

THE NATIONAL INSTITUTES OF TECHNOLOGY (AMENDMENT)
ACT, 2012
No. 28 OF 2012

[Pt.1.(1) of Amendment Act]

An Act to amend to National Institutes of Technology Act, 2007

[7th June, 2012.]

An Act to declare certain institutions of technology, science education and research to be Institutions of national importance and to provide for instructions and research in branches of engineering, technology, management, education, sciences and arts and for the advancement of learning and dissemination of knowledge in such branches and for certain other matters connected with such institutions.

BE it enacted by Parliament in the 63rd Year of the Republic of India as follows:-

CHAPTER I
PRELIMINARY

28 of 2012
&
Amendment of
long title

1. (1) This Act may be called the National Institutes of Technology, Science Education and Research Act; 2007.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.
2. Whereas the objects of the institutions mentioned in the First Schedule and the Second Schedule are such as to make them Institutions of national importance, it is hereby declared that each such Institute is an Institution of national importance.
3. In this Act, unless the context otherwise requires,-
 - (a) "Board", in relation to any Institute, means the Board of Governors thereof;
 - (b) "Chairperson" means the Chairperson of the Board;
 - (c) "Corresponding Institute", in relation to a society mentioned in column (2) of the First Schedule and the Second Schedule, means the Institute as specified in column (3) of the First Schedule and the Second Schedule;
 - (d) "Council" means the Council established under sub-section (1) of section 30; or sub-section (1) of section 30A, as the case may be;
 - (e) "Deputy Director", in relation to any Institute, means the Deputy Director thereof;
 - (f) "Director", in relation to any Institute, means the Director thereof;
 - (g) "Institute" means any of the Institutions mentioned in column (3) of the First Schedule and the Second Schedule;
 - (h) "notification" means a notification published in the Official Gazette;
 - (i) "prescribed" means prescribed by rules made under this Act;
 - (j) "Registrar", in relation to any Institute, means the Registrar thereof;
 - (k) "Schedule" means the First Schedule and the Second Schedule annexed to the Act;
 - (l) "Senate", in relation to any Institute, means the Senate thereof;
 - (m) "Society" means any of the societies registered under the Societies Registration Act, 1860 and mentioned in column (2) of the First Schedule and the Second Schedule;
 - (n) "Statutes" and "Ordinances", in relation to any Institute, means the Statutes and Ordinances of that Institute made under this Act.

[Pt.3. of Amendment Act] Short title and commencement. [Pt.1 (2) of Amendment Act Dt. of Gazette notification is June 8, 2012] [Amendment of Section 1]

Declaration certain Institutions as Institutions of national Importance [Amendment of Section 2] [Pt. 4 of the Amendment Act]
Definitions [Amendment of Section 3] [Pt. 5 of the Amendment Act]

21 of 1860

CHAPTER II
THE INSTITUTES

4. (1) Each of the Institutes mentioned in column (3) of the First Schedule and the Second Schedule shall be a body corporate having perpetual succession and a common seal and shall, by its name, sue and be sued.
(2) The body corporate constituting each of the said Institutes shall consist of a Chairperson, a Director and other members of the Board for the time being of the Institute.
5. On and from the commencement of this Act,-
 - (a) Any reference to a society in any law, other than this Act, or in any contract or other instrument shall be deemed as a reference to the corresponding Institute;
 - (b) All property, movable and immovable, of or belonging to a society shall vest in the corresponding Institute;
 - (c) All the rights and liabilities of a society shall be transferred to, and be the rights and liabilities of the corresponding Institute; and
 - (d) Every person employed by a society, immediately before such commencement shall hold his office or service in the corresponding Institute for the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pensions, leave, gratuity, provident fund and other matters as he would have held if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:
Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute, of compensation equivalent to three months' remuneration in the case of permanent employee and one month's remuneration in the case of other employee.

