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PART II—Section 3—Sub-section (i)

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MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Higher Education)

NOTIFICATION

New Delhi, the 23rd April, 2009

G.S.R. 280(E). – In exercise of powers conferred by sub-section (1) of section 26 of the National Institutes of Technology Act, 2007, (29 of 2007) the Central Government, with the prior approval of the Visitor, hereby frames the following First Statutes for all National Institutes of Technology, namely :-

1. SHORT TITLE, EXTENT AND COMMENCEMENT

- (1) These Statutes may be called The First Statutes of the National Institutes of Technology.
- (2) They shall apply to all National Institutes of Technology.
- (3) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS

1. In these First Statutes, unless the context otherwise requires,
 - (a) "Act" means the National Institutes of Technology Act, 2007;
 - (b) "Authorities", "Officers" and "Faculty Members" in relation to an Institute mean, respectively, the authorities, officers and faculty members of the Institute.
 - (c) "Building and Works Committee" means the Building and Works Committee of the Institute constituted under First Statute No 12.
 - (d) "Centre" in relation to an Institute means an academic unit of the Institute engaged in academic activities (like teaching, research, etc.) generally of an inter-disciplinary nature;
 - (e) "Department" in relation to an Institute means an academic unit of the Institute engaged in academic activities (like teaching, research, etc)

generally relating to a particular discipline or area.

- (f) "Finance Committee" means the Finance Committee of the Institute constituted under First Statute No. 10;
 - (g) "Head of a Department or Centre", by whatever name called, means the person appointed to head the Department or Centre, as the case may be, under First Statute No. 20;
 - (h) "Programme" means an academic programme of the Institute;
 - (i) "rules" means the rules made under Chapter-III of the Act;
 - (j) "Schedule" means Schedule annexed to these Statutes
2. Words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. AUTHORITIES

The following shall be the authorities of the Institute. Namely:-

- (i) the Board of Governors as constituted under Section 11 of the Act;
- (ii) the Senate as constituted under section 14 of the Act;
- (iii) the Finance Committee, as constituted under First Statute 10; and
- (iv) the Building and Works Committee as constituted under First Statute No. 12

4. BOARD OF GOVERNORS AND MEETINGS THEREOF

- (1) The bodies entitled to nominate or elect representatives of the Board shall be invited by the Registrar to do so within a period not exceeding eight weeks from the date on which such invitations are issued by him.
- (2) Casual vacancies on the Board shall be filled up by following the procedure specified under sub-statue (1).
- (3) The Board shall ordinarily meet four times during a calendar year.
- (4) Meetings of the Board shall be convened by the Chairperson either on his own motion or at the request of the Director or on a requisition signed by not less than four members of the Board.
- (5) Six members shall form a quorum for a meeting of the Board:

provided that if a meeting is adjourned for want of quorum, it shall be held on the same day in the next week at the same time and place or on such other day time and place, as the Chairperson may determine, and if at such a meeting, a quorum is not present within half-an-hour from the scheduled time for holding a meeting, the members present shall form the quorum.

- (6) All questions considered at the meetings of the Board shall be decided by a majority of the votes of the members present including the Chairperson and if the votes be equally divided, the Chairperson shall have a casting vote.
- (7) The Chairperson, if present shall preside over every meeting of the Board:
Provided that in the absence of the Chairperson, the members present shall elect a member from amongst themselves to preside at the meeting.
- (8) A written notice of every meeting shall be sent by the Registrar to every member at least fifteen days before the date of the meeting mentioning therein the place, date and time of the meeting:
Provided that the Chairperson may call a special meeting of the Board at short notice to consider urgent issues.
- (9) The notice may be delivered either by hand or sent by registered post or Email or Fax, at the address Of each' member as recorded in the office of the Board and if so sent shall be deemed to be duly delivered at the time at which notice would be delivered In the ordinary course of post.
- (10) Agenda shall be circulated by the Registrar to all members at least ten days before the meeting.
- (11) Notices of motions for inclusion of any item on the agenda must reach the Registrar at least one week before the meeting:
Provided that the Chairperson may permit inclusion of any item for which due notice has not been received.
- (12) The ruling of the Chairperson with regard to all questions of procedure shall be final
- (13) The minutes of the proceedings of a meeting of the Board shall be drawn up by the Registrar and circulated to all members of the Board present in India and the same along with any amendment suggested shall be placed

before the Board in its next meeting for confirmation and after the minutes are confirmed and signed by the Chairperson, they shall be recorded in the minute book.

- (14) The minute book shall be kept open for inspection of the members of the Board and the Council at all times during office hours.
- (15) If a member of the Board fails to attend three consecutive meetings without leave of absence from the Board, he shall cease to be a member of the Board.
- (16) No matter concerned with finance shall be placed before the Board unless the same has been considered by the Finance Committee.
- (17) No matter which should be first considered by the Building and Works Committee shall be placed before the Board unless the same has been considered by the Building and works Committee after obtaining the administrative approval of the Board.

5. POWERS OF THE BOARD

In addition to the powers provided under sub-section (1) of section 13 of the Act the Board shall be empowered:

- (i) to abolish, re-designate or change the nomenclature of any post in the institute;
- (ii) to make, modify or cancel the statutes with the approval of the visitor from time to time:
Provided that the new Statute, additions or amendments of existing Statutes shall be applicable only after the assent of the visitor;
and
- (iii) to make, modify and cancel all or any ordinances on recommendation of the Finance Committee or Senate of the institute subject to the condition that making, modification and cancellation shall not be in contravention of the Act and (or) Statutes.

6. AUTHENTICATION OF ORDERS OF THE BOARD

All orders and decisions of the Board shall be authenticated by the signature of the Director or Registrar or any person-authorised by the Board in this behalf.

7. SENATE

- (1) The Senate shall meet as often as necessary but ordinarily not less than four times during a calendar year.
- (2) Meetings of the Senate shall be convened by the Chairman of the Senate either on his own motion or on a requisition signed by not less than one fifth of the members of the Senate.
- (3) Requisition meeting shall be a special meeting to discuss only those items of agenda for which requisition is given and shall necessarily be chaired by the Director and the requisition meeting shall be convened by the Chairman of the Senate on convenient date and time.
- (4) One third of the total number of members of the Senate shall form a quorum for a meeting of the senate.
- (5) The Director shall preside over every meeting of the Senate
Provided that in absence of the Director, Deputy Director shall preside and in the absence of both the Director and the Deputy Director, the senior most professor present shall preside at the meeting.
- (6) A written notice of every meeting together with the agenda shall be circulated by the Registrar to the members of the Senate at least 3 week before the meeting:
Provided that the Chairman of the Senate may permit inclusion of any item for which due notice has not been given.
- (7) Notwithstanding the provisions of sub-statute (6), the Director may call an emergency meeting of the Senate at short notice to consider urgent special issues.
- (8) The ruling of the Chairman of the Senate with regard to all questions of procedure shall be final.
- (9) The minutes of the proceedings of a meeting of the Senate shall be drawn up by the Registrar in consultation with Dean Academics and circulated to all the members of senate present in India:
Provided that any such minutes shall not be circulated if the Senate considers such circulation prejudicial to the interests of the Institute or the Government of India.
- (10) The minutes, along with amendments, if any, suggested shall be placed for

confirmation at the next meeting of the Senate and after the minutes are confirmed and signed by the Chairman of the Senate, they shall be recorded in a minute book which shall be kept open for inspection of the members of the Senate, the Board and the Council at all times during office hours.

