

**Before Dr. S.P. Katyal, Member, H. P. Private  
Educational Institutions Regulatory Commission, Shimla -171009.**

**Case No: 40/2016**

**Date of Institution: 05/05/2016**

**Date of Decision: 14/11/2017**

**In the matter of:**

Dr. S.B. Kalidhar, Villa 709, Gillco Valley Kharar, SAS Nagar -140301.

....Complainant

Versus

IITT College of Engineering , IITT Campus Trilokpur Road, Kala Amb, Distt. Sirmour (H.P)

....Respondent

**Present:** None of the parties.

**ORDERS**

Himachal Pradesh Private Educational Institutions Regulatory Commission (HP-PERC) Shimla received a complaint from Dr. S.B. Kalidhar, Former- Principal , IITT College of Engineering, on 16/04/2015 through email against IITT College of Engg, Kala Amb, Sirmour, HP alleging that after being relieved from duties his salary for the month of July 2014 was not released. Further that Form 16 for the first quarter has not been issued to him after TDS amounting Rs. 27,000 @ Rs.9,000/- per month (April to June 2014) are being paid. In aforesaid matter this Commission issued a letter to IITT with the directions to explain reasons for non-disbursement of salary of the said faculty latest by 07/08/2015. On 20/01/2016 Commission received an email from Dr. S.B. Kalidhar and he submitted documents in support of his claim. The Institute did not respond to the above said letter and the Commission subsequently issued a reminder on 17/02/2016 to the Institute directing the Institute to submit reply on aforesaid issue within a week. In response Commission received a reply that Institute have not received a copy of complaint from Dr. S.B. Kalidhar, despite the fact that it has been forwarded to Institute via email dated 11/08/2015 and confirmed telephonically. However it appears that the reply did not address the concerned points and Institute intended to avoid the real issue. Hence, the Commission directed both the parties to appear in person along with relevant records and the hearing was fixed for 10/05/2016 on which date none appeared. Commission received a mail from complainant who requested his exemption in the appearance. Request accepted and hearing postponed to next date.

On 25/05/2016, Shri Bhaskar Arora, Director IITT College of Engineering Kala Amb along with Shri Krishan Kumar, Superintendent appeared in person before the Commission while the complainant did not appear again. Sh. Bhaskar Arora submitted all the relevant documents during the hearing i.e. photo copy of No Dues Certificate and handing over/taken charge document whereby Dr. S.B. Kalidhar has been shown relinquishing his charge on 4.7.2014. He

stated that Dr. S.B. Kalidhar did not perform any duty from 5.7.2014 to 24.7.2014 as such claim for salary for such period was baseless. However, when he was confronted with the documents submitted by the complainant especially appointment letter No. IOM/HO/Dr. S.B. Kalidhar/IITT KA/2014/8188 dated 5.7.2014 issued to Dr S.B. Kalidhar and the relinquishment document dated: 24.7.2014, the respondent could not make any satisfactory explanation. The case was fixed for 08/06/2016 when none appeared. Request received from the respondent for adjournment of the case for 2 months through email due to some unavoidable health reasons. But Commission did not grant such permission and directed the respondent to depute a person duly authorized to represent the Institute. On 22/06/2016, only complainant appeared for hearing and respondent did not appear and document substantiating the fact that he was relieved twice from the institute on 4.7.2014 and thereafter on 24.7.2014 submitted by the complainant were taken on record. Further, the actual amount disbursed to complainant was Rs. 2.49 lacs, whereas the Institute has shown it to be Rs. 3, 32,000/- in form 16 of Income Tax and deducted income tax of Rs. 27,000/-. Whereas, it must be Rs. 36,000/- instead of Rs. 27,000/-, if he had received an amount of Rs. 3, 32,000/-. Further, an email received from the respondent stating that its representative met with an accident while he was on his way to the Commission for hearing. On 25/07/2016, Sh. Krishan , Superintendent , IITT Kala Amb appeared on behalf of IITT, Kala Amb and stated that he had no knowledge of the case and according to him Electricity and water charges were to be deducted from the salary of Dr. S.B. Kalidhar. Copy of the appointment letter submitted by respondent in which it was nowhere mentioned that the bills to be paid by Dr. S.B. Kalidhar.

Sh. Krishan, superintendent, IITT Kala Amb again appeared on 09/08/2016 and he could not produce any authority letter to represent the College. The Institute failed to produce the electricity/water charges bill for the period Dr. S.B. Kalidhar was staying in the accommodation allotted by the college. Last opportunity was given to the college to produce all the relevant documents of electricity and water charges and the case was fixed for 25/10/2017 when none appeared and last opportunity was enlarged to both the parties for 14/11/2017 when both the parties failed to appear either in person or through some authorised representative.

Both the parties were given ample opportunities to present/defend their cases but it appears that complainant is not interested any more with the case, hence the case is dismissed on merits.

Copies of the order be supplied to parties, in case specifically requested.

Orders be uploaded on the website of the Commission.

File after completion be consigned to Record Room.

Announced

Sd/-  
**(Dr. S.P. Katyal)**  
Member