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Subject: Regarding grant of seniority and senior scale benefits to Mrs. Kanika Sharma from her initial date of appointment in the year 2004.

The institute had advertised in August 2002 for filling up one post of Lecturer (Electronics and Communication Engineering). This post had fallen vacant on 11.6.2002 since the incumbent holding this post namely Mr. J.S. Rai had proceeded on long leave. Accordingly, it was mentioned in the advertisement that the post to be filled up is purely temporary against leave vacancy and that the incumbents have to pass through a fresh recruitment process for these posts whenever required for regular appointment. Before this post could be filled up Shri J.S. Rai who had proceeded on long leave resigned. His resignation was accepted on 27.6.2003. Mrs. Kanika Sharma, applied for the advertised post and selected vide appointment letter dated 17.9.2004. In pursuance thereof she joined on 17.11.2004. It may be submitted in the appointment letter dated 17.9.2004 there was no stipulation that Mrs. Kanika Sharma was being appointed against a leave vacancy and that her appointment letter dated 17.9.2004 contained stipulations/terms applicable to regular appointees.

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Realising this mistake the appointment letter dated 17.9.2004 was amended with the approval of the Chairman, Board of Governors. This was communicated to Mrs. Kanika Sharma through letter dated 15.3.2005. Vide this letter she was informed that the post in response to which she had applied and consequently selected was not regular and that she will have to pass through fresh recruitment process for the post of Lecturer whenever the post is advertised on regular basis. This change was not challenged by Mrs. Kanika Sharma. That thereafter the post in question was advertised to be filled up on regular basis in the year 2006 and then in the year 2008. Mrs. Kanika Sharma applied for this post both in the year 2006 and in the year 2008. Both these advertisements lapsed as no selection qua them took place. After the above in the year 2008, Mrs. Kanika Sharma approached the Hon'ble Punjab and Haryana High Court vide CWP No.12345 of 2008 seeking regular appointment w.e.f. her initial appointment in the year 2004. During the pendency of the above referred writ petition, the post in question was again advertised in the year 2010 and Mrs. Kanika Sharma again applied. She was interviewed and selected. She joined on 9.9.2011. Simultaneously

she filed an application in the Hon'ble High Court of Punjab and Haryana for placing on record appointment letter with a further prayer to count her service w.e.f. 17.9.2004 for all purposes. On 13.9.2011 (attached herewith as Annexure 1) the Hon'ble High Court of Punjab and Haryana passed an interim order which is annexed herewith. In pursuance to the order dated 13.9.2011 (attached herewith as Annexure 1) the Board of Governors in their 21st meeting held on 21.10.2011 considered the matter and sought legal opinion in the matter. Legal opinion dated 9.12.2011 was given by the counsel appearing on behalf of the institute (copy of the same is annexed as Annexure 2). The Board of Governors again met on 24.12.2011 and after going through the legal opinion annexed as Annexure 2 decided that pay protection be granted to Mrs. Kanika Sharma. So far as the seniority issue was concerned opinion from the AICTE was sought. This was for the reason that there were no relevant rules with the institute or the organization and therefore, rules being followed by AICTE in the matter were sought. Till date the AICTE has not responded. In the meanwhile the matter came up before the Hon'ble High Court on 17.1.2012 on which date order annexed as

Annexure 3 was passed. That thereafter the matter came up before the Hon'ble High Court of Punjab and Haryana on 24.4.2012 on which date order annexed as Annexure 4 was passed.

The Board of Governors has the highest respect for all Courts and cannot even imagine committing contempt of any orders as of any Hon'ble Court inadvertently or otherwise. In view of the above, an emergent meeting be summoned to comply with the orders of the Hon'ble High Court of Punjab and Haryana dated 13.9.2011 read with orders dated 17.1.2012 and 24.2.2012. All members are requested to convey their comments/decision in accordance with the directions passed by the Hon'ble High Court of Punjab and Haryana so that the Hon'ble High Court can be apprised of the decision before 10th May 2012.