

F.No.35 - 5 / 2017 - TS.III
Government of India
Ministry of Education
Department of Higher Education
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Shastri Bhawan, New Delhi,
dated, the 27th October, 2020

To

- (i) The Directors of all 31 NITs; and
- (ii) The Director, IEST, Shibpur (W.B.)

Subject:- Amendments in the Statutes of NITs and IEST, Shibpur - request to convey recommendations of the Board of Governors of the Institute - regarding.

Sir / Madam,

I am directed to refer to this Ministry's communication F.No.33-9/2011-TS.III dated 16th April, 2019 (copy enclosed) vide which the clarifications, as per recommendations of the Oversight Committee constituted to look into further issues / anomalies in the Faculty Recruitment Rules notified on 24th July, 2017, were conveyed to all the NITs and IEST, Shibpur for its adoption and implementation.

2. As mentioned in para 3 of the aforesaid communication, the recommendations of the Oversight Committee were divided into two categories viz. (i) clarifications on existing RRs; and (ii) amendments in RRs notified on 24th July, 2017. The clarifications linked with point (i) have already been conveyed to the NITs & IEST, Shibpur, however, the amendments linked with point (ii) were placed before the Council of NITSER in its 12th meeting held on 25th September, 2019. The Council of NITSER in its above meeting approved the recommendations of the Oversight Committee and authorized the Ministry to carry out necessary amendments in the Statutes of NITs and IEST, Shibpur for smooth implementation of Faculty Recruitment Rules (2017). The minutes of the Council's meeting were conveyed vide our letter No.F.35-9/2019-TS.III dated 26th December, 2019.

3. In accordance with the decisions of the Council of NITSER taken in its 11th and 12th meetings, respectively, the following amendments are to be carried out in the Statutes of NITs and IEST, Shibpur:-

Statutes No.	Existing Provisions	Gist of Amendments
23 (5) (a)	The qualification and other terms and conditions of appointment of Academic	Considering the amendments approved by the Council in its 12 th meeting held on 25.09.2019 and

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Statutes No.	Existing Provisions	Gist of Amendments
	Staff (excluding Director), or promotion shall be as specified in Schedule 'E' and the Selection Committee for making recommendations for appointment of Academic Staff (excluding Director) shall consist of the following members, namely:-	<p>keeping in mind the requirement of incorporating the clarifications, issued in past, under the ambit of the Statutes in exercise of provisions under Clause (3) of Statute 23, it is proposed to substitute Schedule 'E' of Statutes of NITs, IEST-Shibpur and NIT-Andhra Pradesh.</p> <p>While incorporating above, the revised Schedule 'E' shall comprise following recommendations of Oversight Committee, as approved by the Council:-</p> <p>(a) one-time relaxation to all regular Faculty =>50 years with Ph.D. to be eligible for mapping to higher positions with lesser credit points;</p> <p>(b) amendment in qualifications in RRs for Faculty in Architecture / Planning; and</p> <p>(c) replacement of words "since the last promotion" with words "since the last appointment" in Schedule 'E' of the Statute 23 (5) (a) of Statutes of NITs and IEST.</p>
8 (xiii)	make recommendations to the Board to disseminate knowledge through distance learning mode to various parts of the State or country or abroad. In the cases of signing of agreement with the foreign agency, agreement may be signed with the approval of the Ministry;	make recommendations to the Board to disseminate knowledge through distance learning mode to various parts of the State or country or abroad. In the cases of signing of agreement with the foreign agency, agreement may be signed with the approval of the Ministry;
23 (3) [Appointments]	For the purposes of appointments in the Institute, the rules as	For the purposes of appointments in the Institute, the rules as approved by the Council or Central

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Statutes No.	Existing Provisions	Gist of Amendments
	approved by the Council or Central Government shall apply.	Government shall apply and deemed incorporated under the Statutes from the date of their communication by the Council or Central Government.
23 (12) [Appointments]	At the time of interview, the Selection Committee shall examine the 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.	At the time of interview, the Selection Committee shall examine the credentials of all candidates who have been called for the interview, interview the eligible candidates other than for the posts carrying pre-revised Grade Pay of Rs.4600/- or less [i.e. Level 7 of 7 th CPC] and recommend the appointment of the most suitable candidate to the competent authority for approval.
In Statute 23, after sub-statute (16), sub-statute (17) shall be inserted	-	Subject to the provisions of Section 24 of the Act, the appointment of the staff in every Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Statutes, by- (a) the Board, if the appointment is made on the academic staff in the post of Assistant Professor (or equivalent) or above or if the appointment is made on the non-academic staff in any cadre the maximum of the pay scale for Group A employees; (b) the Director, in any other case.
23 [Appointments]	Sequential Changes	23 (17) is to be changed to 23 (18). 23 (18) is to be changed to 23 (19).
-	Ministry of Human Resource Development	For the words Ministry of Human Resource Development and the places where it occurs, the words Ministry of Education shall be substituted.

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4. The Council of NITSER authorized the Ministry of Education (formerly Ministry of Human Resource Development) to notify the amendments in the Statutes incorporating thereby the recommendations of the Anomaly Committee and Oversight Committee in the Schedule 'E'. It is, therefore, requested that the modifications, as per recommendations of the above mentioned Committees and as approved by the Council of NITSER, indicated in para 3 of this communication may kindly be placed before the Board of Governors of your Institute for its adoption and passing suitable resolution so as to enable this Ministry to notify the amendments at the earliest possible.

5. As the amendment in the Statutes shall be carried out in consultation with the Ministry of Law and Justice, therefore, the proposed amendments may undergo some modifications from drafting angle. The Ministry will ensure that the amendments are in accordance with policy, intention, requirements and decisions taken by the Council.

6. As this is a time bound task, therefore, it is requested to kindly accord it top priority and convey the resolution of the Board of Governors of Institute, before 31st October, 2020, in accordance with provisions under Section 26 (2) of the NITSER Act, 2007.

7. This issues with the approval of the competent authority in the Ministry.

Yours faithfully,



[Pawan Kumar]

Under Secretary to the Government of India

Tel: 23384897

Encl.: as above.

Copy to:- The Chairpersons, Board of Governors of National Institutes of Technology (NITs) for information and further necessary action.