[Pt. 6 of the Amendment Act] Incorporation of Institutes [Amendment of section 4]

Effect of incorporation of Institutes

6. (1) Subject to the provisions of this Act, every Institute shall exercise the following powers and perform the following duties, namely:- [Pt. 7 of the Amendment Act]
- a) To provide for instruction and research in such branches of engineering and technology, management, education, sciences and arts, as the Institute may think fit, and for the advancement of learning and dissemination of knowledge in such branches; Power of Institutes [Amendment of Section 6]
 - b) To hold examinations and grant degrees, diplomas and other academic distinctions or titles;
 - c) To confer honorary degrees or other distinctions;
 - d) To fix, demand and receive fees and other charges;
 - e) To establish, maintain and manage halls and hostels for the residence of students;
 - f) To supervise and control the residence and regulate the discipline of students of the Institute and to make arrangements for promoting their health, general welfare and cultural and corporate life;
 - g) To provide for the maintenance of units of the National Cadet Corps for the students of the Institute;
 - h) To institute academic and other posts with the prior approval of the Central Government, and to make appointments thereto excluding the Director;
 - i) To frame Statutes and Ordinances and to alter, modify or rescind the same;
 - j) To deal with any property belonging to or vested in the Institute in such manner as the Institute may deem fit for advancing the objects of the Institute;
 - k) To receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfers of movable or immovable properties from testators, donors or transferors, as the case may be;
 - l) To co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the Institute by exchange of teachers and scholars and generally in such manner as may be conducive to their common objects;
 - m) To institute and award fellowships, scholarships, exhibitions, prizes and medals;
 - n) To undertake consultancy in the areas or disciplines relating to the Institute; and
 - o) To do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Institute.
2. Notwithstanding anything contained in sub-section (1), an Institute shall not dispose of in any manner any immovable property without the prior approval of the Central Government.
7. (1) Every Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever. Institutes to be open to all races, creeds and classes
- (2) No request, donation or transfer of any property shall be accepted by the Institute, which in the opinion of the Council involves conditions or obligations opposed to the spirit and object of this section.
8. All teaching at each of the Institutes shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances made in this behalf. Teaching at Institutes.
9. (1) The President of India shall be the Visitor of every Institute.
- (2) The Visitor may appoint one or more persons to review the work and progress of any Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct. Visitor
- (3) Upon receipt of any such report, the Visitor may take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions within reasonable time. Authorities of Institutes
10. The following shall be the authorities of an Institute, namely:
- (a) a Board of Governors;
 - (b) a Senate; and
 - (c) Such other authorities as may be declared by the Statutes to be the authorities of the Institute.
11. The Board of every Institute mentioned in the First Schedule shall consist of the following members, namely:- [Pt. 8 of the Amendment Act] Board of Governors (NIT's)
- (a) the Chairperson to be nominated by the Visitor;
 - (b) the Director, ex officio;
 - (c) two persons not below the rank of the Joint Secretary to the Government of India to be nominated by the Central Government from amongst persons dealing with technical education and finance;
 - (d) two persons to be nominated by the Government of the State in which the Institute is situated, from amongst persons, who, in the opinion of that Government, are technologists or industrialists of repute; [Amendment of Section II]
 - (e) two persons, at least one of whom shall be a woman, having special knowledge or practical experience in respect of education, engineering or science to be nominated by the Council;
 - (f) One professor and one assistant professor or a lecturer of the Institute to be nominated by the Senate.
 - (g) **the Director of the India Institute of Technology in whose zone the Institute is located, or his nominee, not below the rank of a Professor.**
- 11.A. The Board of every Institute mentioned in the Second Schedule shall consist of the following members, namely:-**
- (a) **the Chairperson to be nominated by the Visitor;** [Pt. 9 of the Amendment Act]
 - (b) **Secretary, Department of Higher Education, Government of India, or his nominee not below the rank of the Joint Secretary to the Government of India, ex officio;**
 - (c) **Director of the Institute, ex officio;** [IISERs]
 - (d) **Director of Indian Institute of Science, Bangalore, ex officio;**
 - (e) **Director of one of the Indian Institutes of Technology, to be nominated by the Central Government;**
 - (f) **Two Secretaries to the Government of India, to be nominated by the Central Government representing its Scientific or Industrial Ministries;** Insertion of New Section 11A
 - (g) **Chief Secretary of the State in which the Institute is located, or his nominee not below the rank of the Joint Secretary to the Government of India, ex officio;** Board of Institutes of Second Schedule