8. POWERS OF THE SENATE

Subject to the provisions of the Act, the Senate shall have the power to:

- (i) frame and revise curricula and syllabi for the courses of studies for the various Departments and Centres;
- (ii) make arrangements for the conduct of examinations; appointment of examiners, moderators, tabulators and other matters relating to the examinations; .
- (iii) declare the results of the examinations or to appoint Committees or Officers to do so and to make recommendations to the - Board regarding conferment or grant of degrees, diplomas and other academic distinctions or titles;
- (iv) appoint Advisory Committees or Expert Committees or both for the Departments or Centres of the institute to make recommendations on academic matters connected with the working of the Departments or Centres;
- (v) appoint Committees from amongst the members of the Senate, other teachers of the Institute and experts from outside to advise on such specific and important academic matters as may be referred to any such Committee by the Senate;
- (vi) consider the recommendations of the Advisory Committees attached to various Departments or Centres and that of Expert and other Committees and take such action (including the making of recommendations to the Board) as warranted by each case;
- (vii) make periodical review of the activities of the Departments or Centres and take appropriate action (including the making of recommendations to the Board);

supervise the working of the Library of the Institute;

- (viii) promote research and academic development or activity within the Institute and seek reports on such research or academic development or activity from the persons engaged therein;
- (ix) provide for the inspection of the class rooms, Laboratories, Library and the Residential Hostels;
- (x) plan co-curricular activities of the students of the Institute;
- (xi) award stipends, scholarships, medals and prizes and makes other awards if accordance with such conditions as may be attached to the awards;
- (xii) make recommendations to the Board with regard to the creation or restructuring of Departments or Programmes or Centres and the abolition of existing Departments or centres thereof;
- (xiii) make recommendations to the Board to disseminate knowledge through distance learning mode to various parts of the State or country or abroad; and
- (xiv) invite up to two student representatives during discussion of general nature not involving policy or disciplinary matters in the Senate meetings.

9. CHAIRMAN OF THE SENATE TO EXERCISE POWERS IN EMERGENCY

If, in the opinion of the Chairman of the Senate, any emergency has arisen which requires immediate action, he may take such action as he deems necessary and shall report the same for approval to the Senate in its next meeting.

10. FINANCE COMMITTEE

- (1) There shall be a Finance Committee for each Institute consisting of the following members, namely:
 - (i) the Chairperson Board of Governors, ex-officio Chairman;
 - (ii) the Director, ex-officio member;
 - (iii) Joint Secretary dealing with National Institutes of Technology or his nominee and Financial Advisor (Human Resource Development) or his Nominee members;
 - (iv) two persons nominated by the Board from amongst its members; and

- (v) the Registrar, ex-officio, Member-Secretary:
Provided that in addition to the above, the Chairman may, in consultation with the Director, co-opt a member as and when found necessary.
- (2) The Finance Committee shall meet ordinarily four times in a year preferably before the meeting of the Board of Governors.
 - (3) Three members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.
 - (4) The Chairman, shall preside over the meetings of the Finance Committee and in his absence, the Director shall preside over the meetings.
 - (5) The provisions in these First Statutes regarding notices of the meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meetings of the Board shall, so far as practicable may be, followed in connection with the meetings of the Finance Committee.
 - (6) A copy of the minutes of every meeting of the Finance Committee shall be placed before the Board.
 - (7) All financial proposals shall be placed before the Finance Committee prior to being placed before the Board for consideration and approval.

11. POWERS OF THE FINANCE COMMITTEE

The Finance Committee shall have power to:-

- (i) examine and scrutinize the annual budget of the Institute prepared by the Director and make recommendations to the Board; and
- (ii) give its views and make its recommendations on any financial question affecting the Institute to the Board either on the initiative of the Board or of the Director, or on its own motion

12. BUILDING AND WORKS COMMITTEE

- (1) There shall be a Building and Works Committee for each of the Institute, consisting of following members, namely :-
 - (i) the Director, ex-officio Chairman;
 - (ii) one member nominated by the Central Government not below the

rank of Director or Deputy Secretary

- (iii) one member nominated by the Board of Governors
 - (iv) Registrar, ex-officio, Member Secretary
 - (v) Dean, planning and development or similar position- Member; and
 - (vi) one expert each from Civil and Electrical Engineering Wing of Central or State Government or any autonomous body of repute – Member.
- (2) The Building and Works Committee shall meet as often as necessary but ordinarily not less than four times a year.
- (3) Three members shall form a quorum for a meeting of the Building and Works Committee.
- (4) The provisions in these Statutes regarding notice of meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meeting of the Board shall, as far as practicable may be followed in connection with meetings of the Building and Works Committee also.
- (5) A copy of the minutes of every meeting of the Building and Works Committee shall be placed before the Board.

13. POWERS AND FUNCTIONS OF THE BUILDING AND WORKS COMMITTEE

- (1) The Building and Works Committee shall,
- (i) under the directions of the Board shall carry on construction of all major works, after the necessary administrative approval and expenditure sanction from the Board;
 - (ii) have the power to give the necessary administrative approval and expenditure sanction for minor works and works pertaining to repair and maintenance within the approved budgetary provision of the Institute;
 - (iii) cause to prepare estimates of cost of buildings and other capital works, minor works, repairs, maintenance and the like;
 - (iv) be responsible for making technical scrutiny of the design, estimates and specifications of the material as may be considered necessary;
 - (v) be responsible for enlistment of suitable contractors and acceptance of tenders and shall have the power to give directions for

departmental works where necessary;

- (vi) have the power to settle rates not covered by tender and settle claims and disputes with contractors:
- (2) If in the opinion of the Chairman of the Building and Works Committee, any emergency has arisen which requires immediate action to be taken, he shall take such action and report the same to the Building and Works Committee and the Board at their next meeting.
- (3) The Building and Works Committee shall also perform such function and exercise such powers as may be entrusted by the Board from time to time.

14. POWERS OF THE CHAIRPERSON, BOARD OF GOVERNORS

In addition to the powers provided in the Act, the Chairperson of the Board of Governors shall have the following powers, namely:-

- (i) he shall have the power to fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum of the scale in respect of posts to which the appointments can be made by the Board under the provisions of the Act;
- (ii) he shall have the power to send members of the staff except the Director of the Institute for training or for a course of instruction, outside India subject to such terms and conditions as may be laid down by the Board from time to time. Incidentally, the visit abroad by the Director shall be approved by the Chairman, National Institutes of Technology Council;
- (iii) he shall execute the contract of service between the Institute and the Director or Deputy Director on behalf of the Central Government, but he shall not be personally liable of anything under such contract; and
- (iv) In emergent cases the Chairperson may exercise the powers of the Board and inform the Board of the action taken by him for confirmation and ratification.

15. TRAVELLING ALLOWANCES OF MEMBERS OF THE AUTHORITIES OF INSTITUTE

Members of the Board and other authorities of the Institute and members of the Committees constituted under the Act or these Statutes or appointed by the Board

and other authorities shall be entitled to traveling allowance, daily allowance and sitting fee for attending the meetings of the authorities and their Committees as laid down by the Board from time to time.

16. DEPARTMENTS AND CENTRES

The Institute shall be organized into such number of Departments and Centres to be known by such names as the Board may within the budgetary provision approve from time to time, on the recommendations of the Senate.

17. THE DIRECTOR AND HIS POWERS

- (1) The Director of the Institute shall be appointed by the Visitor on contract basis on the recommendation of a Selection Committee constituted by him consisting of at least five members including the Chairman who are experts in the field of technical education with experience at national and international level.
- (2) The Director shall be appointed for a period of five years and shall be governed by the terms and conditions of the Contract of Service entered into between the Institute and the Director in form specified in Schedule-A.
- (3) Subject to the budget provisions made for the specific purpose, the Director shall have the power to incur expenditure in accordance with the procedure as may be laid down in the ordinances.
- (4) The Director shall have the power to appropriate funds with respect to different items constituting the recurring budget up to a limit specified for the Head of Department in the Central Government for each item:
Provided that such appropriation shall not involve any increase in the budget and any liability in future years:
Provided further that every such appropriation shall as soon as possible, be reported to the Board.
- (5) The Director shall have the power to write off irrecoverable losses up to a limit of ten thousand rupees and of irrecoverable value of store items lost or rendered unserviceable, due to normal wear and tear or obsolete up to a limit of twenty five thousand rupees subject to such stipulations as may be made by the Board from time to time.

