of late, only when the matter came to be known to us through the CAT case, the Authorities moved the Chairman to grant the ACP to myself along with Mr. B. Ray Choudhury with Mr. Gautam Das at the scale of the Sr. Lecturer w.e.f. 9 - 8 - 1999 for approval [Enclosure - G].

10. That Sir, further , as reflected in the O.A. no. 64 / 07 pending before the Hon'ble Central Administrative Tribunal , Mr, Sen was very much aware that he was drawing the financial up gradation in the scale of Senior Lecture w.e.f 09 - 08 - 1999 as and when he was neither promoted nor holding the post of Senior Lecturer and there was no sanctioned post of Senior Lecturer in the Institute. Even today he is holding the post of Lecturer. Hence, it is easily understandable, that without having any right and entitlement he has been knowingly with connivance with the office drawing the salaries of the Senior Lecturer which amounts to be a misconduct in his service and thereby also projected his performance in a dishonest manner.

11. That Sir, it will not the out of context to mentioned here that the Authority conspicuously remain silent from replying to the Hon'ble CAT Guwahati regarding Mr. S. Sen's earlier representation vide OA No. 211/ 2006 dated 23 - 8 - 06 within the stipulated time of 3 (three) months which expired on 22 - 11- 06 by holding the review DPC meeting only on 27 - 11 - 06. This again put him in an advantageous position to file another case at the Hon'ble CAT , Guwahati

12. That Sir, by repeatedly approaching the Hon'ble CAT Guwahati on in correct facts Mr. S. Sen has vitiated the academic atmosphere of the Institute.

13. That Sir, this representation has been filed bonafide and in the interest of justice. -

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal
गुवाहाटी न्यायपीठ

In the premises, aforesaid, it is prayed that Your Honor would be please to,

I) make an immediate enquiry in to the matter of financial irregularities and illegality done by the concerned authority by giving the 1st financial up gradation to Mr. S. Sen in the scale of Senior Lecturer instead of scale of Lecturer w.e.f. 09 - 08 - 1999.

II) Why the discriminatory action was taken by the Authority while granting ACP to other three Lecturers who were senior to Mr. S. Sen.

III) As to why the norms of ACP scheme and instruction in terms of letter No. 1(7) / 99-HMC dated 29 - 11- 01 issued by the Govt. of India was violated.

IV) Why the review DPC meeting, the Committee noted that the pay scale of the all the four Lecturers were at per w.e.f. 09 - 08 - 1999.

V) Further , be pleased to take necessary action against the concerned persons, who committed the great financial irregularities as stated above and / or pass such further order or orders as your Honour my deem fit and proper.

Remedy sought for - Considering the urgency of the matter I request your kind self to take appropriate remedial measures at the earliest.

Your sincerely ,

Smt (Dr.) Nanda Baruah
Senior Lecturer, Institute of Hotel Management,
Catering Technology and Applied Nutrition, Guwahati.
Hengrabari, Assam

Copy forwarded for information and necessary action :-

1. The Secretary, Ministry of Tourism, Transport Bhawan, 1 Sanssad Marg , New Delhi- 110001, as he has been impleaded as a party Respondent No 1. in the case No. OA - 64 / 2007 in the Hon'ble Court of CAT, Guwahati. Copy of the O/A is enclosed as Annexure - I.
2. The Director (A&F) National Council for Hotel Management and Catering Technology, Library Avenue . PUSA Complex New Delhi- 110012 , as he has been impleaded as a party Respondent No 2. in the case No. OA - 64 / 2007 in the Hon'ble Court of CAT, Guwahati. Copy of the O/A is enclosed as Annexure - I.

6/8/07

Smt (Dr.) Nanda Baruah
Senior Lecturer, Institute of Hotel Management,
Catering Technology and Applied Nutrition, Guwahati.

Enclosure "A"

Minutes of the Ist Selection Committee/Department Promotion Committee of Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati held on 6/2/96 at the Institute premises.

Members Present

Chairman

1. Shri J. N. Goswami,
Director of Tourism,
Govt. of Assam,
Station Road, Panbazar,
Guwahati-1.

2. Shri K. L. Das,
Director,
Govt. of India Tourist Office,
Ulubari,
Guwahati-7.

3. Shri A. K. Bhardwaj,
General Manager,
Hotel Brahmaputra Ashok,
Panbazar,
Guwahati.

4. Shri Ranjan Mukherjee,
Principal/Secretary,
IHMCTAN,
Guwahati.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 20
गुवाहाटी न्यायपीठ
Guwahati Bench

Leave of absence was granted to the Director, Technical Education, Assam.

Shri J. N. Goswami, Director, Tourism, Assam took the Chair. The Principal/Secretary appraised the Committee that as per the resolution No. 2(c) of 18th Board of Governors Meeting of Food Craft Institute, Guwahati and resolution No. 1(a) of Ist Board of Governors Meeting of IHM, Guwahati the regular staff members of the erstwhile Food Craft Institute (Guwahati) Society to be regularsed in the respective Post with the IHM(Guwahati) Society since the Food Craft Institute (Guwahati) Society has been changed to IHM(Guwahati) Society being re-registered with the Registrar of Societies Assam under Societies Registration Act XXI, 1860.

Certified to be true
Adv.
1.10.07

A comprehensive statement of educational qualification, age, experience and the present post held of the individual incumbent, the bio-datas and personal files of the individual staff members placed before the Committee.

The Committee as wished by Shri A. K. Bhardwaj, General Manager, Hotel Brahmaputra Ashok personally interviwed all faculty members of the Institute as well as the officiating AAO and the store-keeper.

Being satisfied with the personal interview and the credential of the individual staff which are in conformity with the norms laid down in the recruitment rules of the IHM(Guwahati) Society, the Committee resolved to recommend to the Board of Governors of the Institute, the regularisation of the service of the following staff in their respective post with the IHM (Guwahati) Society.

1. Mr. Bablu Roychoudhury, Lecturer
2. Mrs. Nanda Baruah, Lecturer
3. Mr. Gautam Das, Lecturer
4. Mr. Soumitra Sen, Lecturer
5. Mr. Alok Sarkar, Asstt. Lecturer
6. Mr. Amit Roy, Asstt. Lecturer
7. Mr. Sakya Sinha, Asstt. Lecturer
8. Mr. Khagen Saikia, Asstt. Lecturer
9. Mrs. Puspanjalee Gogoi Baruah, AAO (Officiating)
10. Mr. Anup Kumar Phukan, Store Keeper
11. Mrs. Meena Devi, Stenographer
12. Mr. Ganga Dhar Das, LDC
13. Mr. Amuly Pator, Electrician
14. Mr. Nabin Chandra Bania, Peon
15. Mr. Bhagadutta Deoraja, Peon
16. Mr. Anamuddin Mazumdar, Laboratory Attendent

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT
गुवाहाटी न्यायपीठ
Guwahati Bench

GG/

INSTITUTE OF HOTEL MANAGEMENT,
CATERING TECHNOLOGY & APPLIED NUTRITION,

Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

17. Mr. Aditya Barman, Laboratory Attendent
18. Mr. Rati Kanta Das, Watchman
19. Mr. Babul Baishya, Watchman
20. Mr. Hiren Baishya, Laboratory Attendent
21. Mr. Ajit Basfor, Sweeper
22. Mr. Basudev Basfor, Sweeper

The meeting ended with a vote of thanks to the chair.

(J. N. Goswami)
Director of Tourism,
Assam & Chairman
Selection / Department
Promotion Committee
of IHMCTAN, Guwahati.

Gd/

Enclosure "B"
- 39 -

NUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24.09.2004 AT IHM GHY PREMISES

partmental Promotion Committee for promotion of two Lecturers to Sr. Lecturers & two Lecturers in resultant vacancy of Lecturers of IHM Guwahati was held under the manship of Sri S. L. Khyriem, Regional Director, Indiatourism, (NE), Govt. of India, Ulubari ahati on 24.09.2004 at IHM Guwahati premises.

he following members were present:

1. Sri S. L. Khyriem,
   Regional Director, Indiatourism (NE),
   Govt. of India, Ulubari, Guwahati

2. Sri S. Ahmed,
   Director of Tourism I/C
   Govt. of Assam, Guwahati

3. Sri G. C. Das,
   Dy. Secretary to the Govt. of Assam
   WPT & BC Department,
   Guwahati

4. Sri S. P. Bhattacharyya
   Principal IHM, Guwahati

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

The Committee has examined all the relevant documents including Rules & Regulations (RPR 2003) pertaining to IHMs & found that the papers submitted by the Institute are in order. Accordingly, the Committee recommends that the promotion to the Grade of Sr. Lecturer & Lecturer (Resultant Vacancy) in order of merit will be as follows:

A. PANNEL OF LECTURERS TO BE PROMOTED TO SR. LECTURERS

1. Sri Bablu Roychoudhuri
2. Dr. Mrs. Nanda Baruah
3. Sri Gautam Das

B. PANNEL OF ASST. LECTURERS TO BE PROMOTED TO THE RESULTANT VACANCY OF LECTURERS

1. Sri Alok Sarkar
2. Sri Amit Kr. Roy
3. Sri Sakya Sinha

The committee also granted Leave of absence to Sri K. K. Saraf, Director (A & F), NCHMCT, New Delhi 110012.
The meeting thereafter ended with a vote of thanks to the chair.

24/9/04

(S. P. Bhattacharyya)
Principal
IHMCTAN
Guwahati

24.9.04

(G.C. Das)
Dy. Secretary
WPT & BC Dept.
Govt. of Assam
Guwahati

24/9/04

(S. Ahmed)
Director of Tourism I/C
Govt. of Assam
Guwahati

(S.L. Khyriem) 24/9/04
Regional Director
Indiatourism,
Govt. of India
Guwahati

Certified to be true
Adv.
1.10.07

Enclosure B

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

IHM(GH) – Estt./ 19/04/ 1006 *12.10.2004.*

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Central Administrative Tribunal
10 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

To

Dr.(Mrs.) Nanda Baruah,
Lecturer - cum - Instructor,
Institute of Hotel management,
Guwahati.

SUB: Promotion in the post of Sr. Lecturer – cum – Sr. Instructor

Madam,

On behalf of the Hon'ble Chairman and the Executive Committee of The Institute of Hotel Management, Catering Technology & Applied Nutrition (Guwahati) Society, Guwahati, the undersigned is pleased to inform you that you are hereby temporarily promoted in the post of Sr. Lecturer – cum – Sr. Instructor (in the scale of Rs 8,000-275-13,500) in this Institute. It will be effective from the date of your joining in this post, and you will be under probation for a period of one year from that date.

This issue with the approval of the Hon'ble Chairman and the Executive Committee, IHMCTAN (Guwahati) Society.

(Shakti Pada Bhattacharyya)
PRINCIPAL / SECRETARY

Copy to:

1. Hon'ble Chairman IHM Guwahati for kind information.
2. All the members of Board of Governors IHM Guwahati for kind information
3. Director (Studies), National Council for Hotel Management & Catering Technology, New Delhi for kind information.
4. Accounts section IHM Guwahati
5. Circular
6. Personal File

PRINCIPAL

certified to be true
Adv.
1.10.07

Central ... Institute ... Library
10 OCT 200...
IHM, GHY
10 DEC 2001
DIARY NO. 2.12...

Government of India
Ministry of Tourism
HRD Division

C-I Hutment,
Dalhousie Rd.
New Delhi – 110 011.

No.1(7)/99-HMC

Dated: 29 November, 2001.

The Principals,
All Institute of Hotel Management, Catering
Technology & Applied Nutrition Guwahati

Subject: **Implementation of ACP Scheme in IHMs.**

Sir,

Please refer to this Ministry's letter of even number dated 1st June, 2000 on the above subject. The matter has been examined in consultation with Integrated Finance Division about uniformity of pay scales while adopting ACP Scheme for the staff & officers of IHMs. While considering the ACP Scheme, the first and second financial upgradations may be granted to the eligible employees of IHMs as under :-

1. Financial upgradations recommended for the Teaching/Technical Staff

S. N.	Post/Grade	Present scale	First Financial upgradation after 12 yrs	Second financial upgradation after 24 yrs.
1.	Principal (S-24)	14300-400-18300	No financial upgradation admissible beyond this level	
2.	HOD (S-19)	10000-325-15200	12000-375-16500	12000-375-18000
3.	Sr.Lecturer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
4.	Lecturer (S-11)	6500-200-10500	7450-225-11500	7500-250-12000
5.	Asstt Lecturer (S-9)	5000-150-8000	5500-175-9000	6500-200-10500
6.	Maintenance foreman/caretaker(S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7.	Asstt. foreman/ Asst caretaker (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8.	Librarian (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
9.	Asstt Librarian (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-6000
10	Carpenter/Painter /Electrician (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-600
11	Technician (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590
12	Lab Attendant (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590

IHM, GHY

certified to be true
Adv.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative
गुवाहाटी न्यायपीठ
Guwahati Bench

II. Financial upgradations recommended for the Administrative Staff

S. N.	Post/Grade	Present Scale	First financial upgradation	Second financial upgradation
1	Adm-cum-Account Officer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
2	Office Supdt.(S-10)	5500-175-9000	6500-200-10500	7450-225-11500
3	Accountant (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
4	Accountant cum Office Supdt (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
5	Asstt. Supdt. (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
6	PA to Principal (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7	UDC/ Snackteria Supervisor (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8	Store Keeper (S-7	4000-100-6000	4500-125-7000	5000-150-8000
9	Stenographer (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
10	Cashier (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
11	Driver cum mechanic(S-6)	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
12	Head Watchman/Head Mali/HeadSafaiwala	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
13	Gestetner Operator (S-3)-	2650-65-3300- 70-4000	2750-70-3800-75 - 4400	3050-75-3950 - 80-4590
14	Daftary (S-2)	2610-60-3150- 65-3540	2650-65-3300- 70-4000	2750-70-3800-75 -4400
15	Peon/watchman/ Mali/Safaiwala/ Attendant (S-1)	2550-55-2660-3200	2610-60-3150-65 - 3540	2650-65-3300-70-4000

As already advised vide this Ministry's letter of even number dated 1.6.2001, the implementation of ACP Scheme may be considered with the approval of BOG without compromising the aim of self sufficiency and the entire liability in this regard will be borne by NCHMCT.

Yours faithfully,

(P.S. Kharola)
Director (K)

Enclosure "D"

-43-

ar accrue/recovery(due) to ACP(Full) Implementation

me and Designation : Mr.Soumitra Sen, Lecturer.

				DUE										
Months	Pay	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Pay	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Diff.Amt.	Remark
Sept' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	DA-37%
Oct' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Nov' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Dec' 99	9375	3469	1406	200	400	14850	9250	3423	1388	200	200	14461	389	
Jan'2000	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	DA-38%
Feb' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
March' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
April' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
May' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
June' 2k	9375	3563	1406	200	400	14944	9250	3515	1388	200	200	14553	391	
July' 2k	9375	3844	1406	200	400	15225	9250	3793	1388	200	200	14831	394	DA-41%
Aug' 2k	9375	3844	1406	200	400	15225	9250	3793	1388	200	200	14831	394	
Sept' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Oct' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Nov' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Dec' 2k	9650	3957	1448	200	400	15655	9475	3885	1421	200	200	15181	474	
Jan'2001	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	DA-43%
Feb' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
March' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
April' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
May' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
June' 01	9650	4150	1448	200	400	15848	9475	4074	1421	200	200	15370	478	
July' 01	9650	4343	1448	200	400	16041	9475	4264	1421	200	200	15560	481	DA-45%
Aug' 01	9650	4343	1448	200	400	16041	9475	4264	1421	200	200	15560	481	
Sept' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Oct' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Nov' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Dec' 01	9925	4466	1489	200	400	16480	9700	4365	1455	200	200	15920	560	
Jan' 2002	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957	DA-49%
											Total (page no.1)Rs.		13613	

certified to be true

Adv

Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition Guwahati-5

ihm ,Guwahati-5

Name and Designation : Mr.Soumitra Sen, Lecturer.

Feb' 02	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957		
March,02	9925	4863	1489	200	400	16877	9700	4365	1455	200	200	15920	957		
						0	-	1164				1164	-1164	DA-4%	
April, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569		
May, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569		
June, 02	9925	4863	1489	200	400	16877	9700	4753	1455	200	200	16308	569		
July, 02	9925	5161	1489	200	400	17175	9700	4753	1455	200	200	16308	867	DA-52%	
Aug' 02	9925	5161	1489	200	400	17175	9700	4753	1455	200	200	16308	867		
Sept' 02	10200	5304	1530	200	400	17634	9700	4753	1455	200	200	16308	867		
Oct' 02	10200	5304	1530	200	400	17634	9925	4863	1489	200	200	16677	957		
						0	9925	4863	1489	200	200	16677	957		
Nov' 02	10200	5304	1530	200	400	17634	-	1177				1177	-1177	DA-3%	
Dec' 02	10200	5304	1530	200	400	17634	9925	5161	1489	200	200	16975	659		
Jan' 2003	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	659		
Feb' 03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965	DA-55%	
March,03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965		
						0	9925	5161	1489	200	200	16975	965		
April, 03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965		
May, 03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965		
June, 03	10200	5610	1530	200	400	17940	9925	5161	1489	200	200	16975	965		
July, 03	10200	6018	1530	200	400	18348	9925	5161	1489	200	200	16975	965		
Aug' 03	10200	6018	1530	200	400	18348	9925	5161	1489	200	200	16975	965		
						0	-	893				893	-893	DA-3%	
Sept' 03	10475	6180	1571	200	400	18826	9925	5459	1489	200	200	17273	667		
Oct' 03	10475	6180	1571	200	400	18826	9925	5459	1489	200	200	17273	667		
Nov' 03	10475	6180	1571	200	400	18826	9925	5459	1489	200	200	17273	667		
Dec' 03	10475	6180	1571	200	400	18826	9925	5459	1489	200	200	17273	667		
Jan' 04	10475	6390	1571	200	400	19036	9925	5459	1489	200	200	17273	1075	DA-59%	
Feb' 04	10475	6390	1571	200	400	19036	9925	5459	1489	200	200	17273	1075		
Mah,04	10475	6390	1571	200	400	19036	9925	5459	1489	200	200	17273	1075		
							-	794				794	-794	DA-4%	
							10150	5989	1523	200	200	18062	764		
							10150	5989	1523	200	200	18062	764		
							10150	5989	1523	200	200	18062	764		
							10150	5989	1523	200	200	18062	764		
							10150	5989	1523	200	200	18062	974	DA-61%	
							10150	5989	1523	200	200	18062	974		
							10150	5989	1523	200	200	18062	974		
											Total(page no.2)Rs.		17583		

Principal
Institute of Hotel Management
Technology & Applied

Ihm, Guwahati-5 3

Name and Designation : Mr.Soumitra Sen, Lecturer.

				DUE							DRAWN					
Months	Pay	DP	DA	H.R.A	S.C.A	T.A	Gross Amt.	Pay	DP	D.A	H.R.A	S.C.A	T.A	Gross Amt.	Diff.Amt.	Remark
April, 04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
May, 04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
June,04	10475	5238	1728	2357	200	400	20398	10150	0	5989	1523	200	200	18062	2336	
July, 04	10475	5238	2200	2357	200	400	20870	10150	0	5989	1523	200	200	18062	2808	DA-14%
Aug' 04	10475	5238	2200	2357	200	400	20870	10150	0	5989	1523	200	200	18062	2808	
Sept,04	10750	5375	2238	2419	200	400	21382	10375	0	6121	1556	200	200	18452	2930	
Da arrear							0			1218				1218	-1218	DA-2%
Da arrear							0			1534				1534	-1534	DA-5%
Oct' 04	10750	5375	2238	2419	200	400	21382	10375	0	6540	1556	200	200	18871	2411	
Dp arrear							0		9910					9910	-9910	
Nov' 04	10750	5375	2238	2419	200	400	21382	10375	5188	2179	2334	200	200	20476	906	
Dec'04	10750	5375	2238	2419	200	400	21382	10375	5188	2179	2334	200	200	20476	906	
Jan'05	10750	5375	2718	2419	200	400	21862	10375	5188	2179	2334	200	200	20476	1386	DA-17%
Feb'05	10750	5375	2718	2419	200	400	21862	10375	5188	2179	2334	200	200	20476	1386	
Mar,05	10750	5375	2718	2419	200	400	21862	10375	5188	2179	2334	200	200	20476	1386	
Da arrear							0			1400				1400	-1400	DA-3%
April, 05	10750	5375	2718	2419	200	400	21862	10375	5188	2646	2334	200	200	20943	919	
May, 05	10750	5375	2718	2419	200	400	21862	10375	5188	2646	2334	200	200	20943	919	
June,05	10750	5375	2718	2419	200	400	21862	10375	5188	2646	2334	200	200	20943	919	
July, 05	10750	5375	3357	2419	200	400	22501	10375	5188	2646	2334	200	200	20943	1558	DA-21%
Aug' 05	10750	5375	3357	2419	200	400	22501	10375	5188	2646	2334	200	200	20943	1558	
Sept,05	11025	5513	3473	2481	200	400	23092	10600	5300	2703	2385	200	200	21388	1704	
Da arrear							0			1881	0			1881	-1881	DA-4%
Oct' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Nov' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Dec' 05	11025	5513	3473	2481	200	400	23092	10600	5300	3339	2385	200	200	22024	1068	
Jan'06	11025	5513	3473	2481	200	400	23092	11025	5513	3473	2481	200	400	23092	0	
													Total(page no.3)Rs.		18773	
							G/Total amount due/ recovery(page no.(1+2+3)Rs.								49969	

Principal
Institute of Hotel Management
Technology & Applied
Guwahati-5

Paid ch.no 146872 dt. 24/2/06 Rs. 30,000/-
" 146873 " " Rs. 19969/-
49969/-

179

Enclosure E.

Institute Of Hotel Management Catering Technology And Applied Nutrition, GHY-5

Page No. 1.

Arrear accrue due to ACP Implementation

Name and Designation : DR. (MRS.) NANDA BARUAH, LECTURER.

	DUE						DRAWN								
MONTHS	PAY	D.A.	H.R.A.	S.C.A.	T.A.		Gross Amt.	Pay	D.A.	H.R.A.	S.C.A.	T.A.	Gross Amt.	Diff. Amt.	Remark
9/Aug'99	6863	2539	1029	148	148		10727	6603	2443	990	119	148	10303	424	
Sept.'99	9250	3423	1388	200	200		14461	8900	3293	1335	160	200	13888	573	
Oct.'99	9250	3423	1388	200	200		14461	8900	3293	1335	160	200	13888	573	
Nov'99	9250	3423	1388	200	200		14461	8900	3293	1335	160	200	13888	573	
Dec'99	9250	3423	1388	200	200		14461	8900	3293	1335	160	200	13888	573	
Jan'2k	9250	3515	1388	200	200		14553	8900	3293	1335	160	200	13888	665	
Feb'2k	9250	3515	1388	200	200		14553	8900	3293	1335	160	200	13888	665	
March'2k	9250	3515	1388	200	200		14553	8900	3293	1335	160	200	13888	665	
April'2k	9250	3515	1388	200	200		14553	9100	3367	1365	200	200	14232	321	
Sanction/DA Arrear							—		358			—	358	(-)358	
May'2k	9250	3515	1388	200	200		14553	9100	3458	1365	200	200	14323	230	
June'2k	9250	3515	1388	200	200		14553	9100	3458	1365	200	200	14323	230	
July'2k	9250	3793	1388	200	200		14831	9100	3458	1365	200	200	14323	508	
Aug'2k	9475	3885	1421	200	200		15181	9100	3458	1365	200	200	14323	858	
Sanction/DA Arrear									546				546	(-)546	
Sept'2k	9475	3885	1421	200	200		15181	9100	3731	1365	200	200	14596	585	
Oct'2k	9475	3885	1421	200	200		15181	9100	3731	1365	200	200	14596	585	
Nov'2k	9475	3885	1421	200	200		15181	9100	3731	1365	200	200	14596	585	
Dec'2k	9475	3885	1421	200	200		15181	9100	3731	1365	200	200	14596	585	
Jan'01	9475	4074	1421	200	200		15370	9100	3731	1365	200	200	14596	774	
Feb'01	9475	4074	1421	200	200		15370	9100	3731	1365	200	200	14596	774	
March'01	9475	4074	1421	200	200		15370	9100	3731	1365	200	200	14596	774	
Sanction/DA Arrear									546				546	(-)546	
April'01	9475	4074	1421	200	200		15370	9300	3999	1395	200	200	15094	276	
May'01	9475	4074	1421	200	200		15370	9300	3999	1395	200	200	15094	276	

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 OCT 2001
गुवाहाटी न्यायपीठ
Guwahati Bench

certified to be true

Adv.

181

Institute Of Hotel Management Catering Technology And Applied Nutrition, GHY-5

Psc.no.a.

Arrear accrue due to ACP Implementation

Name and Designation Dr. P.S. Nayak Borah, Lecturer.

	DUE								DRAWN									
MONTHS	PAY	D.A.	H.R.A.	S.C.A.	T.A.			Gross Amt.	Pay	D.A.	H.R.A.	S.C.A.	T.A.			Gross Amt.	Diff. Amt.	Remark
Jan'01	9475	4074	1421	200	200			15370	9300	3999	1395	200	200			15094	276	
Feb'01	9475	4269	1421	200	200			15560	9300	3999	1395	200	200			15094	466	
Aug'01	9700	4365	1455	200	200			15920	9300	3999	1395	200	200			15094	826	
Sept'01	9700	4365	1455	200	200			15920	9300	3999	1395	200	200			15094	826	
Adjustable DA Arrears										558						- 558	(-) 558	
Oct'01	9700	4365	1455	200	200			15920	9300	4185	1395	200	200			15280	640	
Nov'01	9700	4365	1455	200	200			15920	9300	4185	1395	200	200			15280	640	
Dec'01	9700	4365	1455	200	200			15920	9300	4185	1395	200	200			15280	640	
Jan'02	9700	4753	1455	200	200			16308	9300	4185	1395	200	200			15280	1028	
Feb'02	9700	4753	1455	200	200			16308	9300	4185	1395	200	200			15280	1028	
March'02	9700	4753	1455	200	200			16308	9300	4185	1395	200	200			15280	1028	
Adjustable DA Arrears										1116						- 1116	(-) 1116	
April'02	9700	4753	1455	200	200			16308	9500	4655	1425	200	200			15980	328	
May'02	9700	4753	1455	200	200			16308	9500	4655	1425	200	200			15980	328	
June'02	9700	4753	1455	200	200			16308	9500	4655	1425	200	200			15980	328	
July'02	9700	5044	1455	200	200			16599	9500	4655	1425	200	200			15980	619	
Aug'02	9925	5161	1489	200	200			16975	9500	4655	1425	200	200			15980	995	
Sept'02	9925	5161	1489	200	200			16975	9500	4655	1425	200	200			15980	995	
Oct'02	9925	5161	1489	200	200			16975	9500	4655	1425	200	200			15980	995	
Adjustable DA Arrears										1140						-1140	(-) 1140	
Nov'02	9925	5161	1489	200	200			16975	9500	4940	1425	200	200			16265	710	
Dec'02	9925	5161	1489	200	200			16975	9500	4940	1425	200	200			16265	710	
Jan'03	9925	5459	1489	200	200			17273	9500	4940	1425	200	200			16265	1008	
Feb'03	9925	5459	1489	200	200			17273	9500	4940	1425	200	200			16265	1008	
March'03	9925	5459	1489	200	200			17273	9500	4940	1425	200	200			16265	1008	

Central Administrative Tribunal

Institute Of Hotel Management Catering Technology And Applied Nutrition, GHY-5 Page no. 3.

Arrear accrue due to ACP Implementation

Name and Designation Dr. Pus. Nanda Baruah Lecturer.

	DUE											DRAWN							
MONTHS	PAY	D.A.	H.R.A.	S.C.A.	T.A.		Gross Amt.	Pay	D.A.	H.R.A.	S.C.A.	T.A.		Gross Amt.	Diff. Amt.	Remark
Earned Pay									855						855 (-)855	
Pay no.																
1+2+3	418113	186816	62721	8798	8798		685146	403703	180318	60555	8499	8798		661763	23383	

Arrear Due to ACP Implementation for Rs. 23383/- (Rupees twenty Three thousand three hundred eighty three only)

Paid vide ch. no. 150/120 dtd. 30/4/03 Rs. 11,383/- after deduction of adv. Rs. 12000/-

Asstt. Administrative Officer
IHMCTAN, Guwahati

Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition, Guwahati-25

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 OCT 2001
गुवाहाटी न्यायपीठ
Guwahati Bench

-49- Enclosure F

183

INSTITUTE OF HOTEL MANAGEMENT, GUWAHATI

MINUTES OF THE DPC MEETING HELD ON 27.11.2006

On the advice of the Legal Counsel of the Institute of Hotel Management, Guwahati, Mr.Ashwini Thakur and on the compliance of the directives of the Hon. Tribunal, meeting to review DPC meeting was held on 27.11.2006 at IHM, Guwahati. The following members were present:

1.	Shri S.P.Bhattacharya	-	Chairman
2.	Shri K.K.Saraf	-	Member
3.	Shri Ronjon Lahiri	-	Member
4.	Shri D.K.Baruah	-	Member
5.	Shri G.C.Das	-	Member

केन्द्रीय प्रशासनिक
Central Administrative
20
गुवाहाटी न्यायपीठ
Bench

Shri Ashwini Thakur, Legal Counsel of IHM, Guwahati was also invited, who apprised the Committee Members about the issues raised by Shri S.Sen, Lecturer and the directions given by the Hon. Tribunal in the matter. Shri Thakur informed that Hon. Tribunal has directed that representation of Shri S.Sen dated 14.12.2005 should be disposed off by 17.12.2006. It was further indicated by the Counsel that in his petition Shri S.Sen has raised questions abut merit list panel presented by the Institute before the DPC meeting in 2004. The Legal Counsel further informed that Zone of consideration indicated in the RPR-2003 is ambiguous whereby three senior candidates are considered for promotion post. It, however, is not clarified that the said Zone of consideration is applicable for one vacancy. The Council, therefore, advised that in view of this ambiguity, Review DPC may therefore rely on the Zone of consideration stipulated in the Swamy's Hand Book and therefore should consider the case of all the four Lecturers including the case of Mr.S.Sen as it falls within the Zone of consideration.

Certified to be true

Adv.

1.10.07

Accordingly, the DPC meeting called for all the relevant files and papers in order to reconsider all relevant parameters for consideration by the Committee. The members of the Committee examined the seniority list maintained by IHM, Guwahati for the post of Lecturers. It also examined the reservation roster maintained by the Institute to crosscheck if the two vacancies in 2004 were meant for General Category or for reserved category. The Committee also examined in detail the Annual Confidential Reports of all the four Lecturers that existed as on August 2004. After examining all these records the position of seniority emerged as under:

S.No.	Name	Designation	Date of Joining
1.	Shri Bablu Roychowdhuri	Lecturer	21.02.1985
2.	Dr.Mrs.Nanda Baruah	Lecturer	15.03.1985
3.	Shri Gautam Das	Lecturer	27.04.1985
4.	Shri Soumitra Sen	Lecturer	05.09.1985

On perusal of the personal files and ACR's of all the four Lecturers of IHM, Guwahati, the grading of Lecturers was observed as under:

Sl. No.	Name	Designation	Year wise grading of ACT				
			2000	2001	2002	2003	2004
1.	Shri Bablu Roychowdhury	Lecturer	VG	VG	VG	Excl	Excl
2.	Dr.Mrs.Nanda Baruah	Lecturer	VG	VG	VG	Excl	Excl
3.	Shri Gautam Das	Lecturer	VG	VG	VG	Excl	Excl
4.	Shri Soumitra Sen	Lecturer	VG	VG	VG	Excl	Excl

VG: Very Good Excl: Excellent

The Committee also noted from the personal files of the Lecturers that all the four Lecturers in question benefited from implementation of Assured Career Progression scheme of the Government of India by the Institute from 1999, as they were given a higher pay scale as per the stipulations in the ACP Scheme. It was observed that the said pay scale is at par with the pay scale of the Senior Lecturer i.e. Rs.8000-275-13500. On crosschecking the vacancy position of Senior Lecturers in the Institute, the Committee relied on the orders of the Ministry of

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 OCT 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

Tourism No.33(4)/99-HMC dated 17.05.2004, which confirmed that there were only two posts of Senior Lecturers as available before the DPC at the time when it met last to consider the cases of promotion.

All the four cases of Lecturers including Mr.Bablu Roychowdhury and Mrs.Nanda Baruah enjoyed ACR Grading from Very Good to Excellent progressively. The ACR Grading of the other two Lecturers viz., Mr.Gautam Das and Mr.Soumitra Sen were also at par with Mr.Bablu Roychowdhury and Mrs.Nanda Baruah. Therefore, in terms of job performance, all the four candidates were at par. The distinction among the four cases, therefore, has been relied on the seniority since merit is a common denominator. In terms of seniority, Mr.Bablu Roychowdhury and Mrs.Nanda Baruah, who respectively appearing at seniority No.1 & 2 were considered by the DPC Committee in past are found to be in order and this Review DPC Committee reconfirms the position as unaltered.

The Committee does not have any mandate to deliberate on the other issues raised by Shri S.Sen in his petition regarding depriving him of his rightful promotion in the year 1999 as RPR-1998. The Committee, however, crosschecked the facts and found that the Ministry of Tourism had directed not to fill up the post of the Senior Lecturer vide letter No.1(5)/97-HMC dated 27.01.1997 till such time the posts of the Senior Lecturer are revived by the Ministry of Tourism. Therefore, at the time of operation of the RPR-1998 the vacancy in question was not available.

It was also seen from the records that the posts were revived by the Ministry of Tourism vide order No.33(4)/99-HMC dated 17.5.2004 subsequent to which the management of the Institute did not lose any time to fill the two posts of Senior Lecturers whereby Shri Bablu Roychowdhury and Mrs.Nanda Baruah being the senior most faculty members as per seniority list were considered for promotion

Central Administrative Tribunal
Guwahati Bench

by the DPC when it met in 2004. The Review DPC Meeting that was held on 27.11.2006 and the Members were briefed and informed that IHM Guwahati does not have any vacancy available as on date to be offered to Shri Gautam Das and Shri Soumitra Sen.

The members requested Chairman of the Committee to place the minutes before the Chairman of the Institute at the earliest, so that the Hon. Tribunal is informed about the action in the matter.

(G.C.Das)
Dy. Secretary, Govt. of Assam
WPT&BC Department
Rep. of SC/ST Commission
approved by Chairman

(D.K.Baruah)
Director (Tourism)
Govt. of Assam
Member, BOG & DPC, IHM

(Ronjon Lahiri)
Asstt. Director General
Ministry of Tourism
Govt. of India

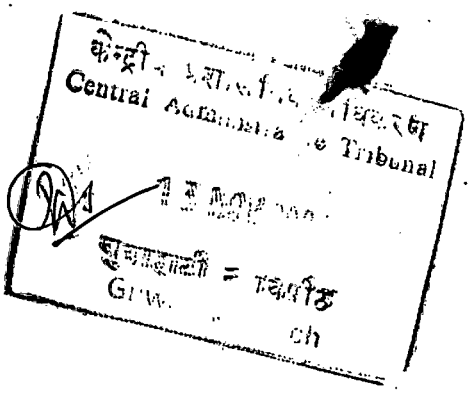
(K.K.Saraf)
Director (A&F),
NCHMCT/
Member, BOG & DPC, IHM

(S.P.Bhattacharya)
Chairman, DPC/
Principal, IHM

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
Guwahati Bench

File in Court on.....

Court Officer.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLICATION NO. 64/07

Soumitra Sen.....Applicant

-Vs-

Union of India & Ors. ....Respondents.

INDEX

SL. No.	Particulars	Pages.
1.	Written Statement	1-8
2.	Verification	9
3.	Annexure-A	10
4.	Annexure-A 1	11
5.	Annexure-A 2	12
6.	Annexure-A 3	13
7.	Annexure-A 4	14
8.	Annexure-B	15-18
9.	Annexure-C	19

Filed by

Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHATI

ORIGINAL APPLICATION NO. 64/07

Soumitra Sen .. Applicant

- Vs -

Union of India & Ors. Respondents

WRITTEN STATEMENT ON BEHALF OF RESPONDENT NO. 2 & 3.

MOST RESPECTFULLY SHEWETH:

I, Shri Shakti Pada Bhattacharyya, son of Late B. P. Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology & Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati –36, aged about 55 years do hereby solemnly affirm and declared on oath as follows:

1. That I have read the copy of original application filed by the applicant herein and have understood the contents therein. I hereby deny the contentions made therein, except those, which are expressly and specially admitted by me herein below:

2. That before replying to the contentions of the applicant in the original application the answering Respondent craves leave of this Hon'ble Tribunal to make the following preliminary submissions.

(i) That the present Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati, Assam was set up in the year 1984 at the behest of the Central Government as per their laid down rules and norms. No statutory rules have been provided specifically for this Institute. It had been decided in the First Board Meeting held in the year 1984 that there shall be under the scheme approved

Contd. ... 2

for the setting up of food craft institute "erstwhile Food Craft Institute, presently known as Institute of Hotel Management, Catering Technology and Applied Nutrition, Guwahati", total 35 (thirty five) number of posts including the Principal and one post of Sr. Lecturer. It had also been decided, at the relevant time that the pay scales and other conditions of the post shall be similar to those of a 'Diploma institute in Assam'.

(ii) That thereafter, in the second meeting of Board of Governors of the Food Craft Institute (Guwahati) Society held on 16.7.1984, it was decided to decrease the staff pattern to total 30 (thirty) numbers with pay scales in a Central pattern subject to availability of fund position.

(iii) That at all material times for appointment of staff members a recruitment rules accepted and approved in the year 1982 was the basis.

(iv) That thereafter this Food Craft Institute at Guwahati was upgraded to this present nomenclature of Institute of Hotel Management, Catering Technology and Applied Nutrition, Guwahati, since April 1995. Pursuant to this a revised staff structure had also been recommended by the Board of Governors in view of the upgradation of this institute and sanction and approval for increase of staff was sought for from the concerned Ministry of the Union of India.

(v) That thereafter a lot of correspondences had been made from this Institute (Institute of Hotel Management & Catering Technology, Guwahati) requesting for granting sanction to fill up various vacant post in the teaching staff but instead of granting sanction by the authority concerned a letter had been received from the Government of India intimating about the abolition of non-fulfill post.

Copy of the said letter

Dated 27.01.1997 is annexed Herewith

Contd. ...3

and marked as Annexure-A.

Thereafter from time to time the management of Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati has addressed several letter of requests to the Ministry of Tourism, Government of India for granting sanction to fill up various important post in academic cadres including Senior Lecturers. In this context the answering deponent begs to refer to letter dated 2.1.04 bearing No. IHM(GH) /Estt-1/03/1191 dated 17.5.04 bearing No.33(4)/99-HMC letter dated 5.7.04 bearing No. C&S/TSM/1/2004 and lastly letter dated 25.1.2006. bearing No. D.O.No.IHM(GH)/Admn/40/98.

The deponents begs to refer to the contents of the afore noted letters at the time of hearing of this case which are annexed herewith and marked as Annexure-A1, A2, A-3 and A-4.

(vi) That thereafter the management of this institute under various letters sought approval and sanction from the Ministry of Tourism, Government of India to fill up the vacant post as per guidelines containing in the staff Inspection Unit.

(vii) That a new recruitment rule has been introduced by the authority concerned at Delhi in the year 1998, 2001 & 2003, whereby some modification have been done inter-alia in so far as lecturer cadre is concerned.

(viii) That after long pursuation the concerned Ministry had given sanction to one Head of the Department and 2 (two) Senior Lecturer to be appointed in this institute by letter dated 17.5.2004. The management of Institute of Hotel Management, Catering Technology & Applied Nutrition, Guwahati again urged the Ministry to accord approval and sanction for four posts of Senior Lecturer by letter dated 05.09.2004.

Contd. ...4

(ix) That this Institute of Hotel Management, Guwahati is circumscribed by various guidelines and norms issued from time to time the Ministry of Tourism, and the NCHMCT, New Delhi. This Respondents had considered various representations given by Mr. Soumitra Sen (Petitioner) and it was found that no acceptable grounds had been out by Mr. Sen (Petitioner) on which the Respondents could reasonably and favourably act upon within the prescribed limitations.

Reply to the statement of facts of the case:

(x) That the statements made in para No.4.1, 4.2 and 4.3 of the original application are not denied in so far as statements are related to the official records. However, more specifically the answering deponent begs to deny the part of statements made in Para No.4.2 that there were any existence of sanctioned post of two Senior Lecturer and etc; the deponent had written a letter to the Ministry concerned by spelling out that "staff structure of Institute of Hotel Management, Guwahati has been worked out as per the guidelines contained in the SIU norms". The intention of the said letter dated 11.2.1999 cannot be interpreted in a different way to the advantage of the petition.

(xi) That in so far as statements made in Para No. 4.4 of the original application are concerned, the answering Respondents beg to state that the Respondents could not fill up the posts as there was no sanction from the Ministry concerned. The post of Senior Lecturer which was originally sanction was abolished by a letter bearing No. 1(5)/97-HMC dated 27.1.1997.

A copy of the said letter dated 27.1.1997 issued by the Ministry of Tourism, New Delhi is annexed herewith and marked as Annexure-A.

Contd. ...5

In so far as the statements made, regarding the regularization of the post of Asst. Administrative Officer is concerned it is to be stated that she hold the post since 1988. It was simply a regularisation against an officiating in the same post in administrative cadre and this has no bearing with the petitioner case. Nor has the said Administrative Officer been made a party to this petition. Hence any statements or reply to this context may be prejudicial to the Administrative Officer is concerned.

(xii) That the statements made in Para No.4.5 of the original application are matters of official records and do not deserve any specific reply. These answering Respondents admit only those, which are matters of record.

(xiii) That in so far as statements made in Para No.4.6 of the original application are concern the Respondents beg to state that the petitioner has made the statements without knowing the factual position of the subject. The sanction letter for the Senior Lecturer post came on 17.5.2004 and at the material time there were 4 (four) persons in Lecturer Cadre including the petitioner within the zone of consideration for promotion to the position of Senior Lecturer. All the four cases of Lecturers including Respondent No. 4 and 5 enjoyed ACR grading of the two Lecturers viz Mr. Gautam Das and Mr. Soumitra Sen (Petitioner) were also at per with Respondent No. 4 and 5. Therefore in terms of job performance, all the four candidates were at par. The distinction among the four cases, therefore, has been relied on the seniority since merit is a common denominator. In terms of seniority, Respondent No. 4 and 5 were considered by the departmental Promotion Committee in past are found to be in order and the review Departmental Promotion Committee reconfirms the position as unaltered. The applicant has interpretated the whole thing in a confused and distorted manner, to be precise enough the applicant has not been deprived anyway as because during the operation of recruitment rule

Contd. 6

1998 the vacancy in question was not available. This Respondents beg to refer to their recruitment rules 1982, 1989, 2001 and 2003 at the time of hearing of this case.

(xiv) That the contents of the Para No. 4.7 and 4.8 of the original application is absolutely misleading and are fabricated. This answering Respondents do not admit anything which are not official records. It is pertinent to mention here that the petitioner had submitted a memorandum on 7.11.2001 (Annexure-9 to O.A) wherein the petitioner had mentioned everything, hence now, he can't state that he come to know 'recently'.

(xv) That is so far as statements made in Para No. 4.9 of the original application are concerned, the answering applicant had been given full ACP benefit w.e.f. 09.08.1999 implemented in January 2006. The benefits under ACPs are limit to higher pay scale and do not confer designation, duties of the higher post. The conferment of higher pay scale under ACP entitles the beneficiary only for consequent financial benefits. No other benefit like conferment of superior designation corresponding to the higher pay scale or upward movement in the gradation list comes under the purview of the ACP scheme. As per conditions under the ACP scheme the scheme is purely personal to the employee and shall have no relevance to his seniority position. As such there shall be no additional financial upgradation for the senior employee on the ground that the junior employee in the grade has not higher pay scale under the ACP scheme.

(xvi) That the statements made in Para No.4.10 of the original application are denied and not correct. The Respondents beg to state that the representation given by the applicant on 11.9.2006 had been placed before the Board Meeting and a special Departmental Promotion Committee was convened on 27.11.2006 to consider the representation of the applicant. The special Departmental Promotion

Contd ... 7

Committee held on 27.11.2006 had discussed, scrutinized and had carefully examined the details of the representation while reviewing the earlier decision taken by the Departmental Promotion Committee held on 24.9.2004. This special Departmental Promotion Committee found no cogent and justifiable reason to consider the representation of the applicant favourably. The decision and minutes of the Departmental Promotion Committee is always open for inspection for the staff members. It is not a fact that it was not within the knowledge of the applicant. However, as a measure of abundant caution a copy of the minutes of the reviewed Departmental Promotion Committee dated 27.11.2006 had been filed in the Central Administrative Tribunal, Guwahati to be a part of the record of original application No.211/06. Copy of the minutes had also been address to the applicant in the month of July 2007.

A copy of the said minutes is annexed herewith and marked as Annexure-B.

REPLY TO THE GROUNDS:

(i) That the applicant miserably failed to show any pin point, any of the rule or other provisions of any notification or orders on the basis of which relief of promotion is sought for.

(ii) That the ground shown in Para No. 5.2 of the original application is absolutely vague and irrelevant to the context as because when the RPR 1998 and 2001 were in vogue no sanctioned post of Senior Lecturer was in existence. As soon as sanction order dated 17.05.2004 bearing Memo No.33(4)/99-HMC from the Ministry of Tourism was received. The respondent No. 3 immediately started the process of filling up two posts of Senior Lecturer in accordance with the provisions of the RR applicable to each individual lecturers who were, at the material times, within the zone of consideration.

Contd ... 8

(iii) That while considering the matter of promotion the Departmental Promotion Committee had taken note of all the factors including ACR grading and seniority, while ACR and performance were at par but Departmental Promotion Committee were compelled to take a decision on seniority basis. Hence the decision was neither arbitrary nor violative of any equality clause under the constitution of India.

A comparative statement of the eligible candidates who were within the zone of consideration is annexed herewith and marked as Annexure-C.

(iv) That it is submitted that the application is devoid of neither any merit nor it is supported by any provisions of laws or rules applicable to the context. Hence the application is liable to be dismissed with costs.

(v) That save those points, which have expressly been admitted herein above others may be deemed to have been denied the answering Respondent.

(vi) In view of the facts and circumstances states above, the Hon'ble Tribunal may be pleased to dismiss the Original application as devoid of merit.

....VERIFICATON.... 9

126

VERIFICATON

I, Shri Shakti Pada Bhattacharyya, son of Late B. P. Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology & Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby verify that the statements made in paragraphs 1, 2, 2(i) - 2(iv), 2(viii), 2(ix), 2(xiv), 2(xv) are true to my knowledge, those made in paragraphs 2(v) - 2(vi), 2(vii), 2(x) - 2(xiii), 2(xvi) are being matter of records of the case derived there from which I believe to be and the rest are my humble submission before this Hon'ble Tribunal.

I have not suppressed any material facts and I have signed this verification on this 12th day of November 2007.

Shaktipada Bhattacharyya

SIGNATURE OF DEPONENT

Annexure - A

-10-

Diary No. 32

Dt. of Receipt 4/2/97

IHMCTAN, Guwahati

(46)

19

Government of India
Department of Tourism
HMC Division

No. 1(5)/97-HMC Dated. 27.1.97

The Principal,
Institute of Hotel Management,
Catering Tech. & Applied Nutrition, and
Director (A&F), National Council for HMCT,
Guwahati

Sir/Madam

This has reference to the information furnished regarding vacancy position in the Institutes and National Council. As per the extant orders of the Ministry of Finance, the posts remaining unfilled for a period exceeding one year in your Organisation shall stand abolished. No action to make recruitment against such non-existant posts should be made without revival of the posts with prior approval of the Govt.

These instructions should be noted for strict compliance.

Yours faithfully,

(P. N. WALI)
Asstt. Director (HMC)

11/2/97

13/2

-11-

Annexure-A-1

IIHM(GH)/Estt-1//03/1191 dt. 02.01.2004

Dear Sri Rustagi,

The Principal, Institute of Hotel Management Guwahati has apprised me that recently he had a telephonic conversation with you regarding the sanction of some of the posts for this Institute. In this connection I would like to inform you that in view of opening some promotional avenue for the members of faculty, whom we consider the back bone of an educational institution & who have been serving this organization for nearly seventeen years or more without a single promotion, I had accorded the approval in favour of creation of three posts and revival of one post of Sr. Lecturer (totaling four) in lieu of sanctioning one post of HOD & two posts of Sr. Lecturer at the present moment. This was decided for the overall development and interest of the Institute as this should be a motivating factor for all the members of staff. As per the new R.R. 2003 the faculties of this Institute, who are in senior position will never be eligible for the HOD post due to non-fulfillment of experience criteria in the post of Sr. Lecturer, without any fault of them. Moreover this will not have major financial implication here as the present members of faculty have reached quite higher position in their respective scale, whereas sanctioning of one post of HOD will cause substantial additional financial liability. In this connection Principal IHM guwahati had earlier communicated you in details [vide letter nos. IIHM (GH)/Estt-1/03/444 and 689 dt 30.07.03 & 26.09.03].

Considering the gravity of the situation, I would like you to take a considerate view on the matter and expecting your decision to sanction four posts of Sr. Lecturer at an early date.

With regards,

Yours Sincerely

(Pradip Hazarika)
Commissioner Tourism, ASSAM
&
Chairman IHMCTAN Guwahati

Sri Vikas Rustagi
Asst. Director General,
Department of Tourism,
Govt. of India,
C-1 Hutments, Dalhousie Road,
NEW DELHI 110011.

-2-

Annexure-A-2

199

GOVERNMENT OF INDIA
DEPARTMENT OF TOURISM
(HRD DIVISION)

C-1 Hutments
Dalhousie Road
New Delhi-110011.
Tele: 011-23012810
Fax: 011-23011518

ASO 31/5/04

No.33(4)/99-HMC

Dated: 17.5.2004

To

The Secretary
Institute of Hotel Management,
Catering Technology and Applied Nutrition
G.S. Road, Bus Stop ABC
Bhangagarh,
GUWAHATI-781005

IHM
GUWAHATI
- 1 JUN 2004
DIARY NO. 129

Subject: Creation and Abolition of Academic Posts in IHM, Guwahati.

Sir,

I am directed to convey the sanction of the Government to the creation/ abolition of the following posts in the Institute of Hotel Management, Catering Technology and Applied Nutrition, Guwahati:

S.NO	Post / Pay Scale	Earlier Sanctioned Posts	Post Created / Abolished vide this order	Final Position of Sanctioned Posts
1	Head Of Department (HOD)/ Rs. 10,000-325-15,200)	NIL	1 Post Created	1 Post
2	Senior lecturer / Rs. 8,000-275-13,500)	NIL	2 Posts Created	2 Posts
3.	Lecturer / Rs. 6,500-200-10,500	6 Posts	2 Posts Abolished	4 Posts

3. This issues with the approval of M/o Finance I.D. No. 581/ E. Coord.1/2004 dated 30.4.2004

Yours faithfully,

(N. K. Saini)
Under Secretary to the Government of India

Copy to:

1. Integrated Finance, Ministry of Tourism, Transport Bhawan, New Delhi w.r.t. their UO No. 227/IF/2004 dated 12-05-2004
2. Director (S)/Director (A&F), NCHMCT, Pusa, New Delhi.

(H.C.Bhatt)
Assistant Director

-13-

Annexure - A3

GOVERNMENT OF ASSAM
DEPARTMENT OF TOURISM
DISPUR

NO.C&S/ TSM/1/2004 Dated Dispur, the 5th July, 2004

From : Shri M.K. Barooah, IAS
Commissioner & Secretary
Government of Assam
Department of Tourism and Chairman IHM,Guwahati.
Dispur.

To : The Additional Director General
Government of India,
Department of Tourism (HRD Division)
New Delhi

Sub : ***SANCTION OF POST FOR IHM, GUWAHATI***

Sir,

Vide your letter No.33(4)/99-HMC, dated 17/05/2004 one post of HOD, two posts of Sr. Lecturers and four posts of Lecturers were sanctioned. We are grateful to the Ministry for such sanction. However, we like to propose a minor modification in continuation to our earlier letter to the Ministry vide No. IHM(GH)/Estt-1/03/1191, dated 02/01/2004.

There is great resentment amongst the Teaching Faculty of the IHM, Guwahati for not getting promotion for a long time. Out of the six Asst. Lecturers, four Asst. Lecturers have already passed 11-12 years in their service without promotion. Out of the four Lecturers two will be promoted now to the newly created posts, but the other two have also completed more than 18 years in the same posts. In such a situation, if Govt. of India considers for creation of another two posts of Sr. Lecturers in lieu of the post of the HOD, the benefit of promotion in form resultant vacancy will go down to the Asst. Lecturers also.

We will be highly obliged if in the interest of maintaining team spirit in the Institute and the zeal for works of the lecturers, Govt. of India takes a decision as above and intimate this State Govt.

A sympathetic consideration is solicited.

Yours faithfully,

(M.K. Barooah)
Commissioner & Secretary to the GOA
Department of Tourism

-14-

Suresh Chandra Panda, IAS
Commissioner & Secretary,
Tourism Department,
Govt. of Assam, Dispur, Guwahati - 781006

and

CHAIRMAN
Institute of Hotel Management, Guwahati.

सत्यमेव जयते

Phone : 2261321 (O)
2360233 (R)

Annexure-A-4.

D.O. No.IHM/(GH)/Admn/40/98
Dated 25th of January, 2006.

Dear Sri Talwar,

As the Institute of Hotel Management, Guwahati being shifted to its own campus from the academic session 2006-2007 onwards, the Board of Governors in their 14th meeting held on 16th of December, 2005 resolved to increase the intake capacity of students from 90 to 150. This is not only in order to sustain the economic viability of the Institute but also to cater to the increasing need of hospitality sector of North East.

Accordingly, the Principal of Institute of Hotel Management, Guwahati was instructed to calculate the necessary staff strength to meet the workload vis-à-vis increased intake capacity as per the extant SIU norms. As per his submitted statement it is found that the following manpower will be required by the institute (enclosed as Annexure-I).

Therefore, I would request you to sanction the number of staff as per the requirement shown in Annexure-I. This would help coping up with the increased intake of students in the Institute of Hotel Management, Guwahati.

Thanking you,

With regards,

Yours sincerely

(S. C. PANDA)

Enclo : a/a.

SHRI RAJEEV TALWAR, IAS
Additional Director General
Government of India
Ministry of Tourism
Transport Bhavan, 1, Parliament Street
NEW DELHI – 110 001.

C/C

Annexure - B

INSTITUTE OF HOTEL MANAGEMENT, GUWAHATI

MINUTES OF THE DPC MEETING HELD ON 27.11.2006

On the advice of the Legal Counsel of the Institute of Hotel Management, Guwahati, Mr Ashwini Thakur and on the compliance of the directives of the Hon. Tribunal, meeting to review DPC meeting was held on 27.11.2006 at IHM, Guwahati. The following members were present:

1.	Shri S.P.Bhattacharya	-	Chairman
2.	Shri [illegible]	-	Member
3.	Shri Ronjon Lahiri	-	Member
4.	Shri D.K.Baruah	-	Member
5.	Shri G.C.Das	-	Member

Shri Ashwini Thakur, Legal Counsel of IHM, Guwahati was also invited, who apprised the Committee Members about the issues raised by Shri S.Sen, Lecturer and the directions given by the Hon. Tribunal in the matter. Shri Thakur informed that Hon. Tribunal has directed that representation of Shri S.Sen dated 14.12.2005 should be disposed off by 17.12.2006. It was further indicated by the Counsel that in his petition Shri S.Sen has raised questions abut merit list panel presented by the Institute before the DPC meeting in 2004. The Legal Counsel further informed that Zone of consideration indicated in the RPR-2003 is ambiguous whereby three senior candidates are considered for promotion post. It, however, is not clarified that the said Zone of consideration is applicable for one vacancy. The Council, therefore, advised that in view of this ambiguity, Review DPC may therefore rely on the Zone of consideration stipulated in the [illegible] Book and therefore should consider the case of all the four Lecturers including the case of Mr.S.Sen as it falls within the Zone of consideration.