	(h) two professor of the Institute to be nominated by the Senate;	[Pt. 10 of the Amendment Act]
	(i) two eminent scientists, to be nominated by the Council, having special knowledge or practical experience in respect of education, engineering or science, one of whom shall be woman; and	
	(j) financial Advisor, Ministry of Human Resource Development, ex officio;	[Amendment of Section 12]
12.	Save as otherwise provided in this section,-	Terms of office of , vacancies among, and allowances payable to, members of Board
	a) The term of office of the Chairperson or other members of the Board shall be three years from the date of his nomination;	
	b) The term of office of an ex officio member shall continue so long as he holds the office by virtue of which he is a member;	[IISERs]
	c) The term of office of a member nominated under clause (f) of section 11 and clause (h) of section 11A shall be two years from the date of his nomination;	
	d) a casual vacancy shall be filled up in accordance with the provisions of section 11 or section 11A, as the case may be;	Powers and functions of Board
	e) the term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated;	
	f) the member of the Board shall be entitled to such allowances, if any, from the Institute as may be provided for in the Statutes but no member other than the members referred to in clauses (b) and (f) of section 11 and clauses (c) and (h) of section 11A shall be entitled to any salary by reason of this clause.	
13.	(1) Subject to the provisions of this Act, the Board of every Institute shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by this Act, the Statutes and the Ordinances, and shall have the power to review the acts of the Senate.	
	(2) Without prejudice to the provisions of sub-section (1), the Board of every Institute shall,-	
	a) Take decisions on questions of policy relating to the administration and working of the Institute;	
	b) Institute courses of study at the Institute;	
	c) Make Statutes;	
	d) Institute and appoint persons to academic as well as other posts in the Institute;	
	e) Consider and modify or cancel Ordinances;	
	f) Consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute for the next financial year as it thinks fit and submit them to the Council together with a statement of its development plans;	Senate
	g) Exercise such other powers and perform such other duties as may be conferred or conferred or imposed upon it by this Act or the Statutes;	
	(3) The Board shall have the power to appoint such committees, as it considers necessary for the exercise of its powers and the performance of its duties under this Act.	
14.	The Senate of every Institute shall consist of the following persons, namely:-	
	a) The Director, ex officio, who shall be the Chairman of the Senate;	
	b) The Deputy Director, ex officio;	
	c) The Professors appointed or recognised as such by the Institute for the purpose of imparting instructions in the Institute;	
	d) Three person, one of whom shall be a woman, not being employees of the Institute, to be nominated by the Chairperson in consultation with the Director, from amongst educationists of repute, one each from the field of science, engineering and humanities; and	Functions of Senate
	e) Such other members of the staff as may be laid down in the Statutes.	
15.	Subject to the provisions of this Act, the Statutes and the Ordinances, the Senate of an Institute shall have the control and general regulation, and be responsible for the maintenance of standards of instruction, education and examination in the Institute and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.	Chairperson of Board
16.	(1) The Chairperson shall ordinarily preside at the meeting of the Board and at the Convocations of the Institute.	
	(2) It shall be the duty of the Chairperson to ensure that the decisions taken by the Board are implemented.	[Pt. 11 of the Amendment Act]
	(3) The Chairperson shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.	[Amendment of Section 17]
		Director and Deputy Director
17.	(1) The Director of an Institute shall be appointed by the Visitor, on such terms and conditions of service and on the recommendations of a Selection Committee constituted by him in such manner, as may be prescribed by the Statutes.	
	(2) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for the proper administration of the Institute and for the imparting of instruction and maintenance of discipline therein.	
	(3) The Director shall submit annual reports and accounts to the Board.	
	(4) The Director shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or Ordinances.	
	(5) The Deputy Director of every Institute shall be appointed in such manner and on such terms and conditions as may be laid down by the Statutes and shall exercise such powers and perform such duties as may be assigned to him by this Act or the Statutes or by the Director.	Registrar
18.	(1) The Registrar of every Institute shall be appointed on such terms and conditions as may be laid down by the Statutes and shall be the custodian of records, the common seal, the funds of the Institute and such other property of the Institute as the Board shall commit to his charge.	
	(2) The Registrar shall act as the Secretary of the Board, Senate and such committees as may be prescribed by the Statutes.	