- (6) The Director shall have the power to donate obsolete equipment or store items, as identified by a Committee constituted for this purpose by the Director, to any educational institution in the vicinity of the Institute up to such limits as may be decided by the Board from time to time.
- (7) The Director, where he is the appointing authority, shall have the power to fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum, of the scale, but not involving more than five increments, in respect of posts to which appointment can be made by him under the powers vested in him by the provision of the Act or these statutes.
- (8) The Director shall have the power to employ Teaching Supporting Staff in the Laboratories, Technicians or Technical Instructors and Skilled Workmen, paid from contingencies from time to time, for not more than one year on such remuneration as may be decided by the Board.
- (9) The Director shall have the power to send members of the staff for training or to attend course of instruction inside India subject to such terms and conditions as may be specified by the ordinances.
- (10) The Director shall have the power to sanction temporary allocation of any building for any purpose other than that for which it was constructed.
- (11) If for any reason the Registrar is temporarily absent for a period not exceeding one month; the Director may take over or assign to any faculty member or member of staff of the Institute, any of the functions of the Registrar as he deems fit:
Provided that if at any time the temporary absence of the Registrar exceeds one month, the Board may, if it thinks fit, authorize the Director to take over or assign the function of the Registrar, for a period exceeding one month.
- (12) All contracts for and on behalf of the Institute except the one between the Institute and the Director shall when authorised by a resolution of the Board passed in that behalf be in writing and be expressed to be made in the name of the Institute and every such contract shall be executed on behalf of the Institute by the Director, but the Director shall not be personally liable in respect of anything under such contract.

- (13) The Director may, during his absence from headquarters, specifically authorise in writing the Deputy Director or in his absence, one of the Deans or the Senior most Professor present to sanction advances for travelling allowance, contingencies and medical treatment of the staff and sign and counter-sign bills on his behalf.
- (14) The Director may, at his discretion constitute such committees, as he may consider appropriate for smooth functioning of the Institute.
- (15) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise or in the event of the Chairperson being unable to discharge his functions owing to absence, illness or any other cause, the Director may discharge the functions assigned to the Chairperson under section 16 of the Act.
- (16) The Director may, with the approval of the Board delegate any of his powers, authorities or responsibilities vested in him by virtue of the Act and Statutes to one or more members of Academic or Administrative Staff of the Institute.

18. THE DEPUTY DIRECTOR

- (1) The appointment of the Deputy Director shall be made by the Visitor on the recommendation of the Selection Committee constituted by the Central Government with prior approval of the Visitor consisting of at least five members including the Chairman who are experts in the field of technical education with experience at National and International level.
- (2) The appointment shall be for a period of three years initially which may be extended by two times for one year each on recommendation of the Board.
- (3) The Deputy Director shall be governed by the terms and conditions of the Contract of Service entered into between the Institute and the Deputy Director in the form specified in Schedule-B.
- (4) The Deputy Director shall have all the powers of the Director during the vacancy in the post of Director of the Institute.
- (5) The Deputy Director shall assist the Director in academic and administrative work and in maintaining liaison with other institutions of higher learning and research, and also with industrial undertakings and other employers.

19. DEANS

- (1) The Institute shall establish not more than six Deanships.
- (2) The Director shall appoint the Deans with intimation to the Chairperson, Board of Governors.
- (3) The Dean shall hold his post for two years extendable by one more year.
- (4) Only Professors or Associate Professors shall be eligible for becoming Deans.
- (5) Broad functions of Deans are enumerated in the Schedule 'C'.

20. HEAD OF THE DEPARTMENT OR CENTRE

- (1) Each Department and Centre of the Institute shall be placed in charge of a Head who shall be selected by the Director, from amongst the Professors and Associate Professors of that Department or Centre:
Provided that if a Department or Centre has no Professor or Associate Professor, the Director may appoint an Assistant Professor of that Department or Centre to head the Department or Centre.
- (2) The Head of a Department or Centre shall hold his post for a term of two years.
Provided that after the expiry of his term of office, he shall continue to hold office till the appointment of his successor:
/ Provided further that no person shall head a Department or Centre continuously for a period exceeding three years unless he is specially appointed at least for a second term.
- (3) The Director may himself take temporary charge of a Department or place it under the charge of the Deputy Director or a Professor from another Department for a period not exceeding six months.
- (4) The Head of Department shall be responsible for the entire working of the Department subject to the general control and supervision of the Director.
- (5) The Head of Department shall be duty bound to see that the decisions of the authorities of the Institute and of Director are faithfully carried out. He shall perform such other duties as may be assigned to him by the Director or Senate.

- (6) When appointment to the post of Head of Department or Centre becomes due, the Director shall ascertain the willingness of the persons eligible to be appointed as Head, for being so appointed, and shall generally select a person by rotation from among eligible and willing persons.
- (7) Whenever it is proposed to deviate from the principle of rotation, such appointment shall be made only with the prior approval of the Chairperson, Board of Governors and for reasons to be recorded in writing and shall also be reported to the Senate and the Board, along with reasons for deviation, in their next meetings.

21. REGISTRAR

- (1) The Registrar shall be appointed for a fixed term of not exceeding five years on deputation or contract basis.
- (2) The Registrar shall act as Secretary of the Board, Senate and such other Committees to which he may be required by the Statutes to act as such.

22. CLASSIFICATION OF THE MEMBERS OF THE STAFF

- (1) Except in the case of employees paid from contingencies, the members of staff of the Institute shall be classified as under :-
 - i. **Academic staff** :- Director, Deputy Director, Professor, Associate Professor, Assistant Professor, Lecturer, Professor Training and Placement, and such other academic posts as may be decided by the Board from time to time;
 - ii. **Technical staff** :- System Manager, System Analyst, Programmer, Librarian, Workshop Superintendent, Assistant Workshop Superintendent, Foreman, Technician, Instructor, Laboratory Assistant, Mechanic, Overseer, Technical Assistant, Draftsmen, and such other technical posts as may be decided by the Board from time to time; and
 - iii. **Administrative and others staff** :- Registrar, Deputy Registrar and Assistant Registrar, Accounts Officer, Audit Officer, Estate Officer, Executive Engineer, Assistant and Junior Engineer, Medical Officer, Medical Assistant, Horticultural Assistant/Officer, Office Superintendent, Security Officer, Stores Officer, Store Keeper, Office

Assistants, Data Entry Operators and such other Administrative and other staff as may be decided by the Board from time to time.

- (2) Posts classified as Academic staff shall be vacation posts only.