1

Certified to be true copy.
G. Kalita, Advocate.

203

Accordingly, the DPC meeting called for all the relevant files and papers in order to reconsider all relevant parameters for consideration by the Committee. The members of the Committee examined the seniority list maintained by IIHM, Guwahati for the post of Lecturers. It also examined the reservation roster maintained by the Institute to crosscheck if the two vacancies in 2001 were meant for General Category or for reserved category. The Committee also examined in detail the Annual Confidential Reports of all the four Lecturers that existed as on August 2004. After examining all these records the position of seniority emerged as under:

S.No.	Name	Designation	Date of Joining
1.	Shri Bablu Roychowdhuri	Lecturer	21.02.1985
2.	Dr.Mrs.Nanda Baruah	Lecturer	15.03.1985
3.	Shri Gautam Das	Lecturer	27.04.1985
4.	Shri Soumitra Sen	Lecturer	05.09.1985

On perusal of the personal files and ACR's of all the four Lecturers of IIHM, Guwahati, the grading of Lecturers was observed as under:

Sl. No.	Name	Designation	Year wise grading of ACI				
			2000	2001	2002	2003	2004
1.	Shri Bablu Roychowdhury	Lecturer	VG	VG	VG	Excl	Excl
2.	Dr.Mrs.Nanda Baruah	Lecturer	VG	VG	VG	Excl	Excl
3.	Shri Gautam Das	Lecturer	VG	VG	VG	Excl	Excl
4.	Shri Soumitra Sen	Lecturer	VG	VG	VG	Excl	Excl

VG: Very Good Excl: Excellent

The Committee also noted from the personal files of the Lecturers that all the four Lecturers in question benefited from implementation of Assured Career Progression scheme of the Government of India by the Institute from 1999 as they were given a higher pay scale as per the stipulations in the ACP Scheme. It was observed that the said pay scale is at par with the pay scale of the Senior Lecturer i.e. Rs.8000-275-13500. On crosschecking the vacancy position of Senior Lecturers in the Institute, the Committee relied on the orders of the Ministry of

Accordingly, the DPC meeting called for all the relevant files and papers in order to reconsider all relevant parameters for consideration by the Committee. The members of the Committee examined the seniority list maintained by IHM, Guwahati for the post of Lecturers. It also examined the reservation roster maintained by the Institute to crosscheck if the two vacancies in 2004 were meant for General Category or for reserved category. The Committee also examined in detail the Annual Confidential Reports of all the four Lecturers that existed as on August 2004. After examining all these records the position of seniority emerged as under:

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On perusal of the personal files and ACR's of all the four Lecturers of IHM, Guwahati, the grading of Lecturers was observed as under:

Sl. No.	Name	Designation	Year wise grading of ACR				
			2000	2001	2002	2003	2004
1.	Shri Bablu Roychowdhury	Lecturer	VG	VG	VG	Excl.	Excl
2.	Dr.Mrs.Nanda Baruah	Lecturer	VG	VG	VG	Excl	Excl
3.	Shri Gautam Das	Lecturer	VG	VG	VG	Excl	Excl
4.	Shri Soumitra Sen	Lecturer	VG	VG	VG	Excl	Excl

VG: Very Good Excl: Excellent

The Committee also noted from the personal files of the Lecturers that all the four Lecturers in question benefited from implementation of Assured Career Progression scheme of the Government of India by the Institute from 1999, as they were given a higher pay scale as per the stipulations in the ACP Scheme. It was observed that the said pay scale is at par with the pay scale of the Senior Lecturer i.e. Rs.8000-275-13500. On crosschecking the vacancy position of Senior Lecturers in the Institute, the Committee relied on the orders of the Ministry of

by the DPC when it met in 2004. The Review DPC Meeting that was held on 27.11.2006 and the Members were briefed and informed that IHM Guwahati does not have any regular Principal as the post is to be offered to Shri Gautam Das and Shri Soumitra Sen.

The members requested Chairman of the Committee to place the minutes before the Chairman of the Institute at the earliest, so that the Hon. Tribunal is informed about the action in the matter.

(G.C.Das)
Dy. Secretary, Govt. of Assam
WPT&BC Department
Rep. of SC/ST Commission
approved by Chairman

(D.K.Baruah)
Director (Tourism)
Govt. of Assam
Member, BOG & DPC, IHM

(Ronjon Lahiri)
Asstt. Director General
Ministry of Tourism
Govt. of India

(K.K.Saraf)
Director (A&F),
NCHMCT/
Member, BOG & DPC, IHM

(S.P.Bhattacharya)
Chairman, DPC/
Principal IHM

NAME OF OFFICE: INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY & APPLIED NUTRITION. Guwahati

Annexure - C

CONSOLIDATED STATEMENT OF STRENGTH OF OFFICERS & STAFF

AS ON

SL.NO.	DESIGNATION OF POST	SCALE OF PAY	SANCTIONED STRENGTH			EXISTING STRENGH	ADDITIONAL DEMANDS IF ANY(PENDING OVER THR SANCTIONED STRENGTH)	REMARKS
			Excluding L.R.	(Leave Reserve) L.R.	Total			
1	2	3	4	5	6	7	8	9
1	Group 'A'							
	1. Principal	14,300 -18,300/-	1	-	1	1		Nil
	2. H.O.D.	10,000.-15,000/-	1	-	1	nil	1 more post required	1 more post required
	3. Sr. Lecturer	8,000 – 13,200/-	2	-	2	2	2 more posts required	2 more post required
	4.Accounts-cum-Admn. Officer	8,000 – 13,200/-	nil	-	-	-	1 post required	1 post required
2.	Group'B'							
	1. Lecturer	6500-10,500/-	4	-	4	4	4 more posts required	4 more post required
	2. Asstt. Admn. Officer	5,500-9000/-	1	-	1	1		
	3. Account -cum O.S	5500 – 9000/-	nil	-	-	-	1 post required	1 post required
3.	Group 'C'							
	1. Asstt. Lecturer	5000 – 8000/-	6	-	6	4	2 more posts required (L.R.)	2 posts vacant due to promotion
	2. P.A to Principal	4500 -7,000/-	nil				1 post required	1post required
	3. Stenographer	4000 – 6000/-	1	-	1	1	-	
	4. U.D.C.	4000 – 6000/-	2	-	-	2	2 more posts required	2 more posts required
	5. Store -Keeper	4000 – 6000/-	1	-	1	nil	-	
	6. L.D.C.	3050 – 4500/-	3	-	3	3	2 more posts required	2 more posts required
	7. Asstt. Librarian	3050 – 4500/-	1	-	1	1	-	
	8. Electrician	3050 – 4500/-	1	-	1	1	-	
	9. Driver	3050 – 4500/-	1	-	1	1	-	
4.	Group 'D'						After superannuation of present employees Group D posts will be filled up on Contract basis	
	1. Lab Attendant	2650 – 4000/-	3	-	3	3		
	2. Peon	2,550-3,200/-	2	-	2	2		
	3. Watchman	2,550-3,200/-	1	-	1	1		
	4. Sweeper	2,550-3,200/-	2	-	2	2		

25/1

Principal
Institute of Hotel Management
Catering Technology & Applied
Nutrition Guwahati-5

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
13 NOV
गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH,
GUWAHATI.

O.A.No.64/07

Additional Written Statement on behalf of respondent no.5 to Original Application no.64/07.

Sri Soumitra Sen
...Applicant.
-Vs-
The Union of India and ors.
...Respondents.

INDEX

No.	Annexure	Particulars	Page no.
		Additional written statement	1to 2
		Verification	3.
			4.

12/11/07

Manjula Das
12/11/07

Filed by:-
the Respondent no.4
through
Manjula Das
Addl. Advocate
CAT
12/11/07
Guwahati Bench

IN THE CENTRAL ADMINISTARTIVE TRIBUNAL,
GUWAHATI BENCH.

In the matter of:
O.A no. 64/07
Soumitra Sen,
...Applicant.
-Vs-
Union of India and ors.
...Respondents.
-AND-
In the matter of:
Additional written statement on behalf of the respondents no. ~~4~~ 5

TIONAL WRITTEN STATEMENT ON BEHALF OF RESPONDENT

Smt. ...h wife of Dr. Pranab Baruah resident of ...ently working as the Senior Lecturer of ...ring Technology and Applied Nutrition, ...nly affirm and state as follows.

...eady filed a written ...y replying to the ... most ... The ... Sri ... as ...

motion

Senior Lect...
...ance ...
That ...
...hat ...

Copy received
Dr. K. Das
12/11/07

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
13 NOV 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

299
Nanda Barua

Senior Lecturer, he is entitle to get the promotion against the said sanctioned posts of Senior Lecturer although he is junior to the respondent no.4 and 5.

That the respondent no.4 and 5 after coming to know from this application that the applicant has been granted the 1st ACP in the Senior scale with effect from 09.08.99, they immediately made a representation before the Chairman, Board of Governors, Institute of Hotel Management, Guwahati with a prayer to make an enquiry as to the matter of financial irregularities and the discriminatory action of the authority by not giving the benefit to 3 senior persons who were senior to the applicant.

In this connection, it is stated that, the authority i.e. the Chairman, Institute of Hotel Management, Guwahati, after persuing the said representation [illegible] disposed of the said representation vide order dated [illegible]/Estt-15/06/927 by approving the ACP [illegible] to Sl.No.5 and 4 retrospectively with effect from [illegible]. A copy of the said order dated 12.10.07 is annexed herewith and marked as Annexure-

5. That the [illegible] state that, even assuming that the respondents [illegible] ACP of Senior Lecturer with effect from [illegible] is not entitled to [illegible] the recommendation [illegible]

[illegible]

which [illegible] the applicant [illegible]

7. That the [illegible] validity and [illegible] with

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
13 NOV
गुवाहाटी न्यायपीठ
Guwahati Bench

200

VERIFICATION.

I, Smt (Dr.) N.Baruah wife of Dr. Pranab Baruah resident of Bamunimaidan, Guwahati, , presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition, ... Rabari, Guwahati, aged about ...46.....years do hereby verify that the ... ents made in paragraphs .....3 and 5.....are true to knowledge ; and those made in the paragraphs 1, 2 and 4 being matters of records of the case to be true and the rest are my humble ...unal.

... facts.

12th NOV' 07 at Guwahati.

Nanda Baruah

-4-

21

No. IHM(GH)/Estt-15/06/927
Dated October 12, 2007

To Mr. B. Roychoudhury,
Sr. Lecturer, IHM, Guwahati.

Dr. (Mrs) N. Baruah,
Sr. Lecturer, IHM, Guwahati.

Sub: **Your representation dated 6.8.07 regarding implementation of ACP Scheme at IHM, Guwahati.**

Sir/Madam,

With reference to your representation mentioned above I would like to inform you that I have gone through your representation as well as the relevant provisions of the ACP Scheme. From perusal of the ACP Scheme it appears that under the scheme an employee can be given the benefit of next higher scale if he/she stagnates in the same scale for 12 years or more. It is only a financial benefit without any corresponding promotion to a higher post and upward movement in the gradation list. Conferment of ACP benefit to Sri S. Sen with effect from 9.8.99, which was given in accordance with the existing policy and guideline, is to be viewed accordingly. I have advised Principal, IHM, Guwahati to clarify the position before the CAT as above.

Meanwhile, I have separately approved ACP benefit to you retrospectively with effect from 9.8.99 in accordance with the RPR of 2003 and as per letters No. 1(7)HMC dated 25.4.2005 and No. 1(7)HMC dated 27.7.2006 of Govt. of India.

I have noticed that you used some abrasive phrases in your representation. You are hereby advised to exercise utmost restraint in your official correspondence with your superior authorities, colleagues and juniors.

Yours faithfully,

12/10/07

(H. S. DAS)
Principal Secretary, Govt. of Assam,
Department of Tourism & Finance
&
Chairman, IHM, Guwahati.

Certified to be true
Advocate
12/11/07

2/2

FORM NO. 11

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

OA/~~RA/MP/PT~~ NO. 64 OF 2007

Sumitra Sen
Applicant(S)

-Vs-

Union of India
Respondent(S)

I, Sri Gautam Baishya having been authorized by Ministry of Law by the Central Government /Government Servant /..... Authority/Corporation /Society notified under section 14 of the Administrative Tribunals Act,1985, hereby appear for applicant no...../Respondent no...1..... and undertake to plead and act for them in all matters in the aforesaid case.

Place: Guwahati

Date: 12.11.07

Gautam Baishya

(GAUTAM BAISHYA)
SR.CGSC,CAT.

Central Administrative Tribunal
12 DEC
गुवाहाटी न्यायपीठ
Guwahati Bench

Filed by
Sumitra Sen
Through Advocate K. Das Talwar
2/3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

O.A. NO. 64/2007

Sri Soumitra Sen

... ..Applicant

Vs

Union of India and Others ,

... Respondents

IN THE MATTER OF :

Rejoinder of the Applicant against the written statement filed by the Respondent no. 2 and 3.

MOST RESPECTFULLY SHEWETH:

I Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14 Pub-Sarania, Bye-Lane No. 6, (West), Guwahati – 781003, do hereby solemnly affirm and declare as follows :-

1. That I have received the copy of written statement submitted by the respondent no. 2 and 3 and after going through the same I have understood the contents thereof. Being applicant I am acquainted with the facts and circumstances of the case. The matters which are not herein admitted shall be deemed to have been denied by me.

Central Administrative Tribunal
12 DEC
गुवाहाटी न्यायपीठ
Guwahati Bench

2. That with regard to the statements made in paragraph no. 1 and 2 (I) to 2(Iv) it is stated that those are matters of record and the applicant admits nothing which are not borne out of record. The respondent no. 2 and 3 are required to produce records to substantiate those statements.

3. That with regard to statements made in paragraph no. 2(v) it is stated that it is not true that the respondent no. 3 Institute had made a lot of correspondence requesting for granting sanction to fill up various posts in the teaching staff and that is why the respondent no. 3 has failed to produce any of such correspondence. The letter dated 27.1.97 (Annexure-A) is irrelevant to the present controversy. The respondent no. 3 Institute is an autonomous body and financially self-sufficient. As such the alleged directives of the Ministry of Finance which was for Govt. department can not automatically extend to the respondent no. 3 Institute. The respondent no. 2 and 3 may be directed to produce the Order of Ministry of Finance which has been referred in letter dated 27.1.97. The said letter was never adopted and given effect by the respondent no.3. As such question of abolition of post of senior lecturer does not arise.

The respondent no. 3 Institute for the purpose of depriving the applicant did not make any effort for getting alleged sanction of the post of senior lecturer before coming into force of the RPR 2003. Although the applicant reiterate that the post was sanctioned and no further sanction was required. The annexure no. A(1), A(2), A(3) and a(4) all are written after coming in to force of RPR 2003. Whereas as per the version of the respondent no. 2 and 3 the posts were required after up gradation of the Institute since April, 1995. The record reveals

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

that the file of promotion for filling up of the post of senior lecturer had moved since 1998. Thereafter the Chairman of the Institute had stopped the move of promotion to deprive the applicant since except the applicant nobody was found eligible for promotion. It is pertinent to mention that at the relevant time respondent no. 4 was the Principal in-charge and he himself was not eligible for promotion to post of senior lecturer. Thus the reason of stalling promotion is obvious. Thus it is clean case of depriving the applicant by favouring the respondent no. 4 and 5 by victimizing the applicant. As such the applicant was not considered for promotion.

4. That with regard to statement made in paragraph no. 2(vi) to 2(viii) it is stated that the records and correspondence of the Institute shows that the posts were sanctioned and required no further sanction. Even in case of AAO the Institute went to the extent of giving appointment to a person upon an abolished post which was finally abolished in terms of 1998 Recruitment Rules. The bias and victimization of the applicant is apparent from the fact that if at all for the sake of argument the posts of senior lecturer may be presumed to have been abolished in that case also the Institute did not make any effort to obtain any sanction from 1997 to 2003 till before coming into effect the RPR 2003 by which the educational qualification has been relaxed to accommodate the persons without requisite qualifications by compromising the academic standard of the respondent no. 3 Institute.

5. That with regard to statement made in paragraph no. 2(ix) it is stated that the respondent no. 3 Institute had never replied formally in writing to the representation of the applicant. The Ministry of Tourism

Central Administrative Tribunal
12 JUN
गुवाहाटी न्यायपीठ
Guwahati Bench

as well as the National Council (NCHMCT) New Delhi had ever issued any directive to the respondent no. 3 Institute barring them for applying for getting sanction of the post of senior lecturer. In fact the National Council had directed the respondent no. 3 Institute to go ahead with appointment to the post of senior lecturer long back in the year 1999 by letter dated 13.8.99. Prior to this vide letter dated 19.3.99 the National Council had sought to advertise the post of senior lecturer but at no point of time the respondent no. 3 Institute had ever uttered that the posts were not sanctioned. Since there was requirement for the post of senior lecturer the post was in existence as such there was no reasons for not considering the applicant's representation.

6. That with regard to statement made in paragraph no. 2(x) and 2(xi) it is stated that question of interpretation of letter dated 11.2.99 in different manner does not arise. Since it clearly specifies the sanctioned staff strength in terms of staff pattern as per SIU norms. The subsequent letter dated 5.3.99 had also stated about sanctioned staff strength. On the basis of those letters the National Council had started the process of advertising the post of senior lecturer vide letter dated 31.3.99 again the Institute had made request to the National Council to advertise the post of senior lecturer as well as AAO. Again by letter dated 25.11.99 the respondent no. 3 Institute had clearly mentioned about sanctioned staff strength and even requested to continue with an abolished post of AAO. By letter dated 6.9.99 the respondent no. 3 Institute requested the National Council to fill up the post of Head of department and Principal. Thus if at all letter dated 27.1.97 could have been given effect in that case the post of Principal

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

and HOD being vacant since up gradation of the Institute, could have been abolished and no process of filing up the post should have been adopted. It is incorrect to say that the Assistant Administrative Office was regularized on the said post. In fact in the guise of regularization it is a case of new appointment to an abolished post. The AAO was only in-charge of the post and since the post was abolished . She would have continued to her original post. However the applicant has no grievance against the AAO. But this fact has been brought to have notice of the court to establish that the Institute even in some cases went to the extent of giving employment to the abolished post, even by violating the directive dated 1.11.99 of the National Council.

7. That with regard to statement made in paragraph no. 2(13) it is stated that the case of malafide deprivation of the applicant is crystal clear. At no point of time the respondent no. 3 Institute had ever stated in its correspondence to the National Council that they are unable to fill up the post since it was abolished and no sanction for the post has been sought for. The alleged sanction letter dated 17.5.04 is only an eye-wash to legalise the illegalities committed by respondent no. 3 Institute. The illegalities committed by respondent n. 3 Institute is also clear from the difference of the two DPC i.e. DPC dated 29.9.04 and dated 27.11.06. In the DPC of the 2004 promotion has been shown on the basis of merit but DPC of 2006 has shown the merit of all the four lecturer at par. Apart from this merit of all the four lecturer can not be at par since still the applicant is the only person who has the prescribed educational qualification for the post of senior lecturer. The respondent no. 3 Institute required to produce the record to show as to how they have worked out the merit at part. Since the

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

merit was the first priority for promotion as such the respondent no. 3 Institute had illegally and unreasonably without any basis stated that all the four lecturer are at par on merit. The DPC held on 29.9.04 and 27.11.06 had acted most illegally by adopting confidential reports without cross verification from character roll and the records and had not done independent assessment of merit and ability. The whole records of service carrier was not considered. The RPR 2003 are also does not clearly provide for zone of consideration properly.

8. That with regard to statement made in paragraph no. 2(xiv) it is stated that the letter dated 7.11.2001 of the applicant makes it clear that he had been given wrong and misleading information by the authorities concerned. Subsequently when the applicant got actual information after coming into force of Right to Information Act then only he came to know that letter dated 1.11.99 of Mr. K.K. Saraf was only with regard to the post of AAO. The applicant was wrongly informed that all the posts of the Institute were none sanctioned posts and for these reasons the applicant could not even make proper representation.

9. That with regard to the statements made in paragraph no. 2(xv) it is stated that the ACP benefit is granted to those employees who were eligible for promotion to the next senior post and not to those employees who are not eligible for promotion. In this regard clause no.6 of Annexure 1 of ACP Scheme is clear.

10. That with regard to the statement made in paragraph no. 2(xvi) it is stated that the respondent no. 3 did not inform the applicant about consideration of his representation and no communication had been made to him in this regard prior to filing of this application

Central Administrative Tribunal
12 Dec
Guwahati Bench

before the tribunal. The annamolies in the promotion is clear from the fact that in the DPC held on 24.9.04 the promotion was given on the basis of merit list. But in the review DPC dated 27.11.06 merit had been shown equal and promotion had been done in terms of seniority. In fact as per RPR 2003 also the respondent no. 4 and 4 are not eligible for promotion. The consideration of merit of respondent no. 4 and 5 as well as of applicant has been made wrongly and without considering relevant records and qualification. The new/revised recruitment Rules i.e. Recruitment and Promotion Rule 2003 with regard to senior lecturer as contained in Schedule to the Rule Pg. 13 para 7 wherein the eligibility criteria for promotion differ from the essential qualification for direct recruitment is illegal, malafied, unreasonable, unfair. As such it vialative of Article 14 of Constitution of India and hence is liable to be struck down. The respondent no. 3 being an educational Institute can not be allowed to compromise with the required educational qualification for the post of senior lecturers only to accommodate the differ from the essential qualification for direct recruitment is illegal, malafied, unreasonable, unfair as such it is liable to be struck down. The respondent no. 3 being an educational Institute can not be allowed to compromise with the required educational qualification for the post of senior lecturers only to accommodate the persons who does not possess requisite qualifications and thereby to deteriorate the academic standard and environment of the Institute. For one post there can not be two prescribed qualifications. But since the clause 7 prescribes different qualification by relaxing the educational qualification for promotion only, as such it is illegal and violative to Article 14 and there shall one

Central Administrative Tribunal
Guwahati Bench

220

uniform qualification for direct recruitment and promotees as it was in the Recruitment Rules 1998 as well as 2001.

11. That with regard to reply of grounds given by the respondent no. 2 and 3 it is stated that the statements made in paragraph no. (i)to (vi) are not correct and are not based on the records . It is not correct that during RR Rules 1998 as well as 2001 there was no post of senior lecturer. All these facts had been replied b y the applicant in the foregoing paragraph and to avoid further repetation the applicant will rely upon the statements made by him in the forgoing paragraph in reply of the statements made by respondent no. 2 and 3 in those paragraphs. The respondent Institute has acted in most illegal, unfair arbitrary, capricious, biased and unreasonable manner in-charging the service condition by making ineligible persons eligible. The RPR 2003 are arbitrary, unfair and unreasonable in charging service condition to make ineligible persons eligible. After joining service since 1985 the applicant had been deprived of promotion only because there were ineligible seniors.

VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about 44 years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwanhati – 781 003) dist – Kamrup , Assam, do hereby solemnly affirm and verify that the contents of paragraph no. 1 to 11 are true to my knowledge and rests are my humble submissions before this Hon'ble Tribunal and I have not suppress any material facts.

And I sign this verification on this the 10th day of December, 2007 at Guwahati.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ

22/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI

IN THE MATTER OF :

O.A. NO. 64/2007

Sri Soumitra Sen

... ..Applicant

Vs

Union of India and Others ,

... Respondents

A N D

IN THE MATTER OF :

Rejoinder of the Applicant against the written statement filed by the Respondent no. 4.

I Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14 Pub-Sarania, Bye-Lane No. 6 , (West), Guwahati – 781003, do hereby solemnly affirm and declare as follows :-

1. That I have received the copy of written statement submitted by the respondent no. 4 and after going through the same I have understood the contents thereof. Being applicant I am acquainted with the facts and circumstances of the case. The matters which are not herein admitted shall be deemed to have been denied by me.

Tribunal
12 Dec
चण्डीगढ़ न्यायपीठ

122

2. That with regard to statements made in paragraph no. 3 of the written statement it is stated that the required qualifications for Senior Lecturer when it fell vacant as per of 1998 Recruitment Rules was graduate with 3 years Diploma in Hotel Management with atleast 2nd division from National Council for Hotel Management / State Board of Technical Education or Degree in Hotel Management from any recognized University with at least 2nd division. Thus at the time when the appointment of Senior Lecturer was to be done the only eligible person for promotion in the Respondent no. 3 institute was the applicant. The educational qualifications as secured by the respondent no. 4 were not at all relevant.

3. That the statement made in paragraph no. 4, 5. and 6 are matters of record and the application does not admit the statements which are not borne out of records.

4. That with regard to the statements made in paragraph no. 7 it is stated that according to the 1988 Recruitment Rules, 1998 recruitment Rule as well as Recruitment Rules of 2001 the respondent No. 4 was not eligible for the promotion to the post of Senior Lecturer. The 2001 Recruitment Rule also prescribed essential qualification for Senior Lecturer as:- (i) graduate from Recognised University; and ii) 3 years Diploma in Hotel Management from National Council for Hotel Management and Catering Technology /State Board of /Technical Education having secured at least 50% marks and experience of 5 years in the Grade of Lecturer cum Instructor.

Clause 7 of the schedule of the 2001 Recruitment Rule further clarifies that essential qualification as recruited for the post of Senior Lecturer are also applicable to the promotes. The "noting" in Schedule of 2001

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

R.R. Rules as mentioned by the respondent no. 4 does not state that the existing staff of I.H.M. who does not possess the qualification for the post of Senior Lecturer will be eligible /qualified for promotion for the post of Senior Lecturer. Considering a person for the next post does not mean that he will be appointed to the said post without possessing the qualification as required for the said post and that is why to allegedly providing qualification to those persons the Institute had conducted a bridge course. Apart from this the 1982 Recruitment Rules had prescribed separate qualifications for the posts with specific subjects and thus the respondent is not qualified until and unless there is a vacancy only for the said specified subject according to 1982 Recruitment Rules. In fact the "noting" as referred by respondent is meant to qualify those employees for promotion who had obtained deploma from any Private or foreign Institute instead of from National Council or State Council. For example – in the respondent no. 3 Institute there are lecturers who obtained Diploma from Private Institute. Thus this "noting" is for persons like them.

5. That with regard to the statement6s made in paragraph no. 8 & 9 of the written statement it is stated that the recruitment and promotion Rules 2003 are framed to deprive the applicant from promotion to the post of Senior lecturer. Since the 2003 Rules which came into effect from 11.6.2003 had relaxed the educational qualifications for the criteria of promotion. The process for filling in the vacancy for the post of senior Lecturer had started since the year 1998 and the appropriate Govt. had also asked the respondent institute to go ahead with filling the vacancy by way of promotion and at the relevant time only the applicant was eligible for promotion with

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ

224

required of qualification . The promotion was not granted to him only to accommodate Respondent no. 4 and 5, although the promotion of the applicant was over due since he was serving on the same post of lecturer since 5.9.85 with merit as excellent and he was also having educational qualification as required. As because the applicant was not given any promotion and since he was qualified for promotion as such he was eligible for assured carrier progression scheme and hence under the said scheme he had been given scale of Senior Lecturer. Promotion of the respondent no. 4 is illegal and is outcome of favouritism. The person not qualified for promotion had been given promotion by compromising the academic environment by relaxing educational qualification.

special favour has been given to the respondent no. 4 and 5 and for giving special benefit to them the respondent no.3 institute had waited since the year 1998 to 2003 i.e. till relaxation of educational qualification for promotes without filing the vacancy of the post of Senior Lecturer although the applicant was eligible for the said post.

6. That with regard to the statement made in paragraph no. 10 it is stated that respondent no. 3 institute did not dispose of the representation dated 14.10.2005 of the applicant as directed by this Hon'ble Tribunal. The applicant did not receive copy of any communication from the institute with regard to considering and disposing of his representation as per direction of this Hon'ble Tribunal before filing this application, hence the applicant approached to this Hon'ble Tribunal. The favoritism to the respondent No. 4 and 5 is clear from the fact that the applicant was not given promotion in the year 1998 till coming into force of the 2003 recruitment and promotion

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

225

Rules. But as soon as the 2003 Rules came into force removing hurdle for consideration for promotion of Respondent no. 4 and 5 the institute had given promotion to them without loosing any time. It is strange to note that the purported sanction of the post of the Senior Lecturer had also immediately came after the 2003 Rules. In fact there was no need for any such sanction of post. The posts were sanctioned and these were already in existence. The favouritism for the respondents No. 4 and 5 is apparent from the office note of the institute itself. In the office note it has been clearly mentioned that the promotion of the petitioner applicant was not held up because of non sanctioned / non availability of post but because the Chairman of the Respondent no. 3 Institute had stopped the promotion till amendment of the R.R. Rules regarding Qualification of the Senior Lecturer for which General meeting of National Council was fixed on Nov.99. Thereafter new recruitment Rules 2001 came into force on 19.2.2001 but still the respondent no. 4 and 5 were not eligible for promotion. As such again the matter for promotion was kept pending. It is clear from the office Note of the respondent no. 3 institute that the applicant was the only person eligible for promotion at the relevant time. In other institute the persons similarly situated to the applicant were given promotion by superceding the seniors who did not have requisite qualification for promotion. The applicant had right to be considered for promotion but he was deprived of his right and to favour other ineligible persons the eligibility criteria had been changed. Thus in most illegal manner condition of service had been changed.

7. Rejoinder to the reply of facts –

Central Administrative Tribunal
12 Sept
गुवाहाटी न्यायपीठ
Guwahati Bench

226

7.1 That with regard to statement made in paragraph 11.1 it is stated that the respondent no. 4 did not possess the required qualification for the post of senior lecturer as per Recruitment Rule 1998 as well as 2001. The qualifications of respondent no. 4 are not relevant for promotion.

7.2 That with regard to statement made in paragraph no. 11.2 it is stated that the said letter dated 27.1.97 of the Union of India has no affect with regard to the present matter. Inspite of the said letter the respondent no. 3 institute had proceeded with the appointment for the post of the Principal and HOD vide letter dated 6.9.99 (Annexure – 8) vide Annexure - 4 the post of Principal was already advertised. As per the statement of the respondent no. 4 the post of Principal was lying vacant since up gradation of the respondent no. 3 institute. Apart from this the post of the HOD was also lying vacant similarly. These posts were vacant for several years and if the said letter dated 27.1.97 was at all applied in that case these posts should have been abolished. The post of Accountant cum Administrator Officer (AAO) had already been abolished formally as per R.R. Rules 1998, which appears from annexure no.- 7 but still the institute continued with the post of AAO even by violating the Rules and ultimately the said post was filed up by promotion. The said post of AAO was not only abolished by R.R. 1998 but also if the letter dated 27.1.97 has to be given effect in that way also the said post should have been abolished. Thus it is strange to note that how the said letter dated 27.1.97 of Govt. of India can be applicable for the post of Senior lecturer only by ignoring the similarly situated post of Principal, Head of the Department (HOD) and the post of AAO. It is not correct that the annexure no.- 1 indicates only

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

worked out staff. In the said letter it is clearly mentioned that post of Senior Lecturer was sanctioned post that is why vide letter dated 31.3.99 the respondent institute requested National Council to advertise the said post. The National Council had also by letter dated 13.8.99 asked the respondent no. 3 institute to till the post of Senior Lecturer at their own level. By letter dated 1.11.99 the National Council made it clear that regularization of the post of AAO is to be done only if the said post is sanctioned. But inspite of this the regularization had been made to the post of AAO which was an abolished post. Moreover in fact legally there should not have been any regularization since there was no appointment for the said post and only one of the employee was working as In –charge for the post of AAO. Thus it has a case of fresh appointment and not regularization. The letter dated 30.4.05 of the Ministry of Finance has been illegally issued only to fill up the lecuna and to legalize the illegalities committed by the respondents by depriving the applicant of his due promotion. In the said letter two posts of Senior lecturer are shown to have been created and two posts of lecturer has been shown to have been abolished. If the letter dated 27.1.97 of the Govt. of India would have been adopted by the respondent no. 3 institute in that case post of Senior lecturer should have been revived instead of creating the post and the post of lecturers was not required to be abolished by the said letter since those should have been automatically abolished since lying vacant for more than one year. Thus the said letter dated 27.1.97 of Govt. of India was never adopted/given effect by the institute. The said letter was never discussed in the promotion file also. Apart from this if the post of senior lecturer would have been

Central Administrative Tribunal
12 DEC
गुवाहाटी न्यायपीठ
Guwahati Bench

228

abolished in such case the applicant would have been paid the scale of next senior post available i.e. the post of H.O.D. or Principal as per Clause no. 7 of Annexure no.-1 of A.C.P. Scheme. Because as per Clause -7 financial up gradation is given to the next higher grade in accordance with existing hierarchy without creating new post.

7.3 That with regard to statements made in paragraph no. 11.3 it is stated that the annexure 4 does not show that the post of senior Lecturer was not sanctioned. A bare perusal of annexure -1 to annexure 8 clearly shows that it was sanctioned post and because of this reason the National Council had asked the respondent no. 3 Institute to fill up the vacancies of the said post. The question of misrepresenting or misleading by the appellant does not arise. In fact the respondent no. 3 institute had misled the applicant to understand that none of the post of the institute were sanctioned. That is why in his representation the applicant has questioned that if the posts were not sanctioned how the appointment were made to the other posts? The applicant came to know about the actual facts only after he had received of copies of documents and correspondences after coming into force of the Right to Information Act when he applied for the same vide letter dated 22.6.2006.

7.4 That with regard to statement made in paragraph no. 11.5, it is stated that while up gradation of the Food Craft Institute. The post of Principal, Head of Department and AAO were lying vacant. The post of Principal and AAO which was vacant were officiated by the employees of the Institute as only incharge. Thus these posts also ought to have been abolished if the letter of the Govt. of India was to be given effect. In fact no posts including the post of senior Lecturer was even

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

abolished. The respondent no. 4 and 5 were not eligible for promotion to the post of senior Lecturer by way of the RR Rules, 1998 and 2001 *prior* to the Rules of 2003. According to Recruitment Rules of 1982, 1998 as well as 2001 the respondent no. 4 and 5 were not eligible for promotion.

7.5 That with regard to statement made in paragraph no. 11-6 it is stated that as the aforesaid letter dated 17.5.04 of the Govt. showing sanction of post of Senior Lecturer on 30.4.04 is only an eye-wash to give legal colour to the illegalities committed by the respondents. The applicant states that the post of Senior Lecturer was in existence before the said alleged sanction letter and the applicant was the only eligible employee for promotion till before coming into force of the 2003 recruitment Rules. The respondent no. 4 and 5 never had requisite qualification and eligibility criteria for being promoted for the post of Senior Lecturer as per recruitment Rules 1982, 1998 and 2001. The respondent no. 5 was in fact not even entitled to the post of lecturer cum Instructor as per RR Rules 1982 for appointment for house keeping. As such question of her promotion as per 1982 Rules does not arise. The respondent no. 5 had made misleading statements to show that she was eligible for promotion as per recruitment Rules 1998 by intentionally conceling the fact that as per clause no. 7 of Schedule criteria of educational qualifications were applicable to the promotees also which were prescribed for direct recruits. Thus the respondent no. 5 did not possess the requisite qualification for promotion as per RR Rules 1998 the same was the position with regard to the Recruitment Ruies 2001.

Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

230

The applicant craves the leave of the Hon'ble Tribunal to produce the Recruitment Rules, 1982, 1998 and 2001 at the time of hearing.

7.6 That with regard to the statement made in paragraph no. 11.7 it is stated that since there was a vacant post and the applicant was the only eligible person for promotion he should have been promoted. It is also absolutely illegal to stall the promotion of the applicant only because there are two senior persons who are not eligible for promotion because of lack of qualification. Since the post of senior lecturer was already in existence as such question of its sanction by Govt. does not arise. It is strange to note that the move for filing the post of senior lecturer was started in the year 1998 by letter dated 13.8.99 (Annexure – 5) the National Council had also asked the respondent no. 3 Institute to go ahead with filling up the vacancies. The applicant was only person eligible for promotion. But promotion was not given to him because there was 2 senior persons without requisite qualifications. To accommodate the said senior persons the institute waited for filing the post till 2003 Recruitment Rules came into force. As soon as those Rules came into force the institute had obtained the alleged sanction of posts to promote those persons. The sanction was not at all required. Even then say for the sake of the argument if it was at all required why the sanction could not be obtained from the year 1998 till before coming of the 2003 Recruitment Rules. The provision of the 2003 Rules with regard to relaxation of qualification for promotees itself is illegal, arbitrary and unfair since it has been done to favour some persons who did not possess qualifications. For one post there should not have been any

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

discrimination of qualification. If a specific qualification is required for a post that qualification criteria should be followed strictly. The educational and academic standard of the Institute can not be compromised by giving appointment to the persons who are not qualified for the post.

7.7 That with regard to statement made in paragraph no. 11.9 it is stated that granting of ACP (Assured Carrier Progression Scheme) to the respondent no. 4 and 5 is another example of favouritism to them. Since they were not eligible to be considered for the next promotion until coming into force of the recruitment Rules of 2003 which came into effect on 11.6.2003. According to 1998 and 2001 Recruitment Rules the qualification for the post was must for the promotees also. "The noting" in the 2001 Rule as referred by the respondent does not say that she was eligible for promotion without required qualification. "This noting" only says that an employee who does not have the diploma from the National Council of Hotel Management was also eligible for promotion. Thus a person holding diploma from a private institute or from a foreign institute was also eligible for promotion.

7.8 That with regard to statement made in paragraph no. 11.10 it is stated that the respondent no. 3 did not follow the direction of this Hon' ble Tribunal and the applicant was not aware about any review meeting of DPC dated 27.11.06 and nothing of the said D.P. was communicated to the applicant before filing of this application. It is surprising to note that in the DPC of 2004 the promotion have been shown to have been done serially in terms of merit. But in the DPC

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

232

dated 27.11.06 merit has been shown equal and promotion has been made in terms of seniority. This clearly shows the manipulations.

7.9 That with regard to statement made in paragraph no. 11.11 of the Written statement it is stated that in fact the applicant was entitled to promotion even before 9.8.98. When the files for promotion were moved in the year 1998 the applicant was the only employee who was qualified for pronmotion. The applicant has prayed for promotion since 9.8.99 only because it will not have any financial implication upon the respondent no. 3 institute since from the said date the applicant is receiving the scale of Senior lecturer under the ACP Scheme. As misunderstood by the respondent the receipt of financial benefit under the ACP Scheme is not the basis of the claim of the applicant for being promoted to the post of senior lecturer. The respondent have perhaps misunderstood the contention of the respondent in this regard. However, it is a fact that ACP can be granted only to such employee who is eligible for promotion. This is the reason that since the respondent no. 4 and 5 were not eligible for promotion as such ACP was not granted to them earlier with effect from 9.8.99. Only after filing of the present case the ACP appears to have been granted to respondent no. 4 vide letter dated 12.5.2007 in most illegal manner. From the said letter of Chairman of I H M, it is clear that A.C.P Scheme has been granted to the respondent no. 4 in terms of RPR 2003. Since prior to RPR 2003 she did not possess required qualification for promotion . If at all ACP was to be granted to the respondent no. 4 it should have been granted from the date when she has become illegible for the same after implementation of RPR 2003. [redacted]ugh RPR 2003 itself is illegal in relaxing g the qualification of the

Central Administrative Tribunal
12
गुवाहाटी न्यायपीठ
Guwahati Bench

promotes for the post of senior lecturer. It is absolutely false that the respondent no. 4 was not aware about drawing of senior scale by the applicant. Both the respondent no. 4 and 5 were aware about drawing of senior scale by the applicant. Payment of DA are made to the applicant and respondents in one DA. Register wherein the scale of the applicant is clearly mentioned and it can not escape notice of the respondent no. 4 and 5 also. Otherwise also it was a matter of discussion among the lecturer and every body knows it. Any question of financial irregularity and illegality in giving senior scale to the applicant does not arise. In fact giving of senior scale to the respondent no. 4 and 5 in violation of the ACP Scheme is an illegality and another favour done to the respondent no. 4 and 5 in illegal manner. The representation of the respondent no. 4 dated 6.8.07 is absolutely illegal and baseless.

Annexures no. R-1 and R-2 are copies of D.A. Register.

8.1 That with regard to statement made in paragraph no. 12.1 it is stated that inspite of there being post of senior lecturer the respondent no. 3 institute continued to wait for relaxation of qualification of promotion only to favour the respondent no. 4 and 5 and although the applicant was eligible for promotion but such promotion was not granted to him. This is a unique case of suppression of merit and qualification only to favour some particular person without required qualification. Although the applicant had been granted the ACP but the post was not given to him. Since there was vacant post and there was requirement of senior lecturer and applicant was only person eligible for promotion the applicant had a right to promotion.

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
12 DEC 2007
गुवाहाटी न्यायपीठ

8.2 That the statement made in paragraph no. 12.2 and 12.3 are not correct. The revised recruitment and promotion Rules by Relaxing qualification for promotion are enforced only to give promotion to respondents no. 4 and 5. These Rules can not make the respondents eligible for promotion with retrospective effect The post of senior lecturer was in existence and it needed no sanction . The alleged sanction of the post is only an eye-wash to legalize the illegalities committed by respondent no. 3 institute. The applicant has been submitting repeated representations for promotion but none of his representations were replied formally in writing and he was kept in dark until he had obtained copies of records and correspondence after coming into force Right of Information Act.

8.3 That with regard to statement made in para 12.4 it is stated that the assessment of departmental promotion committee itself are wrong and baseless. Since in the DPC held on 24.9.04 the promotion was given as per merit in terms of merit list. But the subsequent DPC says that promotion were done as per seniority since merit is found to be at par. Thus there is illegality in promotion in terms lof RPR 2003 also. Rule of 2003 provides that promotion should be on the basis of merit with due regard to seniority. How the list of merit was prepared in DPC on 24.9.04 if in the DPC held on 2006 merit was found equal. The institute may be directed to produce the records. In terms of 2003 Rules also merit is to be given priority.

8.4 That with regard to statement made in paragraph 12.5 it is stated that granting of ACP to the applicant is not the basis for giving promotion to him. But in fact ACP was granted to him because he was eligible for promotion. The respondent no. 4 was not eligible for

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

promotion at the relevant time. Under the ACP Scheme Annexure no. 1 Clause 6 of ACP Scheme clarifies the situation that fulfillment of normal promotion norms shall be considered for granting benefit under the ACP Scheme. Since the respondent no. 4 did not fulfill the promotion norms as per 1998 and 2001 RR Rates as such they were not given the benefits of ACP Scheme.

8.5 That with regard to statement made in para 12.6 it is stated that these are not correct statements of facts. The findings of DPC dated 27.11.06 are contrary to the DPC dated 24.9.04 on the basis of which the promotion was given to the respondent no. 4. The respondent no. 4 and 5 were not promoted as per DPC dated 27.11.06. Both the DPC dated 24.9.04 and 27.11.06 are illegal and unfair. No independent assessment had been done in both the DPC by considering entire service records and character rolls etc.

9. That the statement made by the respondent no. 4 in paragraph no. 13 to 16 are denied. Although the applicant was eligible for promotion but his promotion was kept pending only because there were senior persons without qualification for being promoted. The applicant had always been given false and confusing replies verbally and no formal and written reply has been given to his representation. Thus the post of senior lecturer was kept vacant inspite of the applicant being legible for promotion. In similar institute i.e. the institute of Kolkata in similar case promotion was given to junior employee with qualification by superciding the seniors who did not had the qualification. The respondent no. 3 institute waited for relaxation of qualification for promotion thereafter immediately after relaxation of qualification they had obtained the so called sanction of post

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

236

although sanction was not at all required and thereafter they took no time in promoting the respondent no. 4 and 5 . Thus it is strange that the respondent no. 3 institute could not obtain alleged sanction for six years since 1998. But immediately after coming into RRP 2003 they have obtained the alleged sanction within 6 months and immediately promoted the respondent 4 and 5. Thus the entire carrier of the applicant has been doomed. Although he may be getting salary of senior lecturer but he will not be eligible for other higher posts and he will have to retire on the same post on which he had joined the service. Thus gross injustice had been done to the applicant even the RPR 2003 are also illegal to the effect of reducing educational qualification for the post of senior lecturer. It is pertinent to mention that Annexure no. 1,2 and 4 are signed by the respondent no. 4 as Principal in-charge. Thus during the period of the year 1998 and 1999 the respiondent no. 4 was Principal in-charge. This clarifies the situation as to why the post of senior lecturer was not filled up.

Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

232

VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about 44 years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwanhati – 781 003) dist – Kamrup , Assam, do hereby solemnly affirm and verify that the contents of paragraph no. 1 to 9 are true to my knowledge and rests are my humble submissions before this Hon'ble Tribunal and I have not suppress any material facts.

And I sign this verification on this the 10th day of December, 2007 at Guwahati.

Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

238

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI

IN THE MATTER OF :

O.A. NO. 64/2007

Sri Soumitra Sen

... ..Applicant

Vs

Union of India and Others ,

... Respondents

A N D

IN THE MATTER OF :

Rejoinder on behalf of the Applicant against the written statement filed by the Respondent no. 5.

I Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14 Pub-Sarania, Bye-Lane No. , (West), Guwahati – 781003, do hereby solemnly affirm and declare as follows :-

1. That I have received the copy of written statement submitted by the respondent no.5 and after going through the same I have understood the contents thereof. Being applicant I am acquainted with the facts and circumstances of the case. The matters which are not herein admitted shall be deemed to have been denied by me.

2. That with regard to statements made in paragraph no. 3 of the written statement it is stated that the required qualifications for Senior Lecturer when it fell vacant as per of 1998 Recruitment Rules was graduate with 3 years Diploma in Hotel Management with atleast 2nd division from National Council for Hotel Management / State Board of Technical Education or Degree in Hotel Management from any recognized University with at least 2nd division. Thus at the time when the appointment of Senior Lecturer was to be done the only eligible person for promotion in the Respondent no. 3 institute was the applicant. All the educational qualification as secured by the respondent no. 5 were not at all relevant.

3. That the statement made in paragraph no. 4, 5.6 and 7 are matters of record and the application does not admit the statements which are not borne out of records.

4. That with regard to statement made in paragraph no. 8 of the written statement it is stated that conducting of bridge course by the National Council itself clarifies that the lecturers not having 3 years diploma in Hotel Management were not qualified for the promotion to the post of Senior Lecturer. That is why a bridge course was conducted, purportedly to acquate those persons to 3 years diploma program. However the applicant states that the Bridge course is absolutely insufficient to acquate a person with 3 years diploma program. In a diploma course there are altogether about 35 subjects. in 3 years Thus by doing bridge course for 2 subjects only the respondent no. 5 can not be equal to diploma holder. However, as appears from the statement of the respondent no. 5 herself she could complete the

Central Administrative Tribunal
12 Dec 2002
गुवाहाटी न्यायपीठ
Guwahati Bench

240

Bridge course only on 27.12.2002. Thus as per her own statement also she was not qualified for promotion before 27.12.2002.

5. That with regard to the statements made in paragraph no. 9 it is stated that according to the 1998 recruitment Rule as well as Recruitment Rules of 2001 the respondent No. 5 was not eligible for the promotion to the post of Senior Lecturer. The 2001 Recruitment Rule also prescribed essential qualification for Senior Lecturer as:- (i) graduate from Recognised University; and ii) 3 years Diploma in Hotel Management from National Council for Hotel Management and Catering Technology /State Board of /Technical Education having secured at least 50% marks and experience of 5 years in the Grade of Lecturer cum Instructor.

Clause 7 of the schedule of the 2001 Recruitment Rule further clarifies that essential qualification as recruited for the post of Senior Lecturer are also applicable to the promotes. The "noting" in Schedule of 2001 R.R. Rules as mentioned by the respondent no. 5 does not state that the existing staff of I.H.M. who does not possess the qualification for the post of Senior Lecturer will be eligible /qualified for promotion for the post of Senior Lecturer. Considering a person for the next post does not mean that he will be appointed to the said post without possessing the qualification as required for the said post and that is why to allegedly providing qualification to those persons the Institute had conducted a bridge course. Apart from this the 1982 Recruitment Rules had prescribed separate qualifications for the posts with specific subjects and thus the respondent is not qualified until and unless there is a vacancy only for the said specified post, according to 1982 Recruitment Rules.

Central Administrative Tribunal
12 DEC 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

241

6. That with regard to the statements made in paragraph no. 10 of the written statement it is stated that the recruitment and promotion Rules 2003 are framed to deprive the applicant from promotion to the post of Senior lecturer. Since the 2003 Rules which came into effect from 11.6.2003 had relaxed the educational qualifications for the criteria of promotion. The process for filling in the vacancy for the post of senior Lecturer had started since the year 1998 and the appropriate Govt. had also asked the respondent institute to go ahead with filling the vacancy by way of promotion and at the relevant time only the applicant was eligible for promotion with required of qualification . The promotion was not granted to him only to accommodate Respondent no. 4 and 5, although the promotion of the applicant was over due since he was serving on the same post of lecturer since 5.9.85 with merit as excellent and he was also having educational qualification as required. As because the applicant was not given any promotion and since he was qualified for promotion as such he was eligible for assured carrier progression scheme and hence under the said scheme he had been given scale of Senior Lecturer.

7. That with regard to statement made in paragraph no. 11 it is stated that special favour has been given to the respondent no. 4 and 5 and for giving special benefit to them the respondent no.3 institute had waited since the year 1998 to 2003 i.e. till relaxation of educational qualification for promotes without filing the vacancy of the post of Senior Lecturer although the applicant was eligible for the said post. The respondent institute had even given financial

Central Administrative Tribunal
12 DEC 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

242

benefit of the post of Senior Lecturer to the applicant but they did not promote him to the said post.

8. That with regard to the statement made in paragraph no. 12 it is stated that respondent no. 3 institute did not dispose of the representation dated 14.10.2005 of the applicant as directed by this Hon'ble Tribunal. The applicant did not receive copy of any communication from the institute with regard to considering and disposing of his representation as per direction of this Hon'ble Tribunal before filing this application, hence the applicant approached to this Hon'ble Tribunal. The favoritism to the respondent No. 4 and 5 is clear from the fact that the applicant was not given promotion in the year 1998 till coming into force of the 2003 recruitment and promotion Rules. But as soon as the 2003 Rules came into force removing hurdle for consideration for promotion of Respondent no. 4 and 5 the institute had given promotion to them without loosing any time. It is strange to note that the purported sanction of the post of the Senior Lecturer had also immediately came after the 2003 Rules. In fact there was no need for any such sanction of post. The posts were sanctioned and these were already in existence. The favouritism for the respondents No. 4 and 5 is apparent from the office note of the institute itself. In the office note it has been clearly mentioned that the promotion of the petitioner applicant was not held up because of non sanctioned / non availability of post but because the Chairman of the Respondent no. 3 Institute had stopped the promotion till amendment of the R.R. Rules regarding Qualification for the Senior Lecturer for which General meeting of National Council

Central Administrative Tribunal
12 DEC 2001
गुवाहाटी न्यायपीठ
Bench

243

was fixed on Nov.99. Thereafter new recruitment Rules 2001 came into force on 19.2.2001 but still the respondent no. 4 and 5 were not eligible for promotion. As such again the matter for promotion was kept pending. It is clear from the office Note of the respondent no. 3 institute that the applicant was the only person eligible for promotion at the relevant time. In other institute the persons similarly situated to the applicant were given promotion by superceding the seniors who did not have requisite qualification for promotion.

9. Rejoinder to the reply of facts –

9.1. That with regard to statement made in paragraph 13.I. it is stated that as per recruitment Rule 1982 also the appointment of the respondent no. 5 to the post of Lecturer cum Instructor for House Keeping was illegal. Since she did not possessed the requisite qualification for house keeping. At the relevant time the requisite qualification for house keeping was 3 years Diploma in Hotel Management and Catering technology with at least 2nd division or equivalent or M. Sc. With Home Management Major and Clothing Textiles minor (at least 2nd division). The qualification of the respondent no. 5 does not match with post held by her

9.2 That with regard to statement made in paragraph no. 13.2 it is stated that the said letter dated 27.1.97 of the Union of India has no affect with regard to the present matter. Inspite of the said letter the respondent no. 3 institute had proceeded with the appointment for the post of the Principal and HOD vide letter dated 6.9.99 (Annexure – 8) vide Annexure - 4 the post of Principal was already advertised. As per the

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 [illegible]
गुवाहाटी न्यायपीठ
[illegible]

244

statement of the respondent no. 5 the post of Principal was lying vacant since up gradation of the respondent no. 3 institute. Apart from this the post of the HOD was also lying vacant similarly. These posts were vacant for several years and if the said letter dated 27.1.97 was at all applied in that case these posts should have been abolished. The post of Accountant cum Administrator Officer (AAO) had already been abolished formally as per R.R. Rules 1998, which appears from annexure no.- 7 but still the institute continued with the post of AAO even by violating the Rules and ultimately the said post was filed up by promotion. The said post of AAO was not only abolished by R.R. 1998 but also if the letter dated 27.1.97 has to be given effect in that way also the said post should have been abolished. Thus it is strange to note that how the said letter dated 27.1.97 of Govt. of India can be applicable for the post of Senior lecturer only by ignoring the similarly situated post of Principal, Head of the Department (HOD) and the post of AAO. It is not correct that the annexure no.- 1 indicates only worked out staff. In the said letter it is clearly mentioned that post of Senior Lecturer was sanctioned post that is why vide letter dated 31.3.99 the respondent institute requested National Council to advertise the said post. The National Council had also by letter dated 13.8.99 asked the respondent no. 3 institute to fill the post of Senior Lecturer at their own level. By letter dated 1.11.99 the National Council made it clear that regularization of the post of AAO is to be done only if the

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 JAN 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

245

said post is sanctioned. But inspite of this the regularization had been made to the post of AAO which was an abolished post. Moreover in fact legally there should not have been any regularization since there was no appointment for the said post and only one of the employee was working as In –charge for the post of AAO. Thus it has a case of fresh appointment and not regularization. The letter dated 30.4.05 of the Ministry of Finance has been illegally issued only to fill up the lecuna and to legalize the illegalities committed by the respondents by depriving the applicant of his due promotion. In the said letter two posts of Senior lecturer are shown to have been created and two posts of lecturer has been shown to have been abolished. If the letter dated 27.1.97 of the Govt. of India would have been adopted by the respondent no. 3 institute in that case post of Senior lecturer should have been revived instead of creating the post and the post of lecturers was not required to be abolished by the said letter since those should have been automatically abolished since lying vacant for more than one year. Thus the said letter dated 27.1.97 of Govt. of India was never adopted/given effect by the institute. The said letter was never discussed in the promotion file also. Apart from this if the post of senior lecturer would have been abolished in such case the applicant would have been paid the scale of next senior post available i.e. the post of H.O.D. or Principal as per Clause no. 7 of Annexure no.-1 of A.C.P. Scheme. Because as per Clause -7

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

246

financial up gradation is given to the next higher grade in accordance with existing hierarchy without creating new post.

9.3 That with regard to statements made in paragraph no. 13.3 it is stated that the annexure 4 does not show that the post of senior lecturer was not sanctioned. A bare perusal of annexure –1 to annexure 8 clearly shows that it was sanctioned post and because of this reason the National Council had asked the respondent no. 3 Institute to fill up the vacancies of the said post. The question of misrepresenting or misleading by the appellant does not arise. In fact the respondent no. 3 institute had misledd the applicant to understand that none of the post of the institute were sanctioned. That is why in his representation the applicant has questioned that if the posts were not sanctioned how the appointment were made to the other posts? The applicant came to know about the actual facts only after he had received of copies of documents and correspondences after coming into force of the Right to Information Act when he applied for the same vide letter dated 22.6.2006.