- (3) The Registrar shall be responsible to the Director for the proper discharge of his functions.
- (4) The Registrar shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or by the Director.
19. The powers and duties of authorities and officers and officers other than those mentioned above shall be determined by the Statutes. Other authorities and Officers
20. For the purpose of enabling the Institutes to discharge their functions efficiently under this Act, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to every Institute in each financial year such sums of money and in such manner as it may think fit. Grants by Central Government
21. (1) Every Institute shall maintain a Fund to which shall be credited,- Fund of Institute
 (a) All moneys provided by the Central Government;
 (b) All fees and other charges received by the Institute;
 (c) All moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and
 (d) All moneys received by the Institute in any other manner or from any other source.
 (2) All moneys credited to the Fund of every Institute shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.
 (3) The Fund of every Institute shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its duties under this Act.
22. (1) Every Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be specified by notification, by the Central Government in consultation with the Comptroller and Auditor-General of India. Accounts and Audit
 (2) The accounts of every Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.
 (3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of any Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular shall have the rights to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.
 (4) The accounts of every Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament in accordance with such procedure as may be laid down by the Central Government.
23. Every Institute shall constitute for the benefit of its employees such provident or pension fund or provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes. Pension and Provident fund
24. All appointments of the staff of every Institute, except that of the Director shall be made in accordance with the procedure laid down in the Statutes, by- [Pt. 12 of the Amendment Act]
 (a) The Board, if the appointment is made on the academic staff in the post of Lecturer or above or if the appointment is made on the non-academic staff in any cadre the maximum of the pay scale for which exceeds rupees ten thousand five hundred; [Amendment of Section 24] Appointments.
 (b) The Director, in any other case.
25. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:- Statutes
 (a) The conferment of honorary degrees;
 (b) The formation of departments of teaching;
 (c) The fees to be charged for courses of study in the Institute and for admission to the examinations of degrees and diplomas of the Institute;
 (d) The Institution of fellowships, scholarships, exhibitions, medals and prizes;
 (e) The term of office and the method of appointment of officers of the Institute;
 (f) The qualifications of teachers of the Institute;
 (g) The classification, the method of appointment and the determination of the terms and conditions of service of teachers and other staff of the Institute;
 (h) The constitution of pension, insurance and provident funds for the benefit of the officers, teachers and other staff of the Institute;
 (i) The constitution, powers and duties of the authorities of the Institute;
 (j) The establishment and maintenance of halls and hostels;
 (k) The conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges;
 (l) The allowances to be paid to the Chairperson and members of the Board;
 (m) The authentication of the orders and decisions of the Board; and
 (n) The meetings of the Board, the Senate, or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business.
26. (1) The First Statutes of each Institute shall be framed by the Central Government with the prior approval of the Visitor and a copy of the same shall be laid as soon as may be before each House of Parliament. Statutes how made
 (2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner provided in this section.
 (3) Every new Statute or addition to the Statutes or any amendment or repeal of Statutes shall require the previous approval of the Visitor who may grant assent or withhold assent or remit it to the Board for consideration.
 (4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