23. APPOINTMENTS

- (1) The posts at the Institute shall be filled by advertisement on all India basis:
Provided that the ratio between the Direct Recruitment and Promotion posts for posts other than that of the Director or the Deputy Director shall be as per the recruitment rules.
- (2) The reservation of posts shall be in accordance with the rules of the Central Government.
- (3) For the purposes of appointments, the rules applicable to of the Central Government employees shall apply.
- (4) The Selection Committees, for filling posts under the Institute (other than the posts on contract basis) by advertisement or by promotion from amongst the members of staff of the institute, shall be constituted in such manner as laid down by Ministry of Human Resource Development, Department of Higher and Secondary Education, Government of India or Board from time to time by ordinances.
- (5) Selection Committees for filling up of posts under the Institute (other than on contract basis) by advertisement or by promotion from amongst the members of staff of the Institute shall be constituted in the following manner, namely:
- (a) the Selection Committee for recruitment of Academic Staff (excluding the Director and the Deputy Director), or for promotion shall be as under:
- | | |
|---|------------|
| (1) Director or Deputy Director | - Chairman |
| (2) Visitor's Nominee | - Member |
| (3) two nominee of the Board one being an expert,
but other than a member of the Board | - Member |
| (4) one expert nominee of Senate from
outside the institute | - Member |

- (5) Head of Department concerned - Member
(for other than the post of Professor)
- (b) The Selection Committee for Technical posts shall be as follows:
- (1) Director or Deputy Director - Chairman
 - (2) one Expert from outside the Institute - member
 - (3) Nominee of Ministry of Human Resource Development - Member
 - (4) Concerned Head of Department - Member
 - (5) Registrar - Member
- (c) The Selection Committee for Administrative and Ministerial Staff shall be as under:
- (1) Director or Deputy Director - Chairman
 - (2) One Expert from outside the Institute - Member
 - (3) Nominee of Ministry of Human Resource Development - Member
 - (4) Registrar - Member
- (d) The Selection Committee for Senior Administrative and other comparable posts carrying pay scale of Lecturer and above shall be as under :-
- (1) Director or Deputy Director - Chairman
 - (2) one Expert from outside the Institute - Member
 - (3) Nominee of Ministry of Human Resource Development - Member
 - (4) Nominee of Board - Member
 - (5) Registrar - Member
- (6) The Registrar shall be substituted by another nominee of the Board in case the Selection is made for the Registrar or the equivalent post.

- (7) In the absence of the Deputy Director, the Director may nominate any member of the staff of the Institute to be the member of the Selection Committees in his place.
- (8) Where a post is to be filled on contract basis or by invitation, the Board may constitute such Adhoc Selection Committee, as circumstances of each case may require.
- (9) Where a post is to be filled by promotion from amongst the members of the Institute or temporarily for a period not exceeding twelve months, the procedure for the same shall be as specified by ordinances.
- (10) Notwithstanding anything contained in these Statutes, the Board shall have the power to make appointments of persons having special skill or knowledge to suit the emergent need of the department(s) or centre(s).
- (11) If the post is to be filled by advertisement, the Registrar shall advertise the terms and conditions of the post and the screening committee for the purpose of short listing the eligible and most desirable candidates and shall screen all applications received within the date specified in the advertisement.
- (12) At the time of interview, the Selection Committee shall examine credentials of all candidates who have been called for the interview, interview the eligible candidates and recommend the appointment of the most suitable candidate to the competent authority for approval.
- (13) The recommendations of the Selection Committee shall remain valid for a period of one year from the date of interview and if for any reason the recommendations are not approved by the competent authority or appointment orders not issued after the approval of recommendations within the said period of one year, the recommendations shall lapse and fresh advertisement shall be issued.
- (14) No act or proceeding of any Selection Committee shall be called in question on the ground merely of the absence of any member or members of the Selection Committee.
- (15) Unless otherwise provided for under these Statutes, the Selection Committee constituted for the purpose of making recommendations for appointment to a post shall continue to exercise its functions in relation to that post till the appointment is made against that post.

- (16) All appointments made at the Institute shall be reported to the Board at its next meeting.
- (17) The applications of the employees eligible for promotion under Assured Career Progression (ACP) shall be considered by the Departmental Promotion Committees before any promotion or up-gradation is recommended.
- (18) The Departmental Promotion Committee shall be as follows:
- | | |
|---|------------|
| 1. Director or Deputy Director | - Chairman |
| 2. Concerned Head of Department | - Member |
| 3. Head of Department from other Department | - Member |
| 4. Registrar | - Member |

24. GENERAL TERMS AND CONDITIONS OF SERVICE OF PERMANENT EMPLOYEES

Permanent employees of the Institute shall be governed by the following terms and conditions:

- (i) Subject to the provisions of the Act and the Statutes, all appointments to posts under the Institute shall be made on probation for a period of one year after which period the appointee, if confirmed, shall continue to hold his office subject to the provisions of the Act and the Statutes, till the end of the month in which he attains the prescribed maximum age for teaching posts, for technical non-teaching and ministerial and administrative posts as the case may be:
- Provided that the appointing authority shall have the power to extend the period of probation of any employee of the Institute for such periods as may it may deem fit.
- (ii) The age of superannuation shall be as specified for various classes and categories of the employees of the institute by the Central Government.
- (iii) The employees of the Institute shall be entitled to allowances in addition to pay, as admissible to Central Government Employees.
- (iv) The employees of the Institute shall be entitled to reimbursement of medical expenses incurred on themselves and their families as per Central Civil Services (Medical Attendance) Rules, 1944.

- (v) The employees of the Institute shall be governed by the Central Civil Services (Conduct) Rules, 1964.
- (vi) The employee appointed on or after 01.01.2004 shall be governed by the new pension scheme announced by the Government of India.
- (vii) The application of the employees of the Institute shall be forwarded for employment outside the Institute only three times in a year in accordance with the procedure specified in Schedule – D.
- (viii) The employees of the Institute will be entitled to Leave Travel Concession (LTC) as admissible to Central Government Employees.
- (ix) Overtime and night allowance shall be paid to the eligible employee of the Institute as is admissible to the Central Government Employees.

25. CODE OF CONDUCT FOR PERMANENT EMPLOYEES

The code of conduct for employees shall be made by each Institute in consultation with the Central Government.

26. SUSPENSION, PENALTIES, DISCIPLINARY PROCEEDINGS

- (1) The Director may place a member of the staff appointed at the Institute under suspension :-
 - (i) Where a disciplinary proceeding against him is contemplated or is pending;
 - or
 - (ii) Where a case against him in respect of any criminal offence is under investigation, inquiry or trial:

Provided that where a member of the staff is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours, such member of the staff shall be deemed to have been placed by an order of the competent authority under suspension with effect from the date on which he was so detained.
- (2) During the period of suspension, the member of the staff shall be entitled to the following payments, namely :-
 - (a) a subsistence allowance at an amount equal to the Leave Salary

which the staff member would have drawn had he been on leave on half pay and Dearness Allowance, if admissible on the basis of such leave salary :

Provided that where the period of suspension exceeds six months, the Subsistence Allowance shall be as follows :

- (i) the amount of subsistence allowance may be increased by a suitable amount not exceeding fifty percent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the Competent Authority the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee concerned;
 - (ii) the amount of subsistence allowance may be reduced by a suitable amount, not exceeding fifty percent of the subsistence allowance admissible during the period of the first six months, if, in the opinion of the Competent Authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee.
- (b) The rate of dearness allowance will be based on the increased or as the case may be the decreased amount of subsistence allowance admissible under sub-stalute 2.
 - (c) Any other compensatory allowance admissible from time to time on the basis of pay of which the staff member was in receipt of on the date of suspension subject to the fulfillment of other conditions laid down for the drawl of such allowances.
- (3) No payment shall be made unless the staff member furnished a certificate that he is not engaged in any other employment, business, profession or vocation.
 - (4) The Board of Governors may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the member of the staff, revoke such order.
 - (5) The following penalties may be imposed on any employee:-
 - (i) censure;
 - (ii) withholding of increments or pay;
 - (iii) withholding of promotion;