9.4 That with regard to statement made in paragraph no. 13.5, it is stated that while up gradation of the Food Craft Institute. The post of Principal, Head of Department and AAO were lying vacant. The post of Principal and AAO which was vacant were officiated by the employees of the Institute as only incharge. Thus these posts also ought to have been abolished if the letter of the Govt. of India was to be given effect. In fact no posts including the post of senior Lecturer was even

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ

abolished. The respondent no. 4 and 5 were not eligible for promotion to the post of senior Lecturer by way of the RR Rules, 1998 and 2001 prior to the Rules of 2003. According to Recruitment Rules of 1982, 1998 as well as 2001 the respondent no. 4 and 5 were not eligible for promotion.

9.5 That with regard to statement made in paragraph no. 13-6 it is stated that as the aforesaid letter dated 17.5.04 of the Govt. showing sanction of post of Senior Lecturer is only an eye-wash to give legal colour to the illegalities committed by the respondents. The applicant states that the post of Senior Lecturer was in existence before the said alleged sanction letter and the applicant was the only eligible employee for promotion till before coming into force of the 2003 recruitment Rules. The respondent no. 4 and 5 never had requisite qualification and eligibility criteria for being promoted for the post of Senior Lecturer as per recruitment Rules 1982, 1998 and 2001. The respondent no. 5 was in fact not even entitled to the post of lecturer cum Instructor as per RR Rules 1982 for appointment for house keeping. As such question of her promotion as per 1982 Rules does not arise. The respondent no. 5 had made misleading statements to show that she was eligible for promotion as per recruitment Rules 1998 by intentionally conceling the fact that as per clause no. 7 of Schedule criteria of educational qualifications were applicable to the promotees also which were prescribed for direct recruits. Thus the respondent no. 5 did not possess the requisite qualification for promotion as

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ

per RR Rules 1998 the same was the position with regard to the Recruitment Ruies 2001.

The applicant craves the leave of the Hon'ble Tribunal to produce the Recruitment Rules, 1982, 1998 and 2001 at the time of hearing.

9.7 That with regard to the statement made in paragraph no. 13.7 it is stated that since there was a vacant post and the applicant was the only eligible person for promotion he should have been promoted. It is also absolutely illegal to stall the promotion of the applicant only because there are two senior persons who are not eligible for promotion because of lack of qualification. Since the post of senior lecturer was already in existence as such question of its sanction by Govt. does not arise. It is strange to note that the move for filing the post of senior lecturer was started in the year 1998 by letter dated 13.8.99 (Annexure – 5) the National Council had also asked the respondent no. 3 Institute to go ahead with filling up the vacancies. The applicant was only person eligible for promotion. But promotion was not given to him because there was 2 senior persons without requisite qualifications. To accommodate the said senior persons the institute waited for filing the post till 2003 Recruitment Rules came into force. As soon as those Rules came into force the institute had obtained the alleged sanction of posts to promote those persons. The sanction was not at all required. Even then say for the sake of the argument if it was at all required why the sanction could not be obtained from the year 1998 till before

Central Administrative Tribunal
12 December
गुवाहाटी न्यायपीठ
Guwahati Bench

coming of the 2003 Recruitment Rules. The provision of the 2003 Rules with regard to relaxation of qualification for promotees itself is illegal, arbitrary and unfair since it has been done to favour some persons who did not possess qualifications. For one post there should not have been any discrimination of qualification. If a specific qualification is required for a post that qualification criteria should be followed strictly. The educational and academic standard of the Institute can not be compromised by giving appointment to the persons who are not qualified for the post.

9.8 That with regard to statement made in paragraph no. 13.9 it is stated that granting of ACP (Assured Carrier Progression Scheme) to the respondent no. 4 and 5 is another example of favouritism to them. Since they were not eligible to be considered for the next promotion until coming into force of the recruitment rules of 2003 which came into effect on 11.6.2003. Even if the bridge course is presumed to provide necessary qualification to respondent no. 5 for next promotion in that case also she would have been eligible to promotion from 27.12.2002 i.e. from the date of her passing the Bridge Course. But the applicant specifically deny that the Bridge Course can provide quality the respondent no. 5 for promotion in terms of 1998 and 2001 Rules, since it would have been against the R.R. Rules. According to 1998 and 2001 Recruitment Rules the qualification for the post was must for the promotees also. "The noting" in the 2001 Rule as ...d by the respondent does not say that she was eligible

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

for promotion without required qualification. "This noting" only says that an employee who does not have the diploma from the National Council of Hotel Management was also eligible for promotion. Thus a person holding diploma from a private institute or from a foreign institute was also eligible for promotion.

9.9 That with regard to statement made in paragraph no. 13.10 it is stated that the respondent no. 3 did not follow the direction of this Hon' ble Tribunal and the applicant was not aware about any review meeting of DPC dated 27.11.06 and nothing of the said D.P. was communicated to the applicant before filing of this application. It is surprising to note that in the DPC of 2004 the promotion have been shown to have been done serially in terms of merit. But in the DPC dated 27.11.06 merit has been shown equal and promotion has been made in terms of seniority. This clearly shows the manipulations.

10. That with regard to statement made in paragraph no. 14 of the Written statement it is stated that in fact the applicant was entitled to promotion even before 9.8.98. When the files for promotion were moved in the year 1998 the applicant was the only employee who was qualified for pronmotion. The applicant has prayed for promotion since 9.8.99 only because it will not have any financial implication upon the respondent no. 3 institute since from the said date the applicant is receiving the scale of Senior lecturer under the ACP Scheme. understood by the respondent the receipt of financial

Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

benefit under the ACP Scheme is not the basis of the claim of the applicant for being promoted to the post of senior lecturer. The respondent have perhaps misunderstood the contention of the respondent in this regard. However, it is a fact that ACP can be granted only to such employee who is eligible for promotion. This is the reason that since the respondent no. 4 and 5 were not eligible for promotion as such ACP was not granted to them earlier with effect from 9.8.99. Only after filing of the present case the ACP appears to have been granted to respondent no. 5 vide letter dated 12.5.2007 in most illegal manner. From the said letter of Chairman of I H M, it is clear that A.C.P Scheme has been granted to the respondent no. 5 in terms of RPR 2003. Since prior to RPR 2003 she did not possess required qualification for promotion . If at all ACP was to be granted to the respondent no.5 it should have been granted from the date when she has become illegible for the same after implementation of RPR 2003. although RPR 2003 itself is illegal in relaxing g the qualification of the promotes for the post of senior lecturer. It is absolutely false that the respondent no. 5 was not aware about drawing of senior scale by the applicant. Both the respondent no. 4 and 5 were aware about drawing of senior scale by the applicant. Payment of DA are made to the applicant and respondents in one DA. Register wherein the scale of the applicant is clearly mentioned and it can not escape notice of the respondent no. 4 and 5 also. Otherwise also it was a matter of discussion

Central Administrative ...
12 Dec 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

among the lecturer and every body knows it. Any question of financial irregularity and illegality in giving senior scale to the applicant does not arise. In fact giving of senior scale to the respondent no. 4 and 5 in violation of the ACP Scheme is an illegality and another favour done to the respondent no. 4 and 5 in illegal manner. The representation of the respondent no. 5 dated 6.8.07 is absolutely illegal and baseless.

Annexures no. R-1 and R-2 are copies of D.A. Register.

11. That with regard to statement made in paragraph no. 15.1 it is stated that inspite of there being post of senior lecturer the respondent no. 3 institute continued to wait for relaxation of qualification of promotion only to favour the respondent no. 4 and 5 and although the applicant was eligible for promotion but such promotion was not granted to him. This is a unique case of suppression of merit and qualification only to favour some particular person without required qualification. Although the applicant had been granted the ACP but the post was not given to him. Since there was vacant post and there was requirement of senior lecturer and applicant was only person eligible for promotion the applicant had a right to promotion.

12. That the statement made in paragraph no. 15.2 and 15.3 are not correct. The revised recruitment and promotion Rules by Relaxing qualification for promotion are enforced only to give promotion to respondents no. 4 and 5. These Rules can not make the respondents eligible for promotion with retrospective effect The post of senior lecturer was in

Central Administrative Tribunal
12 DEC 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

existence and it needed no sanction . The alleged sanction of the post is only an eye-wash to legalize the illegalities committed by respondent no. 3 institute. The applicant has been submitting repeated representations for promotion but none of his representations were replied formally in writing and he was kept in dark until he had obtained copies of records and correspondence after coming into force Right of Information Act.

13. That with regard to statement made in para 15.4 it is stated that the assessment of departmental promotion committee itself are wrong and baseless. Since in the DPC held on 24.9.04 the promotion was given as per merit in terms of merit list. But the subsequent DPC says that promotion were done as per seniority since merit is found to be at par. Thus there is illegality in promotion in terms lof RPR 2003 also. Rule of 2003 provides that promotion should be on the basis of merit with due regard to seniority. How the list of merit was prepared in DPC on 24.9.04 if in the DPC held on 2006 merit was found equal. The institute may be directed to produce the records. In terms of 2003 Rules also merit is to be given priority. The [illegible]

14 That with regard to statement made in paragraph 15.5 it is stated that granting of ACP to the applicant is not the basis for giving promotion to him. But in fact ACP was granted to him because he was eligible for promotion. The respondent [illegible] was not eligible for promotion at the relevant time.

Central Administrative Tribunal
12 DEC
गुवाहाटी न्यायपीठ

Under the ACP Scheme Annexure no. 1 Clause 6 of ACP Scheme clarifies the situation that fulfillment of normal promotion norms shall be considered for granting benefit under the ACP Scheme. Since the respondent no. 5 did not fulfill the promotion norms as per 1998 and 2001 RR Rates as such they were not given the benefits of ACP Scheme.

15. That with regard to statement made in para 15.7 it is stated that these are not correct statements of facts. The findings of DPC dated 27.11.06 are contrary to the DPC dated 24.9.04 on the basis of which the promotion was given to the respondent no. 5. The respondent no. 4 and 5 were not promoted as per DPC dated 27.11.06.

16. That the statement made by the respondent no. 5 in paragraph no. 16 to 19 are denied. Although the applicant was eligible for promotion but his promotion was kept pending only because there were senior persons without qualification for being promoted. The applicant had always been given false and confusing replies verbally and no formal and written reply has been given to his representation. Thus the post of senior lecturer was kept vacant inspite of the applicant being legible for promotion. In similar institute i.e. the institute of Kolkata in similar case promotion was given to junior employee with qualification by superciding the seniors who did not had the qualification. The respondent no. 3 institute waited for relaxation of qualification for promotion thereafter immediately after relaxation of qualification they had obtained the so called sanction of post although sanction was

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
17 DEC
गुवाहाटी न्यायपीठ
Guwahati Bench

not at all required and thereafter they took no time in promoting the respondent no. 4 and 5 . Thus it is strange that the respondent no. 3 institute could not obtain alleged sanction for six years since 1998. But immediately after coming into RRP 2003 they have obtained the alleged sanction within 6 months and immediately promoted the respondent 4 and 5. Thus the entire carrier of the applicant has been doomed. Although he may be getting salary of senior lecturer but he will not be eligible for other higher posts and he will have to retire on the same post on which he had joined the service. Thus gross injustice had been done to the applicant even the RPR 2003 are also illegal to the effect of reducing educational qualification for the post of senior lecturer.

17. Reply to the additional written statement submitted by the respondent no. 5 –

17.1 That with regard to statement made in paragraph no. 1 2 and 3 it is stated that the promotion has been given to the respondent no. 4 and 5 in most illegal manner by suppressing the merit and qualification of the applicant. Detailed statement made in this respect are more in the foregoing paragraphs. It is absolutely incorrect that the applicant has tried to establish this by the fact that he was given first financial up gradation for the post of senior lecturer. In fact since the applicant was eligible for promotion with requisite qualification for the post as such he was given financial up gradation.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec
गुवाहाटी न्यायपीठ
Guwahati Bench

17.2 That with regard to statement made in paragraph no. 4 of the Addl. Written statement it is stated that the respondent no. 4 and 5 were well aware about granting of financial up gradation to the applicant and they are pleading their ignorance for the reasons best known to them. According to the ACP Scheme the financial benefits can be given only to the persons who are entitled to promotion and since the respondent no. 4 and 5 are not entitled to promotion as such question of granting financial benefit for the next post to them does not arise. Granting of ACP benefits to the respondent no. 4 and 5 by giving retrospecting effect from 9.8.99 in accordance with RPR 2003 is absolutely illegal. According to ACP Scheme a person can not b e given financial benefit of senior scale with restrospective effect for the period when he was not even eligible for promotion. Eligibility for promotion is must for giving benefit of ACP Scheme. Thus the letter dated 12.10.07 makes the situation crystal clear as to how the respondent no. 4 and 5 are being favored even by causing financial loss to respondent no. 3 Institute. If at all the authorities found the respondent no. 4 and 5 to be eligible in term of RPR 2003 in that case they could have given the benefit of ACP Scheme to the respondent from 101.6.2003 only i.e. the date of implementation of RPR 2003. In view of this the benefit of ACP Scheme granted to the respondent no. 4 and 5 are liable to be cancelled.

17.3 That the statement made in paragraph 5,6 and 7 are absolutely false and misleading. The promotion of respondent

12 Dec
गुवाहाटी न्यायपीठ
Guwchati B

no. 4 an d 5 are absolutely illegal, arbitrary and unfair \. Given the assessment of DPC dated 12.10.04 were proved to be wrong in term of the review DPC dated 27.11.2006. Both the DPC are differ with regard to the appointment of respondent no. 4 and 5. The ACP Scheme had been notified by the Govt. vide their notification dated 9.8.99. Since the respondent no. 3 Institute is an autonomous body, as such the directives notifications etc. of the govt. can not become automatically applicable to unless those are approved and adopted by its Board of Governors. This fact had been intimated by the Ministry of Tourism by letter dated 1.6.2000. Subsequently by letter dated 25.4.2005 the Govt. had advised the Institute that it may adopt the Scheme considering their financial aspects. By letter dated 27.7.2006 the Govt. had advised all the Principals of I.H.M. to handle their individual cases as per the Scheme. Thus none of the letter of the Govt. suggests that the persons not eligible for promotion should be given benefit of ACP Scheme after coming into force of RPR 2003.

Annexure no. R(2), R(3) and R(6) are respectively letter dated 1.6.2000, 25.4.2005 and 27.7.2006 and 29-11-2001 of the Ministry of Tourism.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
12 Dec 2007
गुवाहाटी न्यायपीठ
Guwahati Bench

VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about 44 years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwanhati – 781 003) dist – Kamrup , Assam, do hereby solemnly affirm and verify that the contents of paragraph no. 1 to 17.3 are true to my knowledge and rests are my humble submissions before this Hon'ble Tribunal and I have not suppress any material facts.

And I sign this verification on this the 10th day of December, 2007 at Guwahati.

Soumitra Sen.

Soumitra Sen.

Annexure R(1)

T.R. 22/G.A.R. 13

DA arrear bill for the month of January to March '2002

Serial No. of posts	Section of establishment and Name of incumbent	Due: Substantive/Officiating Pay (personal pay or special pay, if any, should also be shown in this column as a separate entry below substantive/officiating pay		Leave Salary		City/project compensatory allowances		House Rent Allowance		Dearness Allowance				Total amount due		Income tax	Surcharge on Income tax	
1	2	3		4		5		6		7		8		9		10	11	
		Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.		
1	Mr. S. P. Bhattacharyya	12375	x	4% x1						495 00				1515 00				
		12750	x	4% x2						1020 00								
2	Mr. B. Roy Choudhury	9300	x	4% x1						372 00				1132 00				
		9500	x	4% x2						760 00								
3	Mrs. Nanda Baruah	9300	x	4% x3						1116 00				1116 00				
4	Mr. Gautam Das	9300	x	4% x3						1116 00				1116 00				
5	Mr. Soumitra D Sen	9700	x	4% x3						1164 00				1164 00				
6	Mrs. P.G. Baruah	7425	x	4% x3						891 00				891 00				
7	Mr. Amit Kr. Roy	6900	x	4% x3						828 00				828 00				
8	Mr. Alok Sarkar	6950	x	4% x3						834 00				834 00				
9	Mr. Satya Sinha	6200	x	4% x3						744 00				744 00				
10	Mr. Khagen Saikia	6050	x	4% x3						726 00				726 00				
11	Mr. Anirban Bhabhya	5000	x	4% x3						600 00				600 00				
12	Ms. Priyanka Saikia	5000	x	4% x3						600 00				600 00				
13	Mr. Anup Kr. Phukan	5250	x	4% x3						630 00				630 00				
14	Mr. Micas Dev Roy	5250	x	4% x3						630 00				630 00				
15	Mr. Aminul Haque	4000	x	4% x2						320 00				403 00				
		2065	x	4% x1						83 00								
16	Mr. Saiful Haque	4000	x	4% x3						480 00				480 00				
17	Mr. Gangadhar Das	3725	x	4% x3						447 00				447 00				
18	Mr. Amulya Patar	4220	x	4% x3						506 00				506 00				
19	Mr. Hareshwar Talukdar	3050	x	4% x3						366 00				366 00				
20	Mr. Bakul Bhabhya	3050	x	4% x3						366 00				366 00				
21	Ms. Ankita Chakraborty	3050	x	4% x3						366 00				366 00				
22	Mr. N. C. Bania	3270	x	4% x1						130 00				387 00				
		3210	x	4% x2						257 00								
23	Mr. A. Mazumdar	3260	x	4% x1						130 00				386 00				
		3200	x	4% x2						256 00								
24	Mr. A. Barman	3200	x	4% x3						384 00				384 00				
25	Mr. Hiren Bhabhya	2960	x	4% x3						355 00				355 00				
26	Mr. R. K. Das	3020	x	4% x2						242 00				365 00				
		3080	x	4% x1						123 00								
27	Mr. B. Deoraja	2960	x	4% x3						355 00				355 00				
28	Mr. Kumud Kalita	3200	x	4% x3						384 00				384 00				
29	Mr. Bapudev Barfore	2565	x	4% x1						103 00				262 00				
		1116	x	4% x1						45 00								
										114 00								

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Dy. Dr.

Annexure R(2)

T.R. 22/G.A.R. 13

DA Arrear from 55% to ~~57~~ 59% as per Govt.

Serial No. of posts	Section of establishment and Name of incumbent	Due: Substantive/Officiating Pay (personal pay or special pay, if any, should also be shown in this column as a separate entry below substantive/officiating pay) Rs.	P.	Leave Salary Rs.	F.	City/project compensatory allowances Rs.	P.	House Rent Allowance Rs.	P.	Dearness Allowance Rs.	P.			Total amount due Rs.	P.	Income tax	Surcharge on Income tax
1	2	3		4		5		6		7		8		9		10	11
1)	Mr. S. P. Bhattacharyya	15700 × 4% × 2								1208	= 0			1208	= 0	[redacted]	
2)	Mr. B. Roy Choudhury	4925 × 4% × 1								397	= 0			803	= 0	[redacted]	
		10150 × 4% × 1								406							
3)	Mrs. N. Barman	4925 × 4% × 1								397				803	= 0		
		10150 × 4% × 1								406							
	Mr. Gautam Das	4925 × 4% × 1								397				803	= 0	[redacted]	
		10150 × 4% × 1								406							
5)	Mr. Soumitra Sen	9925 × 4% × 2								794				794	= 0		
6)	Mrs. P. S. Barman	7775 × 4% × 2								622				622	= 0		
7)	Mr. Amit Roy	7075 × 4% × 1								283				573	= 0	[redacted]	
		7250 × 4% × 1								290							
8)	Mr. Alok Sarkar	7250 × 4% × 1								290				587	= 0		
		7425 × 4% × 1								297							
9)	Mr. S. Sinha	6550 × 4% × 2								524				524	= 0	[redacted]	
10)	Mr. Khagen Saikia	6200 × 4% × 2								496				496	= 0		
11)	Mr. A. Baishya	5150 × 4% × 2								412				412	= 0		
12)	Mrs. Priyanka Saikia	5150 × 4% × 2								412				412	= 0		
13)	Mrs. Meera Devi Roy	5375 × 4% × 1								215				435	= 0		
		5500 × 4% × 1								220							
14)	Mr. Dominic Hajong	4100 × 4% × 2								328				328	= 0		
15)	Mr. Saiful Haque	4100 × 4% × 2								328				328	= 0		
16)	Mr. Gangagram Das	3965 × 4% × 2								317				317	= 0		
17)	Mr. Amulya Patar	4305 × 4% × 1								172				348	= 0		
		4390 × 4% × 1								176							
18)	Mr. M. Talukdar	3125 × 4% × 2								250				250	= 0		
19)	Mr. B. Baishya	3125 × 4% × 2								250				250	= 0		
20)	Mr. A. Chakraborty	3125 × 4% × 2								250				250	= 0		
21)	Mr. N. C. Barman	3335 × 4% × 1								133				269	= 0		
		3400 × 4% × 1								136							
22)	Mr. A. Majumdar	3380 × 4% × 1								135				273	= 0		
		3450 × 4% × 1								138							
23)	Mr. Aditya Barman	3380 × 4% × 1								135				273	= 0		
		3450 × 4% × 1								138							
24)	Mr. M. Baishya	3240 × 4% × 2								259				259	= 0		
25)	Mr. R. K. Das	3215 × 4% × 2								257				257	= 0		
26)	Mr. B. Deoraja	3080 × 4% × 2								246				246	= 0		
27)	Mr. Kumud Kalita	3275 × 4% × 2								262				262	= 0		
28)	Mr. M. Rahman	3140 × 4% × 2								251				251	= 0		
29)	Mr. B. Bardoloi	2840 × 4% × 2								227				227	= 0		
30)	Mr. A. Barua	2550 × 4% × 2								204				204	= 0		

Certified to be true copy of the order of the Hon'ble Court

Advocate



Explore India Millennium Year

M. K. KHANNA

अपर महानिदेशक
पर्यटन मंत्रालय
भारत सरकार
नई दिल्ली
ADDITIONAL DIRECTOR GENERAL
MINISTRY OF TOURISM
GOVERNMENT OF INDIA
NEW DELHI
TELEFAX : 3715717

(14)

Annexure R(3)

NO:1(7)/99-HMC

Dated: 1st June, 2000

Principal,
The Institute of Hotel Management
Catering Technology & Applied Nutrition,
Ahmedabad/Bangalore/Bhopal/Bhubaneswar/
Calcutta/Chennai/Goa/Gurdaspur/Guwahati/
Gwalior/Hyderabad/Jaipur/Lucknow/
Mumbai/New Delhi/Patna/Shimla/Srinagar/
Thiruvananthapuram/National Council.

Subject :- Assured Career Progression Scheme – regarding.

Sir,

The Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training), have notified vide their OM number 35034/1/97-Estt.D dated 9th August,1999, the Assured Career Progression Scheme for the Central Government civilian employees. This Scheme does not automatically get extended to autonomous bodies, since Hotel Management Institutes are autonomous Institutions. Respective IHMs may obtain approval of Board of Governors, indicating the financial implications, so that a conscious decision is taken whether to implement ACP Scheme in their Institutes or not.

2. All the Institutes are therefore advised to consider implementation of ACP Scheme in their Institutes with the approval of BOG without compromising the aim of self-sufficiency. The financial liability in this regard is to be borne by the respective Institute. Central Government will not provide any budgetary support for this purpose.

Yours faithfully,

(M.K.Khanna)
Additional Director General (T)

35

Certified to be true copy
Dhiraj Kr Das
Advocate

Annexure A/R(4)

GOVERNMENT OF INDIA
MINISTRY OF TOURISM
(HRD DIVISION)

C-1 Hutments
Dalhousie Road
New Delhi-110011

Dated: 25.4.2005

No.1(7)/99-HMC

To

1. All Institute of Hotel Management, Catering Technology & Applied Nutrition
2. The Director (A&F), NCHMCT, New Delhi

Subject: Implementation of ACP scheme for the staff of IHMs/NCHMCT.

Sir,

The matter regarding implementation of Assured Career Progression (ACP) scheme for the staff of Institutes of Hotel Management (IHMs) and National Council for Hotel Management & Catering Technology (NCHMCT) has been re-examined and in supersession of all earlier orders issued on the subject it is conveyed that Board of Governors of respective IHMs will be competent to take appropriate decision with full understanding that additional expenditure would be met solely by IHMs through their internal resources and no liability implicit or explicit would vest with Ministry of Tourism, Government of India on account of implementation of the ACP scheme.

2. All the Institutes/NCHMCT are therefore, advised to consider implementation of ACP scheme in their Institute with the approval of Board of Governors without compromising the aim of self-sufficiency as per the terms and conditions mentioned in the Ministry of Personnel, Public Grievances and Pension (Department of Personnel & Training), OM No.35034/1/97 Estt.(D) dated 9.8.99 and OM No.35034/1/97-Estt.(D) (Vol.IV) dated 10.2.2002.

3. This issues with the approval of Joint Secretary & Financial Adviser (Tourism) vide their Diary No.686 dated 15.4.2005.

Yours faithfully,

(Atul Chaturvedi)
Director(Tourism)

Copy to:

1. Integrated Finance Division, Ministry of Tourism, Transport Bhawan, New Delhi.
2. PS to Secretary(T)/PS to ADG(T)PS to Director(AC), Ministry of Tourism, Transport Bhawan, New Delhi.
3. Asstt. Director(HRD I&II)/Officer on Special Duty (HRD I&II), C-1 Hutments Dalhousie Road, New Delhi.
4. Office order file/Guard file.

Certified to be true Copy

Dhingra Dy Advocate

Annexure R(5)

GOVERNMENT OF INDIA
MINISTRY OF TOURISM AND CULTURE
DEPARTMENT OF TOURISM
(HRD DIVISION)

C-I Hutments,
Dalhousie Road,
New Delhi-110011

Dated: 27.7.2006

No.1(7)/99-HMC

To

The Principal, all IHMs
The Director, IITTM, Gwalior

189

Subject: Clarification regarding ACP Scheme.

Sir,

We have received several requests from IHMs seeking Department's advice on one or the other ground for implementation of ACP scheme in the individual cases. In most cases, the Department has been requested to confirm the action proposed to be taken by them for implementation of the scheme.

The matter has been considered carefully and it is felt that doubts still persist in the implementation of ACP scheme despite clarification issued by us in our letter of even number dated 25.4.2005 and even after the workshop organized by National Council for Hotel Management and Catering Technology (NCHMCT) on this subject.

The individual cases ought to be handled/sorted out by the concerned institute and if necessary in consultation with NCHMCT who had organized the workshop in this regard. The reference to the Department should, as far as possible, be made where there is doubt on interpretation of any clause of ACP scheme specifying the same in clear terms. In other words, it means that individual cases are not meant to be referred to the Ministry as it is the responsibility of the concerned IHM to handle them as per the scheme.

You are therefore requested to please make a note of the above and ensure compliance accordingly.

Yours faithfully,

(Vijay Kumar)
Deputy Secretary

Mr. A. Hqure
28/8
28/8/06

Copy to:

Director(Studies)/Director(A&F), NCHMCT, New Delhi

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one Copy
Dhingra Dr
Adv.

-27-

Annexure 6 R(6)

AAO Jr. 10/12/01.

(64)

IHM, GHY
10 DEC 2001
DIARY NO. 12.12

Government of India
Ministry of Tourism
HRD Division

C-I Hutment,
Dalhousie Rd.
New Delhi – 110 011.

Dated: 21 November, 2001.

No.1(7)/99-HMC

The Principals,
All Institute of Hotel Management, Catering
Technology & Applied Nutrition Guwahati

Subject: **Implementation of ACP Scheme in IHMs.**

Sir,

Please refer to this Ministry's letter of even number dated 1st June, 2000 on the above subject. The matter has been examined in consultation with Integrated Finance Division about uniformity of pay scales while adopting ACP Scheme for the staff & officers of IHMs. While considering the ACP Scheme, the first and second financial upgradations may be granted to the eligible employees of IHMs as under :

1. Financial upgradations recommended for the Teaching/Technical Staff

S. N.	Post/Grade	Present scale	First Financial upgradation after 12 yrs	Second financial upgradation after 24 yrs.
1.	Principal (S-24)	14300-400-18300	No financial upgradation admissible beyond this level	
2.	HOD (S-19)	10000-325-15200	12000-375-16500	12000-375-18000
3.	Sr.Lecturer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
4.	Lecturer (S-11)	6500-200-10500	7450-225-11500	7500-250-12000
5.	Asstt Lecturer (S-9)	5000-150-8000	5500-175-9000	6500-200-10500
6.	Maintenance fore–man/caretaker(S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7.	Asstt. foreman/ Asst caretaker (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8.	Librarian (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
9.	Asstt Librarian (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-6000
10	Carpenter/Painter /Electrician (S-6)	3050-75-3950 –80-4590	3200-85-4900	4000-100-600
11	Technician (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590
12	Lab Attendant (S-3)	2650-65-3300- 70-4000	2750-70-3800-75-4400	3050-75-3950 – 80-4590

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Dey for Dr
AEO

IHM, GHY

II. Financial upgradations recommended for the Administrative Staff

S. N.	Post/Grade	Present Scale	First financial upgradation	Second financial upgradation
1	Adm-cum-Account Officer (S-15)	8000-275-13500	10000-325-15200	12000-375-16500
2	Office Supdt.(S-10)	5500-175-9000	6500-200-10500	7450-225-11500
3	Accountant (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
4	Accountant cum Office Supdt (S-10)	5500-175-9000	6500-200-10500	7450-225-11500
5	Asstt. Supdt. (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
6	PA to Principal (S-8)	4500-125-7000	5000-150-8000	5500-175-9000
7	UDC/ Snackteria Supervisor (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
8	Store Keeper (S-7	4000-100-6000	4500-125-7000	5000-150-8000
9	Stenographer (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
10	Cashier (S-7)	4000-100-6000	4500-125-7000	5000-150-8000
11	Driver cum mechanic(S-6)	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
12	Head Watchman/Head Mali/HeadSafaiwala	3050-75-3950 -80-4590	3200-85-4900	4000-100-6000
13	Gestetner Operator (S-3)	2650-65-3300- 70-4000	2750-70-3800-75 -4400	3050-75-3950 -80-4590
14	Daftary (S-2)	2610-60-3150- 65-3540	2650-65-3300- 70-4000	2750-70-3800-75 -4400
15	Peon/watchman/ Mali/Safaiwala/ Attendant (S-1)	2550-55-2660-3200	2610-60-3150-65 -3540	2650-65-3300-70-4000

As already advised vide this Ministry's letter of even number dated 1.6.2001, the implementation of ACP Scheme may be considered with the approval of BOG without compromising the aim of self sufficiency and the entire liability in this regard will be borne by NCHMCT.

Yours faithfully,

(P.S. Kharola)
Director (K)

Certified to be
true Copy
Anup Kr. Das
Adv.

Rejoinder filed today — copy served on the other side. Next date to be given 9/11/08
18/11/08

1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

Filed by the Applicant through Advocate on 18.11.2008

Central Administrative Tribunal
8th January
Guwahati Bench

O.A. NO. 64/2007

Sri Soumitra Sen

...Applicant

Vs

Union of India and Others

...Respondents

IN THE MATTER OF :

Additional Rejoinder of the Applicant against the written statement filed by the Respondent no. 2 and 3.

ADDITIIONA_ REJOINDER

The applicant above named

MOST RESPECTFULLY SHEWETH

I Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14 Pub Sarania, Bye Lane No. 6, (West), Guwahati – 781 003 do hereby solemnly affirm and declare as follows :-

1. That in addition and continuation of the reply against the written statement of defendant no. 2 and 3 the applicant is submitting the additional rejoinder.

2. That the alleged letter dated 27.1.97 (Annexure A of written statement) had never been adopted or given effect by the respondent

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

गुवाहाटी न्यायपीठ
Guwahati Bench

no. 2 and 3 which is apparent from the fact that appointment was made by the respondent no. 3 in the abolished post of A.A.O. apart from this by sixth meeting of Board of Governors dated 11.11.97 post of Administrative Officer had been created by the respondent no. 3 without any sanctioned from the Govt. After creating the post of Administrative Officer an appointment was made to the said post.

Annexure no. 7 is the copy of minutes of meeting dated 11.11.97.

3. That recently the respondent no. 3 had advertised for two posts of Assistant Lecturers / Asst. Instructor. It is pertinent to mention that these posts are lying vacant since the year 2004. As such the letter dated 27.1.97 of the Ministry of Tourism had to be given effect in that case these posts should have been treated as abolished and no advertisement for the post should have been issued without fresh sanction/revival of these posts. But nothing of this short had been done.

Annexure no. R-8 is copy of paper cutting of the advertisement for the post of Asst. Lecturer.

4. That Mr. Ranjan Mukherjee had joined the respondent no. 3 institutes with effect from 24.4.90 and he remained there till 9.5.97. Mr. Ranjan Mukherjee was drawing the salary of Senior Lecturer along with 10% deputation allowance, 12 ½ % S.D.A. and double house rent. Although he was appointed as Principal on deputation but since he was a Senior Lecturer as such he used to draw the pay as senior lecturer of the Institute. The applicant does not admit any validity as well as effect of letter dated 27.1.97 but even if for the sake of arguments if the said letter is considered in that case also, it is apparent that the post of Senior Lecturer was not vacant till 9.5.97. As such in terms of

Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

the said letter also the post can not be treated to be abolished. During tenure of Sri Ranjan Mukherjee draft recruitment rules 1997 were circulated in all the institute of Hotel Management including the respondent no. 3 Institute. There draft recruitment Rules are the recruitment Rules 1998.

Annexure no. R-9 is the copy of Service Book of Sri Ranjan Mukherjee.

Annexure no. R-10 is forwarding letter of draft recruitment rules 2000, which became recruitment rules 2001.

5. That the applicant was eligible for promotion and his promotion was also overdue and he was on the same post since joining of service by him on 5.9.85. There was vacant post available for promotion. The record speaks that there was nothing against the applicant creating any bar against his promotion and he was also having merit for being promoted. Thus the applicant had right to be considered for promotion, but unfortunately he had been deprived of promotion in most illegal, unfair, arbitrary and unreasonable manner only because there were some un-eligible persons who were Senior to him. Thus the entire career of the applicant has been doomed.

6. That at the relevant when the file of promotion was moved in the year 1998 and 1999 time the applicant was the only employee who was eligible for promotion. As such to favour the respondent no. 4 and 5 he was not considered for promotion. The subsequent D.P.C. of the year 2004 and 2006 are also illegal, unfair, unreasonable and arbitrary. They are not based on records. The respondent no. 2 and 3 had changed the recruitment Rules in the year 2003 for making ineligible persons eligible and immediately thereafter the post of

Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

Senior lecturer was allegedly got sanctioned (although no sanction was required) and immediately the promotion of respondent no. 4 and 5 had been done to the post of senior lecturer in October, 2004. Thus the action for promotion which was not taken for long six years had been taken within six months after change of recruitment rules. The entire exercise of promotion of respondent no. 4 and 5 and stalling of promotion of the applicant is illegal, unfair, unreasonable and malafide. The applicant had been deprived of his due and legitimate right in most illegal manner. The actions of respondent no. 2 and 3 is guided by favouritism and malice.

VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about 49 years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwanhati - 781 003) dist - Kamrup , Assam, do hereby solemnly affirm and verify that the contents of paragraph no. 5 to 6 are true to my knowledge and those made paragraphs no. 2 to 4 are matters of records and I believe the same to be true, and rests are my humble submissions before this Hon'ble Tribunal and I have not suppress any material facts.

And I sign this verification on this the 8th day of January, 2008 at Guwahati.

Annexure A

Board of Governors has reviewed and confirmed the Minutes of the 5th Meeting of the Board of Governors held on 11/7/97.

Confirmation of Resolution by Circulation

Annual Report alongwith Audited Accounts for the financial year 1996-97.

The Board of Governors has reviewed and confirmed the Annual Report alongwith Audited Accounts for the financial year 1996-97 which was resolved by circulation as it was required to send to the Ministry latest by 10th October'97. It was circulated vide letter No: IHM(GH)/Admn-6/95/1476 dt.20/10/97.

Creation of the Post of Administrative Officer in the scale of Rs. 2200-75-2800-100-4000/-, for lien of Shri A.H. Wasnik, Accountant from National Council ,New Delhi.

It is resolved that the post is to be created purely on temporary basis for one year. If necessary it may be extended for one more year. Offer of appointment may be issued with usual term of deputation.

Approval for drawing of 5th pay recommendations.

The Board of Governors has approved for drawing of 5th pay recommendation by the staff members of IHM, Guwahati.

(i) Change of Auditor with extra responsibility of tax consultancy.

(ii) It was resolved to change the present Auditor M/S Dhuyau Associates(C/A) and the

Annexure 8

Annexure 8

College & Hospital, Kolkata.

ICA-4251(4)/2007 Government of West Bengal

INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY & APPLIED NUTRITION GUWAHATI

(Autonomous Society sponsored by Ministry of Tourism, Govt. of India & Govt. of Assam)

NOTIFICATION

Applications are invited from Indian Nationals for the post of Asst. Lecturer-cum-Asst.Instructor-2 posts (one-Gen, one-SC).

Pay Scale: 5000-150-8000/-

Qualification: Degree/3 year Diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management / State Board of Technical Education / Recognized University with minimum of 60% aggregate in Degree / Diploma in Hotel Management.

Experience : A minimum of 3 years practical experience in hotel and catering industry.

OR

At least 2 years of teaching experience in an Institute affiliated to National Council for Hotel Management & Catering Technology / State Board of Technical Education / Recognized University.

Age : Not exceeding 30 years as on 30th Nov. '07. Upper age limit is relaxable up to 5 years in case of SC.ST and departmental candidates and as specified for other categories by Govt. of India from time to time.

1. The above posts carry usual allowances as admissible under Central Government Rules not subject but the posts are NOT PENSIONABLE.

2. No TA/DA will be paid to attend the interview.

Interested persons who fulfil the prescribed conditions may apply to the Principal, Institute of Hotel Management, V.I.P. Road, Borbari, Hengrabari, Guwahati-781036 within 21 days from the date of publication of this advertisement. Application to be sent on plain paper with complete bio-data along with attested copies of certificates and recent passport size photograph. The competent authority reserves the right to fill or not to fill vacancy / vacancies or re-advertise. Candidates already in Govt. / Semi-Govt./ Autonomous organisations should apply through proper channel.

"Interview will be likely on 10th January, 2008, candidates must furnish their contact telephone numbers in their application."

Sd/-
Principal

Pay-3

LOK SABHA TV

COPY

Name of post and scale of pay	Whether substantive or *officiating* and whether permanent or temporary	If officiating, state (i) *substantive* appointment or (ii) *whether* service counts for pension under Act 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling *under the* term "Pay"	Date of appointment
PRINCIPAL (on deputation) Rs. 2200-75-2800-EB-100-4000/-	Appointed as Principal on deputation initially for one year vide letter no. FIG/06/89/134 dt. 21st Feb, 90.					

Sd/- Illegible

Director of Tourism, Assam

Guwahati

Joined on 24th April, 90(A N)

Opted to remain in the present pay scale offered by his present organization i.e. IHMC TAN, Calcutta . His present scale over there is Rs. 2200-75-2800-EB-100-4000/-

Sd/- Illegible

Director of Tourism, Assam

Guwahati

The following allowances were granted with effect from date of joining in the Institute.

(I) 10% Deputation allowance

(ii) 12½% SDA

(iii) Double House rent.

Sd/- Illegible

Director of Tourism, Assam,

Guwahati.

Attested copies, Sd/- Illegible 13.12.[illegible]

LTC (Bharatdarshan) Availed in Shimla with Family in the month of May, 96 for the block yr 1991	Granted E.L. w.e.f. 14.2.95 to 23.2.95 10 days (treatment of daughter) sd/- Illegible Director of Tourism, Assam Guwahati

Granted E.L. w.e.f. 4.10.95 to 13.10.95.= 10 days.

Sd/- Illegible
Commissioner & Secy. To the Govt. of Assam
Tourism department, Dispur, Guwahati

Granted E/L. w.e.f. 20.5.96 to 6.6.96 = 18 days. (LTC)

Sd/- Illegible
Commissioner & Secy. To the Govt. of Assam
Tourism department, Dispur, Guwahati

Vide letter No. 33(13)/95-HMC dt. 10.7.95 on the expiry of permissible deputation period of 5 yrs. As Principal FCI, Guwahati shri R. Mukherjee was reverted to HM position w.e.f. 23.4.95 and gave him additional charge of the Principal, IHM, Guwahati in addition to his own duties till the post is filled on regular basis. He will draw the pay and allowance from IHM, Calcutta.

Sd/- Illegible
Commissioner & Secy. To the Govt. of Assam
Tourism department, Dispur, Guwahati

Vide letter No. Ct.Ad-12/93).97/97 dt. 7.4.97 from IHM, Calcutta his service lien was finally extended upto 31.3.97. And vide letter No. IHM(GH)/Est-1/95/317 dt. 9.5.97 he was relieved from his additional charge of Principal, IHM, Guwahati w.e.f. 9.5.97(a.m.)

Sd/- Illegible
Commissioner & Secy. To the Govt. of Assam
Tourism department, Dispur, Guwahati

Certified copies
Sd - Illegible 15.1

Annexure Io

Government of India
Ministry of Tourism
HMC Division
*****

No.1(11)/RR-2000/HMC

17th Feb.,2000

The Principals,
All Institutes of Hotel Management,

Sir/Madam,

Please find enclosed the copy of the draft Recruitment rules 2000, which have been prepared by the Ministry of Tourism, Government of India, after taking into consideration, the views/ recommendations of the Committee which met in Mumbai on 16th and 17th August,1999 to review the "Revised Recruitment Rules 1998". The meeting of the Review Committee in Mumbai was convened by National Council for Hotel Management and Catering Technology which included Principal, IHM, Mumbai, Principal, IHM, Bangalore, Expert/Consultant appointed by NCHMCT as members and the administrative officers IHM, Mumbai as co-opted member.

It is requested that your views/comments, if any, on the draft "Recruitment Rules 2000" may kindly be forward to this Ministry before 15th of March,2000 positively. If the comments are not received by this date, it will be presumed that you have no comments to offer.

(M. K. Khanna)
Addl.Director General (T)

File in Court on 9/1/08

Court Officer.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BRANCH

GUWAHATI

ORIGINAL APPLICATION NO.64/07

Soumitra Sen

... Applicant

- Vs -

Union of India & Ors.

... Respondents

I_N_D_E_X

Sl. No.	Particulars	Pages
1	Reply to the re-joinder	1 - 5
2	Verification	6
3	Annexure-1	7

Filed by

G. Kalita

Advocate

Court Officer.

Filed by
Mukhopadhyay
Advocate
9/1/08

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BRANCH
GUWAHATI

ORIGINAL APPLICATION NO.64/07

Soumitra Sen
- Vs - ... Applicant
Union of India & Ors.
... Respondents

IN THE MATTER OF :

Reply of the Respondent No.2 & 3 to the re-joinder filed by the applicant.

MOST RESPECTFULLY SHEWETH :

I, Shri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology and Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby solemnly affirm and declared on oath as follows :

1. That I have read the copy of re-joinder filed by the applicant herein and have understood the contents therein. I hereby deny the contentions made therein, except those, which are expressly and specifically admitted by me herein below.

2. That I beg to state that the statements made in 2nd paragraph of the re-joinder Para No.3 are absolutely false, fabricated and concocted. The Management of the Institute

Contd....2.

File in Court on.....
Court Officer.

and more particularly the then Chairman of the Board of Management had requested the Ministry concerned to sanction few posts in the academic interest of the institute and in this context, this deponent begs to refer to Annexure- A1 in Page 11 of the Written Statement filed on behalf of Respondent No.2 and 3. Again the Ministry of Tourism, Government of Assam had sent another two letters to the department of Tourism, Government of India, New Delhi on 05.07.2004 and 25.1.2006. Copies of the said letters are annexed as Annexure- A3 and A4 in the Written Statement filed on behalf of Respondent No.2 and 3.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 9 JAN 20..
गुवाहाटी न्यायपीठ
Guwahati Bench

3. That I beg to state that the statements made in Para No.4 of the re-joinder, this deponent begs to state that the allegation made by the Petitioner using the word "bias" and "victimisation" are purely made with designed without having any basis whatsoever. The instance of giving appointment to some-other post not in the cadre of Lecturers cannot be a subject matter of discussion while this instant matter is purely a promotional matter and that too to the cadre of Senior Lecturer. There is neither any bearing nor any resemblance or similarity with the appointment and promotion pattern of Assistant Administrative Officer of this Institute. I further beg to submit that the

Contd...3.

File in Court on.....
Court Officer.

Rules under reference in this para are not at all applicable to the cause of the applicant as the applicant at the time of his appointment was covered by the Recruitment and Promotion Rules 1982; his service conditions, including promotion is goverened by the Rule of 1982 only.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 9 JAN 2004
गुवाहाटी न्यायपीठ
Guwahati Bench

4. In reply to the statements made in Para No.5 of the rejoinder, I beg to state that the same allegations have already been replied through Para No.10 and 11 of the written statements filed on behalf of the Opposite Party No.2 and 3 in original application. It is reiterated here again that there was no sanctioned post of Senior Lecturer in the year 1999. Original sanctioned posts had been cancelled/ abolished by the Ministry of Tourism, Government of India on 27.1.1997.

5. That in so far as the statements made in Para No.7 of the re-joinder are concerned, I beg to state that the statements are absolutely lacerated and fabricated. Before the 2004 Departmental Promotion Committee the name of the petitioner was not appeared in the zone of consideration; however, in the interest of fair

Contd..4.

File in Court on.....
Court Officer

pay and justice the appeal / memorandum of the petitioner was duly considered by a reviewed Departmental Promotion Committee in the year 2006. The petitioner cannot claim promotion as matter of right as his name did not appear in the original Departmental Promotion Committee of 2004. Further for long 3 (three) years period have been allowed to lapse without challenging the process of selection of original Departmental Promotion Committee where he was not within the zone of consideration. Hence this application is stale and redundant which deserves to be dismissed in limine.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 9 JAN 07
गुवाहाटी न्यायपीठ
Guwahati Bench

A copy of the original Departmental Promotion Committee dated 24.9.04 is annexed herewith and marked as Annexure-1.

6. That I beg to state that the statements made in rest of the paragraphs of the re-joinder are nothing but repeatations of his statements made in his original application and no new points or facts could be brought out by the applicant in his re-joinder sufficient to consider this prayer.

Contd....5.

File in Court on.....
Court Officer.

7. That I beg to submit that his application is nothing but an abuse to the process of this Hon'ble Tribunal. Hence same is liable to be rejected with cost.

8. That it is submitted that the application is devoid of neither any merit nor it is supported by any provisions of laws or rules applicable to the context. Hence the application is liable to be dismissed with costs.

9. That save those points, which have expressly been admitted herein above others may be deemed to have been denied the answering Respondent.

10. In view of the facts and dircumstances stated above, the Hon'ble Tribunal may be pleased to dismiss the Original application as devoid of merit.

Guwahati Bench

... Verification....6.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 9 JAN
गुवाहाटी न्यायपीठ
Guwahati Bench

File in Court on.....

Court Officer

VERIFICATION

I, Shri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Hotel Management, Catering Technology & Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby verify that the statements made in paragraphs 1, 4, 6, 7. are true to my knowledge, those made in paragraphs 2, 3, 5, are being matter of records of the case derived there from which I believe to be and the rest are my humble submission before this Hon'ble Tribunal.

I have not suppressed any material facts and I have signed this verification on this 9th day of January, 2008.

Shakti Pada Bhattacharyya

SIGNATURE OF DEPONENT

Annexure-1

MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 24.09.2004 AT IHM GHY PREMISES

The Departmental Promotion Committee for promotion of two Lecturers to Sr. Lecturers & two Asst. Lecturers in resultant vacancy of Lecturers of IHM Guwahati was held under the Chairmanship of Sri S. L. Khyriem, Regional Director, Indiatourism, (NE), Govt. of India, Ulubari Guwahati on 24.09.2004 at IHM Guwahati premises.

The following members were present:

1. Sri S. L. Khyriem,
   Regional Director, Indiatourism (NE),
   Govt. of India, Ulubari, Guwahati

2. Sri S. Ahmed,
   Director of Tourism I/C
   Govt. of Assam, Guwahati

3. Sri G. C. Das,
   Dy. Secretary to the Govt. of Assam
   WPT & BC Department,
   Guwahati

4. Sri S. P. Bhattacharyya
   Principal IHM, Guwahati

File in Court on.....
Court Officer.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

The Committee has examined all the relevant documents including Rules & Regulations (RPR 2003) pertaining to IHMs & found that the papers submitted by the Institute are in order. Accordingly, the Committee recommends that the promotion to the Grade of Sr. Lecturer & Lecturer (Resultant Vacancy) in order of merit will be as follows:

A. PANNEL OF LECTURERS TO BE PROMOTED TO SR. LECTURERS

1. Sri Bablu Roychoudhuri
2. Dr. Mrs. Nanda Baruah
3. Sri Gautam Das

B. PANNEL OF ASST. LECTURERS TO BE PROMOTED TO THE RESULTANT VACANCY OF LECTURERS

1. Sri Alok Sarkar
2. Sri Amit Kr. Roy
3. Sri Sakya Sinha

The committee also granted Leave of absence to Sri K. K. Saraf, Director (A & F), NCHMCT, New Delhi 110012.

The meeting thereafter ended with a vote of thanks to the chair.

24/9/04
(S. P. Bhattacharyya)
Principal
IHMCTAN
Guwahati

24.9.04
(G.C. Das)
Dy. Secretary
WPT & BC Dept.
Govt. of Assam
Guwahati

24/9/04
(S. Ahmed)
Director of Tourism I/C
Govt. of Assam
Guwahati

(S.L. Khyriem) 24/9/04
Regional Director
Indiatourism,
Govt. of India
Guwahati

certified to be true copy.
G. Kalita, Advocate

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
2
गुवाहाटी न्यायपीठ
Guwahati Bench

Filed by
Miss Jhilla Bhattacharyya
Through, S. Talukdar, Advocate
23/1/08.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHTI

ORIGINAL APPLICATION NO.64/07

Soumitra Sen

.....Applicant

-Vs-

Union of India & Ors

..... Respondents

IN THE MATTER OF :

Reply of the Respondent No.2 & 3 to the additional re-joinder filed by the Applicant.

MOST RESPECTFULLY SHEWETH :

I, Sri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology and Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby solemnly affirm and declared on oath as follows :

1. That I have read the copy of additional re-joinder filed by the applicant herein and have understood the contents therein. That in reply to the statements made in the additional re-joinder of the applicant, I beg to state that most of the statements made in different paragraphs of the additional rejoinder are full of misleading facts not based on any official record. Hence, I beg to deny all the statements except those which are specifically admitted hereunder.

Contd.....2

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
2
गुवाहाटी न्यायपीठ
Guwahati Bench

2. That in reply to the statements made in para No. 2 of the additional re-joinder, I beg to state that the statements made therein are highly misleading and are devoid of any truth. The post of Assistant Administrative Officer is an originally sanction post at the time of setting up of food craft institute by the Government of India, which was adopted by the 2nd Board of Governor's meeting held on 16.07.84, so the post of Assistant Administrative Officer has not been abolished at any time. The 6th meeting of the Board of Governor's dated 11.11.1997 in the larger interest of the institute and to meet some urgent and emergent situation in the administration has had to accepted an Administrative Officer on deputation from the National Council against lien, temporarily for one year. The said act of the 6th meeting of Board of Governor's cannot be term as any violation of the order of the Government of India and its instruction given on 27.01.1997.

3. That in so far as the statements made in para No.3 of the additional re-joinder are concerned, I beg to state that the applicant totally confused and is not well aware of the facts and situation pertaining to the vacancy situation existed, at all material times, in the Institute of Hotel Management. The original sanction strength of the Assistant Lecturer post was 6 (six) as on 1984. Those sanction post had not been abolished by the Ministry of Tourism, Government of India under the strength of their letter dated 27.1.1997. However it is pertinent to mention here that as and when a lecturer is promoted to a higher grade, a resultant vacancy will automatically arise which requires to be filled up in the academic interest of the institute in terms of the

Contd....3

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
2
गुवाहाटी न्यायपीठ
Guwahati Bench

prescribed norms applicable in this regard. Hence any attempt to fill up resultant vacancy against sanctioned post in any cadre cannot be termed as a new appointment nor can the same be termed as a creation of post.

4. That in so far as statements madein para No.4 of the additional re-joinder of the applicant, I beg to state that the statements are absolutely irrelevant to the context. A case/instance of a person who was holding a post temporarily on deputation is no way relevant in the matter of a claim for promotion to the cadre of a Senior Lecturer particularly and more specifically in so far as the applicant is concerned who was not within the zone of consideration at the time of Ist meeting of the Departmental Promotion Committee in the year 2004. Neither the service book of Sri Ranjan Mukherjee nor the draft recruitment rules of 1998 have any bearing in the instant application for promotion.

5. That the statements made in Para No.5 and 6 of the additional re-joinder of the applicant are stoutely denied. I beg to state that, at all material times there were only 2 (two) sanction post of Senior Lecturer for the Respondent No.3. And the Departmental Promotion Committee in the year 2004 had duly considered the suitability and seniority of the Senior Lecturers who were within the zone of consideration for promotion to the post of Senior Lecturer. There was nothing wrong nor any illegality whatsoever in the process of the selection of the Senior Lecturers in terms of the procedure and record available before the Departmental Promotion Committee at the material time.

6. That I beg to submit that the applicant has no legal right to claim an order from this Hon'ble Tribunal in respect of promotion to the post

Contd.....4

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
2
गुवाहाटी न्यायपीठ
Guwahati Bench

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
2
गुवाहाटी न्यायपीठ
Guwahati Bench

of Senior Lecturer as the applicant fail to approached this Hon'ble Tribunal at the right moment and with right claim. As the applicant was, at the material time not within the zone of consideration his claim for promotion is unsustainable in the eye of law. Hence the application deserves dismissal.

7. That it is submitted that the application is devoid of neither any merit nor it is supported by any provisions of laws or rules applicable to the context. Hence the application is liable to be dismissed with costs.

8. That save those points, which have expressly been admitted herein above others may be deemed to have been denied the answering Respondent.

9. In view of the facts and circumstances stated above, the Hon'ble Tribunal may be pleased to dismiss the Original application as devoid of merit.

Verification .....5.

गुवाहाटी न्यायपीठ
Guwahati Bench

VERIFICATION

I, Shri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology & Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby verify that the statements made in paragraphs .....2., 3, 4, 5 & 6..... ..... are true to my knowledge, those made in paragraphs .....are being matter of records of the case derived there from which I believe to be true and the rests are my humble submission before this Hon'ble Tribunal.

I have not suppressed any material facts and I have signed this verification on this 23rd day of January, 2008.

SIGNATURE OF THE DEPONENT

Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHTI

Dated :

ORIGINAL APPLICATION NO.64/07

Soumitra Sen

.....Applicant

-Vs-

Union of India & Ors

..... Respondents

IN THE MATTER OF :

Objection to the amended application filed by the applicant on behalf of the Respondent No.2 & 3.

MOST RESPECTFULLY SHEWETH :

I, Sri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology and Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby solemnly affirm and declared on oath as follows :

1. That I have read the copy of the amended application filed by the applicant herein and have understood the contents therein. I hereby deny the contentions made therein, except those, which are expressly and specifically admitted by me herein below.

(i) That the amended application is devoid of any merit as no new points legally tenable could be shown therein.

Contd...2

Filed by
Shakti Bhattacharyya
through G. Kalita, Advocate
28/3/08

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 2 -
गुवाहाटी न्यायपीठ
Guwahati Bench

(ii) That through amended application the applicant has venturing to set up a new case with a new set of prayer, which are not the subject matter of the original application.

(iii) That the applicant cannot set up a new case on the basis of old documents and he is legally estopped from doing so.