27. Subject to the provisions of this Act and the Statutes the Ordinances of every Institute may provide for all or any of the following matters, namely:-
- The admission of the students to the Institute;
 - The courses of study to be laid down for all degrees and diplomas of the Institute;
 - The conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the Institute, and shall be eligible for degrees and diplomas;
 - The conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;
 - The conditions and mode of appointment and duties of examining bodies, examiners and moderators;
 - The conduct of examinations;
 - The maintenance of discipline among the students of the Institute; and
 - Any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.
28. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate. Ordinances how made
- (2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next meeting.
- (3) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.
29. (1) Any dispute arising out of a contract between an Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute be referred to a Tribunal or Arbitration consisting of one member appointed by the Institute, one member nominated by the employee, and an umpire appointed by the Visitor. Tribunal of Arbitration
- (2) The decision of the Tribunal shall be final and shall not be questioned in any court.
- (3) No suit or proceeding shall lie in any court in respect of any matter, which is required by sub-section (1) to be referred to the Tribunal of Arbitration.
- (4) The Tribunal of Arbitration shall have power to regulate its own procedure.
- (5) Nothing in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

CHAPTER III THE COUNCIL

30. (1) With effect from such date as the Central Government may, by notification, specify in this behalf, there shall be established for all the Institutes specified in column (3) of the First Schedule, a central body to be called the Council. [Pt. 13 of the Amendment Act]
[Amendment of Section 30]
Establishment of Council
- (2) The Council shall consist of the following members, namely:-
- The Minister in charge of the Ministry or Department of the Central Government having administrative control of the technical education, ex officio, as Chairman;
 - The Secretary to the Government of India in charge of the Ministry or Department of Central Government having administrative control of the technical education, ex officio, as Vice-Chairman;
 - The Chairperson of every Board, ex officio;
 - The Director of every Institute, ex officio;
 - The Chairman, University Grants Commission, ex officio;
 - The Director General, Council of Scientific and Industrial Research, ex officio;
 - Four Secretaries to the Government of India, to represent the Ministries or Departments of the Central Government dealing with biotechnology, atomic energy, information technology and space, ex officio;
 - The Chairman, All India Council for Technical Education, ex officio;
 - Not less than three, but not more than five persons to be nominated by the Visitor, at least one of whom shall be a woman, having special knowledge or practical experience in respect of education, industry, science or technology;
 - Three members of Parliament, of whom two shall be chosen by the House of the People and one by the Council of States;
Provided that the office of member of the Council shall not disqualify its holder for being chosen as or for being, a member of either House of Parliament;
 - Two Secretaries to the State Government, from amongst the Ministries or Departments of that Government dealing with technical education where the Institutes are located, ex officio;
 - Financial Advisor, dealing with the Human Resource Development Ministry or Department of the Central Government, ex officio;
 - One officer not below the rank of Joint Secretary to the Government of India in the Ministry or Department of Central Government having administrative control of the Technical Education, ex officio, as Member-Secretary.
- 30A. (1) With effect from such date as the Central Government may, by notification, specify in this behalf, there shall be established for all the Institutes specified in column 3 of the Second Schedule, a central body to be called the Council.** [Pt. 14 of the Amendment Act]
Insertion of new section 30A.
- (2) The Council under sub-section (1) shall consist of the following members, namely:-**
- The Minister in charge of the Ministry or Department of the Central Government having administrative control of the technical education, ex officio, Chairman;**
 - The Secretary to the Government of India in charge of the Ministry or Department of the Central Government having administrative control of the technical education, ex officio, Vice-Chairman;**
- Establishment of Council for the
Institutes of Second Schedule