- (iv) recovery from his pay of the whole or part of any pecuniary loss caused to the Institute by negligence or breach of orders;
 - (v) reduction to lower grade or post or to a lower time-scale of pay, or to a lower stage in a time-scale for a period of three years without cumulative effect and not adversely affecting his pension (where ever applicable);
 - (vi) compulsory retirement;
 - (vii) removal from service which shall not be a disqualification for future employment under the Institute;
 - (viii) dismissal from service, which shall ordinarily be a disqualification for future employment under the Institute;
- (6) No Order imposing on any member of the staff any of the penalties specified at (v) to (viii) above shall be passed by any authority subordinate to that by which he was appointed and except after an enquiry has been held and the member of the staff has been given reasonable opportunity of showing cause against the action proposed to be taken in this regard.
- (7) No order imposing on any member of the staff any of the penalties specified at (i) to (iv) above shall be passed by any authority subordinate to that by which he was appointed and unless the member of the staff concerned has been given an opportunity to make a representation to the appointing authority:
- Provided that the provisions of sub-stalute (5) and (6) shall not apply to the following :-
- (a) where an employee is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge;
 - (b) where the authority empowered to dismiss or remove the person or to reduce him in rank is satisfied that for some reason to be recorded by that authority in writing, it is not reasonably practicable to give to that person such opportunity; or
 - (c) where the Visitor is satisfied that in the interest of the security of the State, it is not expedient to give to that person such opportunity.
- (8) If, in respect of such person as aforesaid, any question arises whether it is reasonably practicable to give to an opportunity referred to under clause

- (b), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank, as the case may be, shall be, final.
- (9) A member of the staff aggrieved by any order imposing penalty passed by the Director against him shall be entitled to prefer an appeal to Board of Governors against the order and there shall be no further appeal from the decision of the Board.
- (10) A member of the staff aggrieved by any order passed by the Board inflicting a penalty on him shall be entitled to prefer an appeal to the Visitor against such order.
- (11) No appeal shall be entertained by the Board of Governors or the Visitor, as the case may be, unless it is made within a period of three months from the date on which member of the staff aggrieved by such order receives a copy of the order appealed against:
- Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant has sufficient cause for not submitting the appeal in time.
- (12) The authority to whom an appeal against an order imposing penalty lies may, of its own motion or otherwise call for the records of the case from the Director or the Board, as the case may be, review any order passed in such a case and pass such orders as it deems fit.
- (13) Notwithstanding anything contained in this Statute, the Visitor may, on his own motion or otherwise after calling for the records of the case, review any order which is made under this Statute, and
- (a) confirm, modify or set aside the order;
 - (b) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order;
 - (c) remit the case to the authority which made the order or to any other authority directing such further action or enquiry as he considers proper in the circumstances of the case, or
 - (d) pass such other orders as he deems fit:
- Provided that an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.

- (14) (a) When a member of the staff of the Institute who has been dismissed, removed or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order:-
- (i) regarding the pay and allowances to be paid to the member of the staff of the Institute for the period of his absence from duty; and
 - (ii) whether or not the said period shall be treated as a period spent on duty;
- (b) where such competent authority holds that the member of the staff of the Institute has been fully exonerated or in case of suspension, that it was wholly unjustified, the member of the staff of the Institute shall be given the full pay to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be, together with any allowance of which he was in receipt prior to his dismissal, removal or suspension;
- (c) In other cases, the member of the staff of the Institute shall be given such proportion of such pay and allowances as the competent authority may specify:
- Provided that the payment of allowances under clause (b) or clause (c) shall be subject to all other conditions under which such allowances are admissible;
- (d) In cases falling under clause (b) the period of absence from duty shall be treated as a period spent on duty for all purposes;
 - (e) In cases falling under clause (c) the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose.

27. GENERAL TERMS AND CONDITIONS OF SERVICES OF TEMPORARY EMPLOYEES

- (1) The services of a temporary employee shall be liable to termination at any time by notice of one month in writing given either by the employee to the appointing authority, or by the appointing authority to the employee.
- (2) The other terms and conditions of service of such employee shall be such as may be specified by the appointing authority in his letter of appointment.

28. APPOINTMENTS ON CONTRACT

- (1) Notwithstanding anything contained in these Statutes, the Board with the prior approval of the Visitor may in special circumstances appoint an eminent person on contract for a period not exceeding 5 years.
- (2) Subject to the provisions of the Act, the Board may appoint any person or contract in the prescribed scales of pay and on terms and conditions applicable to the relevant post for a period not exceeding 3 years.
- (3) For making such appointments, the Chairperson, Board of Governors shall constitute such adhoc Selection Committee, as the circumstances of each case may require:

Provided that such constitution of committee shall be reported to the Board for confirmation.

29. PROVIDENT FUND AND PENSION SCHEMES

Employees of the Institute appointed prior to 1.1.2004 will be governed by Central Civil Services (Pension) Rules, 1972 and Central provident Fund (Central Services) Rules, 1960 and the Employees appointed on or after 1.1.2004 will be governed by New Pension Scheme of Central Government.

30. RESIGNATION

Notwithstanding anything contained in the foregoing provisions of these first Statutes, a member of the staff of Institute may resign:

- (i) if he is a permanent employee only after giving three months notice in writing to his appointing authority, or by paying three months salary in lieu thereof; and
- (ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or by paying one month's salary in lieu thereof:

Provided that such resignation shall take effect only on the date on which the resignation is accepted by the appointing authority.

31. RETIREMENT

- (1) At any time after an employee has completed twenty years qualifying

service, he may, by giving notice, of not less than three months, in writing to the appointing authority, retire from service as per the terms and conditions laid down by the Central Government, from time to time, for its own employees.

- (2) The appointing authority has the right to retire the employee before superannuation as premature retirement in accordance with the provision of Central Civil Services (Retirement) Rules 1964.
- (3) An employee can retire from service on account of any bodily or mental infirmity that permanently incapacitates him from service subject to the following conditions, namely :-
 - (i) The employee shall submit his application to the Registrar through proper channel and produce a medical certificate from medical authority as may be specified by the ordinances;
 - (ii) If the medical authority grants fitness certificate for a lower post, the employee, if willing may be appointed on such post only if available; and
 - (iii) The medical report should precede or coincide with the date of retirement.

32. ADVANCES

The permanent employees of the Institute shall be having facility of drawing advances for various purposes as admissible to Central Government Employees.

33. DEPUTATION

Deputation is permissible for appointment (temporary transfer) in public interest outside National Institute of Technology to other National Institute of Technology, Central Government, State Government, Universities or Autonomous Bodies including Public Sector undertaking and subject to the terms and conditions specified in the recruitment rules.

34. RESIDENTIAL ACCOMMODATION FOR EMPLOYEES

- (1) Every employee of the institute may be allotted an unfurnished house within the campus of the Institute for residential use only, if available, in which he shall be required to reside, subject to such conditions as may be

laid down by the House Allotment Rules of the Institute.

- (2) An employee of the Institute who has been allotted house for residential use, shall be charged license fee at the rate as fixed by the Board from time to time.
- (3) In addition to the license fee, water, electricity and charges for any other service rendered shall be recovered from an employee on actual basis or at such rates as may be determined by the Board from time to time.
- (4) The Board may, allot furnished or unfurnished accommodation without levying any license fee or levying such fee at concessional rates to any category of staff, if it considers it necessary to do so in the interest of the Institute.

35. LEAVE AND VACATION RULES

The leave for all the employees of the Institute shall be governed by the Central Civil Services (Leave) Rules 1972.

36. SCHOLARSHIPS, FELLOWSHIPS, MEDALS AND PRIZES

The Board may, on the recommendation of the Senate institute such scholarships, fellowships, medals and prizes as it may consider necessary.