2. That the amended application is hit by principles of res-judicata as the matter has been set at rest by this Hon'ble Tribunal in O.A. No.211/06. Hence on the same subject and the same set of documents and against the same prayer and also against the same parties, hence this application does not lie and liable to be dismissed in lamine.

3. That the original application and the amended one is barred by limitation as because the applicant challenges the validity of the decision and the process of the original Departmental Promotion Committee dated 24.9.2004. The points raised by the applicant in this instant original application is sharply contradictory to his earlier O.A. No.211/06. Hence the applicant does not move this Hon'ble Tribunal with clean hands, hence this instant original application is liable to be dismissed.

4. That this answering deponent respectfully begs to submit that the applicant in the guise of new application wants to get the issue reviewed by this Hon'ble Tribunal which was already considered by this Hon'ble Tribunal on 23.8.06 in O.A. No.211/06.

5. That this amended petition is nothing but an abuse of the process of the court, hence it is liable to be dismissed.

Contd...3

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

6. That the statements made in Para No.4.11 of the amended application are absolutely false, concocted and not based on official documents and this point as already been answered in our written statement in para No.2 (xi) which runs are hereunder :

> "That in so far as statements made in Para No.4.4 of the original application are concerned, the answering Respondents beg to state that the Respondents could not fill up the posts as there was no sanction from the Ministry concerned. The post of Senior Lecturer which was originally sanction was abolished by a letter bearing No.1(5)/97-HMC dated 27.1.1997."

It is further denied that the applicant was within the zone of consideration at the time of Ist Departmental Promotion Committee and at this belated stage the applicant cannot questioned the legality of the 2004 Departmental Promotion Committee.

7. That the statements made in Para No. 4.12 of the amended application are denied as because the applicant has knowledge about the outcome of the reviewed Departmental Promotion Committee and he inspected the office records immediately after the decision was over in the review Departmental Promotion Committee.

8. That the statements made in Para No. 4.13 of the amended application are denied as already been answer in our written statement.

Contd....4

केन्द्रीय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

9. That the applicant cannot amend the prayer portion which does not have documentary and factual support moreover the prayer are hit by res-judicata, estopped and law of limitation.

10. That the prayer of the amended application is unjust, unreasonable and has no support from any law and this Hon'ble Tribunal has no reason to examine the virus of the provisions of requirement rules of 2003 as has been formulated by the Ministry of Tourism, Government of India.

11. That the question of assured career progress cannot be made an issue in this application because it is entirely a different subject.

12. That it is submitted that the application is devoid of neither any merit nor it is supported by any provisions of laws or rules applicable to the context. Hence the application is liable to dismissed with costs.

12. That save those points, which have expressly been admitted herein above others may be deemed to have been denied the answering Respondent.

13. In view of the facts and circumstances stated above, the Hon'ble Tribunal may be pleased to dismiss the original application as devoid of merit.

Verification .....5.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

VERIFICATION

I, Shri Shakti Pada Bhattacharyya, son of Late B.P.Bhattacharyya, the Principal of Institute of Hotel Management, Catering Technology & Applied Nutrition, VIP Road, Chachal, Barbari, Hengrabari, Guwahati-36, aged about 55 years do hereby verify that the statements made in paragraphs ....1, 5, 7, 11 & 12..... ..... are true to my knowledge, those made in paragraphs ...2, 3, 4, 6, 8, 9 & 10.....are being matter of records of the case derived there from which I believe to be true and the rests are my humble submission before this Hon'ble Tribunal.

I have not suppressed any material facts and I have signed this verification on this 28th day of March, 2008.

Shakti pada Bhattacharyya

SIGNATURE OF THE DEPONENT

Written objection on behalf of R-5 in OA 64/07 is filed today. copy served on the Other side. To be posted on 4.4.08.

31.3.08

Filed by:- The Respondent No.5 Through:- Lipika Das Advocate CAT 31.3.08

Nanda Baruah

...NTIVE TRIBUNAL,

...UATI BENCH.

In the matter of:
O.A no. 64/07
Soumitra Sen,
...Applicant.
-Vs-
Union of India and ors.
...Respondents.
-AND-
In the matter of:
Written objection on behalf of respondent no.5 to the amended application filed by the applicant.

(WRITTEN OBJECTION ON BEHALF OF RESPONDENT NO.5)

I, Smt (Dr.) N.Baruah wife of Dr. Pranab Baruah resident of Bamunimaidan, Guwahati, presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition, Hengrabari, Guwahati do hereby solemnly affirm and state as follows.

1. That a copy of the above amended application filed by the applicant has been served upon the Counsel representing me wherein I have been impleaded as party respondent no.5. I have gone through the same and have understood with the facts and circumstances of the case thereof..

2. That, I do not admit any of the averments except which are specifically admitted hereinafter and the same are deemed as denied.

3. That the applicant by ... application sought for sets up a totally new case with ... not the subject matter of the C... Ap... a different character. Hence, ...

... applicant sought for prayer in prayer no.5 ... the promotion of ... ondent nos.4 and 5 which cannot be ... the entire order of the proceeding will be changed.

... the principle of res-judicata as the matter has already ... O.A.no.211/06 and hence the application cannot be stand.

That the applicant by way of amendment sets up a totally different case with a prayer in prayer no.7 which sought to set aside the order-of-granting the benefit of ACP scheme to the respondent nos. 4 and 5 with effect from 09.08.99 which exfacie cannot stand on a line with the original pleading amendment and hence it is liable to be dismiss.

7. That the original application as well as mended one is also barred by limitation and is liable to be dismiss.

8. That statements made in paragraph 4.2 in the fact are not correct and thus connection it is stated here that the post of senior lecturer approved by the Board of Governor of the Institute in the year of 1984 i.e. before the upgradation erstwhile Food Craft Institute, Guwahati to the Institute of Hotel management in the year 1995. the said senior lecturer post was held by Smt. Shivani Roy. In the year of 1990 she resigned from her services and left the institution. Since then the post of Senior Lecturer was lying vacant. At that relevant time the Recruitment Rules, 1982 was in force and the respondent nos.4 and 5 as well as the applicant all were eligible for being promoted to the post of Senior Lecturer in the institute.

The post was lying vacant since long time. However, the said post was abolished automatically as per instruction dated 27.01.97 under no.(S)(97)-HMC issued by the Assistant Director HMC Department of Tourism, Government of India. The said instruction was issued as per the extent orders of the Ministry of Finance (Referred as Annexure-D in W.S)

Further the letter dated 11.2.99 cited by the applicant not reveal about the sanction and approval of the competent authority. In the said letter it is crystal clear that staff structure of I H M of Guwahati has been workout as per the guideline containing in the S I I I norms that does not mean the sanction. The applicant also in his representation categorically declared that there is no sanction post of Senior Lecturer.

The applicant is very much aware of the vacant post of senior lecturer since 1990. but interestingly, he claimed from 1999 although there are no sanction posts of Senior Lecturer. It thus, reflected that if he would have claimed promotion to the post of Senior Lecturer in that relevant time then definitely he would not get the benefit of promotion as per rules in force.

9. That the statements made in paragraphs 4.4 and 4.5 of the amended application the humble answering respondent begs to state that there was no sanction post of Senior Lecturer there is no question of filling up the post. That

[redacted]

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
1 DEC 2006
गुवाहाटी न्यायपीठ
Guwahati Bench

infact the institute worked out **the Staff Structure of the Institute** that does not mean the **vacancy of post of** Senior Lecturer.

That promotion is not a matter of right that too without having found in the merit list of DPC.

The post of Senior Lecturer is a selection post and without having any DPC no appointment can be made.

10. That the statements made in paragraphs 4.6 to 4.11 of the amended application the humble answering respondent begs to state that all the four lecturers including the Respondents no.4 & 5 are due to be promoted to the post of Senior Lecturer after completing the 5 years of service. The Senior Lecturer post lying vacant from 1990 but nobody agitated by claiming the said post. It is interesting that after long 18 years the applicant approached before this Hon'ble Tribunal by claiming his promotion to the post of Senior Lecturer which infact is not in existences and also stopped for knocking the door of relief which has already been closed.

Further the applicant has repeatedly tried to mislead the Hon'ble Tribunal that there are two sanctioned post of Senior Lecturer in the Institute in 1999 only to get benefit of Promotion to the post of Senior Lecturer any how.

Apart from that the matter of O.A no.112/06 has already been decided by the Hon'ble Tribunal vide order dated 23.08.06 and that the present amendment as well as Original Application is hit by the principle of res-judicata.

And that the applicant by way of amendment has stated that he is not aware of the review DPC committee but infact so far the knowledge of the respondent no.5, he inspected all the Office Records including the Review DPC from the Office itself.

11. That the humble answering respondent denies the correctness of the statements made in paragraph 13 of the amended application, infact as per rule the respondent no.4 and 5 are eligible. Further they have completed more than 12 years of service and as per Office Memorandum, they are entitled to get the benefit of 1st ACP and accordingly they were granted the ACP benefit since 09.08.99.

12. The prayer of amended application infact set up a new case and cause of action here therefore the amended Original Application is liable to be dismissed.

13 ..... benefit cannot be issued in the O.A. as well as amended application because it is a different subject, ACP is a financial upgradation and not the promotion to any post.

14. In view of the facts and circumstances stated above, the Hon'ble Tribunal may be pleased to dismiss the O.A. as devoid of merit.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 1 APR 2005
गुवाहाटी न्यायपीठ
Guwahati Bench

Nanda Barua

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 1 APR 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

VERIFICATION.

I, Smt (Dr.) N.Baruah wife of Dr. Pranab Baruah resident of Bamunimaidan, Guwahati, presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition, Hengrabari, Guwahati, aged about 47 years, do hereby verify that the statements made in paragraphs 1,2,3,4,6,7,10 & 12 are true to my knowledge ; and those made in the paragraphs 5,8,9,11 are being matters of records of the case derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

I have not suppressed any material facts.

And I sign this verification on this 31st March 2008 at Guwahati.

Nanda Baruah

SIGNATUIRE

NOTICE.

Date: 31.03.08

From: Miss Lipika Devi,
Advocate,
Gauhati High Court.

To,

Shri Satyajeet Sarma,
Advocate of the petitioner,
Gauhati High Court.

Sub: O.A. no.64.07
Sri Saumitra Sen
... Petitioner
-Vs-
Union of India and ors
...Respondents

Sir

Please find here with a copy of the written objection to the amended applic

Please take note that the written objection to the amended application is bein today.

e accept and acknowledge the receipt of the same..

Received copy

Advocate of the petitioner.

Yours faithfully,

Lipika Devi

Miss Lipika Devi,
Advocate,
Gauhati High Court

प्रशासनिक अधिकरण
...istrative Tribunal
गुवाहाटी न्यायपीठ

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

O.A. NO. 64/2007

Soumitra Sen

... .. Applicant

Vs

Union of India & Others

... Respondents

IN THE MATTER OF :

Rejoinder of the Applicant against the written objection filed by the respondent no. 2 and 3.

The applicant above named

MOST RESPECTFULLY SHEWETH:

Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14, Pub Sarania, Bye Lane No. 6 (West) Guwahati – 3 do hereby solemnly affirm and declare as follows :-

1. That I have received the copy of the objection to amended application filed by respondent no. 2 and 3 and understood the contents thereof. I hereby deny the contentions made therein except those which are specifically admitted herein by me.

2. That the statements made in para no. 1(1) to 1(iii) are denied. The amended O.A. does not contains new facts and things . But only the facts on record are pleaded specifically and clarified. These objections can not be raised at this stage.

3. That the statements made in para no. 2 of the objection are absolutely incorrect. The Principal of the res judicata can not be attracted in the present matter and the present O.A. is not hit by principal of res judicata as alleged.

4. That the statement made in para no. 3 to 5 are absolutely incorrect and hence those are denied. By no stretch of imagination the O.A. can be said to be barred by limitation. The DPC dated 24.9.2004 had already been reviwed by the Review DPC and the review DPC has overriding and nullifying effect upon DPC dated 24.9.04. In the name of considering the applicants case in terms of order passed by this Hon'ble Tribunal, the respondents had just made an attempt to justify their illegal decision to give promotion to the respondent no. 4 and 5. The applicant had rightly challenged the promotion of the respondent no. 4 and 5 as well as the Review DPC. The results of the Review DPC itself shows that the Review DPC dated 24.9.04 was absolutely illegal, unfair, unreasonable and malafied.

5. That the statements made in para no. 6 of the objection are denied. The Review DPC itself shows that the applicant was within Zone of consideration at the time of Departmental Promotion Committee of the year 2004. The statements of the defendant in their written statements are already denial by the applicant in his O.A.

6. That the statements made in para no. 7 of the objection are absolutely false statement and as such denied. The applicant did not inspect the office record to acquire the knowledge about the Review D.P.C. as alleged by the respondents. For the first time the defendant no. 3 Institute had intimated the applicant about the Review DPC by letter dated 31.7.07

which is enclosed herewith as Annexure No. – R–11 The applicant had replied to the said letter by its letter dated 20-8-07.

7. That the statements made in para no. 8 to 10 of the objection are denied. After filing of the O.A. No. 211/06 on 18.8.06, the same was disposed of for considering the petitioner case. The respondent no. 3 had illegally, unreasonably unfairly with biased manner held the Review DPC, ~~its~~ based ~~on~~ decision without considering the records as well as under RPR 2003 which gives cause of action to the applicant. There is no bar to this the Hon'ble Tribunal in examining the Recruitment and Promotion Rules 2003. After upgradation of the institute virtually it is a new institute with higher standard of education. Accordingly the qualification of senior lecturers for the institute had also been raised to match the standard of the institute and well being of the students. Since the academic year 2000 the institute in collaboration with the Indira Gandhi National Open University (IGNOU) and the Institute is giving graduation degree. Thus a non-graduate can not be expected to impart instructions to graduation classes. The institute is giving 3 years graduate degree B.Sc. and Hospitality and Hotel Administration and is also giving post graduation diploma in accommodation and management. The respondent no. 4 is not having any graduation degree and the initial appointment of respondent no. 5 for House keeping itself is without required qualifications. As such the respondent no. 5 has gone through 'Bridge Course' to acquire qualifications. The validity of 'Bridge Course' is also question in this application.

8. That the statements made in para no. 11 to 17 are denied. The question of Assured carrier progressions Scheme (ACP) had been brought by the respondents themselves to justify the illegal

promotions of respondent no. 4 and 5. The respondent no. 3 Institute had even illegally given ACP benefit to them in most illegal manner during pendency of this O.A. The specific contention of the respondent no. 5 in her additional written statement is that since ACP benefit has been granted to her as such her promotion is also justified. In this view of the matter the legality of extension of ACP benefit to the respondent no. 4 and 5 is also required to be examined. Apart from this the extension of ACP benefit for respondent no.4 and 5 itself during pendency of the O.A. shows the bias of the respondent no. 3 institute.

9. That in the fact and circumstances of the case the illegal promotion of the respondent no. 4 and 5 as described in the application and on the basis of the PRP 2003 is malafied and illegal as such the applicants are entitled to the relief as prayed for.

VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about 45 years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwanhati – 781 003) dist – Kamrup , Assam, do hereby solemnly affirm and verify that the statements made above in paragraphs no. 1 to 9 are true to my knowledge and the rests are my humble submissions before this Hon'ble Tribun al

And I sign this verification on this the 3rd day of April, 2008 at Guwahati.

10.

Annexure No - R-11

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान,
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT,
CATERING TECHNOLOGY AND
APPLIED NUTRITION,
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

ihm

IHM (GH)/Estt-5/06/560 dt. 31.7.07

To,
Mr. Soumitra Sen,
Lecturer,
IHM, Guwahati.

Sir,

This is with reference to the CAT A.O. No. 211/2006 and your representation dt. 11/9/06.

In this regard I am advised by our advocate to inform you that your representation aforenoted had been duly examined by the DPC meeting held on 27/11/06. After due deliberation the meeting opined as here under which is self explanatory.

The Committee also noted from the personal files of the Lecturers that all the four Lecturers in question benefited from implementation of Assured Career Progression scheme of the Govt. of India by the Institute from 1999, as they were given a higher pay scale as per the stipulations in the ACP Scheme. It was observed that the said pay scale is at per with the pay scale of the Senior Lecturer i.e. Rs. 8000-275-13500. On crosschecking the vacancy position of Senior Lecturers in the Institute, the Committee relied on the orders of the Ministry of Tourism No. 33(4)/99-HMC dated 17.05.2004, which confirmed that there were only two posts of Senior Lecturers as available before the DPC at the time when it met last to consider the case of promotion.

All the four cases of lecturers including Mr. Bablu Roychoudhury and Mrs. Nanda Baruah enjoyed ACR Grading from Very Good to Excellent progressively. The ACR Grading of the other two Lecturers viz. Mr. Gautam Das and Mr. Soumitra Sen were also at per with Mr. Bablu Roychoudhury and Mrs. Nanda Baruah. Therefore, in terms of job performance all the four candidates were at part. The distinction among the four cases, therefore, has been relied on the seniority since merit is a common denominator. In terms of seniority, Mr. Bablu Roychoudhury and Mrs. Nanda Baruah, who respectively appearing at seniority No. 1 & 2 were considered by the DPC Committee in past are found to be in order and this Review DPC Committee reconfirms the position as unaltered.

The Committee dose not have any mandate to deliberate on the other issues raised by Shri S. Sen in his petition regarding depriving him of his rightful promotion in the year 1999 as RPR-1998. The Committee, however, crosschecked the facts and found that the Ministry of Tourism had directed not to fill up the post of Senior Lecturer vide letter No. 1(5)/97-HMC dated 27.01.1997 till such time the posts of the Senior Lecturer are revived by the Ministry of Tourism. Therefore, at the time operation of RPR-1998 the vacancy in question was not available.
It was also seen from the record that the posts were revived by Ministry of Tourism vide order No. 33(4)/99-HMC dated 17.05.2004 subsequent to which the management of the Institute did not lose any time to fill the two post of Senior Lecturers whereby Shri Bablu

VIP ROAD, UPPER HENGRABARI, BARBARI, GUWAHATI - 781036,
Phone : 0361- 2337245, Tele-Fax : 0361- 2337226 e-mail : ihmctanghy@hotmail.com, website : ihmctanghy.org

Roychoudhury and Mrs. Nanda Baruah being the Senior most Faculty members as per seniority list were considered for promotion by the DPC when it met in 2004."

This is for your information.

Yours faithfully,

(Shakti Pada Bhattacharyya)
PRINCIPAL

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 3 APR -
गुवाहाटी न्यायपीठ
Guwahati Bench

Copy to: (1) Sri Vijay Kumar, Dy. Secretary, Govt. of India, Ministry of Tourism & Culture, Department of Tourism, C-1 Hutments, Dalhosie Road, New Delhi-110011 for kind information.
(2) The Principal & Secretary Tourism, Govt. of Assam, and Chairman, IHM, Guwahati for kind information.

PRINCIPAL

Dated
3/4/08

From
Dhiraj Kr Das
Advocate
Gauhati High Court.

To,
Mr. Ashwini Kumar
Advocate
Gauhati High Court.

Subject - O.A 64/07
Saumitra Sen
-vs-
Union of India & ors.

Sir,

Please find enclosed herewith copy of rejoinder against the objection filed by you against the amended O.A. along with all annexures.

Please acknowledge the receipt of the same.

Thanking you
Dhiraj Kr Das
Advt.

Copy Received.
G. Kalita
Advocate
3/4/08.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक अधिकरण
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GUWAHATI BENCH

O.A. NO. 64/2007

Sri Soumitra Sen

... ..Applicant

Vs

Union of India and Others ,

... Respondents

IN THE MATTER OF :

Rejoinder of the Applicant against the written Objection filed by the Respondent no. 4 and 5.

REJOINDER

The applicant above named

MOST RESPECTFULLY SHEWETH:

I Sri Soumitra Sen, son of late Arunmoy Sen, resident of 14 Pub-Sarania, Bye-Lane No. 6, (West), Guwahati – 781003, do hereby solemnly affirm and declare as follows :-

1. That the statements made in para no. 3 to 5 of the objection are denied. Neiteher the amended application set up a new case and nor it is converted it to a diff3erent character. The prayer for setting aside to the promotion of

Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

respondent no. 4 and 5 can not change the character of proceeding. The allegations in the unamended application were also to the effect of challenging the promotion of respondent no. 4 and 5 . After allowing the amended application these pleas can not be taken by the respondent. The principal of Res Judicata does not come as a bar to the present O.A. as alleged by the respondents.

2. That the statements made in para no. 4 and 7 of the objection are denied. The respondent no. 5 herself had raised the issue of ACP by filing addl. Written statement to justify her promotion. Apparently the respondent no. 3 Institute has extended ACP benefit in most illegal and biased manner to the respondent no. 4 and 5 with retrospective effect since 9.8.99 by letter dated 12.10.07 during pendnecy of this O.A. This ACP benefit has been extended in accordance with Rectuitment and Promotion Rules, 2003 although the respondent no. 4 and 5 were not legible for ACP benefit prior to PRP 2003. The ACP benefit had been granted in a desperate biased attempt by the respondent no. 3 institute to show respondent no. 4 and 5 in equal footing the applicant. The application is not barred by limitation.

3. That the statements made in para no. 8 of the objection are absolutely false and distortion of facts . It is absolutely false that the post of Senior Lecturer was lying vacant from the year 1990. Since 24.4.1990. Mr. Ranjan Mukherjee was in the institute and he was drawing the salary of senior lecturer with allowance for officiating as principal on deputation and he remained in the institute till 9.5.9. Mr. Ranjan Mukherjee was in fact Senior lecturer.During his tenure itself the draft recruitment rules 1997 reached to the institute for approval and which after approval came in force as Recruitment Rules1998. Apart from this on upgradation the Hotel Management Institute is now totally changed body and of it had to be re registered and the staff of erstwhile Food Craft Institute

Central Secretariat
Principal Bench

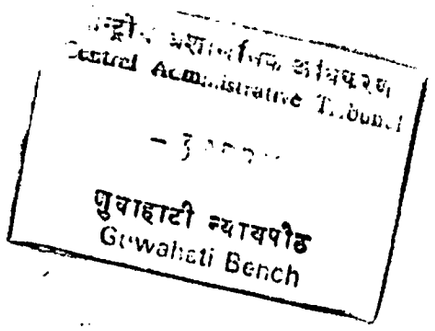
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

had been absorbed and regularized in the respondent no. 3 institute. Thereafter the staff structure of the present institute had been worked out and approved the Board of Governors and two posts of senior lecturers were also approved in Board of Governors meeting dated 6.11.1998. No sanction of post as alleged is required. However the correspondence of the institute itself shows that the post are sanctioned. Some of those letters were even under signature of Respondent no. 5no. as Principal in-charge. The posts are not required to be sanctioned but the Governing Body creates the posts as per guidelines of the department of tourism and those guidelines are given in the form of S.I.U. norms.The applicant had rightly claimed promotion when such vacancy arose for the promotional posts. The eligibility criteria as per 1998 [illegible] Recruitment Rules are required to be followed strictly. Non graduate and unqualified persons can not b e expected to take classes of graduation to lower academic standards also only to accommodate ineligible persons. [illegible] The institute is giving graduate Degree and Post Graduation diploma.

4. That the statements made in para no. 9 of the objection are denied. The applicant has right to be considered for promotion. Since the promotional post was lying vacant in the year 1998 and he was eligible for promotion. The post of Senior Lecturer is a promotional post and the review DPC itself shows that the applicant was found as equal in merit.

5. That the statements made in para no. 10 of the objection are denied. The post of Senior Lecturer was not lying vacant since 1990. In fact the post was vacant since the year of 1998 as stated earlier. The applicant had never inspected the record of Review DPC as alleged by the respondents.

6. That the statements made in para no. 11 to 14 of the objection are denied. The Respondent no. 4 and 5 are not eligible for promotion and they are not even entitled to ACP benefit since 9.8.99.



VERIFICATION

I Sri Soumittra Sen, son of late Arunmoy Sen, aged about ____ years, resident of 14, Pub- Sarania, Bye Lane no. 6 (West Guwahati – 781 003) dist – Kamrup , Assam, do hereby solemnly affirm and verify that the statements made above in paragraphs no. 1 to ____ are true to my knowledge and the rests are my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this the ____ day of _____, 2____ at Guwahati.

From :

Adhir Kr Das
Advocate
Gauhati High Court.

To,

Mrs. Manjula Das
Advocate
Gauhati High Court.

Subject - O. A. 64/07
Sarumita Sen
-vs-
Union of India

Madam,

Please find enclosed herewith copy of rejoinder against the objection filed by you against the amended O.A. along with all annexures

Thanking You

Adhir Kr Das
Adv.

Copy Received

[illegible]
Adv.
3.4.07

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Filed by
Dhiraj K. Das
Adv.

O.A. No. 64 /2007

Soumitra Sen

.... Applicant

Vs

Union of India and Others

... Respondents

LIST OF ANNEXURES / DOCUMENTS

Sl.No.	Particulars	Pages
1	Recruitment Rules 1982	1-16
2	Recruitment Rules 1984 with staff structures and duties	17-26
3	Recruitment Ruls 1998 with staff structure and duties	27-46
4	Recruitment Rules 2001 with staff structures and duties	47-75
5	Recruitment and Promotion Rules 2003 with staff structure and duties	76-93
6	Memorandum of Association of I.H.M. Guwahati	94-102
7	Bye Law of I.H.M. Guwahati	103-110
8	Staff Inspection Units (S.I.U) Norms prescribed for Institutes of Hotel Management	111-116
9	Prospectus of Food Craft Institute of the Year 1986-87	117-148
10	Prospectus of Institute of Hotel Management Guwahati	149-163

Annexure-II

Institute of Hotel Management Catering & Nutrition ( )

RECRUITMENT RULES, 1982

In exercise of the overall powers vested in it under its Memorandum of Association and Rules and Regulations, the Board of Governors of the Institute of Hotel Management, Catering and Nutrition ( ) Society/ hereby makes the following Rules in respect of various appointments in the service of the Institute:-

1. SHORT TITLE AND COMMENCEMENT

1.1 These Rules shall be called the Institute of Hotel Management Catering & Nutrition (Recruitment and Promotion) Rules, 1982.

1.2 These Rules shall come into force from 1st September, 1982.

2. INTERPRETATION

2.1 In these Rules the various terms and expressions shall have the same meaning as assigned to them in the Memorandum of Association, Rules and Regulations and Bye-laws of the Institute and other Rules applicable to employees of the Institute from time to time.

3. SCOPE

3.1. These Rules shall apply for recruitments and promotions to all whole time regular posts and to all persons appointed or promoted to any post in the Institute.

4. CLASSIFICATION OF POSTS

4.1

S.No.	Description of posts	Classification of posts
1.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 1300/-.	Group A
2.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 900/- but less than Rs. 1300/-.	Group B
3.	Posts carrying a pay or a scale of pay with a maximum of over Rs. 290 but less than Rs. 900.	Group C
4.	Posts carrying a pay or a scale of pay the maximum of which is Rs. 290 or less.	Group D

contd.....2/-

Note: 'Pay' shall have the same meaning as defined in the Fundamental Rules applicable to Central Government Servants.

5. FILLING UP OF VACANCIES

5.1 Vacancies shall be filled up by one or more of the following methods as prescribed in Schedule for each (th category of posts:-

a) direct recruitment (see Part II of these Rules);

b) promotion on the basis of merit (see Part III of these Rules);

c) promotion on the basis of seniority (see Part II of these Rules);

d) Deputation of a person from the Central Governme State Governments, semi-Government Organisations or public undertakings.

5.2. Vacancies against posts normally required to be fill up by promotion may be filled by direct recruitment when no employee is eligible or available or found suitable for promo

6. STAFF SELECTION COMMITTEE

6.1 In making appointments and promotions, the Appointing Authority shall be assisted by a Staff Selection Committee for each Group of posts, consisting of a Chairman, three Members and a Member-Secretary, as nominated by the Board of Governors from time to time.

6.2 The Board of Governors may appoint such separate ad-hoc Selection Committee(s) for direct recruitment as it may consider necessary or expedient.

6.3 The Chairman of a Staff Selection Committee may coopt one or more specialists to assist the Committee.

6.4 The recommendations of a Staff Selection Committee or Ad-hoc Selection Committee shall be submitted to the Appointi Authority and shall normally be valid for one year.

7. SPECIAL REPRESENTATION

7.1 Vacancies in various categories of posts shall be subj to such reservations for representation of Scheduled Castes/ Scheduled Tribes, Ex-servicemen or any other categories of persons as may be specified by the Government of India from time to time.

contd....3/-

8. ELIGIBILITY FOR APPOINTMENT

8.1. A candidate for appointment in the Institute

a) must be a citizen of India

OR

b) must belong to such categories of persons as may, from time to time, be notified in this behalf by the Government of India.

9. PHYSICAL FITNESS

9.1 A candidate selected for appointment in the Institute shall be required to produce a medical certificate of fitness before appointment. The standard of physical fitness and competent medical authorities to examine candidates for appointment will be determined by the Board of Governors for each Group of posts generally on the basis of the practice prevailing in the Government of India from time to time.

10. VERIFICATION OF CHARACTER AND ANTECEDENTS

10.1 The Appointing Authority shall satisfy itself that the character and antecedents of a candidate selected for first appointment in the Institute are such as do not render him unsuitable for appointment, and the procedure to be followed in this behalf shall be determined by the Secretary on the basis of instructions issued by the Government of India from time to time.

11. PLURAL MARRIAGES

11.1 Unless exempted, no male candidate who has more than one wife living or who having a spouse living contracts another marriage (even though it may be void by reason of its taking place during the life time of the former spouse), shall be eligible for appointment to any of the posts in the Institute. Likewise, no female candidate married to a husband who had a former wife living at the time of marriage shall be eligible for appointment to any of the posts.

12. GENERAL CONDITIONS FOR APPOINTMENT

12.1 A person appointed or promoted to a post shall be placed on probation normally for two years which may be extended by the Appointing Authority from time to time upto three years. At any time during or at the end of the probationary period, the services of the employee may be terminated in case of a new entrant or the employee may be reverted to the post held before promotion, without any notice and without assigning any reason.

contd...4/-

12.2 On satisfactory and successful completion of the probationary period, the employee shall be confirmed if a clear regular vacancy is available. If clear regular vacancy is not available, he may be freed from probation upon which the employee would be entitled to such benefits as may accrue to a quasi-permanent Government employee of the Central Governm

12.3 An employee of the Institute shall be liable to serve anywhere in India.

PART II - GENERAL PRINCIPLES GOVERNING DIRECT RECRUITMENTS

13. DIRECT RECRUITMENT

13.1 Vacancies shall ordinarily be advertised and/or notified to the Employment Exchange/Directorate General of Resettlement, Ministry of Defence, giving among other things, full information regarding qualifications, age, experience, etc. as prescribed fo the post in the Schedule. A candidate below the age of 18 years will not be considered for appointment to any post in the Institute.

13.2 A candidate for direct recruitment to a post must fulfil the prescribed qualifications, experience, age, etc. For exceptionally qualified candidates, experience and age limit prescribed for the post may be relaxed by the Appointing Authorit

13.3 In case a vacancy is reserved for Scheduled Castes/Tribes candidates, necessary steps to notify the vacancy to recognised Scheduled Castes/Tribes organisations shall be taken.

13.4 The upper age limit and other requirements may be relaxed for candidates belonging to Scheduled Castes/Tribes and such other categories of persons as may be notified from time to time by the Government of India to the extent and subject to the conditions specified by the Government of India in this regard.

13.5 A departmental candidate shall also be eligible to apply for a direct recruitment to post if he possess the requisite qualifications, except that in his case the age limit may be relaxed.

13.6 After the applications have been received, a list of suitable candidates shall be prepared with the approval of the Chairman of the respective Staff Selection Committee/Ad-hoc Selection Committee and the listed candidates shall be required to appear in the prescribed test(s) and/or interview. The subject(s) of the test(s) and qualifying marks for different categories of posts shall be prescribed by the Appointing Authority from time to time. It is permissible to prepare a panel of successful candidates for filling up of vacancies as they arise, but the panel shall hold good for one year unless the period of validity is extended by the Staff Selection/Ad-hoc Selection Committee.

contd....5/-

PART III - GENERAL PRINCIPLES GOVERNING PROMOTION

14. PROMOTION

14.1 No employee shall be considered eligible for promotion to a higher post unless he satisfies the requirements prescribed for promotion, as specified for the respective post in the Schedule.

14.2 For the purpose of promotion, a post shall be either a selection post or a non-selection post as given in the Schedule.

14.3 Selection Posts - Promotion to Selection posts shall be on the basis of merit with due regard to seniority. The appropriate Staff Selection Committee/Ad-hoc Selection Committee shall judge the merit, and suitability of eligible employees for promotion on the basis of record of service, including Confidential Reports, and recommend the order in which they may be promoted. It may also interview the eligible employees. Zone of consideration would extend upto 3 senior most eligible employees for each vacancy.

14.4 Non-Selection Posts - Promotion to non-Selection posts shall be on the basis of seniority subject to rejection of unfit as determined from the record of service, including Confidential Reports, by the appropriate Staff Selection Committee/Ad-hoc Selection Committee.

15. REMOVAL OF DOUBTS

15.1 Where any doubt arises as to the interpretation of any of the provisions of these Rules or in respect of matters not provided for in these Rules, the matter shall be referred to the Board of Governors whose decision thereon shall be final.

SCHEDULE

(a) Academic Staff

Sl. No.	Designation of the post	Scale of pay	Method of recruitment	If by promotion whether selection post or non-selection post	Educational and other qualifications and experience etc. required for direct recruits.	Age limits for direct recruits (years)	Whe lim qua etc to
1	2	3	4	5	6	7	
1.	Principal		By direct recruitment	N.A.	Qualifications Graduate with a Degree/Diploma in Hotel Management & Catering Technology (3 years) - atleast 2nd Division OR a Post-Graduate Degree in Institutional Management (atleast 2nd Division) OR M.B.A. (atleast 2nd Division) OR Any equivalent qualification Experience Atleast 10 years in an Institute of Hotel Management & Catering Technology or in a hotel or in an allied profession out of which 5 years should be as Head of Deptt. or in a managerial position Desirable Post Diploma in Specialized Hotel Management Teachers Training Degree or Diploma Knowledge of French language Experience in Hotel & Catering industry Experience in Admn. and Finance in a commercial or educational Institution	40-50	

2	3	4	5	6	7	8
2. Vice-Principal	1500-60-1800	By direct recruitment	N.A.	Qualifications Graduate with a Degree/Diploma in Hotel Management & Catering Technology (3 yrs) - atleast 2nd Division OR a Post-Graduate Degree in Institutional Management (atleast 2nd Division) OR M.B.A. (atleast 2nd Division) OR Any equivalent qualification Experience Atleast 8 years in an Institute of Hotel Management & Catering Technology or in a Hotel or in an allied profession out of which 4 years should be as Head of Department or in a managerial position. Desirable Post Diploma in Specialized Hotel Management Teachers Training Degree or Diploma Knowledge of French language Experience in Hotel industry Experience of Admn. and Finance in a commercial or educational institution.	40-45	N.A.
3. Heads of Departments	1100-50-1600	By Direct Recruitment	N.A.	Qualifications A. For Food Production/Food & Beverage Management and Service/Catering Management/Front Office/Languages/ Housekeeping: Post Graduate Degree/Post Diploma in Institutional Management/Foods & Nutrition/ Hotel Management & Catering Technology/ Food Service Management/ Clothing & Textiles (for Hotel Housekeeping only) - atleast 2nd Division OR any equivalent qualification.	35-45	N.A.

1	2	3	4	5	6	7	8
					B. For Teachers Training: As above with a Bachelors Degree in Education - atleast 2nd Division. C. For Financial Management, Economics & Law: M.Com with a Degree or Diploma in Business Management and Administration - atleast 2nd Division OR C.A./ ICWA / M.B.A. with specialization in Financial Management (atleast 2nd Division) OR Any equivalent qualification Experience Atleast 7 years experience in the relevant field at a senior level. Desirable : (In case of Diploma Holders) Graduate of a recognized University. Some administrative experience preferably in an educational institution or in hotel and catering industry.		
4.	Chief Instructor	1100-50-1600	By direct recruitment	Qualifications 3 Year Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or Equivalent. Experience: Atleast 6 years experience in the relevant field. Desirable: Post Diploma in Specialized Hotel Management Teachers Training Degree or Diploma (For House-Keeping) Good knowledge in Interior decoration/ Flower arrangement.	30-45	N.A.	

3	4	5	6	7	8
;or :turer- :um- ;enior Instructor	700-40 -900-EB -40-1100 -50-1300	Selection By promotion on the basis of Merit from amongst Lecturers-cum-Instructors with a minimum of 5 years service in the relevant field, failing which by direct recruitment.	Qualifications A). For Cooking/Bakery & Confectionary/Restaurant & Counter-Service/Hotel Reception & Catering Management: 3 Yrs. Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or Equivalent. B). For Housekeeping: As above or M.Sc with Home Management Major & Clothing & Textiles Minor (Atleast 2nd Division) or equivalent C). For Canning & Food Preservation: Post Graduate Degree/Diploma in Canning & Food preservation (atleast 2nd Division) or equivalent. D). For Nutrition & Hygiene: M.Sc. in Institutional Management/Foods & Nutrition/Food Service Management - (atleast 2nd Division) or Equivalent E). For Food Science and Basic Science: M.Sc. in Food Science/Bio-Chemistry/Institutional Management/ Food & Nutrition (atleast 2nd Division) OR Equivalent. F). Maintenance/Services: Degree in Mechanical/Electrical Engineering (atleast 2nd Division) G). For Accounts and Law: M.Com (atleast 2nd Division) with advanced Accountancy or Cost Accounting H). For Management & Economics: Graduate with a Diploma/Degree in Management (atleast 2nd Division) I). For Languages (English, French, etc) : M.A. in English Literature with French upto B.A. (Atleast 2nd Division) Experience: Atleast 5 years teaching or practical experience in an educational institution or industry. Desirable: Teachers Training Degree or Diploma Post Diploma in Specialized Hotel Management	8 25-40	NO

6. Lecturer-cum-Instructor	650-30-740-35-380-EB-40-960	By Selection on the basis of merit from amongst Asstt Lecturers cum-Asstt. Instructors with a minimum experience of 5 years in the relevant field failing which by direct recruitment	Qualifications A). For Cookery/Bakery & Confectionery/Restaurant & Counter-Service/Hotel Reception/Catering Management: 3 years Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or Equivalent. B). For Housekeeping: As above or M.Sc. with Home Management Major and Clothing Textiles Minor (atleast 2nd Division) or equivalent. C). For Nutrition & Hygiene: M.Sc. in Institutional Management/Foods & Nutrition/Food Science (atleast 2nd Division) or equivalent D). For Accounts and Law: M.Com with Law as one of the subjects (atleast 2nd Division) or equivalent E). For Languages (English, French etc.) M.A. in English Language & Literature with French upto B.A. (atleast 2nd Division) or equivalent. F). For Teachers Training: Bachelors Degree in Education with a 3 years Diploma in Hotel Management, Catering & Nutrition (atleast 2nd Division) or Experience: Atleast 3 years experience in the relevant field. Desirable: Post Diploma in Specialized Hotel Management A craft Certificate in the relevant field. Teachers Training Degree or Diploma (For Languages) Knowledge of any additional foreign language/experience in Dramatics & Elocution) (For Accounts & Law) LL.B.	22-35	No

3	4	5	6	7	8
stt. ecturer -cum- Asstt. Instructor	470-15-530-EB-20-650-25-750	By direct recruitment	N.A.	Qualifications A). For Cookery/Bakery & Confectionery/Restaurant & Counter-Service/Hotel Reception & Bookkeeping : 3 years Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or equivalent. B). For Housekeeping: As above or M.Sc. with Home Management Major and Cloth & Textile Minor Experience: Atleast one year's experience in the relevant field. Desirable: Post Diploma in Specialized Hotel Management A Craft Certificate in the relevant field.	20-28	N.A.
Demonstrator	330-10-380-EB-12-500-EB-15-560	By direct recruitment	N.A.	Qualifications A). For Cookery/Bakery and Confectionary/Hotel Reception & Book-keeping: 3 years Diploma in Hotel Management & Catering Technology OR a Craft Certificate in the relevant field with atleast 10 years experience. B). For Housekeeping: As above or M.Sc. with Home Management Major and Cloth & Textiles Minor. Desirable: Atleast one year's experience in the relevant field.	20-25	N.A.

no. of the post	pa	recruitment	If by re-motion	cational quali-

18

Government of India
Ministry of Tourism & Civil Aviation
(Hotel Management & Catering Division)
126, C-I Hutments, Dalhousie Road
New Delhi-110011.

No.1(24)/84-HMC Dated the 25th May, 1984.

TO

The Principal,
Institute of Hotel Management,
Catering Technology & Applied Nutrition,

Subject:- Introduction of new scales of pay for various categories of posts in the Institute of Hotel Management, Catering Technology & Applied Nutrition, with effect from 1.1.1984.

.....

Consequent upon the upgradation of your Institute to Diploma level, I am directed to say that it has been decided that there would be no objection to your adopting the scales of pay as per Annexure I and noted against the respective posts in your Institute w.e.f. 1.1.1984 plus such rates of D.A., A.D.A., H.R.A. and C.C.A. as are admissible to Central Government employees stationed at the place where the Institute is located and an employ is posted. It may, however, be specifically noted that these scales of pay will be subject to the individual members of the staff being eligible to hold the respective posts in accordance with the Recruitment Rules contained in Annexure II while their respective duties and responsibilities shall conform to the provisions of Annexure III. All the Annexures duly signed on each page, are also enclosed.

2. The matter may, therefore, be placed before the Board of Governors of your Institute as required under the Rules and Regulations of your Society for further consideration/ appropriate action in the matter.

3. However, since there might be cases, where an existing individual does not fit in the new pattern of 'Recruitment Rules' envisaged for a post in the new scale, as on 1.1.1984 or on the date of his appointment, whichever is later, such individual cases may be identified and reviewed by an

2/-...

'Evaluation Committee' of the Society, duly constituted by the Board of Governors for the purpose. The Committee may consider each such case on merits and make specific recommendation thereon (for reasons to be recorded in each case) for further consideration and a final decision by the Board of Governors of the Society.

4. As regards the exact formula for the fixation of pay in the new scales, following broad guidelines for pay fixation are suggested as under:-

(a) The various scales of pay indicated in Annexure I are not revised/replacement scales of pay but are simply new scales of pay introduced with a view to retain those already possessing the requisite qualifications and experience etc. and to attract suitable personnel to man various posts in future. Evidently there is no question of reviewing the cases of those who have already left the service of the Institute, either on their own or due to retirement etc.

(b) As regards the persons who are still in service, each case be specifically reviewed by the Board of Governors of the Society with a view to identify the following types of cases where:

(i) an individual fulfils the requisite requirements in respect of a particular post as specifically laid down in the relevant Recuitment Rules.

(ii) an individual does not fulfil the requisite requirements, but where the Board of Governors specifically decides, for reasons to be recorded in each case, to formally relax any particular requirement/requirements, thereby extending a particular scale of pay attaching to a specific post to the particular individual.

(iii) the individual(s) who donot fulfil the requisite requirements attaching to a particular post and the Board of Governors decides not to bring him/them to the new post/scales of pay.

(c) As regards (iii) above the individual(s) concerned shall continue to retain their existing status i.e. designation as well as the scales of pay & allowances etc. until they vacate these posts by whatever reasons e.g. promotion, resignation, retirement, etc.

(d) As regards (i) and (ii) of clause (b) above, they may be formally given the option to:-

(i) Elect the new designations and scales of pay (the exact stage and the date of next increment to be indicated specifically in each case by the Institute); or

(ii) retain the existing designation and the scale of pay attaching there to.

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The options referred to above should be exercised within such a reasonable period as may be specifically indicated by the Institute and failure to exercise such an option should automatically imply the exercise of the option to retain the existing scale.

(e) As to the question of pay fixation in the new scales, an employee should normally start from the minimum of the scale from the specified date or the date of his joining continuous service of the Institute, whichever be later. However, in the case of an employee who is already in service on the said date and in whose case the existing total emoluments are already more than the total emoluments admissible at the minimum of the new scale, he shall be given such number of increments in the new scale as to protect his existing emoluments and in case there is no such stage in the new scale, his pay shall be fixed at the next below stage, the difference being treated as 'Peronal Allowance' to be absorbed in future increment(s) in the new scale, the date of increment remaining unchanged in each case. The term 'Emoluments' for the above purpose shall mean 'Pay, Special pay, Interim Relief, if any, D.A., A.D.A., H.R.A., C.C.A., C.L.A. only and not any other allowance such as Medical Allowance, etc.

(f) Incidentally, there may be cases of extreme hardship and /or anomalies amongst the employees in whose case any particular relaxation has been made in the matter of experience etc. vis-a-viz those having already long years of service in a particular scale/post. Such anomalous cases and/or cases of exceptional hardships should specifically be considered by the Board of Governors on merits of each case for sanction of such minimum/marginal pay/emoluments in each case as it considers absolutely essential to remove the anomaly and/or to mitigate the exceptional hardship.

5. Consequent upon introduction of new pay scales, the employees covered by these pay scales would in all matters relating to service conditions, including pay and allowances, TA, Contributory Provident Fund, etc. be governed by the Rules on the subject as applicable to Central Government employees of corresponding categories subject to any orders/amendments/ instructions issued by the Central Government on the relevant subject from time to time except that where the Board of Governors, with the approval of the Central Government, adopts a specific provision/rule in respect of any specific service matter, the employees of the Institute shall be subject to those provisions in respect of such specified matters.

(Note: It may however be clarified that the items mentioned above are only illustrative and not exhaustive. All matters which may not have been spelt out above shall also be regulated in the same manner as in the case of Central Government servants of corresponding categories).

..4/-..

6. A statement indicating the overall staff strength, both academic and administrative/technical supporting staff at the optimum level of development, is also enclosed as Annexure IV. Actual creation and filling of various posts will, however, have to be carefully considered and decided by the Board of Governors in accordance with the normal policy/guidelines/instructions issued by the Central Government from time to time and depending upon the pace at which various courses are taken up and the intake therein. Following norms will have to be kept in view while creating and filling up various posts:-

(a) Minimum workload:

(i)	Principal	-6 hrs. per week.
(ii)	Heads of Deptts.	-15 hrs. per week.
(iii)	Full time teaching staff	-23 hrs. per week.
(iv)	Instructors	-28 hrs. per week.

(b) Staff students ratio:

(i) The staff to students ratio for the diploma courses shall not be more than 1:10 and for craft courses more than 1:12.

(ii) For theory and practical classes, streams of 60 and 20 students may be adopted and to provide for any drop-outs in the mid-session, the intake in the three year Diploma courses may be 10% over and above the sanctioned intake capacity, and for the Craft Courses the intake may be 20% over and above the sanctioned intake.

(c) Academic and administrative staff ratio:

The ratio of the academic and administrative/technical supporting staff shall be such that the total expenditure on salary and allowances of the administrative/technical supporting staff does not exceed 35% of such expenditure on the academic staff.

7. Receipt of this may kindly be acknowledged.

Yours faithfully,

Swarup

(Smt. Suman Swarup)
Director

25.5.84

Copy also forwarded to:-

I.F. Division,
Ministry of Tourism & C.A.,
Sardar Patel Bhawan,
New Delhi.

Annexure I to the Govt. of India, Ministry of Tourism & Civil Aviation, New Delhi letter No.1(24)/84-DT dated 21st May, 1984.

Sl.No	Name of post	Approved scale w.e.f. 1.1.83 Rs.	
1.	Principal	1500-1800	A
2.	Heads of Departments	1100-50-1600	A
3.	Chief Instructors	1100-50-1600	A
4.	Senior Lecturers-cum-Senior Instructors	700-40-900-EB-40-1100-50-1300	A
5.	Lecturers-cum-Instructors	650-30-740-35-880-EB-40-960	B
6.	Asstt. Lecturers-cum-Asstt. Instructors	470-15-530-EB-20-650-25-750	C
7.	Demonstrators	330-10-380-EB-12-500-EB-15-560	C
8.	Administrative Officer	700-40-900-EB-40-1100-50-1300	A
9.	Office Superintendent	500-20-700-EB-25-900	B
10.	Accountant	500-20-700-EB-25-900	B
11.	P.A. to Principal	425-15-500-EB-15-560-20-700	C
12.	Assistant Superintendent	425-15-500-EB-15-560-20-700	C
13.	Maintenance Foreman-cum-Caretaker	425-15-500-EB-15-560-20-700	C
14.	Stenographer	330-10-380-EB-12-500-EB-15-560	C
15.	Cashier	330-10-380-EB-12-500-EB-15-560- Plus S.P. as per rules.	C
16.	U.D.C./Snackteria Supervisor/Storekeeper	330-10-380-EB-12-500-EB-15-560	C
17.	Librarian	330-10-380-EB-12-500-EB-15-560	C
18.	Assistant Foreman-cum-Asstt. Caretaker	330-10-380-EB-12-500-EB-15-560	C
19.	Clerk-cum-Typist/Assistant Storekeeper/Snackteria/ Assistant/Laboratory Assistant	260-6-290-EB-6-326-8-366-EB-8-390-10-400	C
20.	Assistant Librarian	260-6-290-EB-6-326-8-366-EB-8 390-10-400	C
21.	Driver-cum-Mechanic	260-6-290-EB-6-326-8-366-EB-8- 390-10-400	C
22.	Carpenter/Painter/Plumber	260-6-326-EB-8-350	C
23.	Head Watchman/Head Mali/ Head Safaiwala	260-6-326-EB-8-350	C
24.	Technician	210-4-250-EB-5-270	D
25.	Laboratory Attendant	210-4-250-EB-5-270	D
26.	Cosmetnor Operator	210-4-250-EB-5-270	D
27.	Daftry	200-3-206-4-234-EB-4-250	D
28.	Peon/Watchman/Mali/ Safaiwala/Attendant	196-3-220-EB-3-232.	D

Annexure-II

Institute of Hotel Management,
Catering & Nutrition( )

RECRUITMENT RULES, 1984

In exercise of the overall powers vested in it under its Memorandum of Association and Rules and Regulations, the Board of Governors of the Institute of Hotel Management, Catering and Nutrition( )Society hereby makes the following Rules in respect of various appointments in service of the Institute:-

1. SHORT TITLE AND COMMENCEMENT

1.1 These Rules shall be called the Institute of Hotel Management, Catering & Nutrition(Recruitment and Promotion) Rules, 1984.

1.2 These Rules shall come into force from 1st January, , 1984.

2. INTERPRETATION

2.1 In these Rules the various terms and expressions shall have the same meaning as assigned to them in the Memorandum of Association, Rules and Regulations and Bye-laws of the Institute and other Rules applicable to employees of the Institute from time to time.

3. SCOPE

3.1. These Rules shall apply for recruitments and promotions to all whole time regular posts and to all persons appointed or promoted to any post in the Institute.

4. CLASSIFICATION OF POSTS

4.1

S.No.	Description of posts	Classification of posts
1.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 1300/-.	Group A
2.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 900/- but less than Rs. 1300/-.	Group B
3.	Posts carrying a pay or a scale of pay with a maximum of over Rs. 290 but less than Rs. 900.	Group C
4.	Posts carrying a pay or a scale of pay the maximum of which is Rs. 290 or less.	Group D

Contd....2/-

Note: 'Pay' shall have the same meaning as defined in the Fundamental Rules applicable to Central Government Servants.

5. FILLING UP OF VACANCIES

5.1 Vacancies shall be filled up by one or more of the following methods as prescribed in the Schedule for each category of posts:-

a) direct recruitment (see Part II of these Rules);

b) promotion on the basis of merit (see Part III of these Rules);

c) promotion on the basis of seniority (see Part III of these Rules);

d) Deputation of a person from the Central Government State Governments, semi-Government Organisations or public undertakings.

5.2. Vacancies against posts normally required to be filled up by promotion may be filled by direct recruitment when no employees is eligible or available or found suitable for promotion.

6. STAFF SELECTION COMMITTEE

6.1 In making appointments and promotions, the Appointing Authority shall be assisted by a Staff Selection Committee for each Group of posts, consisting of a Chairman, three Members and a Member-Secretary, as nominated by the Board of Governors from time to time.

6.2 The Board of Governors may appoint such separate ad-hoc Selection Committee(s) for direct recruitment as it may consider necessary or expedient.

6.3 The Chairman of a Staff Selection Committee may coopt one or more specialists to assist the Committee.

6.4 The recommendations of a Staff Selection Committee or Ad-hoc Selection Committee shall be submitted to the Appointing Authority and shall normally be valid for one year.

7. SPECIAL REPRESENTATION

7.1 Vacancies in various categories of posts shall be subject to such reservations for representation of Scheduled Castes/ Scheduled Tribes, Ex-servicemen or any other categories of persons as may be specified by the Government of India from time to time.

Contd....3/-

8. ELIGIBILITY FOR APPOINTMENT

8.1 A candidate for appointment in the Institute

a) must be a citizen of India

OR

b) must belong to such categories of persons as may, from time time, be notified in this behalf by the Government of India.

9. PHYSICAL FITNESS

9.1 A candidate selected for appointment in the Institute shall be required to produce a medical certificate of fitness before appointment. The standard of physical fitness and competent medical authorities to examine candidates for appointment will be determined by the Board of Governors for each Group of posts generally on the basis of the practice prevailing in the Government of India from time time.

10. VERIFICATION OF CHARACTER AND ANTECEDENTS

10.1 The Appointing Authority shall satisfy itself that the character and antecedents of a candidate selected for first appointment in the Institute are such as do not render him unsuitable for appointment, and the procedure to be followed in this behalf shall be determined by the Secretary on the basis of instructions issued by the Government of India from time to time.

11. PLURAL MARRIAGES

11.1 Unless exempted, no male candidate who has more than one wife living or who having a wife living contracts another marriage (even though it may be void by reason of its taking place during the life time of the former spouse), shall be eligible for appointment to any of the posts in the Institute. Likewise, no female candidate married to a husband who has a former wife living at the time of marriage shall be eligible for appointment to any of the posts.

12. GENERAL CONDITIONS FOR APPOINTMENT

12.1 A person appointed or promoted to a post shall be placed on probation normally for two years which may be extended by the Appointing Authority from time to time upto three years. At any time during or at the end of the probationary period, the services of the employee may be terminated in case of a new entrant or the employee may be reverted to the post held before promotion, without any notice and without assigning any reason.

Contd....4/-

12.2 On satisfactory and successful co pletion of the pro tionary period, the employee shall be confirmed if a clear regu vacancy is available. If clear regular vacancy is not available, he may be freed from probation upon which the employee would be entitled to such benefits as may accure to a quasi-permanent Government employee of the Central Government.

12.3 An employee of the Institute shall be liable to serve anywhere in India.

PART II - GENERAL PRINCIPLES GOVERNING DIRECT RECRUITMENTS

13. DIRECT RECRUITMENT

13.1 Vacancies shall ordinarily be advertised and/or notified to the Employment Exchange/Directorate General of Resettlement, Ministry of Defence, giving among other things, full information regarding qualifications, age, experience, etc. as prescribed for the post in the Schedule. A candidate below the age of 18 years will not be considered for appointment to any post in the Institute.

13.2 A candidate for direct recruitment to a post must fulfil the prescribed qualifications, experience, age, etc. For exceptionally qualified candidates, experience and age limit prescribed for the post may be relaxed by the Appointing Authority.

13.3 In case a vacancy is reserved for Scheduled Castes/Tribes candidates, necessary steps to notify the vacancy to recognised Scheduled Castes/Tribes organisations shall be taken.

13.4 The upper age limit and other requirements may be relaxed for candidates belonging to Scheduled Castes/Tribes and such other categories of persons as may be notified from time to time by the Government of India to the extent and subject to the conditions specified by the Government of India in this regard.