- (c) *The Chairperson of every Board of the Institutes mentioned in the Second Schedule, ex officio;*
- (d) *The Director of every Institute mentioned in the Second Schedule, ex officio;*
- (e) *The Chairman, University Grants Commission, ex officio;*
- (f) *The Director General, Council of Scientific and Industrial Research, ex officio;*
- (g) *Four Secretaries to the Government of India to represent the Ministries or Departments of the Central Government dealing with bio-technology, atomic energy, information technology and space, ex officio;*
- (h) *The Chairman, Defence Research and Development Organisation, ex officio;*
- (i) *Not less than three, but not more than five persons to be nominated by the Visitor, at least one of whom shall be a woman, having special knowledge or practical experience in respect of education, industry, science or technology;*
- (j) *Three members of Parliament, of whom two shall be chosen by the House of the People and one by the Council of States;*
- (k) *Two Secretaries to the State Government, from amongst the Ministries or Departments of that Government dealing with technical education where the Institute is located, ex officio;*
- (l) *Financial Adviser, dealing with the Human Resource Development Ministry or Departments of that Government dealing with technical education where the Institute is located, ex officio; and*
- (m) *One office not below the rank of the Joint Secretary to the Government of India in the Ministry or Department of the Central Government having administrative control of the scientific or technical education, ex officio, Member- Secretary”.*

31. (1) The terms of office of a member shall be three years from the date of notification: Provided that the term of office of an ex officio member shall continue so long as he holds office by virtue of which he is such a member. (Pt. 15 of the Amendment Act)
- (2) The term of office of a member elected under clause (j) of sub-section (2) of section 30 and clause (j) of sub-section (2) of section 30A shall expire as soon as he ceases to be member of the House, which elected him.
- (3) The term of office of a member nominated or elected to fill a causal vacancy shall continue for the remainder of the term of the member in whose place he has been appointed.
- (4) Notwithstanding anything contained in this section an outgoing member shall, unless the Central Government otherwise directs, continue in office until another person is appointed as a member in his place.
- (5) The members of the Council other than ex officio member shall be paid such travelling and other allowances as may be prescribed.
32. (1) It shall be the general duty of the Council to co-ordinate the activities of all the Institutes.
- (2) Without prejudice to the provisions of sub-section (1), the Council shall perform the following functions, namely:
- (a) To advise on matters relating to the duration of the courses, the degrees and other academic distinctions to be conferred by the Institutes, admission standards and other academic matters;
- (b) To lay down policy regarding cadres, methods of recruitment and conditions of service of employees, institution of scholarships and freships, levying of fees and other matters of common interest;
- (c) To examine the development plans of each Institute and to approve such of them as are considered necessary and also to indicate broadly the financial implications of such approved plans;
- (d) To advise the Visitors, if so required, in respect of any function to be performed by him under this Act; and
- (e) To perform such other functions as are assigned to it by or under this Act.
33. (1) The Chairman of the Council shall ordinarily preside at the meetings of the Council: Provided that, in his absence, the Vice-Chairman of the Council shall preside at the meetings of the Council.
- (2) It shall be the duty of the Chairman of the Council to ensure that the decisions taken by the Council are implemented.
- (3) The Chairman shall exercise such other powers and perform such other duties as are assigned to him by this Act.
- (4) The Council shall meet once in every year and follow such procedure in its meetings as may be prescribed.
34. (1) The Central Government may, by notification, make rules to carry out the purpose of this Chapter.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:
- (a) the travelling and other allowances payable to members of the Council under sub-section (5) of section 31; and
- (b) the procedure to be followed in the meetings of the council under sub-section (4) of section 33.
- (3) Every rule made by the Central Government under this Chapter shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Term of Office of, vacancies among, and allowances payable to members of Council [Amendment of section 31]