37. FEES

The Institute shall charge the following fees, namely :-

- (i) The tuition and the hostel fee shall comprise of two parts (a) fees determined by the National Institutes of Technology Council which shall be the common for all National Institutes of Technology and (b) fees which will be determined by the concerned Boards of Governors which shall be applicable to the concerned institute.
- (ii) The Caution Money shall be refundable to student, scholars and fellows at the time of finally leaving the Institute, after deduction of relevant dues, if any and where no claim for a refund is received within two years of finally leaving the Institute, the Caution Money shall be credited into the Student Welfare Fund.
- (iii) The fee concession and scholarships as may be determined by the Central

Government from time to time shall be applicable to all National Institute of Technology.

38. STUDENTS' HOSTELS AND HALLS

- (1) Every Institute shall be a residential institution and all students and research scholar shall reside in the hostels and halls of residence built by the Institutes for the purpose.

Provided that in exceptional cases, for reasons to be recorded in writing, the Director may permit a student or scholar to reside with his parent or guardian, but where any such permission is accorded to a student or scholar, such student or scholar, as the case may be, shall be liable for the payment of such seat rent as he would have been liable for the payment of seat rent had he resided in the hostel.

- (2) Every resident in the hostels and halls shall conform to rules laid down by the Institute for the purpose.
- (3) For each hostel or hall of residence there shall be a Warden and such number of Assistant Wardens and other staff as may be determined by the Board from time to time.
- (4) The members of the Academic Staff shall be appointed by the Director as Warden and Assistant Warden.
- (5) Wardens and Assistant Wardens shall be entitled to rent free unfurnished quarters corresponding to the type of quarters to which they are normally entitled.
- (6) The Board shall lay down rules for the management of the hostels and halls of residence.

39. CONFERMENT OF HONORARY DEGREES

The Institute may confer honorary degrees for a few exceptional and outstanding persons for their illustrious contribution in their respective fields:

Provided that all proposals for the conferment of honorary degrees shall be made by the Senate and shall be approved by the Board

[No. F. 22-5/2006-TS. III (Pt.)]

N. K. SINHA, Jt. Secy.

THE NATIONAL INSTITUTES OF TECHNOLOGY**SCHEDULE 'A'****(See Statute 17(2))**

"WHEREAS in terms of Section 17 (1) of the National Institute of Technology Act, 2007 (hereinafter called the Act) and Statute 17(2) (in case of NIT, _____) (hereinafter called Statutes), the Visitor has been pleased to approve the appointment of the appointee as the Director of the Institute on contract for five years and the appointee has accepted such appointment upon the terms and conditions hereinafter appearing. NOW THESE PRESENTS WITNESSETH and the parties hereto respectively agree as follows:-

- [1] This agreement of service shall be deemed to have been entered into subject at all times to the provisions of the Act, and Statutes covering the Institutes as in force from time to time as applicable to permanent confirmed employees.
- [2] The appointee shall be on service under the agreement for a period of five years with effect from date of joining the post. Provided that if the appointee on conclusion of the period of service mentioned above is below 65 years of age, his service shall continue till the 30th June of the year in which the appointee concludes the said period of service or till he attains the age of 65 whichever is earlier.
- [3] The appointee shall be the Principal academic and Executive Officer of the Institute and the Institute as the whole time Director of the Institute with power and duties provided in the said Act and Statutes.
- [4] The appointee shall devote his whole time to the service of the Institute and will be subject to the Conduct Rules and other provisions of the said Act and the Statutes. Any information obtained by appointee during or in connection with his service and work upon which he is engaged shall be treated as secret and confidential and appointee shall be deemed in all respects to be subject to the Indian Officials Secrets Act, 1923, as amended from time to time.
- [5] During the period of his service except in respect of any period of suspension and also of any period of leave without pay, the appointee shall be entitled subject to the Indian Income Tax to an initial pay of Rs _____

in the scale of Rs. _____ that if any time the appointee proceeds on deputation out of India, his pay and allowances during the period his deputation will be such as may be decided by the Board of Governors in addition, the appointee shall draw allowances like Dearness Allowance, City Compensatory Allowance etc, as may be admissible from time to time as per rules of the Institute.

- [6] During his service under these presents the appointee shall subscribe to the Contributory Provident Fund-cum-Gratuity of the Institute according to the provisions made in the Statutes and subject to such modifications in these provisions as may be made from time to time and shall also be entitled to the contribution of the Institute as admissible to the permanent confirmed employees as per the Statutes. In the event of the appointee being employer of any other National Institute of Technology and enjoying the benefits either under Contributory Provident Fund -cum- Gratuity Scheme or General Provident Fund-cum-Pension-cum-Gratuity Scheme, he shall join the corresponding Scheme of the Institute with transfer of this accumulation as admissible under the Statutes. In case the appointee is the employee of the Institute he shall continue to be governed -by Contributory Provident Fund-cum-Gratuity Scheme or General Provident Fund-cum-Pension-cum-Gratuity Scheme as immediately prior to this contract appointment and shall be entitled to benefits of the scheme for the period of his service under this contract like other permanent employees of the institutes as per the Statutes.
- [7] Notwithstanding anything hereinbefore contained, the appointee shall unless otherwise decided by the Institute be entitled to receive the whole or in part as may be determined by the Institute the benefits of any improvements in the revision of scale of pay and in retirement benefits that may be affected by the Institute subject to the date of these presents in the terms and conditions of the service of members of the branch of Institute, service to which he may for the time being belong, the decision of the Institute in respect of such improvement in the terms and conditions of their service of appointee shall operate so as to modify to that extent the provisions of these presents.
- [8] The appointee shall be entitled to leave as admissible to permanent non-vacation employees of the Institute under the Statutes.
- [9] The appointee shall be entitled to furnished free of license fee office cum

residential accommodation in the campus of the Institute as may be sanctioned by the Board of Governors of the Institute.

- [10] The appointee shall be eligible for privilege in relation to medical attendance and treatment as provided for in the Statutes.
- [11] The appointee shall be paid travelling expenses for joining the Institute as admissible to an officer of the Central Government of equivalent rank under the Transfer Travelling Allowances Rules of the Central Government deeming the appointment of the appointee as on transfer in the public interest.

If the appointee is required to travel in the interest of Institute work, he shall be entitled to travelling allowance and the scale provided for in the T. A. Rules of the institute in force from time to time. Similarly the appointee shall be entitled to leave travel concession for visiting his hometown as per the Rules of the Institute.

- [12] Any amount received by the appointee from books and articles published by him at his cost shall be left to him as an encouragement for continuing his work in that line. He would also be allowed to do consultancy and retain benefits of the same as per rules laid down by the Board from time to time.
- [13] The service of appointee may during the period of contract, be terminated by the Institute at any time by three calendar months notice in writing given at any time during service under this contract without any cause assigned. Provided always the Institute may in lieu of the notice herein provided to give the appointee a sum equivalent to the amount of his basic pay for three months. The appointee may terminate his service by giving to the Institute three calendar months notice in writing.
- [14] The appointee will be allowed the status of Professor of the Department of his specialty and take part in teaching and research in the said Department subject to his convenience.
- [15] In respect of any matter for which no provision has been made in this agreement the appointee will be governed by the said National Institutes of Technology Act, 2007 or any modification thereof for the time being in force and the Statutes made there under for time being in force.

IN WITNESS WHEREOF on the day and the year first above written,
the Chairman of the Board of Governors of the Institute has hereinto
set his hand and the appointee has hereinto set his hand

Signed and delivered for the
National Institute of Technology,
by the Chairperson,
Board of Governors of the Institute

In the presence of Signature of Witnesses with addresses Signed and delivered by
the said appointee in the presence of _____ Signature of witnesses with
addresses _____
Director, NIT _____.