13.5 A departmental candidate shall also be eligible to apply for a direct recruitment to post if he possess the requisite qualifications, except that in his case the age limit may be relaxed

13.6 After the applications have been received, a list of suitable candidates shall be prepared with the approval of the Chairman of the respective Staff Selection Committee/Ad-hoc Selection Committee and the listed candidates shall be required to appear in the prescribed test(s) and/or interview. The subject(s) of the test(s) and qualifying marks for different categories of posts shall be prescribed by the Appointing Authority from time to time. It is permissible to prepare a panel of successful candidates for filling up of vacancies as they arise, but the panel shall hold good for one year unless the period of validity is extended by the Staff Selection/Ad-hoc Selection Committee.

Conta....5/-

PART III - GENERAL PRINCIPLES GOVERNING PROMOTION

14. PROMOTION

14.1 No employee shall be considered eligible for promotion to a higher post unless he satisfied the requirements prescribed for promotion, as specified for the respective post in the Schedule.

14.2 For the purpose of promotion, a post shall be either a selection post or a non-selection post as given in the Schedule.

14.3 Selection Posts - Promotion to Selection posts shall be on the basis of merit with due regard to seniority. The appropriate Staff Selection Committee/Ad-hoc Selection Committee shall judge the merit, and suitability of eligible employees for promotion on the basis of record of service, including Confidential Reports, and recommend the order in which they may be promoted. It may also interview the eligible employees. Zone of consideration would extend upto 3 senior most eligible employees for each vacancy.

14.4 Non-Selection Posts - Promotion to non-Selection posts shall be on the basis of seniority subject to rejection of unfit as determined from the record of service, including Confidential Reports, by the appropriate Staff Selection Committee/Ad-hoc Selection Committee.

15. REMOVAL OF DOUBTS

15.1 Where any doubt arises as to the interpretation of any of the provisions of these Rules or in respect of matters not provided for in these Rules, the matter shall be referred to the Board of Governors whose decision thereon shall be final.

1.	2.	3.	4.	5.	6.	7.	8.
2. Vice Principal	1500-60-1800.	Direct recruitment.	N.A.	Qualifications Graduate with a Degree/Diploma in Hotel Management & Catering Technology(3 yrs)- atleast 2nd Division. OR a Post-Graduate Degree in Institutional Management (atleast 2nd Division) OR M.B.A. (atleast 2nd Division) OR Any equivalent qualification. Experience Atleast 8 years in an Institute of Hotel Management & Catering Technology or in a Hotel or in an allied profession out of which 4 years should be as Head of Department or in a managerial position. Desirea-ble: Post Diploma in Specialized Hotel Management. Teachers Training Degree or Diploma knowledge of French language Experience in Hotel industry. Experience of Admn. and Finance in a commercial or educational institution.	40-45	N.A.
3. Heads of Departments	1100-50-1600-	Direct recruitment.	N.A.	Qualifications: A. For Food Production/Food & Beverage Management and Service/Catering Management/Front Office/Languages/Housekeepings Post Graduate Degree/Post Diploma in Institutional Management/Foods & Nutrition/ Hotel Management & Catering Technology/ (Food Service Management/Clothing & Textiles (for Hotel Housekeeping only). - atleast 2nd Division. OR any equivalent qualification.	35-45	N.A.

contd.....

6.	7.	8.
4. Chief Instructor.	1100-50-1600.	By direct recruitment.

B. For Teachers Training: As above with a Bachelors Degree in Education - atleast 2nd Division.

C. For Financial Management, Economics & Law: M.Com with a Degree or Diploma in Business Management and Administration - atleast 2nd Division.
OR C.A./ICWA/M.B.A. with specialization in Financial Management (atleast 2nd Div.)
OR Any equivalent qualification.

Experience:

Atleast 7 years experience in the relevant field at a senior level.

Desireable:

(In case of Diploma Holders) Graduate of a recognized University. Some administrative experience preferably in an educational institution or in hotel and catering industry.

30-45	N.A.

Qualifications:
3 Year Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or Equivalent.

Experience: Atleast 6 years experience in the relevant field.

Desirable:
Post Diploma in Specialized Hotel Management Teachers Training Degree or Diploma (For House-Keeping) Good knowledge in Interior decoration/ Flower arrangement..

contd...../-

1.	2.	3.	4.	5.	6.	7.	8.
5.	Sr.Lecturer-cum-Senior Instructor	700-40-900-EB-40-1100-50-1300	By Promotion on the basis of Merit from amongst Lecturers-cum-Instructors with a minimum of 5 years service in the relevant field, failing which by direct recruitment.	Selection.	Qualifications: A). For Cooking/Bakery & Confectionery/ Restaurant & Counter Service/Hotel. Receiption & Catering Management: 3 Yrs. Diploma in Hotel Management & Catering Technology(atleast 2nd Division) or Equivalent. B). For Housekeeping: As above or M.Sc with Home Management Major & Clothing & Textiles Minor (Atleast 2nd Division) or equivalent. C). For Canning & Food Preservation: Post Graduate Degree/Diploma in Canning & Food Preservation (atleast 2nd Division) or equivalent. D). For Nutrition & Hygiene : M.Sc. in Institutional Management/Foods & Nutrition/Food Service Management -(atleast 2nd Division)or Equivalent. E). For Food Science and Basic Science: M.Sc.in Food Science/Bio-Chemistry/Institutional Management/Food & Nutrition (atleast 2nd Div.) or Equivalent. F). Maintenance/Services: Degree in Mechnical/Electrical Engineering (atleast 2nd Division). G). For Accounts and Law: M.Com (atleast 2nd Division) with advanced Accountancy or Cost Accounting. H). For Management & Economics: Graduate with a Diploma/Degree in Management(atleast 2nd Division) I). For Languages (English,French,etc.): M.A. in English Literature with French upto B.A.(atleast 2nd Division). Experience:Atleast 5 years teaching or practical experience in an educational institution or industry. Desirable: Teachers Training Degree or Diploma Post	25-40	No.

6. Lecturer-cum-Instructor.	650-30-740-35-880-EB-40-960.	By promotion on the basis of merit from amongst Asstt. Lecturers cum-Asstt. Instructors with a minimum experience of 5 years in the relevant field failing which by direct recruitment.	Selection	Qualifications A. For Cookery/Bakery & Confectionery/Restaurant & Counter-Service/Hotel Reception/Catering Management: 3 years Diploma in Hotel Management & Catering Technology (atleast 2nd Division) or equivalent. B. For Housekeeping: As above or M.Sc. with Home Management Major and Clothing Textiles Minor (atleast 2nd Division) or equivalent. C. For Nutrition & Hygiene: M.Sc. in Institutional Management/Foods & Nutrition/Food Science Management (atleast 2nd Division) or equivalent. D. For Accounts and Law: M.Com. with Law as one of the subjects (atleast 2nd Division) or equivalent. E. For Langquages (English, French etc.) M.A. in English Language & Literature with French upto B.A. (atleast 2nd Division) or equivalent. F. For Teachers Training: Bachelors Degree in Education with a 3 years Diploma in Hotel Management, Catering & Nutrition(atleast 2nd Division) Experience: Atleast 3 years experience in the relevant field. Desirable: Post Diploma in Specialised Hotel Management A craft Certificate in the relevant field. Teachers Training Degree or Diploma (For Languages) Knowledge of any additional foreign language/experience in Dramatics & Elocution) (For Accounts & Law) LL.B.	22-35 No

(b) Non-Academic Staff

Sl. No.	Designation of the post.	Scale of pay	Method of recruitment	If by promotion, whether selection post or non-selection post	Educational qualifications and experience etc. required for direct recruits	Age limits for direct recruits	Whether age limits, qualifications etc. applicable to promotees
1.	2.	3.	4.	5.	6.	7.	8.
1.	Administrative Officer	700-40-900-EB-40-1100-50-1300	Promotion from Office Superintendent/Accountant with minimum 10 years service in the Grade failing which by deputation/transfer from officers holding anologous posts in the minimum scale of 500-900 with 10 years service in the grade or direct recruitment.	Selection	Graduate from recognized University with 8 years experience in administration preferably in an educational institution. Desirable: Degree in Law	35-45	Yes, but not age limits.
2.	Office Superintendent.	500-20-700-EB-25-900	Promotion from Assistant Superintendent/P.A. with minimum of 8 years experience in the grade failing which by deputation/transfer or by direct recruitment.	Selection	Graduate of a recognized University, with 5 years experience in administration and establishment matters.	25-35	Yes, but not age limits.

-27-

Dt. of Receipt...

Government of India
Ministry of Tourism

Regd.Post/AD

No.1(40)/98-HMC

Dated: 25.9.98

To

All the Principals of IHMs,
Guwahati

REVISED RECRUITMENT RULES, 1998

Sir/Madam,

Apropos discussions held in Principal's meeting on 3.9.98, the existing Recruitment Rules introduced in 1986, stand superseded by Recruitment Rules, 1998, a copy of which is enclosed. Staffing pattern, as would be seen, has been streamlined especially the non-academic staff. Since number of ex-cadre posts have deleted in the new RRs, the incumbents holding the relevant cadres. In cases where this is not found feasible, the employees may continued and the posts phased out as and when these fall vacant.

Number of posts on academic side has not been indicated as this is under process in consultation with Finance Division. However, the hierarchical structure, as indicated in the organisational chart, shall remain effective. Institutes may review their staffing requirements on academic side as per SIU norms and furnish the same for consideration of Finance Division. This should be done on an urgent basis.

Yours faithfully,

(M. K. Khanna)
Addl.Dir.General

Copy to Director(Studies), National Council for Hotel Management & Catering, Library Avenue, Pusa Complex, New Delhi.

Copy is with the Principal

RECRUITMENT RULES, 1998

In exercise of the overall powers vested in it under its Memorandum of Association and Rules & Regulations, the Board of Governors of the Institute of Hotel Management, Catering Technology & Applied Nutrition (.....)Society hereby makes the following Rules in respect of various appointments in service of the Institute :-

1. SHORT TITLE AND COMMENCEMENT :

1.1 These Rules shall be called the Institute of Hotel Management, Catering Technology & Applied Nutrition (Recruitment and Promotion) Rules, 1998.

1.2 These Rules shall come into force with immediate effect.

2. INTERPRETATION :

In these Rules the various terms and expressions shall have the same meaning as assigned to them in the Memorandum of Association, Rules & Regulations and Bye-laws of the Institute and other Rules applicable to employees of the Institute from time to time.

3. SCOPE :

These Rules shall apply for recruitments and promotions to all whole time regular posts and to all persons appointed or promoted to any post in the Institute.

4. CLASSIFICATION OF POSTS :

Sr.No.	Classification of posts.	Description of posts
1.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs. 13,500/-	Group A
2.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs.9000 but less than Rs.13,499/-.	Group B
3.	Posts carrying a pay or a scale of pay with a maximum of over Rs.4001/- but less than Rs.8,999/-	Group C
4.	Posts carrying a pay or a scale of pay with a maximum of over Rs.4000/- but less than Rs.9000/-.	Group D

Note: 1. 'Pay' shall have the same meaning as defined in the Fundamental Rules applicable to Central Government Servants.

2. Posts under Group 'A' will form part of an All India Cadre, making the incumbents liable for transfer to any of the Institutes sponsored by the Central Govt. within the country as per provisions under Regulation relating to Appointments in the Staff Regulations.

...2/-

5. FILLING UP OF VACANCIES.

5.1 Vacancies shall be filled up by one or more of the following methods as prescribed in the Schedule for each category of posts :-

a) direct recruitment (see Part II of these Rules)

b) promotion by selection (see Part III of these rules)

c) promotion on the basis of seniority cum fitness (see Part III of these rules)

d) deputation of a person from the Central Government, State Governments, semi-Govt. Organisations or public undertakings.

5.2 Vacancies against posts normally required to be filled up by promotion may be filled by direct recruitment when no employee is eligible or not available or found suitable for promotion.

6. SELECTION COMMITTEE :

6.1 Appointments and promotions to Group 'A' posts shall be made by the Ministry of Tourism, Govt. of India, by a Selection Committee constituted for the purpose.

6.2 In making appointments and promotions to Group 'B', Group 'C' & Group 'D', the Appointing Authority, as indicated in the Schedule, shall be assisted by a duly constituted Selection Committee as nominated by the Board of Governors. This shall include representatives of the Central Government.

6.3 The Chairman of a Selection Committee may coopt one or more specialists to assist the Committee.

6.4 The recommendations of a Selection Committee shall be submitted to the Appointing Authority for approval and shall normally be valid for one year.

7. SPECIAL REPRESENTATION :

Vacancies in various categories of posts shall be subject to such reservations for representation of Scheduled Castes/Scheduled Tribes, Ex-servicemen or any other categories of persons as may be specified by the Government of India from time to time.

8. ELIGIBILITY FOR APPOINTMENT :

A candidate for appointment in the Institute:

a) must be a citizen of India; OR

b) must belong to such categories of persons as may, from time to time, be notified in this behalf by the Government of India.

...3/-

PHYSICAL FITNESS :

A candidate selected for appointment in the Institute shall be required to produce a medical certificate of fitness before appointment. The standard of physical fitness and competent medical authorities to examine candidates for appointment will be determined by the Board of Governors for each Group of posts as per the procedure laid down in the Staff Regulations.

10. VERIFICATION OF CHARACTER AND ANTECEDENTS :

The Appointing Authority shall satisfy itself that the character and antecedents of a candidate selected for first appointment in the Institute are such as do not render him unsuitable for appointment, and the procedure to be followed in this behalf shall be as laid down in the Staff Regulations.

11. PLURAL MARRIAGES :

Unless exempted, no male candidate who has more than one wife living or who having a spouse living contracts another marriage (even though it may be void by reason of the taking place during the life time of the former spouse) shall be eligible for appointment to any of the posts in the Institute. Likewise, no female candidate married to a husband who had former wife living at the time of marriage shall be eligible for appointment to any of the posts.

12. GENERAL CONDITIONS FOR APPOINTMENT :

12.1 A person appointed or promoted to a post shall be placed on probation normally for two years which may be extended by Appointing Authority from time to time upto three years. At any time during or at the end of the probationary period, the services of the employee may be terminated in case of a new entrant or the employee may be reverted to the post held before promotion, wihtout any notice and without assigning any reason.

12.2 On satisfactory and successful completion of the probationary period, the employee shall be confirmed if a clear regular vacancy is available. If clear regular vacancy is not available, he may be freed from probation upon which the employee would be entitled to such benefits as may accrue to a quasi-permanent Government employee of the Central Government.

12.3 An employee of the Institute working against Group 'A' post shall be liable to serve anywhere in India.

PART II - GENERAL PRINCIPLES GOVERNING DIRECT RECRUTMENTS

3. DIRECT RECRUITMENT :

...4/-

13.1 Vacancies in Group 'A' posts shall be advertised by NCHMCT and while those in Group 'B' by the Institute in the leading newspapers through DAVP as outlined in the bye-laws/Rules & Regulations, and Staff Regulations whereas Group 'C' and 'D' vacancies shall be notified to the Employment Exchange giving among other things, full information regarding qualifications, age, experience etc., as prescribed for the post in the the Schedule. Action to fill a post due to fall vacant on account of retirement shall be initiated within six months prior to its occurence. This could be supplemented with other vacancies arising due to resignation/dismissal/ incapacitation/death in the intervening period. A candidate below the age of 18 years shall not be considered for appointment to any post in the Institute.

13.2 A candidate for direct recruitment to a post must fulfil the prescribed qualifications, experience, age etc. (Relaxation of essential qualifications and experience as prescribed for the post shall not be permissible under any circumstances).

13.3 In case a vacancy is reserved for SC/ST candidates etc., necessary steps to notify the vacancy to recognised SC/ST organisations etc., shall be taken.

13.4 The age limit and other requirements may be relaxed, in upper age limit, for candidates belonging to SC/ST and such other categories of persons as provided for in the schedule.

13.5 A departmental candidate shall also be eligible to apply for a direct recruitment to post if he possesses the requisite qualifications and other requirements provided for in the schedule.

13.6 After the applications have been received, a list of eligible candidates shall be prepared in consultation with the Chairman of the respective Selection Committee and the Selection Committee shall submit names of suitable candidates to the Appointing Authority for approval. Listed candidates shall be required to appear in the prescribed test(s) and/or interview. It is permisible to prepare a panel of 3 successful candidates for filling up of vacancies as and when these arise, but the panel shall be valid for one year only.

13.7 Candidates short-listed for interview in case of Group 'A' and 'B' posts, may be granted travel expenses, to and fro, for journey(s) by shortest rail route by IInd class rail fare, on production of tickets.

PART III - GENERAL PRINCIPLES GOVERNING PROMOTION

14. PROMOTION

14.1 No employee shall be considered eligible for promotion to a higher post unless he satisfies the requirements prescribed for promotion as specified for the respective post in the Schedule.

...5/-

4.2 For the purpose of promotion, a post shall be either a selection post or a non-selection post as given in the Schedule.

4.3 Selection Posts - Promotion to Selection posts shall be on the basis of merit with due regard to seniority. The appropriate Staff Selection Committee shall judge the merit, and suitability of eligible employees for promotion on the basis of record of service, including confidential Reports, and recommend the order in which they may be promoted. It may also interview the eligible employees. Zone of consideration would extend upto 5 senior most eligible employees for each vacancy.

4.4 Non Selection Posts - Promotion to non-Selection posts shall be on the basis of seniority subject to rejection of unfit as determined from the record of service, including Confidential Reports, by the appropriate Staff Selection Committee

.5 In case of promotion to Group 'A' posts in the IHMs, an All India combined seniority list of eligible employees of various IHMs would be maintained in the National Council for Hotel Management and Catering Technology. This will be compiled taking into consideration the date of regular appointment to the post and in case of persons appointed on the same date in different Institutes, ranking in All India Seniority list would be done by giving weightage to (i) length of service (ii) age (iii) qualifications, in that order. IHMs should ensure timely intimation of regular appointment of an employee to the National Council for inclusion in the combined seniority list.

5. REMOVAL OF DOUBTS

5.1 Where any doubt arise as to the interpretation of any of the provisions of these Rules or in respect of matters not provided for in these Rules, the matter shall be referred to the Central Government.

DUTIES AND RESPONSIBILITIES

) Academic Staff :

PRINCIPAL

) Principal is academic and executive officer of the Institute and responsible for proper administration and finance, discipline, teaching etc. as per Bye laws, Memorandum of Association, and Rules and Regulations of the Society and within the powers vested/ delegated to him by the Board of Governors/Central Government.

i) Custodian of funds and other assets, immovable/movable of the society.

:) As Secretary to the Board of Governors, Executive Committee responsible for arrangement of meetings. To inform Govt. for filling up vacant posts in BOGs or Executive Committee.

d) Initiate faculty development/Research/Experimentation in close association with the Heads of Deptts and submit periodic feedback to National Council for Hotel Management and Catering Technology and the Department. Also sponsor employees from administrative cadres including A for Cash & Accounts training and other refresher courses by IST&M, New Delhi through NCHMCT.

e) Such other duties as may be entrusted to the incumbent by the Executive Committee/Board of Governors and Govt. of India from time to time.

:. HEADS OF DEPARTMENT INCLUSIVE OF POST OF Vice Principal carrying spl(PAY (TO BE DECIDED LATER)

(a) Post of Vice Principal which will form part of HOD's Cadre, will be filled on rotation basis for a period of 2 yrs from amongst the HODs. He will perform duties as assigned to him as HOD and also function as Dean of the Institute looking after Counselling/Trainings/Placements of the students etc.

(b) Teaching as assigned by the Principal from time to time.

(c) Overall responsibility for the efficient working of the Department concerned including maintenance of high educational standards, records all equipments, tools and materials with the Department, regular departmental meetings with minutes recorded for discussions with the Principal, Assistance to the Principal in the maintenance of staff and students discipline, innovation of programmes to strengthen the Institute's national and international reputation.

(d) Assist Principal in R&D activities for improving quality of teaching of service to the industry and community.

(e) Overall charge of the Labs and other working areas concerned. Involvement in the purchase of equipment items etc. both in matter of indenting, tendering and conduct of Purchase Committee meetings.

(f) Such other duties/responsibilities as may be entrusted from time to time.

....2/-

SENIOR LECTURER -CUM-SENIOR INSTRUCTOR :

) To take classes (Theory and Practical) under overall supervision of the HOD.

) Responsible for equipment/material under his charge.

) To assist the Principal/HOD in research work, quality improvement programmes and guide the junior staff.

) Such other duties and responsibilities as may be assigned to him from time to time.

LECTURER-CUM-INSTRUCTOR :

To take classes (both theory and practical) as required by the HOD concerned..

To assist the Sr.Lecturer cum Sr.Instructor in various spheres of his duties.

To provide guidance to Asstt.Lecturer cum Asstt. Instructors.

Involvement in research work under the supervision of senior faculty members and perform such other duties and responsibilities as may be assigned to him from time to time.

ASSTT.LECTURER- CUM- ASSTT.INSTRUCTOR.

(a) To take classes both (theory and practicals) and checking of students' journals as required.

(b) Responsible for equipments and material under his charge.

(c) Make arrangements for conduct of theory and practical classes with the assistance of Attendants including maintenance and safe custody of equipment items and stocks thereof.

Non-Academic Staff :

Accounts-cum-Administrative Officer.

(a) To render suitable assistance to the Head of the Institute in all administrative, financial & other accounts matters.

(b) Supervision of General Office, Accounts of Budget, work assisting Principal in holding of Meetings of the Board, Executive Committee etc.

(c) Overall supervision in respect of proper utilisation and upkeep including payment of taxes in respect of lands & buildings belonging to the Institute.

....3/-

(d) Organise purchases of Stores/Equipments etc. under supervision of Principal and in association with the concerned faculty staff.

(e) Supervision of Security arrangements with security staff.

(f) Arranging of training and welfare of students and such other duties and responsibilities as may be assigned to him by the Principal.

2. Accountant:

To assist the Principal and the Accounts-cum-Admn. Officer in the discharge of his overall responsibilities for the financial and accounts matters and such other duties as may be assigned by a competent authority from time to time.

3. P.A. to Principal

Dictation from Principal and typing. Keeping proper record of the communications at the level of the Principal and handling/security of all confidential documents and handling of administrative accounts and establishment matter for career advancement and such other duties and responsibilities as may be assigned by a competent authority from time to me.

4. Maintenance Foreman-cum-Caretaker

Overall responsibility for all maintenance work and security matters of the Institute hostels and staff quarters and such other duties and responsibilities as may be assigned by a competent authority from time to time.

5. Asstt.Maintenance Foreman-cum-Caretaker

To provide assistance in all the maintenance jobs and to maintain Inventory Register under the overall supervision of Maintenance Foreman-cum-Caretaker and such other duties and responsibilities as may be assigned by a cometent authority from time to time.

6. Librarian :

Custodian of Institute's library books/journals etc., accession of books, issue of library cards and overall supervision of Asstt.Librarian, review and verification of stock register of books in hand and those outstanding with the staff memebers/students, levying of penalty in case of retention of books etc., by staff/students beyond prescribed period of one month. Issue of NOC to the outgoing staff members and students.

7. Assistant Librarian

Maintenance of stock Register, issue of books including receipt and return, checking of condition of books and inform Librarian in case of damages/issue of reminders to the staff/students in case of delay in return within prescribed time; general review of the stocks from time to time and submission of report to the Librarian.

...4/-

8. UDC (Cash)/Estt./Stores :

Posting of UDCs on various assignments will be made by rotation and no employee would hold a particular assignment for period exceeding 3 years.

(a) Cash: Custody, receipt and disbursment of cash including maintenance of cash books and other connected records, collection of fees etc., from students and maintain accounts thereof.

(b) Estt: Handle all administrative and establishment work of the Institute including custody and maintenance of Institute records, service books and ensure periodic review and authentication of service records by the competent authority.

(c) Stores: Custody, receipt and supply of food and other connected items against written indents from the faculty staff duly authenticated by the HOD concerned. Maintenance of stock Registers and timely information to Accounts-cum-Administrative Officer about the stock position.

In addition, employees will perform such other duties as may be assigned to them from time to time.

9. LDC (Cash/Estt./Stores) :

Posting of LDCs on various assignments will be made by rotation and no employee would hold a particular assignment for period exceeding 3 years.

(a) Cash: Assist UDC(Cash) in handling custody and upkeep of records relating to cash, preparation of pay bills, deduction of necessary subscriptions towards GPF/EPF/Group Insurance Scheme/ HBA/MCA including Typing work.

(b) Estt.. Assist UDC (Estt.) in maintenance and safe custody of the official records relating to Institute, employees service records, other misc. jobs including typing work.

(c) Stores Assist UDC (Stores) in maintenance, upkeep and issue of stores items to the faculty members against indents under authorisation by UDC(Stores), Upkeep of stock registers for submission to Assistant including typing work.

In addition, the employees will perform such other duties as may be assigned to them from time to time.

10. Driver-cum--Mechanic

To drive car for official use only and carry out routine repairs of the vehicles as and when required. After duty the vechile should be parked in Institute's building. In case of accident, he will inform Principal and lodge report with the Police Station. He shall keep log book and consumption of petrol/Deisel in the log book on daily basis alongwith signature of the person using the car. At the end of the Month he should get the log book verified and signed by AAO and Principal.

...5/-

Attendant :

To provide assistance on full time basis to Asstt.Lecturer cum Asstt.Instructor in the upkeep maintenance and conduct of classes, both theory and practical.

Peon; To assist the Principal and other administrative staff.

SCHEDULE

ACADEMIC STAFF

1.	Name of Post	PRINCIPAL
2.	Scale of Pay:	Rs.12000-375-16500 (Having intake upto 100) Rs.14300-400-18300 (Having intake exceeding 120)
3.	Method of Recruitment:	Direct
4.	Whether post is Selection or Non Selection:	Selection
5.	Educational and other qualifications and experience required for direct recruit.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt. with atleast IInd Division from any recognised University. Experience: Atleast 10 years in an Institute of any recognised Hotel Management Institute in a senior post (not lower than HOD) Desirable: In either case should have working knowledge of Computers. Specialised degree in Hotel Management from a recognised Hotel Management Knowledge of one or more foreign languages. Experience in Administration and Financial Management.
6.	Age limits for direct recruits.	45-50 Yrs. (Relaxable upto upper age limit by a period not exceeding 5 years for SCs and STs, departmental candidates and other categories as specified by Govt. of India from time to time.
7.	Whether age limits, qualifications etc. applicable to promotees.	Not applicable.
8.	Appointing Authority for the post.	Central Government.

1.	Name of Post	Vice Principal/Head of Department (Post to designated as Vice Principal will be notional and form part or staff strength of HOD with special pay to be decided later. It will be filled from amongst HODs on rotational basis for a maximum period of 2 years).
2.	Scale of Pay:	Rs.10000-325-15200
3.	Method of Recruitment:	Direct.
4.	Whether post is Selection or Non Selection:	Selection
5.	Educational and other qualifications and experience required for direct recuits.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt.with atleast IInd Division from any recognised University. Experience: Atleast 7 years experience as Sr.Lecturer in a recognised Institute of Hotel Mgt. or as Dy.Manager of a 3-star and above category hotels. Desirable: Working knowledge of Computers. Teacher Training Diploma; Knowledge of one or more Foreign languages; Experience in Admn. and Financial Management; Post Graduate Degree/Post Diploma in Hotel Management.
6.	Age limits for direct recruits.	40-45 Yrs. (Relaxable by Five Years in upper age limit for SCs and STs, departmental candidates and other categories as specified by Govt. of India from time to time.
7.	Whether age limits,qualifications etc.applicable to promotees.	Not Applicable.
8.	Appointing Authority for the post.	Central Government.

1.	Name of Post:	Sr.Lecturer cum Sr.Instructor
2.	Scale of Pay:	Rs.8000-275-13500
3.	Method of Recruitment:	Promotion from amongst the common cadre of Lecturers working in IHMs, failing which by Direct recuritment.
4.	Whether post is Selection or Non Selection:	Selection.
5.	Educational and other qualifications and experience required for direct recuits.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt. from any recognised Univesity with atleast IInd Division. For Subject specific: Minimum IInd Class Graduate in Computers or MCA Accounts & Law - M.Com/ICWA/LLB Experience: Atleast 5 years experience in the grade of Lecturer. For Direct Recruitment: Atleast 8 years teaching experience in recognised educational Institute of atleast diploma level or in a supervisory capacity in Hotel Industry. (3 Star or above). Desirable: Working knowledge of Computers. Teachers Training Degree or Diploma; Post Diploma in Specialised Hotel Management; Post Graduate qualification in the subject specific for the post.
6.	Age limits for direct recruits.	40-45 Yrs. (Relaxable by 5 years in uppger age limit for SCs & STs, departmental candiates and categories as specified by Govt. of India from time to time.
7.	Whether age limits,qualifications etc.applicable to promotees.	Age limit: No Educational Qualification: Yes
8.	Appointing Authority for the post.	Central Government.

1.	Name of Post	Lecturer cum Instructor
2.	Scale of Pay:	Rs.6500-200-10500
3.	Method of Recruitment:	Promotion from amongst Asstt.Lecturers failing which by Direct recruitment.
4.	Whether post is Selection or Non Selection:	Selection
5.	Educational and other qualifications and experience required for direct recruit.	<u>Essential Qualifications:</u> Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt from any recognised Univesity with atleast IInd Division. <u>For Selection by Promotion:</u> Five years regular service in the post of Asstt.Lecturer-cum-Asstt.Instructor. <u>For Direct Recruitment.</u> Atleast 5 years teaching and /or supervisory experience in a Government recognised Hotel Mgt.Institute of atleast diploma level or Hotel Industry in 3 Star or above category. <u>Desirable:</u> Working knowledge of Computers. Teachers Training Degree or Diploma, PG Diploma in Food Production or Accommodation operation.
6.	Age limits for direct recruits.	35-40 Yrs. (Relaxable by 5 years in upper age limit for SCs & STs and departmental candidates and categories as specified by Govt. of India from time to time.
7.	Whether age limits, qualifications etc.applicable to promotees.	Age limit - N.A. Education Qlf. - Yes.
8.	Appointing Authority for the post.	Board of Governors.

1.	Name of Post	Asstt.Lecturer cum Asstt.Instructor
2.	Scale of Pay:	Rs.5000-150-8000
3.	Method of Recruitment:	Direct
4.	Whether post is Selection or Non Selection:	Selection.
5.	Educational and other qualifications and experience required for direct recuits.	Essential Qualifications: Graduate with a 3 Year Diploma in Hotel Mgt., having secured atleast IInd Division from National Council for Hotel Mgt./State Board of Technical Education. OR Degree in Hotel Mgt. from any recognised Univesity with atleast IInd Division. Experience: Atleast Two years practical experience in Hotel Industry in 3 star or above category. Desirable Knowledge of Computers.
6.	Age limits for direct recruits.	30-35 years (Relaxable by five years in upper age limit for SCs and STs, departmental candidates and other categories as specified by Govt. of India from time to time.
7.	Whether age limits,qualifications etc.applicable to promotees.	Not applicable.
8.	Appointing Authority for the post.	Board of Governors.

ORGANISATIONAL CHART OF IHMs

ACADEMIC

EXISTING	PROPOSED
Principal	Principal / Director
HOD/Chief Instructor	Vice Principal/HOD (Notional post in the HOD staff strength to be filled on rotational basis)
Sr.Lecturer cum Sr.Instructor	Sr.Lecturer cum Sr.Instructor
Lecturer cum Instructor	Lecturer cum Instructor
* Asstt.Lecturer cum Asstt.Instructor	Asstt.Lecturer cum Asstt. Instructor

* (some IHMs have abolished this post)

NON-ACADEMIC



EXISTING

Principal

Admn. Officer

Office Supdt. | Accountant

Asstt. Office Supdt.

P.A. to Principal | Steno-grapher

Cashier (Ex-Cadre posts)

UDC | Store Keeper | Snacteria Supervisor

Clerk cum Typist | Asstt. Store-keeper | Asstt Snacteria Supervisor / Lab Asstt

Ex-Cadre Posts :

Maint. foreman & Caretaker | Asstt. Maint. Foreman & Caretaker | Librarian | Asstt. Librarian

Driver cum Mechanic

Group 'D' Posts

Head Watchman | Head Safaiwala | Head Mali | Carpenter | Painter | Plumber | Gestetner Operator

Watchman | Safaiwala | Mali

Daftry | Peon

Attendant

PROPOSED

Principal

Accounts cum Admn. Officer

Accountant cum O.S.

P.A. to Principal | U.D.C. (Stores/Cash/Estt.)

Steno-grapher | U.D.C. (Stores/Cash/Estt.)

Maint. Foreman & Caretaker | Librarian | Driver cum Mechanic

Asstt. Maint. Foreman & Caretaker (Deputation on posts) | Asstt. Librarian (Ex-Cadre posts)

Peon / Attendant

Time bound promotion

Career Advancement Scheme for academic Staff

D.No. 822
dt. 19/2/2001

-44-45

M. K. KHANNA

Explore India Millennium Year

अपर महानिदेशक
पर्यटन मंत्रालय
भारत सरकार
नई दिल्ली
ADDITIONAL DIRECTOR GENERAL
MINISTRY OF TOURISM
GOVERNMENT OF INDIA
NEW DELHI
TELEFAX : 3715717

No.1(1)RR-2000 Dated: 29 January, 2001

The Principal,
All Institutes of Hotel Management,
Catering Technology & Applied Nutrition
GUWAHATI

Subject: **Revised Recruitment Rules 2001 for IHMs.**

Sir/Madam,

The existing recruitment rules revised and introduced in September, 1998 are being further streamlined and revised based on the advice of the consultant appointed for the purpose and the feedback received from the Institutes. The new recruitment rules termed as 'Revised Recruitment Rules 2001' have been framed and revised in consultation with Department of Personnel and Training.

A copy of the Revised Recruitment Rules 2001 is enclosed herewith which come into force with effect from the date of issue of this letter. With the introduction of new rules, the existing recruitment rules introduced in Sept.1998 stand superseded by Recruitment Rules, 2001. It is requested that these RRs may be placed before the Board of Governors of the respective Institute and got adopted.

Yours faithfully

(M.K. Khanna)
Addl. Director-General (T)

Encl: As above

RECRUITMENT RULES, 2001 FOR IHM

In exercise of the overall powers vested in it under its Memorandum of Association and Rules & Regulations, the Board of Governors of the Institute of Hotel Management, Catering Technology & Applied Nutrition (.....) Society hereby makes the following Rules in respect of various appointments in service of the Institute:-

1) SHORT TITLE AND COMMENCEMENT :

1.1) These Rules shall be called the Institute of Hotel Management, Catering Technology & Applied Nutrition (Recruitment and Promotion) Rules, 2001.

1.2) These Rules shall come into force with effect from January 1, 2001.

2) INTERPRETATION :

In these Rules the various terms and expressions shall have the same meaning as assigned to them in the Memorandum of Association, Rules and Regulations and Bye-laws of the Institute and other Rules applicable to employees of the Institute from time to time.

3) SCOPE :

These Rules shall apply for recruitments and promotions to all whole time regular employees and to all persons appointed or promoted to any post in the Institute.

4) CLASSIFICATION OF POSTS :

S.No.	Classification of Posts	Description of Posts
1.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs.13,500/-	Group A
2.	Posts carrying a pay or a scale of pay with a maximum of not less than Rs.9,000/- but less than Rs.13,500/-	Group B
3.	Posts carrying a pay or a scale of pay with a maximum of over Rs.4,000/- but less than Rs.9,000/-	Group C
4.	Posts carrying a pay or scale of pay the maximum of which is Rs.4,000/- or less	Group D

Note: 1) 'Pay' shall have the same meaning as defined in the Fundamental Rules applicable to Central Government Servants.

2) Posts of Principals and Heads of Department (HODs) will form part of an All India Cadre, making the incumbents (appointed after 25.09.1998) liable to be transferred to any of the Hotel Management Institutes set up by the Central Government within the country as per provisions under Regulation relating to Appointments in the Staff Regulations.

5) FILLING UP OF VACANCIES :

5.1) Vacancies shall be filled up by one or more of the following methods as prescribed in the Schedule for each category of posts:-

a) direct recruitment (see Part II of these Rules)

b) promotion by selection cum-seniority/selection by merit (see Part III of these Rules)

c) promotion on the basis of Non-selection (see Part III of these Rules)

d) deputation of a person from the Central Government, State Governments, Semi-Government Organisations or Public Sector and other Undertakings. (see part IV of these Rules)

5.2) Vacancies against posts normally required to be filled up by promotion may be filled by direct recruitment when no employee is eligible or available or found suitable for promotion.

6) SELECTION COMMITTEE :

6.1) The composition of the Selection Committee for the post of Principal and the Head of Department will be as follows;

a) Selection Committee for the Post of Principal :

i)	Chairman of the Board of Governors (BOG) of the concerned Institute of Hotel Management	**Chairman**
ii)	Additional Director General (Tourism), Ministry of Tourism, Government of India	**Member**
iii)	Joint Secretary and Financial Advisor, Ministry of Tourism, Government of India	**Member**
iv)	Chief Executive Officer (CEO) of the National Council for Hotel Management & Catering Technology	**Member**
v)	One representative from Hotel Industry	**Member**
vi)	One Expert	**Member**
vii)	One Officer from reserved category not below the rank of a Director in the Govt of India if the applicants belong to reserved category	**Member**

b) Selection Committee for the post of Head of Department (HOD) :

i)	Chairman of the Board of Governors of the concerned Institute of Hotel Management	**Chairman**
ii)	Additional Director General (T), Ministry of Tourism, Government of India	**Member**
iii)	Financial Controller, Ministry of Tourism, Government of India	**Member**
iv)	Director (A&F), National Council for	**Member**

	Hotel Management and Catering Technology		
v)	Director (Studies), National Council for Hotel Management and Catering Technology	-	**Member**
vi)	Principal of concerned Institute of Hotel Management	-	**Member**
vii)	One Expert	-	**Member**
viii)	One Officer from reserved category not below the rank of Deputy Secretary to the Govt. of India, if the applicants belong to reserved category	-	**Member**

6.2) In making appointments and promotions to other Group 'A', Group 'B', Group 'C' and Group 'D' posts, the Appointing Authority, as indicated in the Schedule, shall be assisted by a duly constituted Selection Committee/Departmental Promotion Committee as may be nominated by the Board of Governors. The Selection Committee/D.P.C shall include an officer of reserved category in case applicants of Reserved Category have also applied or are under the consideration zone for promotion. These committees shall include representatives of the Central Government.

6.3) The Chairman of a Selection Committee may co-opt one specialist to assist the Committee.

6.4) The recommendations of the Selection Committee shall be submitted to the Appointing Authority for approval and shall normally be valid for one year.

6.5) If any relative of any of the member of the Selection Committee is the candidate for the post, such member will withdraw from the Selection Committee to maintain impartiality and clear transparency in the selection process.

7) **SPECIAL REPRESENTATION :**

Vacancies in various categories of posts shall be subject to such reservations for representation of Scheduled Castes/Scheduled Tribes, OBCs, Ex-servicemen or any other categories of persons as may be specified by the Government of India from time to time.

8) **ELIGIBILITY FOR APPOINTMENT :**

A candidate for appointment in the Institute :

a) must be a citizen of India; OR

b) must belong to such categories of persons as may, from time to time, be notified in this behalf by the Government of India.

9) **PHYSICAL FITNESS :**

A candidate selected for appointment in the Institute shall be required to produce a medical certificate of fitness before appointment from a Medical Board for Group 'A' posts and Authorised Medical Attendants for Group 'B', 'C' & 'D' posts as may be nominated by the Board of Governors from time to time. This condition could be relaxed in those cases where the persons already employed in Central Government/State Government/Public Sector Undertakings including Universities who have already undergone such medical examination and apply for any post either on direct recruitment process through proper channel or apply and get selected on deputation basis on foreign service terms.

10) **VERIFICATION OF CHARACTER AND ANTECEDENTS :**

Appointing Authority shall satisfy itself that the character and antecedents of the candidates selected for first appointment in the Institute are such as do not render him unsuitable for appointment. The criteria, procedure and suitability for appointment would be the same as applicable for appointment to posts/services under the Central Government.

11) **RESTRICTION REGARDING MARRIAGE:**

The provisions under Conduct Rule No.21 regarding restriction on Marriage as applicable to the employees of the Central Government employees will be applicable to the employees of all IHMs. All Institutes will follow the procedures as prescribed in Govt. of India decisions under this Rule and obtain the declaration from the new entrants as per OM No.25/37/67-Estt.(A) dated 22.4.1970.

12) **GENERAL CONDITIONS FOR APPOINTMENT :**

12.1 **Period of probation:**

(i) For Direct recruits:

(a) to posts with minimum of pay scale of Rs.6500/- and above or to posts for which maximum age limit for recruitment is 35 years or above not involving training, the period of probation will be one year.

(b) For all other direct recruits and in cases where probation includes job training, the period of probation will be two year.

(ii) for Promotees:

(a) For promotees in the same service and group, there will be no probation period.

(b) For promotees to higher group, the probation period will be one year.

It is further added that where the recruitment is made both by promotion

and direct recruitment and the post carries a pay scale the minimum of which is Rs.16500/- or more or for which the maximum age is 35 years or above and where no training is involved, a uniform period of one year is prescribed as probation period for both promotees and direct recruits. The probation period may be extended by the Appointing Authority for a maximum period of one year. In no case extended probation period shall be more than the double of the original probationary period. At any time during or at the end of the probationary period, the services of the employee may be terminated in case of a new entrant or the employee may be reverted to the post held before promotion without any notice and without assigning any reason.

12.2) All group 'A' employees appointed on or after 25.09.1998 on the basis of the Recruitment Rules 1998 and Recruitment Rules 2001, shall be liable to be transferred to any of the Institute of Hotel Management in the country set up by the Ministry of Tourism, Government of India.

12.3) Under special circumstances, the Ministry of Tourism, Government of India have the discretion to transfer any employee of one Institute of Hotel Management to another Institute of Hotel Management as a special case, in accordance with the provisions laid down in the Memorandum of Association/Rules and Regulations.

PART-II GENERAL PRINCIPLES GOVERNING DIRECT RECRUITMENTS

13) DIRECT RECRUITMENT :

13.1) Vacancies in Direct Recruitment for the post of Principals and Heads of Department shall be advertised by NCHMCT in the leading newspapers through DAVP as outlined in the Bye-laws/Rules & Regulations and Staff Regulations. The entire selection process for the posts of Principals and Heads of Department (HOD) will be completed by National Council for Hotel Management and Catering Technology. The recommendations of the Selection Committee shall be forwarded to the Ministry of Tourism, Govt. of India by the NCHMCT for

approval. After receiving the approval of the Central Government, the Chairman of the BOG of the concerned Institute of Hotel Management will issue the offer of appointment to the selected candidate in a prescribed format with a copy each to the Central Govt. and the NCHMCT. An all India seniority list of Principals and HODs will be compiled and maintained by NCHMCT. NCHMCT in consultation with the Central Govt., will also be the Cadre Controlling Authority for Principals and HODs which will form part of the all India cadre.

13.2) Vacancies in Direct Recruitment in Group 'A' (other than Principal and HOD) Group 'B' category for the post of Asstt. Lecturer-cum-Asstt. Instructor, shall be advertised by the concerned Institutes in the leading newspapers through DAVP as per bye-laws, whereas vacancies in group 'C' and 'D' category shall be notified to the Employment Exchange giving among other things, full information regarding qualification, age, experience etc. as prescribed for the post in the schedule.

13.3) Action to fill a post falling vacant on account of retirement shall be initiated within six months prior to its occurrence. This could be supplemented with other vacancies arising due to resignation/dismissal/incapacitation/ death in the intervening period.

13.4) A candidate for direct recruitment to a post must fulfil the prescribed qualifications, experience, age etc. Relaxation of essential qualifications and experience as prescribed for the post shall not be permissible under any circumstances.

13.5) In case a vacancy is reserved for SC/ST and OBC candidate, necessary steps to notify the vacancy to recognised SC/ST/OBC organisations etc., shall be taken.

13.6) Due relaxations will be available for SC/ST/OBC candidates and such other categories of persons as may be notified from time to time by the Govt. of India.

13.7) A departmental candidate shall also be eligible to apply for a direct recruitment to post if he possesses the requisite qualficiations etc., except that in such cases no upper age limit may be relaxed upto 5 years.

13.8) After the applications have been received, a list of eligible candidates shall be prepared by a Screening Committee to be constituted by the Chairman of the Selection Committee. Short listed candidates shall be required to appear in the prescribed test(s) and/or interview. On an average for one post, three candidates may be selected and placed in a panel in order of merit. In case the first candidate does not join the post within the stipulated joining time, the offer of appointment shall be made to the second candidate and if the second candidate also does not join, the offer of appointment shall be made to the third candidate. The panel of selected candidates shall be valid for one year. However, the Selection Committee has the discretion in this regard.

13.9) Candidates short-listed for interview in case of Group 'A' and 'B' posts and for the post of Asstt. Lecturer cum Asstt. Instructor and also the candidates belonging to the reserved categories and call for interview, may be granted travel expenses, to and fro, for journey(s) by shortest rail route by IInd class rail fare, on production of tickets.

13.10) A candidate below the age of 18 years shall not be considered for appointment to any post in the Institute.

13.11) The duration of experience as prescribed in these RRs for each post for direct recruitment, should be reckoned as experience in the next below post.

PART III – GENERAL PRINCIPLES GOVERNING PROMOTION

14. **PROMOTION :**

14.1) No employee shall be considered eligible for promotion to a higher post unless he satisfies the requirements prescribed for promotion as specified for the respective post in the Schedule.

14.2) For the purpose of promotion, a post shall be either a selection post or a non-selection post as given in the Schedule.

14.3) Selection Posts – Promotion to Selection posts shall be on the basis of merit with due regard to seniority. The appropriate Departmental Promotion Committee with due representation of an Officer belonging to reserved category, as may be constituted by the Board of Governors for all category of posts provided the employees belonging to reserved category are also under the zone of consideration for promotion, shall judge the merit and suitability of eligible employees for promotion on the basis of record of service, including confidential reports and recommend the order in which they may be promoted. (Zone of consideration would extend upto 5 senior most eligible employees for each vacancy).

14.4) Non-Selection Posts – Promotion to non-selection posts shall be on the basis of seniority subject to rejection of unfit as determined from the record of service, including Confidential Reports, by the appropriate Departmental Promotion Committee as referred to above.

15.) **PART-IV GENERAL PRINCIPLES GOVERNING DEPUTATIOIN DEPUTATION ON FOREIGN SERVICE TERMS:**

15.1 Employees of the Central Government/State Government/Public Sector and other Undertakings/Autonomous Societies etc. applying through proper channel in relaxation of appointment on immediate absorption conditions for deputation on foreign service terms for any post in IHMs may on their selection be appointed in IHMs. While selecting the employees of the above mentioned organisations for a deputation post in IHM, selection committee as may be constituted by the Board of Governors of the respective IHM will ensure that the candidate fulfils the requisite qualifications and experience etc. for the deputation post as are prescribed in the Recruitment Rules.

15.2 The terms and conditions of appointment on deputation/foreign service in Hotel Management Institutes/NC shall be regulated in terms of DOPT's OM dated 5.1.1994 as amended from time to time. The period of deputation/foreign service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules. The borrowing organization may grant extension beyond this limit up to one year, after obtaining orders of Secretary (Tourism), Government of India, where such extension is considered necessary in public interest. The borrowing organisation may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in Recruitment rules in rare and exceptional circumstances in public interest subject to specific understanding that the officer would not be entitled to draw deputation duty allowance. This is subject to the prior approval of the leading organization and wherever necessary the UPSC/State PSC and ACC. In exceptional cases where the deputationist is not found fit to discharge his/her duties and responsibilities to the satisfaction of the competent authority, such deputationist could be reverted back to his parent office even before the expiry of the period of deputation.

15.3 All the terms and conditions relating to transfer on deputation should be settled well in advance between the lending department i.e. the parent office of the deputationist and the borrowing department i.e. the IHM concerned.

15.4 During deputation period, the deputationist may elect to draw either pay in the pay scale of deputation post to be fixed under the normal Fundamental Rule 22 and sub-clauses thereunder or may draw the basic pay plus personal pay, if any in his parent department from time to time plus deputation allowance @ 5% of his basic pay subject to maximum of Rs.500/- per month provided the deputation is within the same station. In other cases i.e. deputation at outstation, deputation allowance will be @ 10% on his basic pay subject to maximum of Rs.1,000/- per month. Basic pay plus deputation allowance drawn by the deputationist should not exceed the maximum of the pay scale or Rs.22,400/- per month.

15.5 The deputationist will have to exercise his option within one month of his joining the deputation post clearly indicating whether he elects to opt the pay scale of the borrowing department i.e IHM or opts for drawing deputation allowance as admissible under the Rules. The option exercised once will be final. The option could be revised in the following circumstances.

a) when the deputationist is reverted to a lower grade in his parent cadre,

b) when the deputationist receive pro-forma promotion or is appointed to non-functional selection grade in his parent cadre,

c) when the pay scale of parent post is revised either from retrospective effect or prospectively.

15.6) During deputation period the foreign employee has to pay Leave Salary Contribution in respect of all classes of employees @ 11% of pay drawn in foreign service. Besides Leave Salary Contribution, the foreign employee will also pay Pension Contributions at a percentage prescribed for different category/group of employees on the maximum pay of the post in the officiating/substantive grade held by the officer at the time of proceeding on foreign service. The Pension contributions will be based on the length of service which would include all kinds of leave with or without pay, overstayal of leave, suspension and joining time, etc. The Leave Salary Contribution (except for the period of leave availed on foreign service) and Pension Contribution/CPF (employer's share) contribution are required to be paid either by the employee or by the borrowing organization as per Central Government Rules and all appointments on deputation/foreign service basis in IHMs will be as per terms and

conditions as laid down in the DOPTs OM dated 5.1.1994 as amended from time to time.

15.7) Borrowing department i.e. transferee IHM will have to pay to the lending department all the contributions towards Pension, Contributory Provident Fund and Leave Salary at the prescribed rate. These contributions shall not be payable during leave availed of by the deputationist while in foreign service.

In nutshell all the provisions laid down in Chapter XII of the Govt. of India's Fundamental Rules will be applicable to all the IHMs where the deputationist have been lent on foreign service terms from the lending Central Govt./State govt. Deptts., Public Sector and other Undertakings, Autonomous Societies, etc.

15.8) The above mentioned Rules shall also apply to the employees of all the IHMs lent on foreign service terms from one IHM to another or from the IHM to Central govt./State Govt. Deptts. Public Sector and other Undertakings or any other Autonomous Societies.

15.9) Leave salary or and/or pension contributions in respect of deputationist lent on foreign service in the IHMs may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service. In cases where the deputation on foreign service expires before the end of a financial year, the requisite contributions should be remitted within fifteen days from the expiry date of foreign service to the lending orgnisations.

15.10) Interest on overdue contributions i.e. unpaid contributions must be paid to the lending orgnisation in accordance with the provisions laid down in S.R.307 of Govt. of India. At present the rate of interest on unpaid contributions is two paisa per day per Rs.100/- from the date of expiry of the date on which contributions are finally paid.

Note: Though Govt. of India's Rules provide that the employee could also pay leave salary and pension contributions himself at the prescribed rates on the net pay drawn i.e. the pay minus pension and leave salary contributions yet it would depend on the option of the employee of the IHM.

The leave salary for the leave availed of by the deputationist while on foreign service in the IHM shall be payable by his parent office.

Leave salary contributions and pension contributions should be shown distinctly in the statement to be sent along with the Cheque/Demand Draft.

16. **REMOVAL OF DOUBTS :**

Where any doubt arises as to the interpretation of any of the provisions of these Rules or in respect of matters not provided for in these Rules, the matter shall be referred to the Central Government.

DUTIES AND RESPONSIBILITIES

A) ACADEMIC STAFF

1. PRINCIPAL :

a) Principal is academic and executive officer of the Institute and responsible for proper administration and finance, discipline, teaching etc. as per Bye-laws, Memorandum of Association, and Rules and Regulations of the Society and within the powers vested/delegated to him by the Board of Governors/Central Government.

b) Custodian of records and Society's funds and other immovable/movable assets of the Society.

c) As Secretary of the Board of Governors and Executive Committee respectively, he is responsible for arrangement of meetings. To inform Government for filling up vacant posts in BOGs or Executive Committee.

d) Initiate faculty Development /Research/Experimentation in close association with the Heads of Academic Departments and submit periodic feedback to National Council for Hotel Management and Catering Technology and the Ministry. Also sponsor employees from administrative cadres including PA for Cash & Accounts training and other refresher courses conducted by IST&M, New Delhi through NCHMCT.

e) Such other duties as may be entrusted to the incumbent by the Executive Committee/Board of Governors and Government of India from time to time.

2) HEADS OF ACADEMIC DEPARTMENT INCLUDING VICE PRINCIPAL

VICE PRINCIPAL :

Any Institute of Hotel Management, for their own administrative convenience, may, with the approval of its Board of Governors, designate one of the Heads of Academic Department as Vice Principal on rotational basis for a period of two years from amongst the academic HODs in order of seniority.

a) He will perform duties as assigned to him as academic HOD and may also function as Dean of the Institute looking after counselling/training/ placements of the students etc.

b) Teaching as assigned by the Principal from time to time.

c) Overall responsibility for the efficient working of the Department concerned including maintenance of high educational standards, records, all equipment, tools and materials with the Department, regular departmental meetings with minutes recorded for discussions with the Principal, assistance to the Principal in the maintenance of staff and students discipline, innovation of programmes to strengthen the Institute's national and international reputation.

d) Assist Principal in R&D activities for improving quality of teaching of service to the industry and community.

e) Overall charge of the Labs and other working areas concerned, involvement in the purchase of equipment items etc. both in matter of indenting, tendering and conduct of Purchase Committee meetings.

f) Administrative Offices.

g) Arranging of training and welfare of students and such other duties and responsibilities as may be assigned to him by the Principal.

3) HEAD OF DEPARTMENT

a) Teaching as assigned by the Principal from time to time.

b) Overall responsibility for the efficient working of the Department concerned including maintenance of high educational standards, records, all equipments, tools and materials with the Department, regular departmental meetings with minutes recorded for discussions with the Principal, assistance to the Principal in the maintenance of staff and students discipline, innovation of programmes to strengthen the Institute's national and international reputation.

c) Assist Principal in R&D activities for improving quality of teaching of service to the industry and community.

d) Overall charge of the Labs and other working areas concerned, involvement in the purchase of equipment items etc. both in matter of indenting, tendering and conduct of Purchase Committee meetings.

e) Such other duties/responsibilities as may be entrusted from time to time.

4) SENIOR LECTURER-CUM-SENIOR INSTRUCTOR

a) To take classes (Theory and Practical) under overall supervision of the academic HOD.

b) Responsible for equipment/material under his charge.

c) To assist the Principal/academic HOD in research work, quality improvement programmes and guide the junior staff.

d) Such other duties and responsibilities as may be assigned to him from time to time

e) To supervise research work/project assignments.

5) LECTURER-CUM-INSTRUCTOR

a) To take classes (Theory and Practical) as required by academic HOD concerned.

b) To assist the Sr. Lecturer cum Sr Instructor in various spheres of his duties.

c) To provide guidance to Asstt. Lecturer cum Asstt. Instructors.

d) Involvement in research work under the supervision of senior faculty members and perform such other duties and responsibilities as may be assigned to him from time to time.

e) Such other duties and responsibilities as may be assigned to him from time to time.

6) ASSTT. LECTURER-CUM-ASSTT. INSTRUCTOR

a) To take classes both (Theory and Practical) and checking of students' journals as required.

b) Responsible for equipment and materials under his charge.

c) Make arrangements for conduct of theory and practical classes with the assistance of Attendants including maintenance and safe custody of equipment items and stocks thereof.

d) Such other duties and responsibilities as may be assigned to him from time to time.