SCHEDULE 'B'
[See Statute 18(3)]

CONTRACT OF SERVICE FOR THE POST OF DEPUTY DIRECTOR

An AGREEMENT for service made this _____ day _____ date of _____ two thousand _____ between _____ (herein after called the appointee) of the one part and the National Institute of Technology incorporated under the National Institutes of Technology Act, 2007 (29 of 2007).

* WHEREAS in terms of Section 17(1) of the National Institute of Technology Act, 2007 (hereinafter called the Act) and Statute 18(3) (in case of NIT, _____) (hereinafter called Statutes), the Visitor has been pleased to approve the appointment of the appointee as the Deputy Director of the Institute on contract for a period of three years initially which may be extended by two times for one year each on the recommendation of the Board and the appointee has accepted such appointment upon the terms and conditions hereinafter appearing NOW THESE PRESENTS WITNESSETH and the parties hereto respectively agree as follows :-

- [1] This agreement of service shall be deemed to have been entered into subject at all times to the provisions of the Act, and Statutes covering the Institutes as in force from time to time as applicable to permanent confirmed employees.
- [2] The appointee shall be on service under the agreement for a period of three years extendable by two years on year to year basis with effect from _____ (that is date of joining the post) provided that if the appointee on conclusion of the period of service mentioned above is below 65 years of age, his service shall continue till the 30th June of the _____ year in which the appointee concludes the said period of service or till he attains the age of 65, whichever is earlier.
- [3] The appointee shall serve the Institute as the whole time Deputy Director of the Institute with powers and duties provided in the Act and Statutes. He shall report to the Director for discharge of his duties.
- [4] The appointee shall devote his whole time to the service of the Institute and will be subject to the Conduct Rules and other provisions of the said Act and the Statutes. Any information obtained by appointee during or in connection with his service and the work upon which he is engaged shall be treated as secret and confidential and appointee shall be deemed in all respects to be subject to

the Indian Officials Secrets Act, 1923, as amended from time to time.

- [5] During the period of his service except in respect of any period of suspension and also of any period of leave without pay, the appointee shall be entitled subject to the Indian Income Tax to an initial pay of Rs. _____ in the scale of Rs. _____ provided that if any time the appointee proceeds on deputation out of India his pay and allowances during the period his deputation will be such as may be decided by the Board of Governors. In addition the appointee shall draw allowances like Dearness Allowance, City Compensatory Allowance etc. as may be admissible from time to time as per rules of the Institute.
- [6] During his service under these presents the appointee shall subscribe to the Contributory Provident Fund-cum-Gratuity of the Institute according to the provisions made in the Statutes and subject to such modifications in these provisions as may be made from time to time and shall also be entitled to the contribution of the Institute as admissible to the permanent confirmed employees as per the Statutes. In the event of the appointee being employer of any other National Institutes of Technology and enjoying the benefits either under Contributory Provident Fund-cum-Gratuity Scheme or General Provident Fund-cum-Pension-cum-Gratuity Scheme, he shall join the corresponding Scheme of the Institute with transfer of this accumulation as admissible under the Statutes. In case the appointee is the employee of the Institute he shall continue to be governed by Contributory Provident Fund-cum-Gratuity Scheme or General Provident Fund-cum-Pension-cum-Gratuity Scheme as immediately prior to this contract appointment and shall be entitled to benefits of the scheme for the period of his service under this contract like other permanent employees of the institutes as per the Statutes.
- [7] Notwithstanding anything hereinbefore contained the appointee shall unless otherwise decided by the Institute be entitled to receive the whole or in part as may be determined by the Institute the benefits of any improvements in the revision of scale of pay and ill retirement benefits that may be affected by the institute subject to the date of these presents in the terms and conditions of the service of members of the branch of Institute, service to which he may for the time being belong, the decision of the Institute in respect of such improvement in the terms and conditions of their service of appointee shall operate so as to modify to that extent the provisions of these presents.
- [8] The appointee shall be entitled to leave as admissible to permanent non-vacation employees of the Institute under the Statutes.

- [9] The appointee shall be entitled to furnished free of license fee accommodation in the campus of the Institute as may be sanctioned by the Board of Governors of the Institute.
- [10] The appointee shall be eligible for privilege in relation to medical attendance and treatment as provided for in the Statutes.
- [11] The appointee shall be paid travelling expenses for joining the Institute as admissible to an officer of the Central Government of equivalent rank under the Transfer, Traveling Allowance Rules of the Central Government deeming the appointment of the appointee as on transfer in the public interest.
- If the appointee is required to travel in the interest of Institute work, he shall be entitled to travelling allowance on the scale provided for in the T.A. Rules of the institute in force from time to time. Similarly the appointee shall be entitled to leave travel concession for visiting his hometown as per the Rules of the Institute.
- [12] Any amount received by the appointee from books and articles published by him at his cost shall be left to him as an encouragement for continuing his work in that line. He would also be allowed to do consultancy and retain benefits of the same as per rules laid down by the Board from time to time.
- [13] The service of appointee may during the period of contract, be terminated by the Institute at any time by three calendar months notice in writing given at any time during service under this contract without any cause assigned. Provided always the Institute may in lieu of the notice herein provided to give the appointee a sum equivalent to the amount of his basic pay for three months. The appointee may terminate his service by giving to the Institute three calendar months notice in writing.
- [14] The appointee will be allowed the status of Professor of department of his specialization to the part in teaching and research in the Department of _____ subject to his convenience.
- [15] In respect of any matter for which no provision has been made in this agreement the appointee will be governed by the said National Institutes of Technology Act, 2007 or any modification thereof for the time being in force and the Statutes made there under for time being in force.

IN WITNESS WHEREOF on the day and the year first above written, the Chairman of the Board of Governors of the Institute has hereinto set his hand and the appointee has hereinto set his hand.

Signed and delivered for the
National Institute of Technology,
by the Chairperson,
Board of Governors of the Institute

In the presence of
Signature of Witness with addresses

Signed and delivered by the said appointee

In the presence of Signature of _____ witnesses with addresses

Deputy Director, NIT _____

SCHEDULE 'C'
[See Statute 19 (5)]

DEANSHIPS

The institute may have not more than six deanships. There may be following Deanships in National Institute of Technology with the approval of the Board of Governors:

- Dean Academic
- Dean Planning and Development
- Dean Student Welfare
- Dean Faculty Welfare
- Dean (Research and Consultancy)

Deanship is of functional position and not administrative one and such be discharged in its right spirit. Dean must be nominated by the Director only from amongst the Professors/Associate Professors, but should not be Head of the Department.

The Tenure of Deanship shall ordinarily be two years extendable by one more year, but Director with the approval of the Chairperson, Board of Governors may relieve any or all Deans before such period.

DUTIES AND RESPONSIBILITIES OF DEANS

The following duties and responsibilities have been entrusted to the Deans

1. Dean (Academic)

He/she will advice the Director in:

- (a) Admission and enrollment of students;
- (b) Finalisation of academic calendar, time-tables, registration of students for course work and examinations, class room arrangements and all other requirements for proper conduct of class work;
- (c) Conduct of class tests and co-coordinating the finalization of session's

evaluations and for ensuring the timely declaration of results.

- (d) Supervision of the maintenance of up-to-date academic records of all categories of students;
- (e) Publication and distribution of the syllabi
- (f) Organizing meeting of all the Institute level academic bodies;
- (g) Arranging the issue of all academic certificates, medals and prizes to the students;
- (h) To arrange or conduct of those examinations which are to be conducted by the Institute as stipulated in the Institute regulations;
- (i) To formulate policies for the conduct of research and steps to maintain suitable standard by implementing the Board of Governors/Senate decision.
- (j) To execute the policy of the Senate in the conduct of P.G., Ph.D. and other research programmes including the examination of the thesis.
- (k) To co-ordinate for the conduct of Convocation.
- (l) All proposals to modify the teaching programmes will be considered by BOAC, for which Dean (Academic) i.e. the Chairman and if approved will be sent to the Senate for formal approval.
- (m) To admit sponsored Early Faculty Induction Programme and Quality Improvement Programme candidates.
- (n) To suggest the Director to take suitable steps from time to time to strive for the high academic standards.