B) NON-ACADEMIC STAFF :

1) ADMINISTRATIVE –CUM-ACCOUNTS OFFICER

a) To render suitable assistance to the Head of the Institute in all administrative, financial and other accounts matters.

b) Supervision of General Office, Accounts and Budget work and assisting Principal in holding meetings of the Board, Executive Committee etc.

c) Overall supervision in respect of proper utilisation and upkeep including payment of taxes in respect of lands and buildings belonging to the Institute.

d) Organise purchase of Stores/Equipment etc. under the supervision of the Principal and in association with the concerned faculty staff.

e) Supervision of Security arrangements with security staff.

f) Such other duties and responsibilities as may be assigned to him from time to time.

2) OFFICE SUPERINTENDENT

To assist the Principal, Vice-Principal and Administrative Officer in the discharge of their overall administrative and academic functions for the smooth running of the office as well as Institute and such other responsibilities as may be assigned by the competent authority from time to time.

3) **ACCOUNTANT**

To assist the Administrative-cum-Accounts Officer and the Principal in the discharge of his overall responsibilities for the financial and accounts matters and such other duties as may be assigned by a competent authority from time to time.

4) **ACCOUNTANT-CUM-OFFICE SUPERINTENDENT**

To assist the Principal, Vice-Principal and Administrative-cum-Accounts Officer in the discharge of their overall administrative, academic, financial and accounts matters for the smooth running of the office as well as the Institute as such other responsibilities as may be assigned by the above mentioned authorities from time to time.

5) **P.A. TO THE PRINCIPAL**

Dictation from Principal and typing. Keeping proper record of the communications at the level of Principal and handling/security of all confidential documents and handling of administrative, accounts and establishment matter for career advancement and such other duties and responsibilities as may be assigned by the Principal from time to time.

6) **MAINTENANCE FOREMAN-CUM-CARETAKER**

Overall responsibility for all maintenance work and security matters and the Institute hostels and staff quarters and such other duties and responsibilities as may be assigned by a competent authority from time to time as per the terms and conditions of the contract.

7) **ASSTT. MAINTENANCE FOREMAN-CUM-CARETAKER**

To provide assistance in all the maintenance jobs and to maintain Inventory Register under the overall supervision of Maintenance Foreman-cum-Caretaker and to do such other duties and to discharge responsibilities as may be assigned by a competent authority from time to time as per the terms and conditions of the contract.

8) **UDC (CASH/ESTT./STORES)**

Posting of UDCs on various assignments will be made by rotation and no employee would hold a particular assignment for period exceeding 3 years.

a) Cash : Custody, receipt and disbursement of cash including maintenance of cash books and other connected records, collection of fees etc., from students and maintain accounts thereof.

b) Estt. : Handle all administrative and establishment work of the Institute including custody and maintenance of Institute records, service books and ensure periodic review and authentication of service records by the competent authority.

c) Stores : Custody, receipt and supply of food and other connected items against written indents from the faculty staff duly authenticated by the HOD of the concerned stream of the academy, maintenance of stock registers and timely information to Administrative cum Accounts Officer about the stock position.

In addition, employees will perform such other duties as may be assigned to them from time to time.

9) **STENOGRAPHER**

Dictation, typing work and maintenance of such files and other records as may be entrusted and such other duties and responsibilities as may be assigned by a competent authority from time to time.

10) **LDC (CASH/ESTT./STORES)**

Posting of LDCs on various assignments will be made by rotation and no employee would hold a particular assignment for period exceeding 3 years.

a) Cash : Assist UDC (Cash) in handling custody and upkeep of records relating to cash, preparation of pay bills, deduction of necessary subscriptions towards GPF/CPF/Group Insurance Scheme/HBA/MCA including typing work.

b) Estt. : Assist UDC (Estt.) in maintenance and safe custody of the official records relating to Institute, employees service records, other miscellaneous jobs including typing work.

c) Stores : Assist UDC (Stores) in maintenance, upkeep and issue of stores items to the faculty members against indents under authorisation by UDC (Stores), upkeep of stock register for submission to UDC (Stores) including typing work.

11) DRIVER-CUM-MECHANIC

To drive car/vehicle for official use only and carry out routine repairs of the vehicles as and when required. After duty the vehicle should be parked in Institute's building. In case of accident, he will inform Principal and lodge report with the Police Station. He shall keep log book and consumption of petrol/diesel in the log book on daily basis alongwith signature of the person using the car. At the end of the month he should get the log book verified and signed by Administrative cum Accounts Officer and Principal.

12) ATTENDANT

To provide assistance on full time basis to Asstt. Lecturer-cum- Asstt. Instructor in the upkeep, maintenance and conduct of classes, both theory and practical.

13) PEON

To assist the Principal and other administrative staff.

14) LIBRARIAN

Custodian of Institute's library books/journals etc., accession of books, issue of library cards and overall supervision of Asstt. Librarian, review and verification of stock register of books in hand and those outstanding with the staff members/students, levying of penalty in case of retention of books etc., by staff/students beyond a prescribed period, issue of NOC to the outgoing staff members and students.

15) ASSISTANT LIBRARIAN

Maintenance of stock register, issue of books including receipt and return, checking of condition of books and inform Librarian in case of damages/issue of

reminders to the staff/students in case of delay in return within prescribed time general review of the stocks from time to time and submission of report to the Librarian.

NOTE: Incumbents holding some of the existing posts like Maintenance Engineer etc. which do not figure in the Revised Recruitment Rules, 2001 would continue to hold these posts till they relinguish charge of the post due to resignation/retirement etc. duties and functions discharged by the incumbents of such posts could be assigned by deploying suitable persons on contract basis or on normal remuneration basis as soon as the incumbents relinguish charge on such posts due to the aforesaid reasons.

SCHEDULE

ACADEMIC STAFF

1.	Name of the Post	:	**Principal**
2.	Scale of Pay	:	Rs.14,300-400-18,300
3.	Method of Recruitment	:	Direct
4.	Whether post is Selection/ Non-selection	:	N.A.
5.	Educational and other qualifications and experience required.		**Essential Qualifications :**
		(i)	Graduation from a recognised University.
		(ii)	3-year diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks.
			Experience :
		(iii)	Minimum 10 years teaching experience in a senior position, out of which at least five years should be at the level of Head of the Department, in an Institute of Hotel Management affiliated to National Council for Hotel Management & Catering Technology OR should have 10 years industry experience out of which minimum 5 years should be as Manager in a profit making approved hotel of minimum 4-star category.
			Desirable :
		(i)	In either case should have working knowledge of Computers.
		(ii)	Post Degree/Post Diploma specialisation in Hotel Management from a recognised Hotel Management Institute.

		(iii) Knowledge of one or more foreign languages. (iv) Experience in Administration and Financial Management.
6.	Age limit for direct recruits	Not exceeding 50 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and as specified for other categories by Govt. of India, from time to time.
7.	Appointing Authority for the Post	Board of Governors of the respective Institute of Hotel Management, Catering Technology and Applied Nutrition.

1.	Name of the Post	:	Head of Academic Department (HOD)
2.	Scale of Pay	:	Rs.10,000-325-15,200
3.	Method of recruitment	:	Direct Recruitment
4.	Whether post is Selection/Non Selection	:	N/A
5.	Educational and other Qualifications and Experience	:	**Essential Qualifications:** (i) Graduate from a recognised university (ii) Three year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks. **Experience :** (iii) Minimum 7 years as Sr. Lecturer in an Institute of Hotel Management affiliated to National Council for Hotel Management and Catering Technology. OR should have 7 years industry experience out of which minimum 5 years should be as Manager in a profit making, approved hotel of a minimum three star category. **Desirable :** (i) Working knowledge of Computers. (ii) Teacher training diploma (iii) Experience in Administration and Finance (iv) Post Graduate Degree/Diploma in Hotel Management (v) Knowledge of foreign language
6.	Age limit	:	Not exceeding 45 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and as specified for other categories, by Govt. of India, from time to time.
7.	Appointing Authority for the post	:	Board of Governors of the respective Institute of Hotel management, Catering Technology and Applied Nutrition.

* Note: Existing academic staff of IHMs possessing the qualifications as were prescribed in the earlier Recruitment Rules, 1982 will also be considered for all the posts from Lecturer to Principal even if they do not possess the qualification of Three Years Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology.

1.	Name of the Post	:	**Sr.Lecturer-cum-Sr.Instructor**
2.	Scale of Pay	:	Rs.8,000-275-13,500
3.	Method of Recruitment	:	Promotion from amongst the Lecturers-cum-Instructors working in the concerned IIHM, failing which by direct recruitment.
4.	Whether post is Selection/Non Selection	:	Selection-cum-seniority
5.	Educational and other Qualifications and Experience for direct recruitment	:	**Essential Qualifications:** (i) Graduate from a recognised University (ii) Three year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks. **For specific subjects** Computer Science Graduate with 50% marks in Computers or MCA; Accounts & Law - M.Com / ICWA with 50% marks. **Experience for Direct Recruitment :** At least 7 years teaching experience in an Institute of Hotel Management or affiliated to National Council for Hotel Management and Catering Technology. OR Minimum 7 years of Industry experience in a supervisory capacity in 3-star or above category of approved hotel. **Experience for promotion :** At least 5 years in the grade of Lecturer-cum-Instructor. **Desirable :** Working knowledge of Computers; Teachers Training Degree or Diploma; Post diploma in Specialised Hotel Management; Post Graduate qualification in the subject specific for the post. Knowledge of foreign language.

6.	Age limit for direct recruits	:	Not exceeding 40 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and as specified for other categories, by Govt. of India, from time to time.
7.	Whether age limits, qualifications applicable to promotees	:	Age not applicable. Essential qualifications applicable.
8.	Appointing Authority for the post	:	Board of Governors of the respective Institute of Hotel Management, Catering Technology and Applied Nutrition.

1.	Name of the Post	:	**Lecturer-cum-Instructor**
2.	Scale of Pay	:	Rs.6,500-200-10,500
3.	Method of Recruitment	:	Promotion from amongst the Asstt.Lecturers-cum-Asstt.Instructors working in the concerned IHM, failing which by direct recruitment.
4.	Whether post is Selection/Non Selection	:	Selection cum seniority
5.	Educational and other Qualifications and Experience for direct recruitment	:	**Essential Qualifications:** (i) 3-year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology/State Board of Technical Education having secured at least 50% marks. **For specific subjects:** (ii) Computer Science Graduate with 50% marks in Computers or MCA, Accounts & Law - M.Com / ICWA with 50% marks. **Experience for Promotion :** (iii) At least 5 years in the grade of Asstt.Lecturer-cum-Asstt.Instructor. **Experience for Direct Recruitment :** (iv) At least 5 years teaching experience in a Hotel Management Institute affiliated to National Council for Hotel Management & Catering Technology OR years of industry experience in a supervisory capacity in 3-star and above category of approved hotel. **Desirable :** (i) Working knowledge of Computers. (ii) Teacher training diploma (iii) Experience in Administration and Finance (iv) Post Graduate Degree/Diploma in Hotel Management (v) Knowledge of foreign language.
6.	Age limit for direct recruits	:	Not exceeding 35 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and

		as specified for other categories, by Govt. of India, from time to time.
7.	Whether age limits, qualifications applicable to promotees	: Age-not applicable. Essential qualifications-applicable
8.	Appointing Authority for the post	: Board of Governors of the respective Institute Hotel Management, Catering Technology and Applied Nutrition.

1.	Name of the Post	**Asstt.Lecturer-cum-Asstt.Instructor**
2.	Scale of Pay	Rs.5,000-150-8,000
3.	Method of Recruitment	Direct Recruitment
4.	Whether post is Selection/Non Selection	N.A.
5.	Educational and other Qualifications and Experience	**Essential Qualifications:** (i) 3-year Diploma in Hotel Management from the National Council for Hotel Management and Catering Technology / State Board of Technical Education having secured at least 50% marks. **Experience :** At least two year practical experience in the Hotel and Catering industry. **Desirable :** (i) Working knowledge of Computers. (ii) Teacher training diploma (iii) Experience in Administration and Finance (iv) Post Graduate Degree/Diploma in Hotel Mgt. (v) Knowledge of foreign language
6.	Age limit for direct recruitment	Not exceeding 30 years. Relaxable upto 5 years in the upper age limit for SCs, STs, departmental candidates and as specified for other categories, by Govt. of India, from time to time.
7.	Appointing Authority for the Post	Board of Governors of respective Institute of Hotel Management Catering Technology and Applied Nutrition.

No.1(11)/RR/2000

11th June, 2003

To

The Principal
All Institute of Hotel Management
Catering Technology & Applied Nutrition

Subject : Recruitment and Promotion Rules – 2003 for IHMs.

Sir/Madam,

This is to inform that the Deptt. of Tourism after obtaining feedback from the IHMs and detailed examination, has further streamlined and amended the existing Recruitment Rules –2001 for IHMs. The new/revised Recruitment Rules have been termed as "Recruitment and Promotion Rules – 2003" and a copy of the same is enclosed herewith. These rules shall come into force w.e.f. the date of issue of this letter. With the introduction of these new rules, the existing Recruitment Rules introduced in September 1998 and which were further revised in January 2001 stand superceded.

It is requested that these "Recruitment and Promotion Rules – 2003" for IHMs may be placed before the Board of Governors of the respective Institute and got adopted and a reply may be sent to this Department early.

With regards,

Yours sincerely,

11/6/2003

(RASHMI VERMA)

Encl : As above.

GOVERNMENT OF INDIA
DEPARTMENT OF TOURISM
HRD DIVISION

RECRUITMENT AND PROMOTION RULES - 2003

In exercise of the overall powers vested in it under its Memorandum of Association and Rules & Regulations, the Board of Governors of the Institute of Hotel Management, Catering Technology & Applied Nutrition (.....) Society hereby makes the following Rules in respect of various appointments in service of the Institute: -

1. **SHORT TITLE AND COMMENCEMENT:**

1.1 These Rules shall be called the Institute of Hotel Management, Catering Technology & Applied Nutrition (Recruitment and Promotion) Rules, 2003.

1.2 These Rules shall come into force with effect from _____ 2003.

2. **INTERPRETATION:**

In these Rules the various terms and expressions shall have the same meaning as assigned to them in the Memorandum of Association, Rules and Regulations and Bye-laws of the Institute and other Rules applicable to employees of the Institute from time to time.

3. **SCOPE:**

These Rules shall apply for recruitment and promotions to all whole time regular employees and to all persons appointed or promoted to any post in the Institute.

4. **CLASSIFICATION OF POSTS:**

Sl. No..	Classification of Posts	Description of Posts
4.1	Posts carrying a pay or a scale of pay with a maximum of not less than Rs.13, 500/-	Group A
4.2	Posts carrying a pay or a scale of pay with a maximum of not less than Rs.9, 000/- but less than Rs.13, 500/-	Group B
4.3	Posts carrying a pay or a scale of pay with a maximum of over Rs.4, 000/- but less than Rs.9, 000/-	Group C
4.4	Posts carrying a pay or a scale of pay the maximum of which is Rs.4, 000/- or less.	Group D

Note: 'Pay' shall have the same meaning as defined in the Fundamental Rules applicable to Central Government Servants.

-78-

5. **FILLING UP OF VACANCIES:**

5.1 Vacancies shall be filled up by one or more of the following methods as prescribed in the Schedule for each category of posts: -

a) Direct recruitment (see **Part II** of these Rules)

b) Promotion by selection-cum-seniority / selection by merit (see **Part III** of These Rules)

c) Promotion on the basis of Non-selection (see **Part III** of these Rules)

d) Deputation of a person from the Central Government, State Governments, Semi-Government Organizations or Public Sector and other Undertakings. (See **Part IV** of these Rules)

a. Vacancies against posts normally required to be filled up by promotions may be filled by direct recruitment when no employee is eligible or available or found suitable for promotion

6. SELECTION COMMITTEE

6.1 In making appointments the appointing authority would be as prescribed in the schedule. It shall be assisted by a staff selection committee as given below:

(ii) For the post of **Principal**, the selection committee will consist of:

i)	Chairman BOGs	Chairman
ii)	Additional Director General (Tourism), Government of India or his / her nominee (Member mandatory, without which the quorum shall not be complete).	Member
iii)	Financial Advisor / Financial Controller, Ministry of Tourism, Government of India on the BOGs or his/her nominee	Member
iv)	Representative of Industry on the BOGs	Member
v)	Catering Expert on the BOGs	Member
vi)	One officer from the reserved category, not below the rank of Director/Deputy Secretary in Government of India to be appointed by the BOGs	Member
vii)	Chief Executive Officer, National Council for Hotel Management & Catering Technology	Member Secretary

(ii) For the post of **Head of Department**, the selection committee will consist of:

i)	Chairman BOGs	Chairman
ii)	Additional Director General (Tourism), Government of India or his/her nominee (Member mandatory, without which the quorum shall not be complete).	Member
iii)	Financial Advisor / Financial Controller, Ministry of Tourism, Government of India on the BOGs or his/her nominee	Member
iv)	National Council for Hotel Management & Catering Technology nominee on the BOGs	Member
v)	Catering Expert on the BOGs	Member
vi)	One officer from the reserved category not below the rank of Deputy	Member

	Secretary in Government of India to be appointed by Chairman, BOGs	
Vii)	Principal	Member Secretary

(c) For Group "A", Group "B" and teaching posts in Group "C":

i)	Chairman BOGs	Chairman
ii)	Additional Director General (Tourism), Government of India or his / her nominee (Member mandatory, without which the quorum shall not be complete).	Member
iii)	Financial Advisor / Financial Controller, Ministry of Tourism, Government of India on the BOGs or his/her nominee	Member
iv)	National Council for Hotel Management & Catering Technology nominee on the BOGs	Member
v)	Catering Expert on the BOGs	Member
vi)	One officer from the reserved category not below the rank of Deputy Secretary in Government of India to be appointed by Chairman, BOGs	Member
vii)	Principal	Member Secretary

(d) For Group 'C' & 'D' (non-teaching) the selection committee will consist of :

i)	Principal	Chairman
ii)	Regional Director, Department of Tourism, Govt. of India on BOGs	Member
iii)	Officer from the reserved category nominated by the Chairman- BOGs	Member
iv)	Administrative Officer of the Institute	Member Secretary

6.2 (a) In making promotions to Group 'A' Group 'B' and post of Lecturers and Assistant Lecturers, the Departmental Promotion Committee will consist of:

i)	Principal	Chairman
ii)	Nominee of Department of Tourism, Government of India	Member
iii)	NCHMCT nominee on the BOGs	Member
iii)	Nominee of the State Government on the BOGs	Member
iv)	Official from reserved category to be nominated by Chairman, BOGs	Member

(b) Departmental Promotion Committee for Group 'C' and Group 'D' (non-teaching) will consist of:

i)	Principal	Chairman
ii)	BOGs Chairman's nominee	Member
iii)	Official from reserved category to be nominated by Chairman BOGs	Member
iv)	Administrative Officer of Institute	Member Secretary

6.3 The Chairman of a Selection/ Promotion Committee may co-opt one subject Specialist to assist the Committee.

6.4 The recommendations of the Selection / Promotion Committee shall be submitted to the Appointing Authority for approval and shall normally be valid for one year.

6.5 If any relative of any of the members of the Selection / Promotion Committee is the candidate for the post, such member will withdraw from the Selection Committee to maintain impartiality and clear transparency in the selection process.

6.6 Presence of at least 2/3rd of the members shall form the quorum. However, presence of Chairman would be mandatory. The Presence of G.O.I Nominee (wherever he is a member) shall also be mandatory.

6.7 The Selection / promotion Committee would recommend panel of names and rank in order of merit based on an interview / test.

7. **SPECIAL REPRESENTATION:**

Vacancies in various categories of posts shall be subject to such reservations for representation of Scheduled Castes, Scheduled Tribes, OBCs, Ex-Servicemen or any other categories of persons as may be specified by the Government of India from time to time.

8. **ELIGIBILITY FOR APPOINTMENT**

A candidate for appointment in the Institute:

a) Must be a citizen of India

OR

b) Must belong to such categories of persons as may, from time to time, be notified in this behalf by the Government of India

9. **PHYSICAL FITNESS:**

A candidate selected for appointment in the Institute shall be required to produce a medical certificate of fitness before appointment from a Medical Board for Group 'A' posts and Authorized Medical Attendants for Group 'B', 'C' & 'D' posts as may be nominated by the Board of Governors from time to time. This condition could be relaxed in those cases where the persons already employed in Central Government/State Government / Public Selector Undertakings including Universities who have already undergone such medical examination and apply for any post either on direct recruitment process through proper channel or apply and get selection on deputation basis on foreign service terms.

10. **VERIFICATION OF CHARACTER AND ANTECEDENTS:**

Appointing Authority shall satisfy itself that the character and antecedents of the candidates selected for first appointment in the Institute are such as do not render him unsuitable for appointment. The criteria, procedure and suitability for appointment would be the same as applicable for appointment to posts / services under the Central Government.

11. **RESTRICTION REGARDING MARRIAGE:**

The provision under Conduct Rule .21 regarding restriction on Marriage as applicable to the employees of the Central Government employees will be applicable to the employees. The procedures and decisions as prescribed under this rule shall be followed. Declaration will be obtained from new entrants as per OM No 25/37/67-Estt. (A) dated 22.4.1970.

12. **GENERAL CONDITIONS FOR APPOINTMENT:**

12.1 Period of probation:

i) **For Direct recruits:**

a) To posts with minimum of pay scale of Rs.6,.500/- and above or to posts for which maximum age limit for recruitment is 35 years or above not involving training, the period of probation will be one year.

b) For all other direct recruits and in cases where probation includes job training, the period of probation will be two years.

II) **For Promotees:**

a) For promotees in the same service and group, there will be probation period of one year.

b) For promotees to higher group, the probation period will be one year.

The Appointing Authority may extend the probation period for a maximum period of one year. In no case extended probation period shall be more than the double of the original probationary period. At any time during or at the end of the probationary period, the services of the employee may be terminated in case of a new entrant or the employee may be reverted to the post held before promotion without any notice and without assigning any reason.

PART-II GENERAL PRINCIPLES GOVERNING DIRECT RECRUITMENTS

13. **DIRECT RECRUITMENT:**

13.1 Vacancies in Group 'A' & Group 'B' and the post of Principal, Lecturer and Assistant Lecturer except for the post of Principal, shall be notified and advertised in leading newspapers and Employment News by the concerned Institute of Hotel Management. Whereas vacancies in Group 'C' and 'D' shall be notified to the employment exchange giving full details regarding qualification, age, experience etc. as prescribed for the post in the schedule as well as notified and advertised in leading newspapers.

13.2 Action to fill a post falling vacant on account of retirement shall be initiated at least six months prior to its occurrence. This could be supplemented with other vacancies arising due to resignation/dismissal/incapacitation/death in the intervening period. It shall be mandatory for the concerned Institute of Hotel management to advertise the post of Principal at least six months prior to superannuating / retirement of incumbent, for which National Council for Hotel Management & Catering Technology will maintain a record.

13.3 A candidate for direct recruitment to a post must fulfill the prescribed qualifications, experience, age etc. Relaxation of essential qualifications and experience as prescribed for the post shall not be permissible under any circumstances.

13.4 In case a vacancy is reserved for SC/ST and OBC candidates, necessary steps to notify the vacancy to recognized SC/ST/OBC organizations etc. should be taken.

13.5 Due relaxations will be available for SC/ST/OBC candidates and such other categories of persons as may be notified from time to time by the Government of India.

13.6 A departmental candidate shall also be eligible to apply for a direct recruitment post if he possesses the requisite qualifications etc., except that in such cases the upper age limit may be relaxed up to 5 years.

Departmental Candidate: Is one who is a regular employee of National Council for Hotel Management & Catering Technology / Institute of Hotel Management.

13.7 On receipt of applications, a list of eligible candidates shall be prepared by a screening committee as under:

The screening committee for the post of Principal shall consist of:

i)	Regional Director, Department of Tourism, Government of India	Chairman
ii)	Nominee of Department of Tourism, Government of India	Member
iii)	BOGs Chairman's nominee	Member
iv)	Administrative Officer of the Institute	Member Secretary

The screening committee for all posts except the post of Principal shall consist of:

i)	Principal	Chairman
ii)	Nominee of Chairman BOGs	Member
iii)	Administrative Officer of the Institute	Member Secretary

Short listed candidates shall be required to appear in the prescribed test(s) and/or interview. On an average for one post, three candidates may be selected and placed in a panel in order of merit. In case the first candidate does not join the post within the stipulated joining time, the offer of appointment shall be made to the second candidate and if the second candidate also does not join, the offer of appointment shall be made to the third candidate. The panel of selected candidates shall be valid for one year. However, the selection committee has the discretion in this regard.

13.8 Candidates short listed for interview in case of Group 'A' and 'B' posts and for the post of Assistant Lecturer-cum-Assistant Instructor and also the candidates belonging to the reserved categories and called for interview, may be granted travel expenses, to and fro for journey(s) by shortest rail route by 2nd class rail fare, on production of tickets. In the case of candidates for the post of Principal, travel expanses for to and fro journey(s) by shortest rail route by 2nd AC Class, rail fare or equivalent will be provided on production of tickets.

13.9 A candidate below the age of 18 years shall not be considered for appointment to any post in the Institute.

a. The duration of experience as prescribed in these Recruitment Rules for each post for direct recruitment, should be reckoned as experience in the next below post.

PART-III – GENERAL PRINCIPLES GOVERNING PROMOTION

14. **PROMOTION:**

14.1 No employee shall be considered eligible for promotion to a higher post unless he satisfies the requirements prescribed for promotion as specified for the respective post in the Schedule.

14.2 For the purpose of promotion, a post shall be either a selection post or a non-selection post as given in the Schedule.

14.3 Selection posts – Promotion to selection posts shall be on the basis of merit with due regard to seniority. The appropriate Departmental Promotion Committee shall judge the merit and suitability of eligible employees for promotion on the basis of record of service, including confidential reports and recommend the order in which they may be promoted. The Departmental Promotion Committee may conduct interview / test.

a. Non-selection posts – Promotion to non-selection posts shall be on the basis of seniority subject to rejection of unfit candidates as determined from the record of service, including Confidential reports, by the appropriate Departmental Promotion Committee as referred to above.

15. **PART-IV GENERAL PRINCIPLES GOVERNING DEPUTATION - DEPUTATION ON FOREIGN SERVICE TERMS:**

15.1 Employees of the Central Government/State Government/Public Sector and other Undertakings/Autonomous Societies etc., applying through proper channel in relaxation of appointment on immediate absorption conditions for deputation on foreign service terms for any post in IHMs may on their selection be appointed in IHMs. While selecting the employees of the above-mentioned organizations for a deputation post in IHM, selection committee as may be constituted by the Board of Governors of the respective IHM will ensure that the candidate fulfils the requisite qualifications and experience etc., for the deputation post as are prescribed in the Recruitment Rules.

15.2 The terms and conditions of appointment on deputation/foreign service in Hotel Management Institutes/National Council shall be regulated in terms of Department of Personnel & Training's Office Memorandum dated 05.01.1994 as amended from time to time. The period of deputation/foreign service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules. The borrowing organization may grant extension beyond this limit up to one year, after obtaining orders of Secretary (Tourism), Government of India, where such extension is considered necessary in public interest. The borrowing organization may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in Recruitment rules in rare and exceptional circumstances in public interest subject to specific understanding that the officer would not be entitled to draw deputation duty allowance. This is subject to the prior approval of the lending organization and wherever necessary the UPSC/State PSC and ACC. In exceptional cases where the deputationist is not found fit to discharge his/her duties and responsibilities to the satisfaction of the competent

authority, such deputationist could be reverted back to his parent office even before the expiry of the period of deputation.

15.3 All the terms and conditions relating to transfer on deputation should be settled well in advance between the lending department i.e. the parent office of the deputationist and the borrowing department i.e. the IHM concerned.

15.4 During deputation period, the deputationist may elect to draw either pay in the pay scale of deputation post to be fixed under the normal Fundamental Rule 22 and sub-clauses thereunder or may draw the basic pay plus personal pay, if any in his parent department from time to time plus deputation allowance @ 5% of his basic pay subject to maximum of Rs.500/- per month provided the deputation is within the same station. In other cases i.e. deputation at outstation, deputation allowance will be @ 10% on his basic pay subject to maximum of Rs.1, 000/- per month. Basic pay plus deputation allowance drawn by the deputationist should not exceed the maximum of the pay scale or Rs.19, 500/- per month.

15.5 The deputationist will have to exercise his option within one month of his joining the deputation post clearly indicating whether he elects to opt the pay scale of the borrowing department i.e. IHM or opts for drawing deputation allowance as admissible under the Rules. The option exercised once will be final. The option could be revised in the following circumstances:

a) when the deputationist is reverted to a lower grade in his parent cadre;
b) when the pay scale of parent post is revised either from retrospective effect or prospectively.

15.6 During deputation period the foreign employee has to pay Leave Salary Contribution in respect of all classes of employees @ 11% of pay drawn in foreign service. Besides Leave Salary Contribution, the foreign employee will also pay Pension Contributions at a percentage prescribed for different category/group of employees on the maximum pay of the post in the officiating/substantive grade held by the officer at the time of proceeding on foreign service. The Pension contributions will be based on the length of service, which would include all kinds of leave with or without pay, overstayal of leave, suspension and joining time etc. The Leave Salary Contribution (except for the period of leave availed on foreign service) and Pension Contribution/Contributory Provident Fund (employer's share) contribution are required to be paid either by the employee or by the borrowing organization as per Central Government Rules and all appointments on deputation/foreign service basis in IHMs will be as per terms and conditions as laid down in the Department of Personnel and Training's Office Memorandum dated 05.01.1994 as amended from time to time.

15.7 Borrowing department i.e. transferee IHM will have to pay to the lending department all the contributions towards Pension, Contributory Provident Fund and Leave Salary at the prescribed rate. These contributions shall not be payable during leave availed of by the deputationist while in foreign service.

In nutshell, all the provisions laid down in Chapter XII of the Government of India's Fundamental Rules will be applicable to all the IHMs where the deputationist have been lent on foreign service terms from the lending Central Government/State Government Departments, Public Sector and other Undertakings, Autonomous Societies etc.

15.8 The above mentioned Rules shall also apply to the employees of all the IHMs lent on foreign service terms from one IHM to another or from the IHM to Central Government/State Government Departments/Public Sector and other Undertakings or any other Autonomous Societies etc.

15.9 Leave Salary or and/or pension contributions in respect of deputationist lent on foreign service in the IHMs may be paid annually within fifteen days from the end of each financial year or at the end of the foreign service. In cases where the deputation on Foreign Service expires before the end of a financial year, the requisite contributions should be remitted within fifteen days from the expiry date of Foreign Service to the lending organizations.

15.10 Interest on overdue contributions i.e. unpaid contributions must be paid to the lending organisation in accordance with the provisions laid down in S.R.307 of Government of India. At present the rate of interest on unpaid contributions is two paisa per day per Rs.100/- from the date of expiry of the date on which contributions are finally paid.

Note: Though Government of India's Rules provide that the employee could also pay leave salary and pension contributions himself at the prescribed rates on the net pay drawn i.e. the pay minus pension and leave salary contributions, yet it would depend on the option of the employee of the IHM.

The leave salary for the leave availed of by the deputationist while in foreign service in the IHM shall be payable by his parent office.

Leave salary contributions and pension contributions should be shown distinctly in the statement to be sent along with the Cheque/Demand Draft.

16. **REMOVAL OF DOUBTS:**

Where any doubt arises as to the interpretation of any of the provisions of these Rules or in respect of matters not provided for in these Rules, the matter shall be referred to the Central Government.

86

SCHEDULE

1. Name of the Post: **Principal**
2. Scale of Pay: Rs.14, 300-400-18,300
3. Method of Recruitment: Direct
4. Whether post is Selection/Non-selection: Selection
5. Qualifications and Experience required:

Essential Qualifications:

(i) Graduation from a recognized University.

(ii) Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management / State Board of Technical Education / Recognized University. The candidate must have secured at least 55% marks in degree/diploma in Hotel Management. For Graduates in Hotel Management, item No.(i) is not necessary.

Experience:

At least 3 years experience in hotel related subject(s)* as Head of Department in an Institute of Hotel Management affiliated to National Council For Hotel Management and Catering Technology.

OR

At least 20 years of experience in teaching and/or hotel industry including minimum 3 years in Hotel operations related subject(s)* as Head of Department in an Institute of Hotel Management affiliated to State Board of Technical Education / Recognized University.

OR

At least 20 years of experience in teaching and/or hotel industry including 3 years as Principal in a Food Craft Institute affiliated to National Council for Hotel Management and Catering Technology.

OR

Minimum 20 years Hotel industry experience including minimum 5 years in Managerial capacity in 4 star/Heritage or above category approved hotel.

6. Age limit : Not exceeding 52 years.
   Upper age limit is Relaxable upto 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time. Under no circumstances the age should exceed 57 years.

7. Appointing Authority: Board of Governors

*Hotel operations related subjects are: Food Production, Food and Beverage Service, Accommodation Operations / House Keeping and Front Office.

1. Name of the Post: **Head of Department**
2. Scale of Pay: Rs.10, 000-325-15,200
3. Method of Recruitment: Promotion from amongst the Senior Lecturer-cum-Senior Instructors working in the Institute, failing which by Direct Recruitment.
4. Whether post is Selection/Non-selection: Promotion / Selection
5. Qualifications and Experience required:

Essential Qualifications:

(i) Graduation from a recognized University.

(ii) Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognized University. The candidate must have secured at least 50% marks in degree/diploma in Hotel Management. For Graduates in Hotel Management, item No.(i) is not necessary.

(iii) **For specific subjects:**

Management Subjects: MBA/PGDBM with 50% marks

Computer science: Graduate with Computer Science or Computer Application as main or subsidiary subject with 50% marks or MCA.

Accounts & Law – MBA (Finance) / M.Com / ICWA with 50% marks.

Languages: Graduate in concerned language from recognized University.

Food Science and Nutrition: Post Graduate with Food Science or Nutrition related subject from recognized University with 50% marks.

Experience for Direct Recruitment:

At least 5 years experience as Senior Lecturer-cum-Senior Instructor in an Institute of Hotel Management affiliated to National Council for Hotel Management & Catering Technology.

OR

At least 17 years of experience in teaching and/or hotel industry including minimum 5 years teaching experience as Senior Lecturer-cum-Senior Instructor in an Institute of Hotel Management affiliated to State Board of Technical Education / Recognized University.

OR

At least 17 years of experience in teaching and/or hotel industry including 5 years teaching experience as Senior Lecturer-cum-Senior Instructor in a Food Craft Institute affiliated to National Council for Hotel Management and Catering Technology.

OR

At least 17 years Hotel industry experience including minimum 5 years in Managerial capacity in 4 star / Heritage or above category approved hotel.

6. Age limit for direct recruits: Not exceeding 45 years.
Upper age limit is Relaxable up to 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time.

7. **Eligibility for Promotion:**

Candidate for being considered for promotion as HOD should have passed 3 year Diploma/Degree course or should have passed a bridge course as prescribed by NCHMCT. Candidate should have atleast 5 years experience in the grade of Senior Lecturer-cum-Senior Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made.

9. Appointing Authority: Board of Governors

Note: The post(s) of HODs will be termed as HOD-I, HOD-II, HOD-III & HOD-IV. The division of Departments amongst the HODs shall be as under:

In case of one sanctioned post	All the Departments
In case of two sanctioned posts	**HOD-I** Food Production and Food & Beverage Service **HOD-II** Accommodation Operation and Front Office & Management Studies and other remaining general subjects
In case of three sanctioned posts	**HOD-I** Food Production **HOD-II** Food & Beverage Service **HOD-III** Accommodation Operation and Front Office & Management Studies and other remaining general subjects
In case of four sanctioned posts	**HOD-I** Food Production **HOD-II** Food & Beverage Service **HOD-III** Accommodation Operation and Front Office **HOD-IV** Management Studies and other remaining General Subjects

NB: The fourth HOD shall be from Management Studies and other General Subjects.

1. Name of the Post: **Senior Lecturer-cum-Senior Instructor**
2. Scale of Pay: Rs.8,000-275-13,500
3. Method of Recruitment: Promotion from amongst the Lecturer-cum-Instructors working in the Institute, failing Which by Direct Recruitment.
4. Whether post is Selection/Non-selection: Promotion / Selection
5. Qualifications and Experience required:

Essential Qualifications for Direct Recruitment:

Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognized University. The candidate must have secured atleast 55% marks in Degree/Diploma in Hotel Management.

For specific subjects:

Management Subjects: MBA / Post Graduate Diploma in Business Management with 50% marks

Computer science: Graduate with Computer Science or Computer Application as main or subsidiary subject with 50% marks or MCA.

Accounts & Law – M.Com / ICWA with 50% marks.

Languages: Graduate in concerned language from recognized University.

Food Science and Nutrition: Post Graduate with Food Science or Nutrition related subject from recognized University with 50% marks.

Experience for Direct Recruitment:

At least 5 years experience as Lecturer-cum-Instructor in an Institute of Hotel Management affiliated to National Council for Hotel Management & Catering Technology.

OR

At least 12 years of experience in teaching and/or hotel industry including minimum 5 years teaching experience as Lecturer-cum- Instructor in an Institute of Hotel Management affiliated to State Board of Technical Education / Recognized University.

OR

At least 12 years of experience in teaching and/or hotel industry including 5 years teaching experience as Lecturer-cum-Instructor in a Food Craft Institute affiliated to National Council for Hotel Management and Catering Technology.

OR

At least 12 years Hotel industry experience including minimum 5 years in Supervisory capacity in 3 star/Heritage or above category approved hotel.

6.	Age limit for direct recruits:	Not exceeding 40 years. Upper age limit is Relaxable up to 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time.

7. **Eligibility for Promotion:**

Candidate should have atleast 5 years experience in the grade of Lecturer-cum-Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made.

8. Appointing Authority: Executive Committee

-9B-

1.	Name of the Post:	**Lecturer-cum-Instructor**
2.	Scale of Pay:	Rs.6, 500-200-10,500
3.	Method of Recruitment:	Promotion from amongst the Assistant Lecturer-cum-Assistant Instructors working in the Institute, failing which by direct recruitment.
4.	Whether post is Selection/Non-selection:	Promotion / Selection
5.	Qualifications and Experience required:	

Essential Qualifications for Direct recruitment:

Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognized University. The candidate must have secured atleast 55% marks in degree/diploma in Hotel Management.

For specific subjects:

Management Subjects: MBA / Post Graduate Diploma in Business Management with 50% marks

Computer science: Graduate with Computer Science or Computer Application as main or subsidiary subject with 50% marks or MCA.

Accounts & Law – M.Com / ICWA with 50% marks.

Languages: Graduate in concerned language from recognized University.

Food Science and Nutrition: Post Graduate with Food Science or Nutrition related subject from recognized University with 50% marks.

Experience for Direct Recruitment:

At least 5 years experience as Assistant Lecturer-cum-Assistant Instructor in an Institute of Hotel Management affiliated to National Council for Hotel Management & Catering Technology.

OR

At least 7 years of experience in teaching and/or hotel industry including minimum 5 years teaching experience as Assistant Lecturer-cum-Assistant Instructor in an Institute of Hotel Management affiliated to State Board of Technical Education / Recognized University.

OR

At least 7 years of experience in teaching and/or hotel industry including 5 years teaching experience as Assistant Lecturer-cum-Assistant Instructor in a Food Craft Institute affiliated to National Council for Hotel Management and Catering Technology.

OR

At least 7 years Hotel industry experience including minimum 3 years in Supervisory capacity in 3 star/Heritage or above category approved hotel.

6. Age limit for direct recruits: Not exceeding 35 years.
Upper age limit is Relaxable up to 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time.

7. **Experience for Promotion:**
Candidate should have atleast 5 years experience in the grade of Assistant Lecturer-cum- Assistant Instructor. Promotion to selection posts shall be on the basis of merit with due regard to seniority whereas 3 senior most eligible candidates would be considered, failing which the next three who fulfill the above promotion criteria would be considered till exhaustion of the empanelled list then recourse to direct recruitment can be made.

8. Appointing Authority: Executive Committee

93

1. Name of the Post: **Assistant-Lecturer-cum-Assistant Instructor**

2. Scale of Pay: Rs.5, 000-150-8,000

3. Method of Recruitment: Direct Recruitment

4. Whether post is Selection/Non-selection: Selection

5. Qualifications and Experience required:

Essential Qualifications:

Degree/3 year diploma in Hotel Management from an Institute affiliated to National Council for Hotel Management/State Board of Technical Education/Recognized University with minimum of 60% aggregate marks in Degree / Diploma in Hotel Management.

For specific subjects:

Management Subjects: MBA / Post Graduate Diploma in Business Management with 50% marks

Computer science: Graduate with Computer Science or Computer Application as main or subsidiary subject with 50% marks or MCA.

Accounts & Law – M.Com / ICWA with 50% marks.

Languages: Graduate in concerned language from recognized University.

Food Science and Nutrition: Post Graduate with Food Science or Nutrition related subject from recognized University with 50% marks.

Experience:

A minimum of 3 years practical experience in hotel and catering industry.

OR

At least 2 years of teaching experience in an institute affiliated to National Council for Hotel Management and Catering Technology / State Board of Technical Education / Recognized University.

OR

6. Age limit for Direct Recruits: Not exceeding 30 years.
Upper age limit is Relaxable up to 5 years in case of SC, ST and departmental candidates and as specified for other categories by Government of India from time to time.

7. Appointing Authority: Executive Committee

INSTITUTES OF HOTEL MANAGEMENT CATERING TECHNOLOGY AND APPLIED NUTRITION (GUWAHATI) SOCIETY.

In the matter of Act XXI of 1860 being Act of the registration of literary, scientific and charitable societies, and in the matter of the Institute of Hotel Management, Catering Technology and Applied Nutrition (Guwahati) Society herein after referred to as the 'Society'.

MEMORANDUM OF ASSOCIATION

In this Memorandum - (i) 'Central Government' means the Central Government in the Ministry of Tourism & Civil Aviation or if there be no such Department, the department/Ministry which is for the time being incharge of the functions now performed by the Department of Tourism & Civil Aviation, whether in addition to other functions or otherwise (ii) 'State Government' means the Government of Assam. (iii) The Institute means the Institute of Hotel Management, catering Technology.

1. The name of the Society shall be the Institute of Hotel Management, Catering Technology and Applied Nutrition (Guwahati) Society.

2. The Registered Office of the Society shall be situated at Guwahati.

3. The objects for which the Society is established are :

(i) To establish and to carry on the administration and management of the Institute of Hotel Management of the Institution of Hotel Management, Catering Technology and Applied Nutrition, Guwahati, hereinafter called the 'Institute' whose functions shall be :

Contd...2/

A. (i) To provide instruction and training in all the crafts and skills, all the branches of knowledge both theorctical and Applied, and all the orgnisational and management techniques which are required for the efficient functioning of Hotel & Catering establishments of all kinds, as well as institutional feeding programmes in schools, industrial establishments and similar organisations,

(ii) To impart instruction and training in modern and scientific techniques of management of modern hotels and hostels.

B. To undertake and to associate itself with nutritional extension and development work.

C. To propagate economy in the handling and nutilisation of food stuffs.

D. To assist in and associate itself with the efforts of the Central and State Government to popularise wholesome noncereal foods, particularly protective foods, with a view to the diversification of the ordinary Indian diet and the enrichment of its nutritional content.

E. To assist in and associate itself with the food research institutions, food scientists and food technologists to find effective and acceptable means of presenting their nutritional ideas through the development of suitable recipes and the planning of menus.

F. To prescribed in accordance with the general policy laid down by the Cenetral Government, courses of instruction for, hold examinations among and grant certificates, diplomas and other awards to trainees/students after successful complition of the courses prescribed or examinations held by the Institute/Society.

G. To fix and demand such fees and other charges as may be laid down in the bye-laws:

H. To establish, maintain and manage halls and hostels for the residence of students and members of the staff;

I. To supervise and control the residence, to regulate the disciplane of students of the Institute and to make arrangements for promoting their health, general welfare and culture and corporate life;

J. Ton create teaching, administrative, technical ministerial and such other posts as may be necessary and to make appointments thereto in accordance with rules and bye-laws and any instructions/ orders and guidelines issued by the Central Govt. from time to time.

K. To institute and award fellowships, scholarship, exhibitions loans, monetary assistance, prizes and medals in accordance with the rules and bye-laws; and

(i) Within the broad framework of the policy laid down by the Central Govt. to seekl affiliation with Universities or other appropriate academic or Governmental bodies or institutions and obtain the recognition of its courses of instructions, its examinations, its diplomas, certificates and other awards by the appropriate educational authorities.

(ii) To make rules and bye-laws for the conduct of the affairs of the Institute and Society and to add to, amend, vary or rescind them from time to time.

(iii) To give pensions, gratuties of charaitable aid to the teachers, staff and other employees or ex-employees of the society or to their wives, children or other dependents subject to orders/instruction issued by the Central Govt. in this regard from time to time.

(iv) To make payments towards insurance and form and contribute to provident and benefit funds for the benefit of any person

employed by the Society or of the wives, children or other relatives or dependants of such persons.

(v) To acquire, hold and dispose of property in any manner what so ever provided that the prior approval of the Central Govt. is obtained in the case of acquisition or disposal of any immovable property owned and possessed by the Institute/Society.

(vi) To deal with any property belonging to or vested in the Society in such manner as the Society may deem fit for advancing the functions of the Institute;

(vii) To borrow and raise money with or without security by way of Mortage or Hypothecation or pledge of all or any of the immovable properties belonging to the Society of in any other manner whatever subject to the approval of the Central Government.

(viii) To build, construct and maintain houses, hostels, scholls or other building, and alter, extend, improve, repair, enlarge or modify the same including any existing building; drainage furniture, fittings, instruments, apparatus and appliances and to provide and equip the same with light, water, drainage, furniture, fittings, instruments, apparatus and appliances and other things for the use of which such buildings to be put up or held;

(ix) To construct or otherwise acquire, layout, repair, extend alter, enlarge, improve and use any land for recreation or as playgrounds or parks and any other immovable property belonging to or held be the Society;

(x) To start, conduct, print, publish and exhibit any magazine periodicals, newspapers, books, pamphlets or posters that may be considered desirable for the promotion of the objects of the Society.

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(xi) To maintain a fund to which shall be credited,

(A) All money provided by the Central and State Governments;

(B) All fees and other charges received by the Society;

(C) All moneys received by the Society by way of grants, gifts, donations, benefactions, requests or transfer; and

(D) All moneys received by the Society in any other manner or from any other success;

(xii) To deposit all moneys credited to the Fund in such bank or to invest them in such manner as the society may, with the approval of the Central Government, decide;

(xiii) To draw, make accept, endorse, and discount cheques, notes or other negotiable instruments, and for these purposes to sign, execute and deliver such assurances and deeds as necessary.

(xiv) To pay out of the funds belonging to the Society or out of any particular part of such funds, expenses incurred by the Society from time to time including all expenses incidental to the formation of the Society and management and administrtive of any of the foregoing objects including all rents, rates, taxes, outgoing and the salaries on the employees.

(xv) To maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in suchform as may be prescribed by the Central Government;

(xvi) To have the accounts of the Society audited in such manners as the Central Government may direct and to forward annually to the Central and Government accounts dultn certified by the auditors to other with the audit report thereon;

(xvii) To constitute such committee or sub-committees as the Society may deem fit.

(xviii) To delegate all or any of its powers to the Board of Governors of the Institute or to the Executive Committee or to any of the Committees or sub-committees constituted by the Society or the Board or to any one or more members of its bodies or its efficers;

4. No immovable property of the Society shall be disposed of the any manner whatsoever without the approval of the Central Government.

5. The Central Government may issue such directions to the Society or the Institute as it may consider necessary for the furtherance of the objects of the Society and for ensuring the control and the effective functioning of the Society.

6. The Central Government may appoint one or more persons to review the work and progress of the Society or the Institute and to hold enquiries into the affairs thereof and to report thereon, in such manner as the Central Govt. may stipulate. Upon receipt of any such reports the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report and the Society or Institute, as the case may be, shall be bound to comply with such directions.

7. The income and property of the Society, however derived, shall be applied towards the promotion of the objects as set forth in this Memorandum of Association subject nevertheless in respect of the grants made by the Central Government to suchlimitations as the Central Government may, from time to time impose. No part of the income and property of the Society shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way

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of profit to the persons who at any time are or have been members of the Society or to any of them or to any person claiming through them or any of them provided that nothing herein contained shall prevent the payment in good faith of remuneration of amy member thereof or any person in return for any service rendered to the Society or for travelling allowances, halting or other similar charges.

8. The names and address and occupation of the first members of the Governing Body of the Society (Referred) to in the rules and Bye-laws as the Board of Governors) to which by the rules and Bye-laws of the Society the management of its affairs is entrusted are :-

1. Secretary, Tourism
Govt. of Assam, Dispur,
Guwahati-781006 — Chairman

2. The Director
Technical Education,
Govt. of Assam, Kahilipara,
Guwahati - 19 — Member

3. Direcrtor of Tourism
Govt. of Assam,
Station Road,
Panbazar, Guwahati-781001 — Member

4. Deputy Secretary
Finance (Taxation)
Govt. of Assam,
Dispur, Guwahati-6.

5. Regional Director
East, North East & South
Deptt. of Tourism,
Govt. of India
2, Shakespere Sarani — Member

6. Director : Member
Govt. of India Tourism Office,
B.K. Kakati Road, Ulubari,
Guwahati-7

7. Principal, Member
Institute of Hotel Management
Catering, Technology & Applied Nutrition,
P - 16, Taratala Road,
Calcutta - 700088

8. General Manager Member
Hotel Pinewopod Ashok
Shillong, Meghalaya

9. General Manager Member
Hotel Brahmaputra Ashok
M.G. Road, Guwahati-781001

10. Shri P.D. Choudhury, Member
General Manager
Hotel Belle Vue,
Uzanbazar, Guwahati-781001

11. Shri Ranjan Mukherjee, Member/Secretary
Principal
Food Craft Institute
R.G. Barua Guest House, (3rd Floor)
Dr. B. Barua Road, Ulubari,
Guwahati-781007

We, the several persons whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association, do hereby subscribe our names to this Memorandum of Association and set our several and respective hands here untoward and form ourselves into a Society under Act XXI of 1860, this day of nineteen.

Name & Address & occupation of Members	Signature of Members	Name & Add. & Occupations of Witnesses	Signature & Witnesses
1. Dr. R.K. Baruah IAS. Secretary, Environment & Forest Govt. of Assam	R.K.Baruah		(S. BARUA)
2. Shri Jai, Director Tourism, Govt. of Assam			
3. Sri Khaund, Director Tourism, Govt. of India Guwahati.			
4. N.K. Khaund. G.M. Hotel Brahmaputra Ashok M.G. Road, Guwahati.			
5. PABINDRA DUTTA CHOWDHARY G.M. HOTEL BELLE VUE, GUWAHATI-781001			
6. Dr M C Borgohain Director of Technical Edn Govt of Assam			
7. Shri Ranjan Mukherjee Principal, Food Craft Institute R.G. Baruah Guest House, GHY-7			
8.			
9.			
10.			

Annexure to Rec. Note

Approved by the Board of Governors in its meeting held on 16.7.84

BYE-LAWS

N.B. The procedure prescribed and powers delegated in these bye-laws should be read with the obligations cast on the Society vis-a-vis the Central and State Governments in its Memorandum and Rules as well as in any instructions or directives issued by the Central and State Governments to the Society.

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DEFINITIONS : In these bye-laws, except where the context otherwise requires,

(i) the expressions 'Society', 'Board', 'Executive Committee', 'Secretary', 'Institute', 'State Government' and 'Central Government' shall have the meaning assigned to them in the Memorandum and/or the Rules of the Food Craft Institute (Guwahati) Society.

(ii) 'financial year' shall mean the financial year followed by the State and Central Governments.

1. BYE-LAWS RELATING TO FINANCIAL BUDGETARY AND ACCOUNT MATTERS.

BUDGET PROCEDURE

(1) The budget estimates of the Society for each financial year shall be prepared by the Secretary in the forms prescribed by the State Government in terms of Rule 25 of the Rules of the Society and shall be submitted by the Secretary with such explanation notes and recommendations as may be necessary for consideration at a meeting of the Executive Committee to be held not later than the 31st of July of the preceding financial year. The Executive Committee shall consider the budget estimates and may approve them or offer such comments or suggest such changes as it may consider necessary and appropriate.

(2) The budget estimates of each financial year, as approved by the Executive Committee, shall be placed before a meeting of the Board to be held before the 15th August of the preceding financial year. The Board shall consider the budget estimates and may approve them or offer such comments or suggest such changes as it may consider necessary and appropriate.

(3) Copies of the budget estimates and the explanatory notes thereon shall be sent to each member of the Executive Committee and of the Board by registered post at least ten clear days before the meeting of the Executive Committee or the Board at which these estimates are to be considered.

(4) The budget estimates of each financial year as approved by the Board, shall be submitted to the State and Central Governments not later than the 31st of August of the preceding financial year.

(5) The budget estimates of each financial year as approved by the Board and accepted by the State and Central Governments shall be reviewed and revised estimates prepared at the time of preparation of the budget estimates for the ensuing financial year. These revised estimates shall be submitted to the Executive Committee, the Board and the State and Central Governments successively as indicated in bye-laws 1(1), (2), (3) and (4) along with the budget estimates of the ensuing financial year.

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Institute of Hotel Management Catering Technology & Applied Nutrition Guwahati-36

6) While submitting the budget estimates to the Executive Committee and the Board, the Secretary shall group the individual items in the estimates into a number of small groups. A specimen grouping is given in Annexure II to these bye-laws. The approval by the Board of the budget estimates shall constitute an approval of such grouping also. After the estimates are approved by the Board, the Executive Committee shall have full powers to effect adjustments among the items within a group so long as the total expenditure estimate for the group is not exceeded. The Board shall have full powers to effect adjustments between one group and another.

POWERS OF EXPENDITURE : (7) Subject to the availability of funds in the approved budget estimates, and subject further to such bye-laws, regulations or instructions as have been or may be laid down by the Board to govern the procedure to be followed and the powers to be exercised by various authorities in regard to specific types or classes of cases such as the creation of posts, appointments, purchases of stores, etc., expenditure out of funds of the Society may be sanctioned by the following authorities to the extent indicated :-

Nature of Expenditure	Sanctioning Authority	Extent of Powers
1. Capital Expenditure	The Board	Full powers.
2. Revenue Expenditure :-		
(a) Repetitive	Secretary	Not Exceeding Rs.5,000.00
	Executive Committee.	Not Exceeing Rs. 10,000.00 (Rupees ten thousand) per month.
	The Board	Full powers.
(b) Non-repetitive.	Secretary.	Rs.10,000.00 (Rupees ten thousand) in each cases.
	Executive Committee.	Rs.25,000.00 (Rupees twenty five thousand) in each case.
	The Board	Full powers.

EXPLANATION : The expression "repetitive" and "non-repetitive" imply a distinction between sanctions which involve repeated payments of a fixed figure at definite intervals and sanctions which involve expenditure on one single item or a number of closely related items and which cease to be effective as soon as this expenditure has been incurred. For instance, if furniture is hired or if a shed is taken on rent, etc., the sanction once accorded is standing for repeated payments of a stated amount every month. If, on the other hand, sanction is accorded to the purchase of stores, stationery, etc., each sanction can cover only a single item or a number of closely related items and the sanction will expire as soon as the purchase has been completed.

RECORD OF SANCTIONS(8) :- The approval of the budget estimates by the Board shall be regarded as equivalent to financial sanctions in respect of the following items in the respective recurring expenditure budget accounts.

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(1)Staff salaries etc. a,b,c,d,e.
(4)Student Activities
(5)Operational costs a,b,c,d,e,f,g.
(6)Expenditure on Training Food.
(7)Miscellaneous Academic expenses a,b,c,d.
(8)Office expenses a,b,c,.
(9)Bank charges.

The remainder of the items of the recurring expenditure should be covered by sanctions given by the Appropriate Authorities and recorded before the expenditure is actually incurred.