2. Dean (Planning and Development)

He/she will advise the Director in the following:

- (a) Planning the expansion and diversification of institutional activities and preparation of all developmental proposals, to the extent up to submission of plan & estimates related to Civil, electrical, Works, sanitary, network system, etc.
- (b) Maintenance of all necessary statistical data regarding plan & projects required for compilation of various reports periodically required to be sent to Ministry of Human Resource Development and other agencies.

- (c) Monitoring the physical targets and utilization of funds in respect of Projects & Consultancy and in the preparation of relevant papers for submission of progress reports.
- (d) Formulating proposal for new courses and in organizing meetings of faculty members and external experts for this purpose in this regard;
- (e) In the efforts to expand and monitor the activities of consultancy, testing and sponsored research of Institute and to ensure submission of progress reports;
- (f) In coordinating the formulation and conduct of non-formal and continuing education and extension programmes.
- (g) To arrange for the agenda and organization of the meeting for procurement of equipments related to projects and testing & consultancy.
- (h) Providing necessary data for the budget and new estimates & plans to the Building & Works Committee to the Registrar. .

3. Dean (Students Welfare)

- (a) He/she will advise the Director in organising the students counseling.
- (b) He/she will be responsible for the publication of students' Magazine, News Bulletins, News letters etc.
- (c) He/she will advise the Director in matters related to students discipline and welfare.
- (d) He/she will assist the Director in matters related to the Students Union/Association/ Council.
- (e) He/She will co-ordinate the NCC, NSS, Games, Swimming Pool, Sports, Cultural and Co-curricular and Extra-curricular activities of the students.
- (f) He/she will keep a record of Alumni and correspond with them.
- (g) He/she will conduct the enquiries of students indulged in indiscipline.
- (h) He/she will correspond with Parents/Guardians of Students about their progress and individual problems/welfare.

4. Dean Faculty welfare

He/she will advise the Director in matters related to:

- (a) Deputation of faculty to various institutions under Quality Improvement Programme
- (b) He/she will advise the Director for deputation of the faculty members to various conferences, seminars, short-term courses, training programmes, foreign teaching / training assignments etc.
- (c) He/she will chair the committee meetings of the evaluation of papers submitted or to be submitted to the conferences / seminar by the faculty members.
- (d) He/she will assist the Director in organizing training programmes for faculty.
- (e) He/she will assist the Director in the supervision of the construction and the maintenance work of buildings, roads, water supply, sanitation, lawns and gardens, communication networks, water coolers, air conditioners, telephones, etc.
- (f) He/she will assist the Director in maintaining the discipline and work ethos among the various departments and between the faculty members.
- (g) He/she will assist the Director in maintaining the high academic standards and achieving academic excellence in the institution.
- (h) Supervision over faculty discipline, integrity and commitment.

5. Dean (Research and Consultancy)

He/she will advise the Director in matters related to:

- (a) Frame rules for industrial sponsored research and consultancy.
- (b) Create and maintain database regarding faculty expertise.
- (c) Facilitate through his/her office faculty in procuring equipments necessary to conduct research/consultancy work, recruitment of project staff.
- (d) Coordinate co-curricular activities (technical festivals, quizzes etc.) for the students.
- (e) Provide guidance for submitting proposals to funding agencies such as Department of Science and Technology (DST), Bhabha Atomic Research Centre (BARC), Board of Research in Nuclear Sciences (BRNS), Indian Space Research Organisation (ISRO), Defense Research and Development Organisation (DRDO), Aeronautics Research and Development Board (AR&DB), Ministry of Information Technology, etc.

SCHEDULE 'D'
[See Statute 24(vii)]

FORWARDING OF APPLICATIONS FOR EMPLOYMENT ELSEWHERE

Applications for employment shall be forwarded only as per the norms approved by the Board of Governors:

All employees are under terms of their service, required to observe following norms for applying for other jobs in Government / private or elsewhere:

1. General Principles:

- (i) A permanent employee, having good promotion prospects, is under a normal obligation to devote his energies whole-heartedly to the duties of his post. It will not be unjust if his application for other employment is withheld and not forwarded.
- (ii) Application of a temporary employee should not be withheld unless there are compelling grounds to be recorded and communicated to such temporary employee. Application from a temporary employee, who may have good prospects of being made permanent in due course, should be dealt with on merits.
- (iii) Employees who have been given some technical training at Government / Institute expense, should continue to serve the Institute at least for the bond period and withholding of application in such a case is justifiable. Board may decide the policy in such cases.
- (iv) Where an employee cannot be spared without serious detriment to important work in hand, his application can be withheld.

2. Application for posts advertised by Union Public Service Commission

Institute employees can apply directly to posts advertised by Union Public Service Commission but should keep the Head of the Department and Director informed. Subsequently, he should seek the permission for such appointment, but before appearing for the interview.

3. Posts in the other National Institutes of Technology / Central Universities and other comparable Institutions of Higher Education :

- (a) The application from permanent employee should accompany with an undertaking that he will either join back to the concerned National Institutes of Technology or resign from post held by him in that National Institute of Technology after 3 years.
- (b) Temporary employee should give an undertaking to resign in the event of his selection and acceptance of the new appointment.

Foreign assignments against open advertisements:

- (a) The employee can apply with prior permission of the Chairperson, Board of Governors to be confirmed by the Board of Governors.
- (b) If the time is short, an advance copy can be sent to the concerned agency with a copy to the Chairperson, Board of Governors for approval through proper channel.
- (c) Such employee shall not be considered as an official nominee of National Institute of Technology concerned.

Posts not Advertised or Circulated.

The application shall not be forwarded.

Registration with Employment Exchange.

Temporary employees can register with permission, but should resign when selected.

Permanent employee can register:

- (a) only for higher post under the Government/Public Sector Undertaking / Autonomous Body,
- (b) on production of a No Objection Certificate, from the National Institute of Technology, and
- (c) an undertaking that he will after the completion of three years of joining the new post either rejoin to the concerned National Institute of Technology or resign.

- (d) when an employee rejoins his parent office, he will not be granted a "no objection certificate" for a period of three years to register his name with the Employment Exchange again.

Employee under Suspension or Charge Sheeted.

No application should be forwarded if the employee is under suspension or a charge sheet has been issued/filed in the court or sanction for his prosecution has been accorded.

Employees whose conduct is under Investigation.

An application of an employee whose conduct is under investigation may be forwarded with brief comments on the nature of allegations and with a note that he would not be released if the employee is placed under suspension or a charge sheet is issued / filed in the court or sanction for his prosecution is accorded before his selection.

No.F.22 – 5 / 2006 – TS.III (Pt.)
Government of India
Ministry of Human Resource Development
Department of Higher Education

Shastri Bhawan,
New Delhi, the 11th May, 2009

To

The Directors,
National Institutes of Technology (NITs)

Subject:- First Statutes under the National Institutes of Technology Act, 2007 (29 of 2007) – Forwarding of the Gazette Notification.

Sir / Madam,

I am directed to forward herewith a copy of the Notification published in Gazette of India Extraordinary Part – II, Section – 3, Sub-Section – (i) dated 23rd April, 2009 regarding the First Statutes under the National Institutes of Technology Act, 2007 for information and necessary action.

Yours faithfully,


[MADAN MOHAN]
Director (NIT)
Telefax: 2338 7465