BANK ACCOUNT WITHDRAWALS.

(9) The Bankers of the Society shall be the State Bank of India. All the moneys at the disposal of the Society,with the exception of the permanent advance referred to in bye-laws 1 (10)and the moneys deposted in the fixed deposits or invested in accordance with such rules or bye-laws as may laid lown for the purpose,shall be deposited into the Society's account in the Bank and shall not be withdrawn except on cheques signed by the Secretary of the Society provided that cheques exceding Rs.5,000.00(Rupees five thousand)only shall be countersigned in addition by any one of the members of the Executive Committee. The member who so countersigns will satisfy himself that the expenditure has been sanctioned by the competent authority and that the Secretary's pay order has been duly recorded. The cheque Books and other documents relating to the Bank account shall remain in the personal custody of the Secretary.

PERMANENT ADVANCE.

(10) A sum of Rs.1,000.00(Rupees one thousand only) shall be placed at the disposal of the Secretary as a Permanent Advance for meeting office contingencies,petty expenditure and miscellaneous or emergent payments of any kind which have to be made in cash,provided that payments exceeding Rs.200/-(Rupees two hundred only) in amount shall as far as possible be made by cheque. The Secretary may in turn place the permanent Advance in the custody of a responsible Administrative official of the Centre. The expenditure out of the permanent Advance shall be incurred in accordance with the relevant bye-laws. An account of such expenditure shall be maintained and the Permanent Advance shall be recouped as often as may be necessary.

MAINTENANCE OF ACCOUNTS.

(11) The accounts of the Society shall be maintained by the Secretary in accordance with the normal commercial principles of double-entry book-keeping,and all the necessary accounts, documents and books shall be maintained in accordance with common commercial practice, with particular reference to the practice prevalent in catering establishments.

AUDIT.

(12)The accounts of the Society shall be audited annually by auditors to be appointed by the Board.

Contd...4.

SUBMISSION OF AUDITED ACCOUNTS TO THE BOARD.

(13) The audited accounts of the Society for each financial year together with the auditors report thereon and accompanied by such other documents, notes etc. as may be necessary shall be placed by the Secretary before the Board at a meeting to be held on such date or dates as may enable the Society to submit the said accounts and documents duly approved by the Board to the State and Central Governments by the date prescribed for such submission.

II. CREATION OF POSTS AND APPOINTMENTS.

CREATION OF POSTS.

(1) Subject to the availability of funds in the approved budget estimates, power of creation of posts should be vested solely on the Board on the recommendation of the Executive Committee and the appointment to posts so sanctioned shall be made by the following authorities to the extent indicated

Appointment Authorities.	Extent of powers.
The Secretary.	Appointment to posts in Class IV.
The Executive Committee.	Appointment to posts in Class II & III -- posts in Class IV.
The Executive Committee.	Appointment to posts

FORM OF OFFER & APPOINTMENT & JOINING REPORT.

...inute of the second meeting of the Board of Governors, ...ood Craft Institute (Guwahati) Society, held on 16.7.84 ... the Tourist Lodge, Guwahati.

The Board approved the proposed bye-laws with the following minor amendment :-

III. PURCHASE

PURCHASE POWERS.

The expression "as approved by the Board" in bye-law II (2) of the bye-laws would be substituted by the expression "as approved by the Central/ State Government as the case may be".

After this amendment, the bye-law would read as follows :

METHODS

* "The powers of creation of posts vested by bye-law (I) above shall be exercised by the Board within the guiding lines provided by the structure of posts and pay scales as approved by the Central/State Government as the case may be ".

be relaxed if the need arises ; and shall then decide whether the ... already in the ... so to what extent, these could ... borrowing of the services of experienced persons in the employment of the State or Central Governments or other organisation, or a selection from amongst suitable persons recommended by the members of the Board or the Executive Committee or brought otherwise to the notice of the appointing authority, or a combination of several of these methods.

Contd...5

(5) In the event of recruitment from the open market, the vacancies shall be given as wide a publicity as possible by means of advertisement in a number of prominent newspapers.

(6) In the event of promotion from amongst persons already in the employment of the Society the field of choice shall first be defined, i.e. the post or posts from which promotion to the given vacancy should be made, the length of service which the person to be selected should possess in capacities to be specified, etc. and then selection shall be made from amongst all the digible candidates in the field of choice.

(7) For all appointments exceeding the powers of the Secretary, the selection of candidates for appointment shall be made by a standing Selection Committee to be appointed by the Board. The selection committee may co-opt others as advisers. The recommendation of the Selection Committee shall be placed before the authority competent to accord final approval to the proposed appointment or appointments in terms of bye-law II(4).

FORM OF OFFER & APPOINTMENT & JOINING REPORT.

(8) After the competent authority's approval for an appointment is accorded, actual offer of appointment shall be signed for and on behalf of the Society by the Secretary in the form given in Annexure IV to these bye-laws. After an acceptance of the offer is received from the selected candidate, he or she should be required to fill in and sign a report of having joined duty in the form given in Annexure-V.

III. PURCHASE OF EQUIPMENT, STORES AND SUPPLIES.

PURCHASE POWERS.

(1) The powers of various authorities in the Society for incurring expenditure on the purchase of equipment, stores and supplies of all kinds shall be the same as the general powers of expenditure vested in them by bye-law I(7).

METHODS

(2) Items of equipment, materials, furnishings, linen, fittings and fixtures, stationery, and other articles and stores required by the Society shall as far as possible be purchased by the system of open tender, i.e. by advertisement through important newspaper ;

PROVIDED that where the articles or stores sought to be purchased are known to be available only from a small number of reputed manufacturers, suppliers or dealers, a limited tender enquiry may be addressed to all these manufacturers or suppliers or dealers instead of an advertisement in the newspapers;

Contd..6/-

AND PROVIDED FURTHER that where the articles or stores to be purchased are of a propritory nature and are made by means of direct negotiation with that single source of supply.

(3) The method of limited tender or direct negotiations with a single party may also be followed if (a) an urgent purchase has to be made and the time involved in the system of open tender is not available, OR (b) if the system of open tenders is not practicable for any reason. In such cases the purchasing authority should record its reasons for not following the method of an open tender.

ACCEPTANCE OF TENDER. (4) Where purchases are made through open or limited tender, the lowest tender shall ordinarily be accepted, provided the tender is in accordance with the terms of the advertisement or enquiry issued by the purchasing authority.

If for any reason the purchasing authority decides to accept a tender other than the lowest, the reason for doing so shall be recorded.

FORM OF TENDER ENQUIRY. (5) Where tender enquiries are issued whether by means of advertisement or by means of a letter addressed to a limitted number of suppliers, the following points shall be borne in mind:

(a) enquiries shall be addressed by the Secretary for and on behalf of the Society, and acceptance of tender shall be similarly signed;

(b) a time -limit shall be set for the receipt of a tenders (which shall be required to be submitted in sealed envelopes) and a time and place specified for the opening of tenders;

(c) the enquiry shall clearly set forth the quantity and specifications of the articles or stores required the place and mode of delivery, the time by which delivery is required, arrangements for the inspection of the articles or stores prior to acceptance(if considered necessary), the payment procedure, etc.

CONTRACTUAL IMPLICATIONS. (6) As the issue of letters of enquiry, the receipt of quotations and their acceptance will together amount to an agreement binding upon the Society, the bye-laws relating to contracts is contained in Section IV of these bye-laws shall be borne in mind in inviting and accepting and place orders for suppliers.

V.CONTRACTS.

AUTHORITIES COMPETENT TO APPROVE CONTRACTS. (1) The form and substance of contracts involving a financial consideration exceeding the expenditure powers of the Secretary shall require approval by the Executive Committee, and the form and substamce of contracts involving a financial consideration exceeding the expenditure powers of the Executive Committee shall require approval by the Board.

Contd:::7.

LEGAL ADVICE TO BE TAKEN. (

GENERAL PRINCIPLES TO BE BORNE IN MIND. (

EXECUTION. (4)

V.WRITE OFF OF LOSS

POWERS OF SPECIFIED AUTHORITIES. (1)

LEGAL ADVICE TO BE TAKEN.

(2) The drafts of all contracts involving a financial consideration exceeding Rs. 5000.00(Rupees Five thousand only) shall be shown to a solicitor of repute for advice as to the correctness of their form, before they are approved by appropriate authoruty. In respectof contracts involving a financial consideration not exceeding Rs.5,000.00(Rupees five thousand)only the authority competent to approve the form and substance of the contracts shall at its discretion decide whether the advice of a solicitor need be taken.

GENERAL PRINCIPLES TO BE BORNE IN MIND.

(3) The following general principles should be observed while entering into contracts on behalf of the Society:

(a) the terms should be precise and definite,the quantity and quality of work to be done or supplies to be made,the specifications to be complied with the time within which the work or supplies should be completed,the conditions to be observed,the security (if any)to be lodged,the terms upon which the payment will be made and the penalties(if any)to be exacted for non-compliance with any of the terms and conditions, should be stated clearly.

(b) the terms of the contract once entered into should not be materially varied without the previous consent of the authority competent to approve the contract as so varied.

(c) provision must be made for safeguarding the property of the Society,if any,entrusted to the contractor.

XECUTION.

(4) All contracts shall be executed on behalf of the Society in the manner laid down in rule 27 of the Rules of the Society.

.WRITE OFF OF LOSSES,ETC.

OWERS OF PECIFIED UTHORITIES.

(1) Irrecoverable losses of stores of anykind belowing to the Society,as well as deficiencies in the value of the stores included in the stock and other accounts may be written off by the following authorities to the extent indicated against each,provided that if the loss or deficiency disclosed a defect in rules or a procedure or if there has been serious negligence on the part of any employee of the Society the matter shall be brought to the notice of the Board for such action as it may consider necessary.

Contd..8

ANNEXURE I

Nature of loss	Authority	Money limited upto which the loss may be written off in each case.
Irrecoverable losses of stores or deficiencies in the value of stores included in the stock and other accounts.	a. Secretary b. Exutive Committee c. Board.	Rs.500.00 Rs.5,000.00 Rs.Full powers.

RVICEABLE LETED OR LUS ES.

(2) in cases whether the stores are badly present and cannot be said to have been lost, but have become unserviceable, obsolete or surplus, a survey report should be prepared by Secretary or under his direction, with reference to the survey report the stores should be declared unserviceable obsolet or surplus as the case may be by the authority who would have been competent in terms of bye-law V(I) to write off a loss equivalent to their value, and the same authority shall also indicat in the same order the mode in which the stores in question should be disposed of; provided that where the said authority holds that surplus owing to negligence, fraud, etc. on the part of any employee of the Society, the matter should be reported to the Board for such action as the Board may consider necessary.

JE OF STORES BE WRITTEN

(3) The value of stores to be written off or declared obsolete, unserviceable or surplus shall be the book-valu where priced accounts are maintained, and the replaceme value (i.e., the market value of a new article or item ofstores of identical or similar nature) where no priced accounts are maintained.

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REPORT OF THE STAFF INSPECTION UNIT, MINISTRY OF FINANCE ON THE STUDY OF EVOLUTION OF NORMS FOR ACADEMIC AND ADMINISTRATIVE STAFF OF HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION INSTITUTES SPONSORED BY DEPARTMENT OF TOURISM, GOVERNMENT OF INDIA.

Principal
Institute Of Hotel Management
Catering Technology & Applied
Nutrition, Guwahati-36

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Expenditure Finance Committee in its meeting held on 14.12.83 approved a proposal of the Ministry of Tourism & Civil Aviation for upgradation of the Food-Crafts Institutes at Bangalore, Hyderabad, Bhubneswar, Ahmadabad, Lucknow and Goa to Diploma level in the field of Hotel Management and Catering Technology & Applied Nutrition. The Committee decided that study may be carried out by the SIU to decide on the staff complement required by the upgraded Institutes. As a sequel to the decision taken by the Committee, the Department of Tourism requested the Staff Inspection Unit in July, 1984 to take up the study of the Institutes at Bangalore and Hyderabad and also one of the on-going Institutes located at Delhi, Bombay, Madras, Calcutta and evolve guidelines/norms in respect of:

i) Student staff ratio
ii) the ratio of Junior staff to Senior staff
iii) the requirement of administrative and tedhnical supporting staff and their ratio to the academic staff and
iv) the desirable grouping of students for theory and practical classes.

2. Basic data necessary for the study was called for in August, 1984. Hyderabad Institute furnished data in March, 1985. As the Institute was holding examination at that time and thereafter was closed for Summer vacation, sample study was taken up in September, 1985, when the teaching work of the Institute was in full swing after reopening of the Institute in July, 1985. Sample study at Bangalore was introduced in December, 1985 and at Delhi in March 1986 after receipt of basic data from these Institutes.

OBJECTIVES OF TITUTES

3. These Institutes were set up during the period of 1962-64 as a part of the plan programme of the Government for promoting better food utilisation, improved menu management and nutrition, improved management in hotels and restaurants, hospitals, industrial canteens, institutional feeding programmes and catering techniques and to ensure scientific and hygienic handling of food. These Institutes were mainly designed to train candidates in the fundamental of Hotel Management, Food Management, Catering and Nutritio at supervisory/middle management levels and canning and food preservation, House keeping, Hotel Reception and Book keeping & Counter service etc. These Institutes are engaged in training of students to acquire such standard of knowledge and skill for meeting the requirement of technica personnel and supervisory/middle management level in the Tourism industry. In view of the fast pace of expansion of the Hotel Industry, the Diploma holders coming out of the New Delhi Bombay, Madras and Calcutta Institutes have foun ready acceptance in the industry. Keeping in view the

respective Foodcraft Institutes and the level of facilities already available or likely to be available at different places and the even distribution of facilities all over the country it was decided to upgrade the 6 Institutes to Diploma level.

S REGULAR S TED BY STITUTES

4. Presently, there are 11 Institutes namely New Delhi, Bombay, Madras, Calcutta, Bangalore, Hyderabad, Bhubneshwar, Goa, Ahmadabad, Lucknow and Sri Nagar. These Institutes conduct the following regular courses:

i) Diploma in Hotel Management & Catering Technology- 3 year Course

a. 1st year
b. 2nd year
c. 3rd year

ii) Craft Certificate Course

a. Canning & Food Preservation.
b. Bakery & Confectionery
c. Cookery
d. Hotel Reception & Book Keeping
e. Restaurant & Counter Service
f. House Keeping.

In addition to these regular courses the Institutes also conduct ad-hoc courses and training programme to meet the training need of the Industry/Govt. Departments, Hospitals, Home Science, Colleges, Indian Airlines, Indian Railways, State Tourism Department etc.

OLOGY STUDY

5. Before actually embarking on on-the-spot study the Study Team held discussions with the Officers of the Delhi Institute of Hotel Management to familiarise themselves with the nature of work performed by the Institute so far as it related to teaching faculty. Proforma were then drawn up for collecting background data relating to the time spent by the teaching faculty for the academic years 1984 & 1985 on actual contact work (lecturing to students and conducting practicals) and other allied and incidental work such as preparation and updating of lecture; preparation for practicals work (indenting material, collecting material from Store, sorting out material and distribution to various tables) such service, supervision of canteens/ restorants/house keeping/linen keeping, setting of question papers, holding tests, evaluating answer books, conducting examination, performing invigilation duties, attending seminars/conferences/projects. In addition to collecting this historical background data, work sample was introduced for one month wherein all the teaching faculty members were required to log their activities in the proforma drawn up for the purpose. Hyderabad, Bangalore and Delhi Institutes of Hotel Management were included for the study at the instance of Department of Tourism.

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S STUDI-

6. Work sample in Hyderabad was introduced during September/October, 1985, during December, 1985 and January, 1986 in Bangalore and during March/April, 1986 in Delhi. The study team made on-the-spot study of these Institutes and held discussions with the Principals and other members of the teaching faculty and also with the Administrative Officers of the Institute concerned. Items of work not reflected in the work sample were collected personally by the members of the study team during their visit to the Institutes. The study team carried out the study of administrative staff also.

7. The Administrative staff in addition to providing normal house keeping services to the Institutes, arranges on-the-job training for students, liaises with Directorate of Education concerned for all matters in the conduct of examination, arranges external examiners, helps hotel industries for campus interviews, maintains bio-data of all students and helps students in their day to day problems. They also help the faculty members in getting the teaching material cyclostyled etc.

8. Modalities for evolving work norms for teaching faculty were discussed by the team with the Principals concerned during on-the-spot study. It was held that the existing norms of contact hours per week for the teaching faculty are silent over the expected output by the faculty members per annum and do not ensure uniform output from the teaching faculty as number of weeks available for contact hours vary from Institute to Institute according to its functioning. It is not laid down in the scheme of various courses as to the number of weeks in which syllabii are required to be completed. The prescribed time table merely indicates that there should be 40 teaching hours of 50 minutes duration per week and the distribution of these 40 hours per week both for theory and practical for each course subject-wise. The present expectation of work at various levels in the teaching faculty being different it is rather difficult to monitor the performance of faculty members on the basis of existing norms. It should be possible to have uniform norm for all the teaching faculty members as the faculty members do take both practical and theory classes since the cadre of Demonstrator/Asstt. Demonstrator has been abolished. In specialised subjects, panel are however, drawn for part time teaching faculty.

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9. By using different tools of work study, work sample data coupled with historical background data were analysed and workload assessments compiled. The study revealed that Institutes are closed for about 11 weeks during the year for Summer/Winter vacations and about 3 weeks are spent on final examination and 2 to 3 weeks are given to students as preparatory holidays during which no teaching classes are held. Total number of weeks available to academic staff for contact hours is roughly 26/27 within which the entire

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syllabi for Diploma/Craft Courses are required to completed in a year. Thus, there are about 1070 teaching hours available per course for a full time course to be completed in a year. While contact work is an end product of the performance of the teaching faculty members and is measurable but quite a bit of invisible work is done before actually taking a theory/practical class. The analysis of the data revealed that for one teaching hour one hour is spent on preparatory, allied and other incidental items of work as discussed in para 9 supra. Barring 11 weeks of vacation and 3 weeks for examination remaining number of weeks available to the Institute in one academic year are 38 or 190 days or 1520 teaching hours. Thus on this basis it is possible for the teaching staff to give a minimum output of 760 hours of contact work (both practical and theory classes) per annum per teaching faculty member. Most of the teaching faculty members take both theory and practical classes as the minimum qualifications for recruitment to the teaching faculty is the same for all teaching staff, except in the specialised fields.

10. Student staff ratio would depend on the number of students in a class and its grouping for practicals. While the number of students for Craft Course are by and large the same in all Institutes, students for Diploma Courses vary substantially from Institute to Institute. Thus to avoid incidence of imbalances in Institutes it is suggested that teaching staff may be worked out for each Institute on the basis of workload. Institutes can also determine requirement of teaching staff for ad-hoc courses conducted by them by applying the proposed norms. Proposed norms would be applicable both for Diploma and Craft Courses. The requirement of teaching staff for each discipline can be found out separately on the basis of the time table prescribed by the Council and if a full time faculty member is not justified for a particular discipline part time teacher may be employed.

Method of Calculating teaching hours and the Teaching Faculty Staff

11. There are about 1070 teaching hours available for a full time course in a year. This can be multiplied by the number of regular full time courses conducted by an Institute to determine the total number of teaching hours. For this purpose, it is suggested that a theory class should normally consist of not more than 60 to 65 students and practical not more than 20-22 students. A class of 60-65 students would have one group for theory and for purposes of practical this class will be divided into three groups of 20-22 persons. If a class has 40 students it would be one group for theory and would have two groups for practicals for 20-22 students ea A class having 100 students shall have two groups for theory and five groups for practicals. Thus to determine the total number of teaching hours require for a regular course, number of students in a particular class/course has a great relevance. For purposes of theory the class will consists of 60-65

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students as one group and for practical it will be divided into different groups of 20-22 students. To determine the total number of teaching hours required for a particular class these factors have to be taken into consideration. Once a total number of teaching hours are determined the number of teaching staff can be worked out by dividing these teaching hours by 760.

12. Director IIMC Division held that the teaching staff so worked out could be in the existing ratio of 1:2:4:8 for HOD/Chief Instructor: Senior Instructor:Instructor:Junior Instructor

Work Norms for the Teaching Faculty and Administrative Staff

13. The norms for the teaching faculty has been related to contact hours workload as these are identifiable and measureable and for administrative staff, staffing pattern has been evolved relating it to the total strength in an Institute. Work norm proposed for Institutes both for academic and administrative staff are as follows:-

(i) Teaching Staff (Technical Staff upto the level of HOD/Chief Instructor) - 760 teaching hours (Theory and Practicals) per teaching staff per annum.

(ii) Ratio of staff (Senior to Junior)

1:2: 4:8
in the grade of
HOD/Chief Instructor:Senior Instructor:
Instructor:Junior Instructor

(iii) The desirable grouping of students for theory and practical classes

(a) 60-65 students for theory
(b) 20-22 students for practicals.

(iv) Technical Supporting Staff(Lab.Asstt./Lab. Attendant/Attendant)

One (Lab.Asstt./Lab.Attendant/Attendant) for each faculty member or two persons (Lab.Asstt./ Lab.Attendant/Attendant) for each available facility i.e. Kitchens - Basic Training Kitchen, Quantity Kitchen, Advanced Training Kitchen, Bakkery & Confectionary, Canning & Food Preservation, Food Services, Canteen/ Restaurant/Hospital and House keeping.

V. Administrative Staff
(Positional/Functional staff for each Institute)

Principal	=	1
Admn. Officer	=	1
Accountant	=	1
QS/Head Clerk	=	1
Cashier	=	1

Contd.P/6.

Librarian ... 1
Store Keeper ... 1
Asstt. Store Keeper ... 1
P.A. to Principal ... 1
Stenographer ... 1
Maintenance (Foreman) ... 1

In addition to the above, 2 UDCs and 3 LDCs for a total strength upto 80 persons (academic, teaching and supporting staff) and, thereafter, for every 25 persons one LDC/UDC may be provided keeping the overall ratio of UDC/LDC as 40:60.

14. 10% Leave Reserve may be provided as per rules on the administrative staff. No Leave Reserve posts are to be provided for teaching faculty staff as the norms are in-built of the leave provision etc.

Assessment of Malis, Sweepers, Chokidars and other Class IV staff may be worked out on the basis of existing norms or on functional/ positional basis.

PROSPECTUS

1986-87

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Guwahati -36

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Guwahati for the Purposes of Examinations Certificates to the successful candidates are awarded

by the

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The rules for the conduct

of Examination have been framed

by the

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PREFACE

The development of education and training in Food Craft, as an integral part of the hotel and catering industry on a scientific basis is of comparatively recent origin in our country. The past history of management in theca tering industry in Idnia points to the fact that until the early seventies the industry by and large was being run by people without the operational skills achieved through scientific education and training in their particular vocation. All training was done and experience gained on the job, which had its own inherent handicaps. These handicaps became more pronounced as the challenges increased and men and women emplyed in this Industry found that they were getting unequal to the task, as the pressures and demands on this ability and competence kept on mounting at a rapid pace. Large establishments in the catering industry also realised that the old system was fast becoming incapable o delivering the goods and if they had to survive in the market, which by then had become highly competitive they should inject professional skills and a high degre of managerial competenec through the induction o personnal, specially trained and orientated for thi profession. At about the same time, the entry of th public sector into the hotel industry gave the muc desired boost to catering education. Government both at the centre and state-level recognised th immediate need of training more and more youn men and women for vocation in catering graduall Hotel management and Food Craft Institutes were es

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Smt. Sibani Roy Acting-PrinciPal, Food Craft Institute,Guwahati-28

FOOD CRAFT INSTITUTE
(GUWAHATI) SOCIETY
Guwahati-781028

GENERAL INFORMATION & ADMISSION PROCEDURE

The Food Craft Institute (Guwahati) society was registered on 22-2-84. It is the first institution of its kind in the north-eastern region and is one of the various institutions sponsored by the Government of India which train men and women for the catering establishments. To start with, the Institute proposes to offer the following courses both for men and women.

1. Cookery.
2. Bakery and Confectionery.
3. Restaurant & Counter Service
4. Hotel Reception & Book Keeping.
5. House Keeping.

It is also proposed to open more courses in future keeping in view the requirementof skilled man-power of the hotel industry in the region. The training is designed to provide a sound fundamental basis which will enable the trainees to take up posts of responsibility in the various branches of hotel industry.

ablished in different parts of the country and today we have Ten Hotel Management Institutes and Ten Food Craft Institutes spread all over India.

With the establishment of these Institutes, has grown a net work of education and training from craft to management in the catering industry, which has covered our country from Goa to Tiruchirapally and from Srinagar to Calcutta. A new milestone has now been achieved with the establishment of the Food Craft Institute at Guwahati, which was a long-felt need for the people of North East India. With its vast potential of tourism and travel, particularly with rapid industrialisation in this area, it was only apt that this region should have an Institute of its own to cater to the increasing demands of tourism and travel and enquip promising young men and women particularly of the North Eastern States to occupy possitions of responsibility and leadership in variovs branches os the Industry. In the process, job opportunities and fresh avenues of employment will be opened to them, as industrialisation and social advancement continue to grow in this region. Men and women entering this Institute will have a variety of careers to chose from in this field and can find rewarding employment in various types of establishments, like Railways, Airlines, Hospitals, Public sector organisations, factories, industrial canteens etc. The students at this Institute will have access to the latest technological appliances and specialised practical courses, which will equip them with the professional and operational skills so essential for their future advancement.

To keep abreast of new technological advances, we propose to introduce at some state, a course in computers as an aid to their professional skills, as it is felt that there is a widespread ignorance in the industry how computers could be used to help the people who run the industry from the craftman to the manager. It should be possible to evolve suitable computer programmes like Database, Spread sheets as a help to our students which will enable them to get "Hands-on-experience" of working through typical computer programmes even in their leisure hours.

We are confident that this Institute will, in a short time, be able to fill the void by producing competent men and women specially trained in their professional skills and capable of holding their own, in the hsghly competitive environment which they will enter after passing out of this Insiitute.

BAKERY AND CONFECTIONERY

(ONE YEAR)

TABLE III

Curriculum outline for Bakery and Confectionery

Sub-No.	Subject	Theory	Drawing practical	Total periods per week	Total periods per year	Remarks
		33 Weeks of 36 periods each				
Theory						
1.	Bakery I	4	—	4	132	
2.	Bakery II	4	—	4	132	
Practical						
3.	Bakery I	—	10	10	330	
4.	Bakery II	—	18	18	594	
	Total	8	28	36	1188	

TABLE IV

Scheme of examination for Bakery and Confectionery

Sub. No.	Subject	No. of Hrs. of Exam.	Exam. marks	Sessional Marks	Remarks
Theory					
1.	Bakery I	3	100		
2.	Bakery II	3	100		
Practical					
3.	Bakery I	3	100		
4.	Bakery II	3	100		
	Total		400		

I. BAKERY I

Major Division

1. Cereals
2. Yeast
3. Salt
4. Basic Bread Nutrition
5. Mathematics

Details

1. Cereals

Structure of wheat grains, principal wheat countries and characteristic wheat from each.

Milling – A general descriptive of survey of the various processes.

Flour – it composition, the nature of gluten and its functions in bread making and baking, simple test of flour quality colour gluten and water absorption. Characteristics of different flours, such as Indian English, Canadian, Australian, homemilled, blended and cake flours and their suitability for use in different types of baked products.

2. Yeast

An elementary knowledge of bakers yeast – its production. The part played by yeast in the fermentation of dough and conditions influencing its work – effects of over and under fermentation and over and under proving of doughs of bread and fermented goods.

2. Courses of study and their duration :

a) Courses	Duration of courses.	Number of seats.
i. Cookery	One year	24
ii. Bakery & Confectionery	do	24
iii. Hotel Reception & Book keeping	do	24
iv. Restaurant & Counter Service	do	24
v. House Keeping		

The students shall have to undergo a further training of six months in any eastablishment and, on successful completion of training, they shall be awarded trade diploma in the subject by the BOARD OF TECHNICAL EDUCATION, Assam, Guwahati.

b) Special courses for training of staff already engaged in hotel and catering industries.

	Duration	Intake
i. Cookery	4 weeks	10
ii. Bakery & Confectionery	do	10
iii. Restaurant & Counter Service	do	10
iv. Hotel Reception & Book Keeping		
v. House keeping		

The hoteliers and Government/Semi Government etc. catering organisation can tak advantage of this facility. They would have to sponsor candidates on day-release basis for the duration of the course.

3. The courses will commence from the month of July every year.

4. Minimum admission qualification (for full time courses) :

Pass 10 of 10+2 Pattern Secondary or its equivalent from a reorgnised Institute with minimum aggregate 45% marks and with English as a compulsory subject. A relaxation of 10% in the minimum aggregate marks is admissible to S. C S. T. candidates.

b) For in-service courses :

Preferably middle school pass with working knowledge of English.

5. Age :

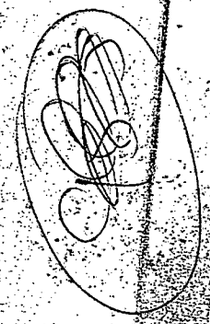
Not below 16 years or above 25 years as on Ist January of the year of admission for full time courses. For in-service courses, no age limit is prescribed. Upper age is relaxable by three years in case of S. C/S. T. candidates.

6. Reservation :

10% of the seats are reserved for S/C and 5% for S/T candidates. If the requisite number of students are not available for filling the quota of seats reserved for S/C or S/T, the remaining seats will be offered to the general category of candidates and will be filled on merit.

7. Day meals :

It is proposed to make day food compulsory for all the students and charges for the same shall be decided separately.



3. Salt

The use of and effect of salt in making bread and flour confectionery – Staling of bread Prevention of mature and rope – emergency counter measure – scoring of goods – yeast improvers – recipes – mixing – fermentation – make up baking – wrapping.

4. Basic Bread Nutrition

General lecture on Nutrition
Constituents of foodstuffs : their functions and sources Nutritive value of bread proteins : enriching of bread

5. Mathematics

Simple tables, weights, measures
English, Liquid measures, Metric
Reading of thermometers, simple calculation, short methods
Quantities and money

REFERENCE BOOKS :

Bakery Materials and Methods – by A. R. Daniel
The British Bakery Recipes
Cake Making – by E. B. Bennion
International Confection – by W. J. Fance
Cereal Technology – E. D. Bennon

2. BAKERY II

Major Divisions

1. Commodities used in Confectionery
2. Recipes
3. Ovens and baking
4. Hygiene

Details

1. Commodities used in Confectionery

An elementary knowledge of sources, Properties and use of the following materials :
Oils, fats, eggs, sugar, dried fruits and peel
Chemical leavenning agents such as baking powder soda bicarbonate, cream of tartar, ammonium carbonate Cake faults – their remedies, pastry making – its principles – various types – moistening agents, flavour and colour.

2. Recipes

Recipes of confectionery goods – Icings and Creamfilings.

3. Ovens and baking

Elementary knowledge of the constru and working of various types of ovens
Baking temperature for bread and flour confectionery.
Effects of baking

4. Hygiene

Personal hygiene of staff care of hands, washing facilities food handling, protective clothing and health of staff
Care of premises and equipment, cleaning methods washing up, correct use of sinks and machines, Use of detergents and hot water, airdrying, tea towels and other cloths

cleaning and sterlizing receptacles, common kitchen pests, cause treatment and prevention. Services available from local authorities, importance of local byelaws and Government recommendations.

Protection of food from contamination, washing up of utensils, use of protective clothing.

REFERENCE BOOKS:

As in Bakery I

3. BAKERY I

PRACTICAL

BREAD AND YEAST GOODS

Straight Dough, Normal Straight Dough, 70 percent Sponge and Dough, 100 percent Sponge and Dough, Soaker and Dough method, Ferment method, Doughnuts, Rolls, Sweet Sough Lean, Sweet Dough Rich, Panetone, Danish Coffee cake, French bread, Hot cake, Raisin bread, Current loaf, Luncheon rolls, Cream Crackers, Breakfast roll, Savaries dough, Marignons Baba Au reem, Chalse Buns, Brown Bread, Bread stricks, Flying sponge, German Stollen Cresents, Vienna Bread, Bridge Rolls.

4. BAKERY II

PRACTICAL

CONFECTIONERY PRODUCTS

Short crust Pastry; Jam tarts; Lemon curd tarts; Rock cakes; Queen cakes; Vanila

buns; Medeira cake; Butter icing; Sponge cake; Swiss rolls; Butter cake; Chocolate cake layer cake; Butter cream; Check cake; Date and Walnut cake; American frosting; Sun cake; Pound cake. Fruit cake; Madelines; Short bread; Puff Pastry; Mutton Patties; Patlie cases; Cream Short Bread; Cream horns Alumette be Pommes; Apple Puffs; American Pie; Flaky Pastry; Eclairs; Brandy snaps; Biscuit; Cookies; Macaroons; Wedding cake Birthday cake; Tea fancies; Choux Pastry; Ice creams Palmies; Sweet Paste; Fruite Flan Snuchards; Meringue Basket, Yule lag, Gateau Peaches, Gateau Mako, Baked Alaska, Milk tofees Biscuits glace praline, pull sugar basket, Marzipan Fruits and vegetables, Easter eggs, Sugar paste painting plaques.

COOKERY

(ONE YEAR)

Curriculum Outline For Cookery

Sub. No.	Subject	Theory	Drawing practical	Total periods per week
		33 weeks of 36 periods each		
	Theory			
1.	Cookery and Larder work	6		6
2.	Hygiene and Nutrition	2		
3.	Commodities + Food Costing			4
	Practical			
1.	Cookery and Larder work		24	24
	Total	12	24	36

7. POULTRY AND GAME – selection and choice, season for game, methods of cooking poeling, poaching, frying with proper accompaniments.

8. VEGETABLE – Cooking time. temperature, yield and colour reaction of different types of vegetable special methods of cooking asparagus artichoke leek, brussel sprouts. Recipes for peas french beans and braised celery.

9. PULSES – methods of cooking with time and temperature,

10. POTATOES – recipes and methods preparation fo all types of potatoes.

11. PASTRY – short crust pastry. puff pastry, flak pastry, choux paste, charlotte russe.
Method of cooking Fruit Compotes, in general.
Recipes and methods of plain Ice cream.

12. LARDER WORK – its function and managemen
LARDER CONTROL – cleanliness larder, car and control of larder equipment.

13. HORS D'OEUVRE AND SALAD - recipe an method for different types of hors d'oeuvre varies.

14. FISH-types, recognition and presentation, cookin of shell fish.

15. BUTCHERY – joining of beef, lamp and pork weight of cuts; meat preservation, salting brinin and smocking, freezing of meat.
Principle of offals used in cookery, forcemeat an garnishes, assembling a cold buffet, sandwiches use of leftovers.

8. STILL ROOM – the function of the still room a knowledge of dessert fruits.

Cookery Practical (Ist Term).

1. Basic Indian Cuisine to include Rice, Meat, Chicken, Fish and Vegetable preparation.
2. Basic western Cuisin to include stocks, Soups, Soups and Fish Lamb, Beef, Mutton and vegetable preparation.
3. Fundamental Indian anb Western Sweet preparation.
4. Regional Indian dishes, Festival dishes.
5. Breakfast dishes and Snacks.

Cookery & Larder Practical (2nd Term).

Cookery

1. Advanced Indian Cuisine to cover Mughlai and tandoori dishes.
2. Advanced Continental Cuisine to include Soups and Sauses for haute cusine, Extension of fish and poultry, vegetable potato, egg and farinaceous dishes and Desserts
3. Preparation and Cookery of Game
4. Chinese Cuisine.
5. Mise eu place of Flambe dishes.

Larder

1. Preparation of salads and dressings.
2. Hors d'oeurves, Cold sauces and Compound butters.
3. Dissection of Veal, beef Lamb Pork. etc.
4. Cold Buffet work to include various types of cold dishes from meat, fish shelfish poultry and game.

Scheme of Examination for Cookery

Sub. No.	Subject	No. of Hrs. of Exam.	Exam. marks	Sessional marks
	Theory			
1.	Cookery and Larder work	3	100	—
2.	Hygiene and Nutrition	2	40	—
3.	Commodities + Food costing	3	100	—
	Practical			
I	Cookery and Larder work	7	210	50
	Total		450	+ 50 = 500

ONE YEAR DIPLOMA COURSE IN COOKERY

1. COOKERY AND LARDER WORK:

Cookery Theory (Ist Term.

1. Aims & objects of cooking food.
2. Classification of raw materials.
3. Preparation of ingredients-Methods of mixing food. movements in mixing, weighing and measuring.
4. Texture of food.
5. Culinary terms.
6. Selection and identification of varieties of fish, cuts of meat and vegetables available in the local market.
7. Methods of cooking with special application to meat, fish, vegetable, soup, cheese, pulse and egg cookery.
8. Accompaniments and garnishes, sauces, stuffings, etc. salad.
9. Reheating of food, use of left over foods.

Beverages.

Balancing of recipes, standardisation of recipes, writing of recipes, maintaining recipe files, sensory evaluation of recipes.

Short & long term preservation of food with particular reference to freezing of foods.

Portion control-standard portion sizes, necessity for control.

Planning of meals, lunch, dinner-Banquets, Buffets etc.

Cookery & Larder work Theory (2nd Term)

Stocks-Recipes and quantities required to produce 10 Litres of stock and basic sauces.

Description and use of the following-Roux blanc, Roux blond Roux burn.

Recipes and quantities for 1 litre of the following: Bechamel saucs, tomato sauce, veloute sauce, espagnole sauce

CONSOMME—methods, classification and recipe for 10 litres of consomme, recipe and method for three garnishes suitable for consomme.

EGGS – the various ways of cooking eggs, recipe and method for omelette aux fromage, aux tomates, frits a-la francaise, oeufs florentine.

FARINACEOUS DISHES—recipe and method for spaghetti and macaroni dishes-spaghetti napolitaine, method for noodles, ravioli, canneloni, pizzas, etc.

standard purchase specifications. Standard Yields, standard portion sizes, calculations of standard cost and measuring of variance between standard and actual costs.

REF : AN APPROACH TO FOOD COSTING –
RICHARD KOTAS BARRIE AND JENKINS,
LONDON.

Curriculum outline for Restaurant & Counter Service

Sl. No.	Subject	Theory	Practical	Total periods per weeks.
		33 weeks of 36 periods each		
	Theory			
1.	Restaurant & Counter Service I	6		6
2.	Restaurant & Counter Service II	6		6
	Practical			
3.	Restaurant & Counter Service I	–	12	12
4.	Restaurent & Counter Service II		12	12
	Total	12	24	36

30

Scheme of Examination for Restaurant & Counter Service.

Sl. No.	Subject	No. of Hrs. of Exam.	Examination Marks	Sessional marks	Remarks
	Theory				
1.	Restaurant & Counter Service I	3	100		
2.	Restaurant & Counter Service II	3	100		
	Practical				
3.	Restaurant & Counter Service I	3	75	25	
4.	Restaurant & Counter Service II	3	75	25	
	Total		350	50+400	

Restaurant & Counter Service

(One Year)

Theory

1. Catering as career and the status of a waiter in the catering Industry.
2. Development of Catering Industry and brief description about different types of catering establishments.
3. Attributes of good waiter.
4. Different types of cutlery used in a good catering establishments-their discription and correct use.

31

– 129 –

5. Preparation of Sandwiches. opens, sandwiches and Canapes.
6. Preparation and use of marinades and Brine.

2. HYGIENE AND NUTRITION :

Hygiene

1. Importance of hygene in catering industry.
2. Mode of spread of hermful organisms.
3. Favourable conditions for the growth and multiplication of bacteria-control measures.
4. Personal hygiene care of skin, hair, hands, feet and teeth-use of cosmetics and jewellery-use of uniformsgood grooming.
5. Food handling habits-Dos and don'ts.
6. Dangers associated with reheating of food:and precautions to be taken.
7. Precautions in display and service of food.
8. Food poisoning-Bacterial and non bacterial.
9. Food borne infections-types mode of spread, preventive measures.
10. General principles of hygiene in relation to-
   a) Food storage-Dry, cold and frozen-temperature for different foods.
   b) Dish washing-Types and detergents used sterilisation.
   c) Kitchen premises and equipment-Location and surrounding, constructional details-floors, walls, ceiling etc.-ventilation and lighting-Drainage-Selection and care of kitchen equipment.

   d) Garbage collection and disposal.
   e) Rodent and insect control ond eradication.
11. Laws in relation to public health and hygiene.
12. Health education.

Nutrition

1. Defination of Nutrition relation to health.
2. Functional classification of foods energy growth or body building and protective foods.
3. Calorie value of food-Daily requirement of calories-factors that affect daily requirements
4. Brief study of nutrients in foods- carbohydrates, fats, proteins minerals and Vitamins with reference to functions, deficiencies, sources and requirements.
5. Balanced diets for adults and children.
6. Invalid diets-Fluid and soft diets, Bland diets.
7. Losses of nutrients in preparation and processing and means of conserving maximum nutritive value in foods.

COMMODITIES AND FOOD COSTING

Objectives : To develop an intelligent interest in the basic commodities, both raw and processed, generally used in catering, including their production and distribution by a systematic and practical study and to encourage a discriminating appreciation of the

HOUSE KEEPING
(One Year)

Thery

Cleaning Equipment : Study of the various types use and maintenance.

Brushes, mops, sqeezes (water pushers), pail with wringer, etc. Box sweeper, electric vacuum cleaner and other labour saving equipment.

Cleaning Agents : water and all liquid cleaning Agents washing scda, soap powder, flakes, soapless detergents abrasives. Different types of polishes and their use. Routine in the rooms : Care, cleaning and preparation of the rooms. bathrooms, cloakrooms. living rooms. public areas etc. Bed Making : Different types of bed covers, Linen changing. Room checking systems.

Care and use of telephones. Use of disinfectants ; air feshners and pesticides.

Cleaning Surfaces : Daily periodic and through care and cleaning methods of walls, paintwork panelling, floors floor coverings. Linoleum, carpets etc. Fittings accessories useful and decorative type.

Glass surfaces.

Furniture, bedding, curtains.

Care of bed steads, boxspring, interior spring over-layes, mattresses. Stain removal from all surfaces.

Organisation of work : Methods, techniques, ensuring economy of meterial, saving of time and energy, quiet working, reduction of breakages and prevention of accidents.

Order of cleaning operations and team

Work Laundry work : Nature and use of laundry agents Aims, principles and procedures in the laundering of all fibers. Stain removrl.

Advanced-Second Term

House keeping

Theory

Laundry : Plan, layout, study of equipment and control.

Linen Room : plan, layout, for different types of hotels, and institution. Receiving issuing, storage, clean and dirties Records control making.

Maid's service room : Layout essential features.

Stores : Receiving, storage, distribution, amount required

Staff uniforms : Points in selection, purchase, design and maintenance.

Personal factor : Importance in hotel industry.

Pest control and eradication :

Patterns or organisation of House-keeping Department :

Different patterns suitable to the size, class and type of establishment. Type of staff showing the line of authority. Various job titles, job descriptions and attributes of staff, responsibilities and duties, Staff training provision, time tables, work cards.

Application of work study principles.

Inter-departmental co-operation-particularly with reception and maintenance. Commuuicating systems.

The guests : Arrivals, departures, sickness, special service and provisions in guest rooms keys, lost

qualities and standards of commodities that are available and their suitability for different purposes.

Cereals : Importance, structure of the grain, growth and climate, methods of processing, products and uses-wheat, rice, maize, oats, barely, ragi, bajra, and other millets.

Pulses : Growth and cultivation, production and use.

Alimentary pastes : Method of manufacture, types, description, uses in cookery.

Breakfast cereals : corn flakes, puffed rice, pressed rice, manufacture. Fresh fruits and vegetables – non botanical. Classification of fruits and vegetables, description and use of common and less common fruits and vegetables colour pigments, flavour constituents and composition, availability (with local names) and uses. (Scientific aspects). Milk : composition, processing, classification, uses, storage. cheese: manufacture, classification and use.

Butter : manufacture, types and uses.

Raising agents : types, constituents,

uses in cookery and bakery.

Methods of food preservation – long term and short term methods.

Fats and oils : sources, processing, uses, ghee and margarine-manufacture and uses.

Herbs, spices and condiments.

Classification of spices, description and uses of different types of specifications procurement and storage.

Convenience foods : role of types, advantages.

Tea, coffee, cocoa, growth and cultivation, processing types of tea, coffee Manufacture of chocolate. cocoa powder.

Reference : Bernard Davis FOOD COMMODITIES Heinemann, London.

Magnus pyke FOOD SCIENCE & TECHNOLOGY Jhon Murray. London. Osse Hughes INTRODTORY FOODS Macmillan & New York.

Readers Digest Association COOKERY YEAR.

K. Arora THEORY OF COOKERY.

2. Food Costing :

The purpose of food cost – basic op rating activities purchasing, receiving, storing, issuing Calculation of actual food costs daily and progressively. Establishment of standard

pillows, for use in hotels and institutions. Sizes, prices and other particulars Samples, if possible.

To shops to know availability, cost and design of various types of cleaning equipment.

To furniture show rooms and workshops, to distinguish between good and bad furniture. Note points to look for in selection.

REFFRENCE BOOKS

1. Hotel and Institutional Housekeeping by David A. C. Gee.
2. Hotel Housekeeping by Branson and Lennox.
3. Hotel Housekeeping by weller.
4. Housekeeping for Hotels, Motels, Hospitals, Clubs and schools by Grace H. Brigham.
5. Household Textiles and Laundry by Durga Deulkar.
6. Practical Laundry work by Marry E. L. Cox.

SERVICES

Basic-First Term

Theory

Gas : Principles of Gas Burner as applied to gas fired equipment, Striking back, safety precaution : construction and maintenance of gas and electric ranges. Working and construction of pressure regulator : meter reading.

Fire extinguishers

Various types of extinguishers, and their application Electricity.

dangers fr

precautions for the use of electrical

switch, plug, socket plugs, fuses and respective sizes.

Working of a thermostat and its use in the oven.

Different types of electric lights : i. e. mercury neonsigns, Incandescent and fluorescent Lamps.

Study of an electrical meggar. Weekly and periodical maintenance of Electrical equipment.

Laundry equipment :

Study of different types of laundry equipment e.g. Washing machine, Hydro-extractor, Boiler, Calendering machine and steam press.

Water and Sanitation :

Hard and soft water use of water softners : removal of fur. Construction and working of various types of flushing cisterns, water closets, urinals, water traps. Study of various water controls such as bib cock and stop cock, Renewal of washers, Function of waste pipe, anti-siphon pipe. Layout of septic tank.

Refrigeration :

Care and maintenance of Refrigerator, Different types of refrigerants used, refrigeration cycle (vapour compression system).

Advaneed-Second Terms Service

Theory

Furniture, construction of joints and their use. Types of wood used for furniture and fittings.

External repairs of the building, redecoration programme. Treatment of surface, internal and

11. Preparation and service of certain Gueridon dishes e.g. crep Suzette, Banana flambe, Peachsflambe Salade d' orange Pepper steak.
12. Flower arrangements, Basic principle and shapes, suitable placing of arrangements on different sizes and shapes of table in a restaurant.
13. Banquets
    Drawing the table plans for display.
    Arranging the place for cards
    Arranging for the cocktail reception.
    Briefing Organisation and co-ordinating the service.
    Toast-procedures.
14. Tobacco.
    Types.
    Storage.
    Service of cigars and cigarettes.
    Choice of cigars.
    Famous brands of cigars and cigarettes.
    Strength of cigars.
15. Different types of salads.
    Traditional salads.
16. Different types of salad dressings.
    1. Common sauces and their derivatives.

REFERENCE BOOKS.

Carriculam outline for Hotel House-keeping

	Subject	Theory Practical	Total periods per weeks
	33 weeks of 36 periods each		
	Theory		
1.	House-keeping Theory	8	8
2.	Services Theory	4	4
3.	Interior Decoration	8	8
4.	Hygiene + First Aid Theory	3	3
	Practical		
1.	House-keeping Practical	6	6
2.	Services Practical	6	6
3.	First Aid Practical	1	1
	Total	23 13	36

Scheme of Examination for Hotel House-keeping

	Subject	No. of Hrs. of Exam.	Exam. Marks	Sessional Marks
	Theory			
	House-keeping Theory	3		100
	Service Theory	3		100
	Interior Decoration	3		100
	Hygiene + First Aid Theory	3		100
	Practical			
	House keeping Practical	4	50	50
	Services Practical	2	50	—
	First Aid Practical	2	50	—
	Total		550	50 + 56

and found, thefts, damage, to furniture and fittings. Unusual situation, and the action that could be taken. Linen : Types available sizes suitability, quantities required.

INTERIOR DECORATION
BASIC-FIRST TERM

Theory

Flower arrangement : Hints and guidelines on preserving freshness achieving successful result, basic shape and suitable placing of arrngement.

Art elements and Principles : Study and application

Colour : Terms, facts, harmonies meaning, use importance.

Carpets and other floor covering : Types, styles, qualty design and other factors determining selection.

Suitability for various rooms and areas.

Floors : Types suitability

Soft-furnishing : Types, styles etc. Important points in selection and tailoring. Fabric-types available, characteristics, use in different types of rooms.

Advanced Second Terms

Theory

Flower arrangment : Ikebana. preservation of plant material by artificial use of accessories and useful placing of arrangements.

Planning and execution for special functions e.g. banquets, weddings, receptions.

Furniture : Selection points-good and poorer craftsmanship Joints, scale and proportion style built in, dual purpose. cantile-

vered types, Arrangement, Suitability for rooms and areas.

Lighting Types suitable for varions activities and different rooms and areas. Importance in creating mood and atmosphere.

Accessories : A study of the various types and their place in intertor decoration.

PRACTICAL

Cleaning of all types of surfaces. Correct handling and use of cleaning equipments clothes and agents used.

Making of polishes and corrcct usage.

Daily, periodic and special cleaning of all types of rooms and surfaces. Arrangement of furniture, Getting rooms ready for parties. Teamwork, Supervision of subordinate staff. Cleaning and checking systems. Laundering of table linen, soft furnishing and articles of clothing (Valet service)

Stain removal from surfaces by fabries (cloth).

Bed Making : (time and motion study).

Flower arrangement.

Control of household pests, use of pesticides sprays. Visits

To hotels to observe the functioning of the house keeping department to critically appreciate the decor of various types of rooms and areas.

To launderies in hotels and institutions and the commercial types, to note comparetative costs, suitability for various types of establishments. To textile shops to identify types fibers, mattresses,

pillows, for use in hotels and institutions. Sizes, prices and other particulars Samples, if possible.

To shops to know availability, cost and design of various types of cleaning equipment.

To furniture show rooms and workshops, to distinguish between good and bad furniture. Note points to look for in selection.

REFFRENCE BOOKS

1. Hotel and Institutional Housekeeping by David A. C. Gee.
2. Hotel Housekeeping by Branson and Lennox.
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5. Household Textiles and Laundry by Durga Deulkar.
6. Practical Laundry work by Marry E. L. Cox.

SERVICES

Basic-First Term

Theory

Gas : Principles of Gas Burner as applied to gas fired equipment, Striking back, safety precaution : construction and maintenance of gas and electric ranges. Working and construction of pressure regulator : meter reading.

Fire extinguishers

Various types of extinguishers, and their application Electricity.

conductors and non-conductors : dangers from ... of Ampere.

Safety precautions for the use of electrical appliances.

Study of switch, plug, socket plugs, fuses and their respective sizes.

Working of a thermostat and its use in the oven.

Different types of electric lights : i. e. mercury vapour, neonsigns, Incandescent and fluorescent Lamps.

Study of an electrical meggar. Weekly and periodical maintenance of Electrical equipment.

Laundry equipment :

Study of different types of laundry equipment e.g. Washing machine, Hydro-extractor, Boiler, Calendering machine and steam press.

Water and Sanitation :

Hard and soft water use of water softners : removal of fur. Construction and working of various types of flushing cisterns, water closets, urinals, water traps. Study of various water controls such as bib cock and stop cock, Renewal of washers, Function of waste pipe, anti-siphon pipe Layout of septic tank.

Refrigeration :

Care and maintenance of Refrigerator, Different types of refrigerants used, refrigeration cycle (vapour compression system).

Advaneed-Second Terms Service

Theory

Furniture, construction of joints and their use. Types of wood used for furniture and fittings.

External repairs of the building. redecoration programme. Treatment of surface, internal and external use of contractors Terms of reference

of the Contractors. Paints their use and application. Preperation of surfaces-Metal, wood, plaster, wall.

3. Need for and internal maintenace workshop and its requirements.
4. Hot and cold water systems in a building. Essential repairs storage tanks and the system.
5. Heating and cooling systems in brief-Layout of a central air conditioning plant.

Study and maintenance of various kitchen equipment e.g. dish washer, bain marie, steam kettle etc.

PRACTICAL :

Electricity :

Simple electrical excercises :

Replacement of fuse wires (repairs of fuses)

Causes of break-down : study of electrical tools and specifications of the different types of electricals wires used in fittings.

Sanitation : Insppection of the system ; cleaning of choket pipe ; Simple repairs to this system ; Inspection of building drainage Causes and removal of roof leaks.

Preparatiou of souface for wood, plastered wall and painting metal.

HYGINE AND FIRST AID

Hygiene

Basic-First Term

Theory

Deffination of 'Hygiene' positive good healt

Personal hygiene in detail. Care of skin, [illegible] feet, teeth, Prevention of body odour. Choice and care of clothing including shoes. Importance of health and personality cleanliness, good grooming and correct department.

Importance of correct habit formation. Need conditions for excercises, rest, sleep, fresh air and healthy diet.

Elementary bacteriology. Type of bacteria, mode of multiplication and and the favourable and the unfavourable conditions for their growth and multiplication.

Food poison and intestinal diseases. Cause and prevention.

Advanced-Second Term

Harmfull effects of dust ; Importance of proper ventilation and sufficient lighting ; proper method of collection and disposal of dust and litter.

Meaning of carries. Importance of periodic medical checks.

Careful handling of cleaning equipment, cloth and articles used by guests in order to prevet contamination.

The psychological importance of absolute clea[illegible] and the impression made on the guest by [illegible] the following hygienic precutions ; glass [illegible]blers, sterlized and sealed in polythene bags [illegible] basket protected by polythenn covering ; [illegible] disinfacted and sealed water closets etc.

Control of Infection :

1. Prevention of spead of infection, Notification, isolation, quarantine.
2. Increasing the resistance of the host-impunity.
3. Destruction of microbes, Disinfection. (Concurrent and terminal disinfection ; physical, mechanical, chemical methods of disinfection) (Hygiene and First Aid)

PRACTICAL

Inspection and checking of insanitary practices and conditions Reports, Discussion on methods for improving the standard of hygiene, followed by implementation.

Planaing and supervising cleaning programmes of the Institute Co-ordinating with the Maintenance department by reporting breakages and repairs and supervising them.

REFERENCE BOOKS

Same as prescribed for Diploma Second year of 3 years Diploma course.

First Aid

Basic-First Aid

1. Outline of First Aid.
2. Principles of First Aid.
3. [illegible] functions of the body.
4. [illegible]
5. Cuts, wounds and haemorrhage.
6. Fractures
7. Strains and Sprains.
8. Shock.
9. Respiration.
10. Artificial Respiration.
11. Poison.
12. Burns and scalds.
13. Heat Stroke.
14. Asphyxia, Epileptic fits, Hysterical fits, Drowning etc.

Advanced-Second Terms

1. Dressing, practice in use of sterilized dressings
2. Application of Triangular Bandages.
3. Artificial Respiration.
4. Pressure Points.
5. Roiler Bandages.
6. Use of splints.

Curriculam outline of Hotel Receiption & Book-keeping

Sl. No.	Subject	Theory	Practical	Total periods	Remarks
		33 weeks of 36 periods each			per week
1.	(a) Reception Theory	6		6	6
	(b) Reception Pr.		6		6
2.	Book-keeping & Accountancy	6	—		6
	Hotel Accountancy	6	—		6

-139-

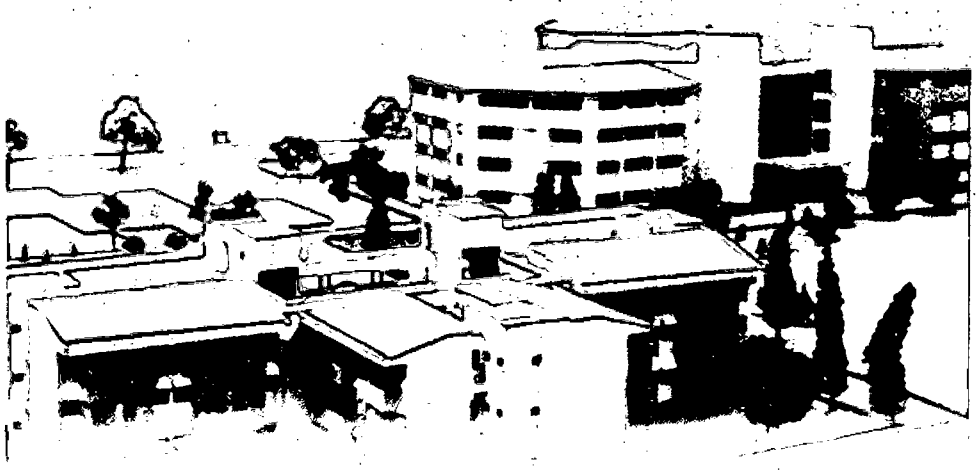
INSTITUTE OF HOTEL MANAGEMENT

CATERING TECHNOLOGY & APPLIED NUTRITION

GUWAHATI

(Sponsored by Ministry of Tourism Govt. of India and Govt. of Assam)

PROSPECTUS





Affiliated to National Council for Hotel Management & Catering Technology and IGNOU, New Delhi

G.S. Road, Bus Stop ABC, Bhangagarh, Guwahati-5
Tel:- 0361- 2452273, 2529440, (M): 09435012276
Tele- Fax: 0361-2452271 (Direct)
e-mail: ihmctanghy@hotmail.com

140

126

INSTITUTE OF HOTEL MANAGEMENT CATERING TECHNOLOGY AND APPLIED NUTRITION

The Institute of Hotel Management Catering Technology and Applied Nutrition Guwahati, formerly the Food Craft Institute, Guwahati, was established in 1984 by the Government of India, Ministry of Tourism and affiliated to the State Council for Technical Education, Assam. In 1995, it was upgraded into an Institute of Hotel Management, Catering Technology & Applied Nutrition and affiliated to the National Council for Hotel Management, Pusa, New Delhi and is sponsored by the Ministry of Tourism, Government of India and Department of Tourism, Government of Assam. The Institute is designed to train promising men and women in hotel management, general food management and catering technology and in specific field such as cookery, bakery, reception, waiting, book-keeping, house-keeping and allied topic, depending on the branch of the industry which the trainee desires to take up. The practical presentation and emphasis on nutritional ideas will be the significant aspect of the technical training given to the students.

The training to be imparted at the institute will fully equip the trainee to take up a position of responsibility in the various branches of the industry in the level of Supervisors, Junior Managers, promising Management & Departmental trainee and skilled craftsman in hotels, restaurants, airline & other mobile catering, & Industrial catering and also in teaching positions in different institutions. There are in this country, a number of luxury hotels and many medium catering establishments, snack bars, restaurants, ice cream bars, coffee bars and other forms of institutional catering and feeding. With urbanisation and industrialisation, catering establishments are increasing in large numbers. The development of adequate services for feeding the large and increasing number workers engaged in industrial production pose a special challenge of considerable importance. Apart from these is urgent need to provide better and nutritive meals on a large scale in Hospitals, Catering Establishment attached to Railways, Shipping Lines, Government offices & undertakings, Rest houses, Dak Bungalows etc. Further, there are new projects such as the Mid-day School meals programme that are being launched. Large number of trained men and women are necessary to meet the high standard to be maintained in all such feeding programmes and in the hotel industry.

Institute of Hotel Management Catering Technology & Applied Nutrition, Guwahati

Address	:	G.S. Road, Bus Stoppage ABC, Bhangagarh, Guwahati- 781 005 Phone : 0361-2452273, 2529440 Tele-Fax : 0361-2452271 e-mail ihmctanghy@hotmail.com
Location	:	At present the institute is housed in a rented building of Assam Industrial Development Corporation which is situated in the heart of the city. Dispur, the capital of Assam and Paltanbazar railway station are only 5 K.M. off the institute. Airport is 25 K.M. from the Institute. Interstate bus terminus is about 2 Km away.
Languages Spoken	:	English, Assamese, Hindi, Bengali.

GENERAL RULES AND REGULATIONS OF THE INSTITUTE

WORKING HOURS : The working hours of the Institute is from 9 a. m. to 5.30 p.m. for five days a week.

INSTITUTE REGULATIONS

1. Every student must always carry his/her identity card which will be supplied by the Institute office on payment and produce as when necessary.
2. The students must not absent themselves from any Institute activity without the prior permission of the Principal.
3. The Institute may take disciplinary action against a student whose conduct is not satisfactory and the fees paid will be forfeited in such cases.
4. Smoking & drinking is strictly prohibited in all areas of the Institute.
5. No student should communicate any information or wirte about matters dealing with Institute administration in the press.

   (a) Students are required to confirm to the grooming standards of the Institute such as appropriate clothing, correct uniforms, etc.

   (b) The conduct of the students in their classes as well as on the premises of the Institute shall be such as will cause the least disturbance to the fellow students or to other classes. The Principal may expel a student whose work or conduct is not satisfactory and the entire fees paid shall be forfeited.

   (c) Students must not loiter around the Institute premises while the classes are at work.

   (d) No society shall be formed either in the Institute or in the Hostel and no person invited to address a meeting without the Principal's previous permission.

   (e) In Institute debates and other meetings, the Chair must be taken by a responsible person approved by the Principal and the subject of debates must have the previous approval of the Principal.

   (f) No student will be allowed to take active part in current politics.

   (g) Students are expected to take proper care of the Institute property and to help in keeping the premises neat and tidy. Any damage done to the property of the Institute by disfiguring walls, door-fiting or

breaking furniture etc., is a breach of discipline and those responsible will be duly punished.

(h) If for any reason, the continuance of a student in the Institute is in the opinion of the Principal, detrimental to the best interests of the Institute, the Principal may ask such a student to leave the Institute without giving reasons for his/her decision and such a decision shall be final and binding on the student.

(i) Students, when free, should make use of the Institute Library.

(j) Any property of the Institute damaged due to negligence by a student or students will have to be replaced or paid for by them.

(k) The medium of instruction and examination is in English.

6. Absence without leave is considered a breach of discipline.

7. The Institute authorities cannot accept any liability in respect of any accident caused to a student while engaged in practical work or due to any other causes. However best available medical assistance shall be arranged in such individual cases.

8. Any change of address should be immediately notified for Institute's records.

9. Ragging of any form is completely banned in IHM, Guwahati. Anyone found ragging will be simply rusticated from the Institutions and the entire money deposited by him/her shall be forfitted.

10. Matters not covered by the existing rules will rest at the absolute discretion of the Institute.

UNIFORM : Uniform as prescribed for each discipline is compusory for each student. For the purpose of practical or laboratory work, all students are required to equip themselves with protective clothing in sufficient quantity to ensure a regular hygienic standard. No student will be allowed to take part in any practical class unless in possession of adequate protective clothing/uniform.

The uniform will be supplied by the authorised supplier on cash payment. The list of unifom will be notifed seperately.

FEES : Fees are payable in advance. All fees are payable in cash or by Bank Draft drawn in favour of Institute of Hotel management, Catering Technology and Applied Nutrition, Guwahati. All transactions must be caried out through the Central Bank of India, Bhangagarh Branch, Guwahati. The Institute will not be responsible for fees paid to any person other than the Bank Counter.

LATE FINE : Late fine of Rs. 5/- is charged if fee is paid after due date for a period of 1 month from the commencement of the course. After this period, the students will be liable to have his/her name removed from the roll without notice.

CAUTION FEES : An amount of Rs. 1000/- to 2000/- will be charged as caution fee deposit per student for every regular courses and the same is payable alongwith the 1st instalment of fees. This amount is partly refundable after deducting fines, breakages etc. if any. It must be collected within three years from the date of completion of the courses after the declaration of results failing which balance of this amount will be forfeited. Under no circumstances is this amount refundable until the student either completes the course or leaves the institute.

For enrolled SC/ST students of 3 year Diploma Course in Hotel Management of Catering Technology, exemption is given in the tuition fees only provided they are not given any assistance/aid from the state Government or any other source for which an undertaking letter must be submitted stating that they have not received any assistance/aid.

REFUND OF FEES : As per the Rules of National Council. In case of provisional admission in 2nd and 3rd year, proportionate amount is deducted from the fees paid towards the cost of Training food and administration cost.

MEDICAL FACILITES : Medical facility with first-aid arrangement on emergency is provided to the students during the Institute hours. A physician visits the Institute on a regular interval.

OTHER ACTIVITIES : Sports & games, food festivals, cultural programme, trade contests (inter & intra Institutes) social activities like blood donation camps etc. are organised from time to time.

IDENTITY CARD :

Every student must have Institute's Identity card with him/her.

It must be presented for Library reading Room, Examination hall, out-door cetering, Job Training etc. and also for administrative purpose.

Loss o f I/card must be reported to the office immediately.

Duplicate I/card is issued after lodging an FIR to the nearest police station and the submission of FIR to the office there.

If any one discontinues the study I.card must be surrendered to the office immediately.

ATTENDENCE RULES AND REGULATIONS

"A candidate must have attended not less than 75 per cent of classes in any indivisual subject theory or practical taken separately during the session last attended and minimum of 75 per cent of agregate (effective teaching hours/ contact hours). Attendence in lectures, practical and tutorials shall be counted from the date of commencement of teaching or date of admission (as the case may be).

When on account of benefit illness (suported by a Medical Certification from a Registered Medical Practitioner produced by the candidate at the time of illness or immediately thereafter), or for any other reason deemed sufficient by the Head of the Institution, the total attendance of a candidate falls short up to a maximum of 10 per cent of the total working days, the Head of the institution shall be competent to condone such deficiency in attendance and permit such a candidate of appearing for the examination if otherwise eligible.

Notwithstanding the forwarding of forms of applications for admission to examination and payment of examination fees through the Head of the National Council, the Head of the Institution shall be competent to withdraw such applications in respect of those candidates who do not fulfil condition laid down by the National Council form time to time, at any time before the commencement of the examination and to dis-allow those candidates from appearing for the examination.

Student must attend theory classes, practical and tutorials of the institute and must visit catering establishments and take part in indoor and outdoor cetering parties arranged by the Institute. Students must not absent themselves from any Institutional curricular and extracurricular activities without the previous permission of the principal. Any absence without leave may lead to loss of term, since to keep a term a student has to comply to the satisfaction of the Principal, the course of study prescribed for the class to which the student belongs.

Normal class start at 9 A.M. and if a student is absent at the begining or in between the normal working hours without proper permission, he/she will be marked absent for the whole day.

Student should be regular and punctual in attendance in classes, laboratories, practicals and tutorials and in submission of term-work in the verious subjects. Terms may not be granted and student may not be certified for the final examination if his/her progress including the performance of the mid-year examinations, regularity, conduct and attendance are not satisfactory.

T46-

Absence without leave is considered a breach of discipline. Leave without permission is liable fines. No leaves will be granted withoput previous written application except in case of illness or emergency. Prior permission must be obtained for all other leave from the Principal or head of the department who will consider the application on individual marit.

Visit to industrial and large scale catering and other establishments are arrange during the term.

TRAINING METHODOLOGY

A judicious mix of both practical and theorical instruction is imparted at the institute. In addition the programme is also supplemented with industrial release. There is also a balance maintained between technical and management inputs.

LIBRARY RULES

1. Discipline must be maintained in and around the library, Gossiping, loitering and smoking are prohibited.
2. Only one book may be borrowed for a week only. It may be renewed on request, if it is not reserved by any other member, for another week maximum.
3. Rare, costly and single copy will not be issued to students. They may be used for reference in the library hall itself.
4. The Borrower has to check the book taken on loan during issue to report any damage to the book or pilferage of pages. For such cases the student who had been issued the book last of all will be penalised according to the type of damage done.
5. A fine of Re. 1/- per book per day will be charged for overdue books which is to be paid in the office.
6. Loss of the library card has ti be reported to the librarian immediately. only after proper verification and on payment of Rs. 10/-, fresh card may be issued.
7. One card one book system will be followed.
8. All journals, Dictionary, Encyclopedia, Hand book and Magazine will only be used for for the reference section.
9. In case any book is lost by a borrower, the borrower has to replace the book or shall pay the cost of replacement. If a book is one volume of a

set, the borrower may be asked to replace the whole set. In addition, the borrower will have to pay a fine of Rs. 200/- in any case of loss.

EXAMINATIONS

The annual examination conducted by the National Council for Hotel Management is held in March/April for all cases and April/November for Bi annual courses. The institute conducts mid-year examination for each course in December.

Examination for Short Courses: The examination of Short Courses is conducted by the State Council for Technical Education, Assam.

RULES OF ADMISSION IN SHORT COURSES

1. For all courses other than the Three Year Diploma in HMTC, applications for admission in the prescribed form should be addressed to the Principal.
2. Admission notice inviting application are published in all leading News paper of Assam and published through the Media of Doordarshan, All India Radio etc. The announcement of the courses comes out in the month May/June in every year.
3. Seats are reserved for SC/ST candidates as per rule.
4. 30 % Seats are reserved for sponsored candidates of N.E. states other than Assam. If the requisite number of students are not available from N.E. state, the remaining seats are offered to the candidates of Assam.
5. The respective state of NEC, Directorate of Tourism invites application in the month of June/July in every year. Application for admission in the prescribed form along with the prospectus may be obtained from the counter on cash payment on all working days as per the announcement of the courses.

   The application form must be filled in by the candidate in his/her own hand writing and must state clearly for which of the courses admission is sought for.

   Application forms duly completed have to be submitted at the counter of the institute on or before the last date announced for the receipt of application forms. Application received after the expiry date, or not on the prescribed form will not be considered and no representatives on that account will be entertained.

   The application should be accompanied by all necessary certificates as below-

a) True copy of proof of age.

b) True copies of educational qualification

c) True copies of mark-sheets

d) True copies of SC/ST certificate from competent authority.

e) Medical certificate in the prescribed form from a Registerd Medical prescriptioner.

f) True copy of permanent Residence certificate.

g)Pass port size photograph to be pasted in the form.

h) True copy of character certificate from the Head of the Institute last attended.

N.B. True copies of original certificates have to be attested by a competent authority.

ADMISSION PROCEDURE: The admission will be granted on the basis of merit list which will be put up on the notice board of the institute. No separate intimation will be sent. The Principal reserves the right to cancel the candidature of an applicant if he is of the opinion that the candidate is suffering from a physical disability which will lead to the candidate unsuitable for the course.

The last date of payment of fees for various courses will be announced simultaneously. The candidate should ensure to check up their names and must pay the fess and complete other formalities by the date fixed for the purpose, failing which their candidature will be cancelled and the admission will be offered to the next candidates on the selection list.

IN-COURSE ASSESSMENT

(1) The marks in the "In-course Assessment" will be the aggregate of the marks secured at the mid-year examinations in respect of the subject as detailed in the syllabus.

(2) A candidate will have to secure at least 40% marks in core subjects and 35% marks in ancillary subjects to pass the in-course assessment.

INDUSTRIAL RELEASE TRAINING

Before going to industrial training, Students must collect the log book from the office. Students of Post Graduate Diploma in Accommodation Operation and Craftsmanship course in Food Production must produce a satisfactory certificate of six months Industrial training from Hotel where they worked before they are awarded the Diploma.

BOOK AND OTHER AIDS:

Students must collect the following Journals from office on payment.

(1) Food Production

(2) F & B Service

(3) House keeping

(4) Front Office

(5) Evaluation Sheet

The authorities of the Institute reserve the right to change or modify the syllabus, prospectus, rule and fee whenever necessary and the same shall be binding on all students.

The Authorities reserve the right to postpone or cancel any of the courses.

CAREER COURSES IN HOTELIERING AND CATERING

Sl No.	Course	Duration	Minimum qualifications at entry	Max. Age (Years)
1	3 years B.Sc. and Hospitality and Hotel Administration	3 Years	Class XII of 10+2 System or equivalent	22 General 25 Yrs SC/ST
*2	Post Graduate diploma in Accommodation & Management	1½"	Graduate in any system	28 Yrs
*3	Craftmanship course in Food Production & Pattissierie	1½"	10th class pass of 10+2 system	22
*4	Craftmanship course in Food & Beverage Service	24 weeks	- do-	22
5.	Inservice and House wives courses are also conducted			

* Short Course

THREE YEAR DIPLOMA COURSE IN HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION

Eligibility Qualification:

The candidate should have passed+2 stage examination of 10+2 system or equivalent Examination in any academic or vocational Stream with English as compulsory subject. The candidate selected provisionally will not be allowed to join/continue in case they fail in+2 stage examination or are placed in compartment

Reservation

SC 15%

ST 7.5%

Candidates who have appeared for the qualifyng examination may also apply provisionally.

Age limit:

22 years as on 1st July.

25 years for SC/ST Candidates

How to apply:

Admission is carried out on an all India basis by National Council for Hotel Management Cetering Technology, Pusa, New Delhi. The eligible candidates are required to register themselves for an All India Written Entrance Examination held at varios centres of the country. The announcement regarding this examination features in all leading newspapers of the country in December-January and examination is held in April. Application may be made as per instructions given in the advertisement. The application forms are to be forwarded to the National Council for Hotel Management, according to the Address mentioned in the newspaper advertisement.

An object written examination is held in English & Hindi to test the candidates in (a) Reasoning and logical deductions (b) Numerical ability and scintific aptitude (c) General knowledge and (d) English language.

On the basis of the performance in the Written Entrance Examination candidates are called for an interview which is held at verious regional institutes. Selected candidates are informed directly. The final selection is on the basis of the overall performance in written Entrance Examination and interview.

The Students of NE region can also take the opportunity of the NEC(North Estem Council) quota. The respective state Government (Deppt. of Tourism) invites applicantions for the reserved seats in the month of April/May int every year.

1ST YEAR TEACHING, EXAMINATION & CREDIT SCHEME

National Council Component

No.	Subject Code	Subject	Hours per week		Marks		Credits
			Th.	Pr.	Th	Pr.	
1	BHM101	Foundation Course in Food Production	2	8	100	100	4
2	BHM102	Foundation Course in food & Beverage Service	2	4	100	100	4
3	BHM103	Foundation Course in front office	2	2	100	100	4
4	BHM104	Foundation Course in Accommodation Operations	2	2	100	100	4
5	BHM105	Application of computers	-	2	50	100	3
6	BHM106	Hotel Engineering	2	-	100	-	2
7	BHM107	Nutrition and principles of food science	1	-	100	-	2
8	BHM108	Accountancy	2	-	100	-	2
9	BHM109	Communication	1	-	50	-	1
	Total		15	18	800	500	26
	Grand Total:		33		1300		-

* Annual Marks will comprise 30% Mid-term & 70% Term end exam marks.

IGNOU Component

No.	Subject code	Subject	Counseling sessions	credits
01	BHM 110	Foundation Course in Tourism	10-12 counseling sessions of two hours each per group per year	8

2nd YEAR TEACHING, EXAMINATION & CREDIT SCHEME

National Council Component(TermA)

No.	Sub. Code	Subject	Hours per week		Marks		Credits
			Th.	Pr.	Th.	Pr.	
1	BHM201	Food Production Operation	2	8	100	100	4
2	BHM202	Foods Beverage Operation	2	2	100	100	4
3	BHM203	Front officeOperation	2	2	100	100	4
4	BHM204	Accommodation Operations	2	2	100	100	4
5	BHM205	Food & Beverage Controls	2	-	100	-	2
6	BHM206	Hotel Accountancy	2	-	100	-	2
7	BHM207	Food Safely & Quality	2	-	50	-	1
8	—	Research Methodology	1	-	-	-	-
	TOTAL		15	14	650	400	21
	GRAND TOTAL:		29		1050		

*Annual marks will comprise 30% Mid- term & 70% Term and exam marks

(Term B)

No	Sub. Code	Subject	Marks	Credits
01	BHM208	Industrial Training(20Weeks)	200	5
Total			200	5

IGNOU Component

No	Sub. Code	Subject	Counselling sessions	Credits
01	BHM209	Management in Tourism,	10-12 counselling sessions of two hours each per group per yr	8
02	BHM210	Communication skill in English	10-12 counselling sessions of two hours each per group per yr	8
03	BHM211	Human Resource Management	10-12 counselling sessions two hours each per group per yr	8

3rd YEAR TEACHING, EXAMINATION & CREDIT SCHEME

National Council Component

No.	Sub. Code	Subject	Hours per week		Marks		Credits
			Th.	Pr.	Th.	Pr.	
1	BHM301	Advance Food Production Operations	2	8	100	100	4
2	BHM302	Advance F & B Operations	2	2	100	100	4
3	BHM303	Front office Management	2	2	100	100	4
4	BHM304	Accommodation Management	2	2	100	100	4
5	BHM305	Food & Beverage Management	2	-	50	-	1
6	BHM306	Facility Planning	2	-	100	-	2
7	BHM307	Financial Management	2	-	100	-	2
8	BHM308	Strategic Management	1	-	50	-	1
9	BHM309	Research Project	-	2	-	100	6
10	-	Guest speakers/self study etc.	2	-	-	-	-
TOTAL			17	16	700	500	28
GRAND TOTAL:			33		1200		

*Annual marks will comprise 30% Mid- term & 70% Term and exam marks

IGNOU Component

No.	Sub. Code	Subject	Counselling sessions	Credits
1	BHM310	Tourism marketing	10-12 counselling sessions of two hours each per group per yr	8

- 154 -

POST GRADUATE DIPLOMA IN ACCOMMODATION OPERATIONS AND MANAGEMENT

Minimum standard of Admission — Graduate wih English
Duration — One and half years (Full time)
Teaching hourse per week — 35
No.of weeks of effective teaching — 36
Industrial Training — 24 weeks

Sl No	Subject	Teaching Scheme		No. of papers and their duration		EXAMINATION SCHEME					Total
						THEORY		Total	PRACTICAL		
		Theory	Practical	Theory	Practical	Internal	Externa		Internal	Externa	
1	Front Office	04	04	1(3 hrs)	01	20	80	100	20	80	100
2	Accommodation Operation	04	09	1(3 hrs)	01	20	80	100	20	80	100
3	Accommodation Management	03	---	1(3 hrs)	---	20	80	100	---	---	--
4	Interior Decoration	03	---	1(3 hrs)	---	20	80	100	---	---	--
5	Hotel Engineering	02	---	1(2 hrs)	---	--	10	40	50	---	--
6	Hotel Accounts	02	---	1(2 hrs)	---	10	40	50	---	---	--
7	Supervisory Management	02	---	1(3 hrs)	---	20	80	100	---		--
8	Application of computer	---	02	--	01	---	---	---	10	40	50
		20	15					600			250

ELIGIBILITY QUALIFICATION:

Graduate with English in any stream. However preference will be given to those with experience in the related area as also any related technical/ professional qualification.

DURATION:

One and half year (full time)

BASIC TRAINING:

One year

INDUSTRIAL TRAINING :

Half year

AGE:

Maximum up to 28 years as on 1st of June each year, relaxable upto 3 years in the case of Scheduled cast & Sheduled tribe candidates.

SELECTION:

Based on marks obtained at qualifying examinations as well as personal interview.

Reservation of seats made for SC/ST candidates as per Government of India norms.

CRAFMANSHIP COURSE IN FOOD PRODUCTION

Minimum standard of Admission — 10 th Class of the 10+2 or equivalent exam.with English
Duration — One and half years (Full time)
Teaching hours per week — 35
No.of weeks of effective teaching — 36
Industrial Training — 24 weeks

Sl. No	Subject	Teaching Scheme		No. of papers and their duration		EXAMINATION SCHEME					Total
						THEORY		Total	PRACTICAL		
		Theory	Practical	Theory	Practical	Internal	External		Internal	External	
1	Cookery	03	13 hrs	1(3 hrs)	1(6hrs)	20	80	100	50	250	300
2	Larder	--	06 hrs	--	1(4hrs)	--	--	--	20	80	100
3	Bakery & Pattissierie	--	10 hrs	1(2 hrs)	1(4hrs)	10	40	50	20	80	100
4	costing	01	---	1(2 hrs)	---	10	40	50	--	--	--
5	Hygiene	01	---	1(2 hrs)	---	10	40	50	--	--	--
6	Equipment Maintanence	01	---	1(2 hrs)	---	10	40	50	--	--	--
		06	29hrs					300			500

Grand Total- 800

ELIGIBILITY QUALIFICATION:

Successful completion of S.S.C. (10th class of 10+2 pattern) or equivalent qualification with English as one of the subjects in the Final of the School Examination.

DURATION:

One and Half year (Full Time)

Basic Training:

One Year

INDUSTRIAL TRAINING:

Half Year

AGE:

Maximum upto 22 Years as on 1st of June each year, relaxable upto 3 years in the case of Scheduled caste & Sheduled Tribe candidates.

SELECTION:

Based on marks obtained at the qualifying examinations as well as personal interview.

Reservation of seats made for SC/ST candidates as per Government of India norms.

CURRICULUM OUTLINE FOR FOOD & BEVERAGE SERVICE

Sl No.	Subject	Theory	Practical	Total periods per weeks
	Theory		33 weeks	36 periods each
1	Resturant & Counter Service I	6		6
2	Resturant & Counter Service II practical	6		6
3	Resturant & Counter Service I		12	12
4	Resturant & Counter Service II		12	12
	Total	**12**	**24**	**36**

SCHEME OF EXAMINATION FOR FOOD & BEVERAGE SERVICE

Sl No.	Subject	No of hrs. of Exam.	Examination Marks	Sessional Marks	Remarks
	Theory				
1	Resturant & Counter Service I	3	100		
2	Resturant & Counter Service II practical	3	100		
3	Resturant & Counter Service I	3	75	25	
4	Resturant & Counter Service II	3	75	25	
	Total		**350**	**50+400**	

ELIGIBILITY QUALIFICATION:

Successful completion of S.S.C. (10th class of 10+2 pattern) or equivalent qualification with English as one of the subjects in the Final of the School Examination.

DURATION:

24 Weeks.(Half Year Full Time Twice a year June and December)

BASIC TRAINING:

20 Weeks

INDUSTRIAL TRAINING:

4 Weeks

AGE:

Maximum upto 22 Years as on 1st of June each year, relaxable upto 3 years in the case of Scheduled cast & Sheduled tribe candidates.

SELECTION:

Based on marks obtained at qualifying examinations as well as personal interview.

Reservation of seats made for SC/ST candidates as per Government of India norms.





...RING TECHNOLOGY & AP...

(Sponsored by Ministry of Tourism Go... of I...
and Govt of Assam)

Affiliated to National Council for Hotel Manageme...
& Catering Technology and IGNOU, New Delhi

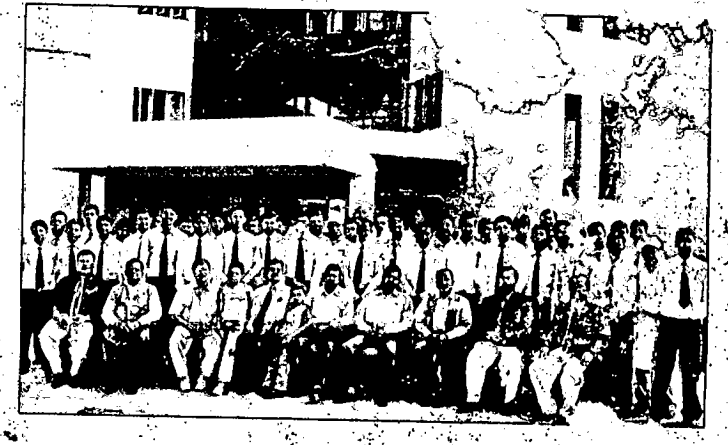
V.I.P Road, Borbari, Hengrabari
Guwahati - 781036
Tel : 0361 - 2337226, 2337245, (M) : 094350122...
Tele - Fax : 0361-2337226 (Direct)
e-mail : ihmctanghy@hotmail.com

ihm Guwahati

ACADEMIC PROGRESS

- 22 batches of short course students passed out till date.
- 09 batches of 3-year Diploma/Degree students passed out so far.





INTRODUCTION



- This Institute was established as Food Craft Institute in 1984.
- Upgraded to full-fledged 3 year Diploma level Institute of Hotel Management, Catering T- ...gy & Applied Nutrition in 1995 by Ministry o... Govt. of India.
- From Academic year 2002-... B.Sc. (Degree) in Hospitality & Hotel Adm... ...nder the Aegis of IGNOU & National Cou... Hotel Management & Catering Technology, New Delhi is in operation.

INSTITUTE CAMPUS

- New campus on 20 Bighas (2,88,000 sq. ft.) land at Hengrabari, Guwahati is in operation from January 2007.
- Subsidiary of Taj Group of Hotels is coming up with a Hotel Project inside the campus.

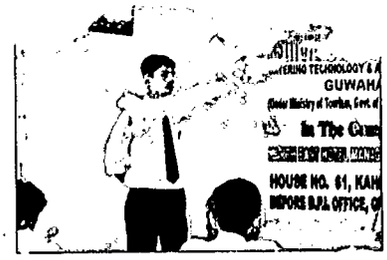
INTAKE CAPACITY

- 3 year Degree Programme: 150 (118 seats through JEE + 32 through N.E. Quota)
- Other Programmes 20 seats each.

GUWAHATI : GATEWAY TO NORTH EAST INDIA

Area	:	216.79 Sq.Km
Population	:	17 Lakhs (app.)
Altitude	:	54 m.
Climate	:	Summer & Monsoon (Apr. to Sept.) Max. 32° C Mi... 0° C. Winter (Oct to March ...ax 25° C

Taxi, Auto, Cit...
...Ricksh...



Dir...

Co...
T... ...aipur,
Jam...

A...

All n... airlines operate to and from Guwahati International Airport.

W... " from IHM Guwahati fraternity thank you from the core of our hearts

Please do visit us at: ihmctanghy.org

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

Filed by L. Devi Advocate for the Respondent no. 5

O.A. no.64/07

In the matter of:
O.A.no.64/07
Soumitra Sen
....Applicant.
-Vs-
Union of India & ors
.....Respondents.

The Counsel for the Respondent no.5 begs to state as follows.:-

1. That the respondent no. 5 Smt. Nanda Baruah applied some documents related to the above case under RTI Act. Accordingly the Institute of Hotel management supplied the documents as follows:

2. Minutes of the meeting of the Executive Committee of Food Craft Institute, Guwahati held on 20.11.84 wherein the recovery for appointment followed by creation was made by recommending Smti. Sibani Roy for the post of Senior Lecturer. Further she was allowed to officiate as Principal till a full fledged Principal was appointed. Mrs. Nanda Baruah was recommended for the post of Lecture.

Copy Recd by Shri Kumar Adv. 4/4/08

3. Release order dated 30.05.90 accepted the resignation tendered by Smt. Sibani Roy who served in her services from 20.01.85 to 29.05.90.

4. Letter dated 27.01.97 issued by the Assistant Director, HMC, Government of India to the Principal of Institute of Hotel Management, Guwahati informing that as per extent orders of Ministry of Finance, the posts remaining unfilled for a period exceeding one year in her organization shall stand abolish and directing to not make any recruitment against such non existant post without revival of posts with prior approval of the Government.

Copies of the aforesaid documents i.e. minutes of meeting dated 20.11.84, release order dated 30.05.90 and letter dated 27.01.97 is annexed herewith and marked as annexure 1,2 and 3.

ANNEXURE- 1

Minutes of the meeting of the Executive Committee of the Foodcraft Institute (Guwahati) Society held on 20.11.84 at 2.30 P.M. at Guwahati Tourist Lodge .

Extract of minutes of E/C committee held on 20/11/84

Members present

1. Shri R.S. Garge,
   Director, Government of India Tourist Office,
   Guwahati .

2. Shri P.A. Koshy,
   Principal,
   Institute of Hotel Management,
   Catering Technology & Applied Nutrition,
   Calcutta .

3. Shri S. Dhar ,
   Director of Tourism, Assam,
   Guwahati .

Court Officer.

1. The Committee considered the budget estimate for the years 1984-85 and 1985-86 and approved the same .

2. The Committee considered the recommendations of the Selection Committee for different categories of posts. The committee feels that the following posts should be immediately created and filled up to enable the institute to start functioning immediately and recommends the following candidates for appointmm against the posts mentioned against each :-

A. Creation of posts

1. Principal	-	1 (one) in the scale of pay Rs.1100-50-1600/-
2. Sr. Lecturer	-	1 (one) in the scale of pay Rs.700-1300/-
3. Lecturer cum Instructor	-	6 (six)Nos in the scale of pay Rs.650-960/
4. Asstt. Instructor	-	6 (six)Nos. in the scale of pay Rs.470-75
5. Laboratory Attendent	-	3 (three) Nos. in the scale of pay Rs.196-232/-
6. Machanic cum Electrician	-	1(one) No. in the scale of pay Rs. 260-40
7. Office Superintendent	-	1(one) scale of pay to the ascertained .
8. Store Keeper	-	1 (one)scale of pay Rs.330-560/- .
9. Stenographer	-	1 (one) No. in the scale of pay Rs.330-56
10.U.D.C.	-	2(two) Nos. in the scale of pay Rs.330-560/-
11.Accountant	-	1(one) scale of pay to be ascertained .
12.L.D.C.	-	1(one) No.in the scale of pay Rs.260-400/

Contd..

certified to be true
Adv.

File in Court ...
Cou ...cer.

...man - 2(two) in the scale of pay Rs.196-232/-.

... - 2(two) in the scale of pay Rs. 196-232/- .

...er - 2(two) Nos. in the scale of pay of Rs.196-232/-

...ndation for appointement.

...ibani Ray for the post of Senior Lecturer. She may ...iate as the Principal till a fullfledged Principal ...ppointed .

... Manjoo Goswami for the post of Lecturer for House ...ing .

... Nanda Bharali for the post of Lecturer for House Keeping ...ase Miss Goswami refuses the offer .

... Bhaswati Chakrabarty for the post of Lecturer for House ...ping in case Miss Goswami and Miss Bharali refuse the offer.

... Dablu Ray Chaudhuri for the post of Lecturer in Cookery.

... Gautam Das for the post of Lecturer in Hotel Reception ... R.C.S. Department .

... Surjya Kr. Phukon for the post of Lecturer for Canning ... Food Preservation .

... K.K. Baishya for the post of Office Superintendent .

... Surendra Nath Devapujari for the post of Accountant .

... Puspanjalee Baruah for the post of U.D.C.

... Sankar Dasgupta for the post of Stenographer .

... Anup Kr. Phukan for the post of Store Keeper .

... Amulya Patar (S/T) for the post of Electrician and ...echanic. Shri Patar is No. 2 in the panel of the Selection ...ommittee, but the Executive Committee recommends his ...ppointment to fulfil the requirement regarding reservation ... vacancies for S/T candidates .

... Gangadhar Das for the post of Laboratory Attendent .

... AnamuddingMazumdar
... Aditya Barman
... Nabin Ch. Bania
... Katiram Khaklari
for the posts of Watchmen and Peons .

... Ajit Basfer for the post of Sweeper .

...td..2/-

In making the above recommendations the Committee [illegible] view the provisions regarding Reservation of Vacancies [illegible] immediate requirement of the institute. A number of [illegible] have not been filled up (for example, one post of U.D.C. [illegible] L.D.C. etc.) so that it may be possible in future to [illegible] suitable candidates from S/C, S/T etc. in respect of whom [illegible] exists.

Secretary,
Foodcraft Institute, Guwahati,
C/o Director of Tourism, Assam,
Guwahati-781007.

....

[illegible]09/84 Dated Guwahati, the 21st. Nov/84

[illegible] A.B. Garga, Director, Government of India, Tourist [illegible], Guwahati -7 .

[illegible] P.A. Koshy, Principal, Institute of Hotel [illegible]nagement, Catering Technology & Applied Nutrition, [illegible]xhibition Ground, Toratolla Road, Calcutta .

[illegible] members of the Board of Governors of the

Secretary,
Foodcraft Institute, Guwahati,
C/o Director of Tourism, Assam,
Guwahati-781007.

....

.....

Asstt. Administrative Officer
IHMCTAN, Guwahati

-5-

Annexure - 2

Gram : FOODCRAFT
Phone : 83724

Food Craft Institute Guwahati

Beltola, Ajanta Path, GUWAHATI-781028
Post Box No. 8, GUWAHATI-781006

(1)

Ref FIG/46/85/ 36

Date 30/5/90

Release order

Ms Sibani Roy, Principal incharge/Secretary of this Institute who had been working here since its inception from 20th January 1985 is hereby relieved of her duties w.e.f 29th May 1990(AN) consequent upon acceptance of her resignation tendered by her on account of offering her full time service as Secretary HCIMA India Chapter.

(ANIL BARUA)
Director, Tourism, Assam
& Chairman, Foodcraft Insti
Guwahati.

Copy to : 1). Mrs. Sibani Roy, Foodcraft Institute, Guwahati.
2). Personal file.
3). Accounts file.

Director, Tourism, Assam,
& Chairman, Foodcraft Institut
Guwahati.

Administrative Officer

certified to be true

ANNEXURE-3

(2)

Government of India
Department of Tourism
HMC Division

No. 1(5)/97-HMC

Dated. 27.1.97

The Principal,
Institute of Hotel Management,
Catering Tech. & Applied Nutrition, and
Director (A&F), National Council for HMCT.
Guwahati

Sir/Madam

This has referance to the information furnished regarding vacancy position in the Institutes and National Council. As per the extant orders of the Ministry of Finance, the posts remaining unfilled for a period exceeding one year in your Organisation shall stand abolished. No action to make recruitment against such non-existant posts should be made without revival of the posts with prior approval of the Govt.

These instructions should be noted for strict compliance.

Yours faithfully,

(P. N. WALI)
Asstt. Director (HMC)

4/2/97

13/2

certified to be true

Asstt. Administrative Officer

प्रशासनिक ट्रि
inistrative Tribu
3 JUN 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRAIVE TRIBUNAL GUWAHATI BENCH

O.A.No. 64 of 2007

Sri Saumitra Sen

..Applicant

-Vs-

Union of India & ors

..Respondents

INDEX

Sl.No.	Particulars	Annexures	Page No.
1	Additional Statement	-	1-6
2	Verification		7
3	Minutes of Meeting of Executive Committee of Food Craft Institute held on 20.11.84	K	8-10
4.	Release order dt. 30.5.90 of Smti Sibani Roy, Sr.Lecturer/Principal-In-Charge.	L	11
5.	Letter dated 27.1.97 issued by Asstt. Director ,Govt. of India, Deptt. of Tourism.	M	12
6.	Order dt. 17.5.04 whereby sanctioned 2 posts of Sr.Lecturer	N	13
7	Promotion order dt.12.10.04	O	14

Place Guwahati

Date 27/5/08

Filed by

27/5/08

Manjula Das
Advocate

प्रशासनिक अधिकरण
Administrative Tribunal
3 JUN 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

-1-

Filed by:- The Respondents through Mangilal Das Advocate 27/5/08

IN THE CENTRAL ADMINISTRAIVE TRIBUNAL GUWAHATI BENCH

IN THE MATTER OF:

O.A.No. 64 of 2007

Sri Saumitra Sen

..Applicant

-Vs-

Union of India & ors

..Respondents

-AND-

IN THE MATTER OF:

Additional Written Statement on behalf of Respondent No.5.

Copy Received Dr. K. Das Adv. 27/5/08

ADDITIONAL STATEMEMTN ON BEHALF OF RESPONDENT NO.5

I, Smti (Dr.) N. Baruah, Wife of Dr. Pranab Baruah , resident of Bamunimaidam, Guwahati presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition, Hengrabari, Guwahati do hereby solemnly affirm and state as follows:

1. That the applicant in the aforesaid O.A. No.64/07 has prayed for the following direction:

प्रशासनिक अधिकरण
Administrative Tribunal
3 JUN
गुवाहाटी न्यायपीठ
Guwahati Bench

(i) to promote him to the post of Sr. Lecturer w.e.f 9.8.99. Since the date from which he drawing salaries in the scales of senior lecturer.

(ii) to declare that the applicant has been experience to the post of Sr. Lecturer since 9.8.99 so as to make him competent from the next post and the scale of Head of Department in his due time by counting his experience.

(iii) to direct the respondent to consider the applicant from the post of Sr. Lecturer under Recruitment Rules, 1998 to declare the Recruitment Rules, 2003 so far it relates to relaxation of the qualification and eligibility criteria of Sr. Lecturer by promotion.

2. That the humble answering respondent begs to state that she applied some documents relating to the above case under R.T.I. Act and she was supplied some documents by the Institute as mentioned in subsequent paragraphs

3. That the humble answering respondent begs to state that as per Minutes of the Meeting of Executive Committee of the Food Craft Institute held on 20.11.84 it appears that the Committee considers the recommendation of different

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
- 3 JUN 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

category of post. The Committee felt that the one post of Sr.Lecturer should be created and filled up and recommended some candidates for appointment in the post mentioned against each. In the said meting the name of Smti Roy was recommended for the post of Sr. Lecturer and to officiate as the principal till a full fledged principal appointed.

Mrs. Shivani Roy, thereafter was appointed as Sr. Lecturer and was In-Charge of Principal from 20.1.1985 to 29.5.1990. She resigned from her service and consequent upon acceptance of her resignation the release order dated 30.5.90 was issued by the Director, Tourism ,Assam, Food Craft Instituted.

Copy of the said Minutes held on 20.11.84 and release order dated 30.5.1990 are annexed herewith and marked as Annexure-K and L respectively.

4. That vide letter dated 27.1.97 the Assistant Director, Department of Tourism, HMC Division, issued a letter to the Principal of the Institute of Hotel Management., Guwahati informing that the instant orders of the Ministry of Finance, the post remaining unfilled for a period exceeding one year in the Institute shall stand abolished. Further asked not to take action for making recruitment against such non-existent post without revival of the post with prior approval of the Govt.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
3 JUN 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

Thus the authority directed the Institute to comply the instruction strictly.

Copy of the said letter dated 27.1.97 is annexed herewith and marked as Annexure-M

5. That the applicant in his application repeatedly stated that two nos of post of Sr. Lecturer was vacant in the Institute in 1999 and he was the only eligible candidate to get the promotion of Sr. Lecturer as per Recruitment Rules, 1998.

In this connection the humble answering respondent begs to state that in fact the only Sr. Lecturer post was vacant since 29.5.1990 and there are no such post of Sr. Lecturer in the year of 1999 in view of the letter dated 27.1.97 as mentioned above.

Further as and when the post of Sr. Lecturer was lying vacant the Recruitment Rules, 1982 was prevailing. As per the said Recruitment Rules four candidates including the applicant respondent Nos. 4 and 5 were eligible for being promoted to the post of Sr. Lecturer. The applicant never agitated for denial of promotion in that particular period. As he knew that although he was eligible if there is any promotion then definitely he was sured that he will not get the promotion.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
3 JUN 2008
गुवाहाटी न्यायपीठ
Guwahati Bench

Now the applicant approached before this Hon'ble Tribunal with a plea that there are two posts of Sr. Lecturer was vacant and he was only eligible candidate for being promoted to the post of Sr. Lecturer. In fact there are no sanction post of Sr. Lecturer only staff structure was worked out.

The said Recruitment Rules was amended in 2001 and revise don 2003.

It is stated that the applicant approached before this Hon'ble Tribunal that too by way of amendment challenging the Recruitment Rules 2003 after a long 5 years which already been effected and implemented and he is estopped from challenging the same Recruitment Rules as per Doctrine of Estoppel.

The promotion is not a matter of right. Even assuming but not admitting the applicant is eligible for being promoted to the post of Sr. Lecturer but the promotion is to be made subject to the availability of vacancy. In 1999, there was no sanction post of Sr. Lecturer. Hence the question of promotion of said post does not arise at all.

The two Nos. of post of Sr. Lecturer were sanctioned and approved by the Govt. Of India only on 30.4.04 contained in order dated 17.5.04 and the promotion to the said post would be governed by the existing Recruitment and Promotion Rules, 2003 for Institute of Hotel Management. As per the said

प्रशासनिक अधिकरण
Administrative Tribunal
3 JUN 2008
न्यायपीठ

provision the respondent No. 4 and 5 as being senior most eligible and suitable candidate found their place in the list against Ist and 2nd nominee got their appointment to the said post vide order dated 12.10.04.

Copies of the sanction order dated 17.5.04 and promotion order dated 12.10.04 are annexed herewith and marked as Annexure N and O .

6. That the humble answering respondent begs to submit that if the applicant was aggrieved he should have approached before this Hon'ble Tribunal in time. He cannot slept over the matter and comes to the court questioning the relaxation in recruitment Rules, 2003. which in fact is not permissible under the law.

7. That the humble answering respondent begs to submit that the applicant did not approach the Hon'ble Tribunal expeditiously against the Rules, 2003 or the promotion of the private respondents for relief and he now tried to unsettle the settled position, Hence the O.A. should be dismissed

- 7 -

Administrative Tribunal
09 JUN
GUWAHATI BENCH

VERIFICATION

I, Smti (Dr.) N. Baruah, Wife of Dr. Pranab Baruah , resident of Bamunimaidam, Guwahati presently working as the Senior Lecturer of Institute of Hotel Management, Catering Technology and Applied Nutrition, Hengrabari, Guwahati do hereby verify that the statements made in paragraphs 1

are true to my knowledge, those made in paragraphs 2 to 5 are being matters of records of the case derive therefrom which I believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

I have not suppressed any material facts thereof.

And I sign this verification on this the 27th day of May, 2008 at Guwahati.

Nanda Baruah

DEPONENT

ANNEXURE- K

Minutes of the meeting of the Executive Committee of the Federation Institute (Guwahati) Society held on 20.11.84 at 2.30 P.M. at Guwahati Tourist Lodge .

Members present

1. Shri R.S. Garge,
   Director, Government of India Tourist Office,
   Guwahati .

2. Shri P.A. Koshy,
   Principal,
   Institute of Hotel Management,
   Catering Technology & Applied Nutrition,
   Calcutta .

3. Shri S. Dhar ,
   Director of Tourism, Assam,
   Guwahati .

1. The Committee considered the budget estimate for the years 1984-85 and 1985-86 and approved the same .

2. The Committee considered the recommendations of the Selection Committee for different categories of posts. The committee feels that the following posts should be immediately created and filled up to enable the institute to start functioning immediately and recommends the following candidates for appointment against the posts mentioned against each :-

A. Creation of posts

1. Principal	-	1 (one) in the scale of pay Rs.1100-50-1600/-
2. Sr. Lecturer	-	1 (one) in the scale of pay Rs.700-1300/-
3. Lecturer cum Instructor	-	6 (six) Nos in the scale of pay Rs.650-960/
4. Asstt. Instructor	-	6 (six) Nos. in the scale of pay Rs.470-750
5. Laboratory Attendent	-	3 (three) Nos. in the scale of pay Rs.196-232/-
6. Mechanic cum Electrician	-	1 (one) No. in the scale of pay Rs. 260-400
7. Office Superintendent	-	1 (one) scale of pay to the ascertained .
8. Store Keeper	-	1 (one) scale of pay Rs.330-560/- .
9. Stenographer	-	1 (one) No. in the scale of pay Rs.330-560
10. U.D.C.	-	2 (two) Nos. in the scale of pay Rs.330-560/-
11. Accountant	-	1 (one) scale of pay to be ascertained .
12. L.D.C.	-	1 (one) No. in the scale of pay Rs.260-400/

Certified to be true
Advocate

Contd..

- 2(two) in the scale of pay Rs.196-232/-.

- 2(two) in the scale of pay Rs. 196-232/- .

- 2(two) Nos. in the scale of pay of Rs.196-232/-

dation for appointement

bani Ray for the post of Senior Lecturer. She may to as the Principal till a fullfledged Principal pointed .

Muhjoo Goswami for the post of Lecturer for House ng .

Nanda Bharali for the post of Lecturer for House Keeping ase Miss Goswami refuses the offer .

Bhaswati Chakrabarty for the post of Lecturer for House ing in case Miss Goswami and Miss Bharali refuse the offer.

Dablu Ray Chaudhuri for the post of Lecturer in Cookery.

Gautam Das for the post of Lecturer in Hotel Reception R.C.S. Department .

Surjya Kr. Phukon for the post of Lecturer for Canning Food Preservation .

K.K. Baishya for the post of Office Superintendant .

Surendra Nath Devapujari for the post of Accountant .

Puspanjalee Baruah for the post of U.D.C.

Sankar Dasgupta for the post of Stenographer .

Anup Kr. Phukan for the post of Store Keeper .

Amulya Patar (S/T) for the post of Electrician and chanic. Shri Patar is No. 2 in the panel of the Selection committee, but the Executive Committee recommends his ppointment to fulfil the requirement regarding reservation f vacancies for S/T candidates .

ri Gangadhar Das for the post of Laboratory Attendant .

Shri Anamuddin Mazumdar
Shri Aditya Barman
Shri Nabin Ch. Bania
Shri Katiram Khaklari

for the posts of Watchmen and Peons .

Shri Ajit Basfor for the post of Sweeper .

In making the above recommendations the Committee in view the provisions regarding Reservation of Vacancies ni immediate requirement of the institute. A number of have not been filled up (for example, one post of U.D.C. L.D.C. etc.) so that it may be possible in future to eligible candidates from S/C, S/T etc. in respect of whom exists.

Secretary,
Foodcraft Institute, Guwahati,
C/o Director of Tourism, Assam,
Guwahati-781007.

....

Dated Guwahati, the 21st. Nov/64

Shri N.G. Ojha, Director, Government of India, Tourist Guwahati -7 .

Dr. D.A. Koshy, Principal, Institute of Hotel Management, Catering Technology & Applied Nutrition, Exhibition Ground, Toratolla Road, Calcutta .

Members of the Board of Governors of the

Secretary,
Foodcraft Institute, Guwahati,
C/o Director of Tourism, Assam,
Guwahati-781007.

....

Administrative Officer
Foodcraft Institute

.....

ANNEXURE - L.

Gram : FOODCRAFT
Phone : 83724

Food Craft Institute Guwahati

Beltola, Ajanta Path, GUWAHATI-781028
Post Box No. 8, GUWAHATI-781006

(1)

Ref FIG/46/85/ 3C-1

Date 30/5/90 198

Release order

Ms Sibani Roy, Principal Incharge/Secretary of this Institute who had been working here since its inception from 20th January 1985 is hereby relieved of her duties w.e.f 29th May 1990(AN) consequent upon acceptance of her resignation tendered by her on account of offering her full time service as Secretary HCIMA India Chapter.

(ANIL BARUA)
Director, Tourism, Assam
& Chairman, Foodcraft Insti
Guwahati.

Copy to : 1). Mrs. Sibani Roy, Foodcraft Institute, Guwahati.
2). Personal file.
3). Accounts file.

( )
Director, Tourism, Assam,
& Chairman, Foodcraft Institute
Guwahati.

certified to be true
Advocate

ANNEXURE-M

(2)

Government of India
Department of Tourism
HMC Division

No. 1(5)/97-HMC

Dated. 27.1.97

The Principal,
Institute of Hotel Management,
Catering Tech. & Applied Nutrition, and
Director (A&F), National Council for HMCT,
Gwalior

Sir/Madam

This has reference to the information furnished regarding vacancy position in the Institutes and National Council. As per the extant orders of the Ministry of Finance, the posts remaining unfilled for a period exceeding one year in your organisation shall stand abolished. No action to make recruitment against such non-existant posts should be made without revival of the posts with prior approval of the Govt.

These instructions should be noted for strict compliance.

Yours faithfully,

(P. N. WALI)
Asstt. Director (HMC)

certified to be true

Adv.

...the year
...omen under Bharathiar University at Coimbatore. She has also qualified
...Doctor of Philosophy (PhD) from the ...

-13- ANNEXURE- A1

GOVERNMENT OF INDIA
DEPARTMENT OF TOURISM
(HRD DIVISION)

C-1, Hutments
Dalhousie Road
New Delhi-110011.
Tele: 011-23012810
Fax: 011-23011518

No.33(1)/99-HMC

Dated: 17.5.2004

To

The Secretary
Institute of Hotel Management,
Catering Technology and Applied Nutrition
G.S. Road, Bus Stop ABC
Bhangagarh,
GUWAHATI-781005

IHM
GUWAHATI
- 1 JUN 2004
DIARY NO. 129

Subject: Creation and Abolition of Academic Posts in IHM, Guwahati.

Sir,

I am directed to convey the sanction of the Government to the creation/ abolition of the following posts in the Institute of Hotel Management, Catering Technology and Applied Nutrition, Guwahati:

S.NO	Post / Pay Scale	Earlier Sanctioned Posts	Post Created / Abolished vide this order	Final Position of Sanctioned Posts
1	Head Of Department (HOD)/ Rs. 10,000-325-15,200)	NIL	1 Post Created	1 Post
2	Senior lecturer / Rs. 8,000-275-13,500)	NIL	2 Posts Created	2 Posts
3.	Lecturer / Rs. 6,500-200-10,500	6 Posts	2 Posts Abolished	4 Posts

3. This issues with the approval of M/o Finance I.D. No. 581/ E. Coord.1/2004 dated 30.4.2004

Yours faithfully,

(N. K. Saini)
Under Secretary to the Government of India

Copy to:

1. Integrated Finance, Ministry of Tourism, Transport Bhawan, New Delhi w.r.t. their UO No. 227/IF/2004 dated 12-05-2004
2. Director (S)/Director (A&F), NCHMCT, Pusa, New Delhi.

(H.C.Bhatt)
Assistant Director

Certified to be true copy
Advocate
27.5.08

होटल प्रबंधन, खानपान तकनीक
तथा प्रयुक्त पोषाहार संस्थान
गुवाहाटी
(भारत सरकार तथा असम सरकार द्वारा प्रायोजित)

INSTITUTE OF HOTEL MANAGEMENT, CATERING TECHNOLOGY AND APPLIED NUTRITION
GUWAHATI
(Sponsored by Govt. of India & Govt. of Assam)

-14T

ANNEXURE-D

IHM(GH) - Estt./19/04/ 1006

13.10.2004

To

Dr.(Mrs.) Nanda Baruah,
Lecturer - cum - Instructor,
Institute of Hotel Management,
Guwahati.

Guwahati Bench

SUB: Promotion in the post of Sr. Lecturer – cum -- Sr. Instructor

Madam,

On behalf of the Hon'ble Chairman and the Executive Committee of The Institute of Hotel Management, Catering Technology & Applied Nutrition (Guwahati) Society, Guwahati, the undersigned is pleased to inform you that you are hereby temporarily promoted in the post of Sr. Lecturer – cum – Sr. Instructor (in the scale of Rs 8,000-275-13,500) in this Institute. It will be effective from the date of your joining in this post, and you will be under probation for a period of one year from that date.

This issue with the approval of the Hon'ble Chairman and the Executive Committee, IHMCTAN (Guwahati) Society.

(Shakti Pada Bhattacharyya)
PRINCIPAL / SECRETARY

Copy to:

1. Hon'ble Chairman IHM Guwahati for kind information
2. All the members of Board of Governors IHM Guwahati for kind information
3. Director (Studies), National Council for Hotel Management & Catering Technology, New Delhi for kind information.
4. Accounts section IHM Guwahati
5. Circular
6. Personal File

PRINCIPAL

Supplied to the Ld. Counsel for the Petitioner Copy.
Desai Adv.
27.5.08

Scale	First Financial Up gradation after 12 Years	Second Financial Up gradation