Functions of Council

Chairman of Council

Power to make rules in respect of matter in this Chapter

CHAPTER IV MISCELLANEOUS

35. No act of the Council, or any Institute or Board or Senate or any other body set up under this Act or the Statutes, shall be invalid merely by reason of-
- (a) Any vacancy or defect in the constitution thereof, or
 - (b) Any defect in the election, nomination or appointment of a person acting as a member thereof, or
 - (c) Any irregularity in its procedure not affecting the merits of the case.
36. (1) If any difficulty arises in giving effect to the provisions of this Act the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:
Provided that no such order shall be made after the expiry of a period two years from the date on which this Act receives the assent of the President.
(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.
- 36.A (1) if any difficulty arises in giving effect to the provisions of the National Institutes of Technology (Amendment) Act, 2012, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:
Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.
(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.
37. Notwithstanding anything contained in this Act-
- (a) The Board of Governors of every Institute mentioned in the First Schedule functioning as such immediately before the commencement of this Act shall continue to so function until a new Board is constituted for that Institute under this Act, but on the constitution of a new Board under this Act, the member of the Board holding office before such constitution shall cease to hold office;
 - (b) Every Senate constituted in relation to every Institutes before the commencement of this Act shall be deemed to be the Senate constituted under this Act until a Senate is constituted under this Act for that Institute but on the constitution of new Senate under this Act, the members of the Senate holding office before such constitution shall cease to hold office.
 - (c) **Recruitment process and disciplinary proceedings, which had commenced before the commencement of the National Institutes of Technology (Amendment) Act, 2012, shall be completed, mutatis mutandis, in accordance with the relevant provisions in force immediately before such commencement.**
Explanation.- Recruitment process for a post may be taken to have commenced for the date of publication of the advertisement inviting application for the post, and disciplinary proceedings against an employee of the Institute may be taken to have commenced on the date of issue of charge sheet for major penalty or show cause notice for minor penalty to such employee;
 - (d) **All matters, which are meant to be provided through Statutes and Ordinances under Section 25 and 27, respectively, shall, till such Statutes and Ordinances are made, be governed, mutatis mutan dis, by the corresponding provisions in force immediately before the commencement of this Act.**
37. A Notwithstanding anything contained in this Act-
- (a) The Board of every Institute specified in the Second Schedule functioning as such immediately before the commencement of this Act shall continue to so function until a new Board is constituted for that Institute under this Act, but on the constitution of a new Board under this Act, members of the Board holding office before such constitution shall cease to hold office;
 - (b) Every Senate constituted in relation to every Institute before the commencement of this Act shall be deemed to be the Senate constituted under this Act unless a Senate is constituted under this Act for that Institute but on the constitution of new Senate under this Act, members of the Senate holding office before such constitution shall cease to hold office.
- (1) if any difficulty arises in giving effect to the provisions of the National Institutes of Technology (Amendment) Act, 2012, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:
Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.
(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.
- 37.B The Schedule to the principal Act shall be numbered as the First Schedule and in the First Schedule as so numbered, after Sl.No. 20 and the entries relating thereto, the following shall be inserted, namely:-

Act and proceedings not to be invalidated by vacancies, etc.

Power to remove difficulties

[Pt. 16 of the Amendment Act]
Transitional Provisions

[Pt. 17 of the Amendment Act]
Transitional Provisions in
respect of Institutes of Second
Schedule

[Pt. 19 of the Amendment Act]

THE FIRST SCHEDULE
[See Section 3 (g), (m) and 4(1)]
LIST OF CENTRAL INSTITUTIONS INCORPORATED INTO THE ACT

Sl.No.	Society	Corresponding Institute
1	2	3
1.	Motilal Nehru National Institute of Technology, Allahabad Society	Motilal Nehru National Institute of Technology, Allahabad
2.	Maulana Azad National Institute of Technology, Bhopal Society	Maulana Azad National Institute of Technology, Bhopal
3.	National Institute of Technology, Calicut Society	National Institute of Technology, Calicut
4.	National Institute of Technology, Durgapur Society	National Institute of Technology, Durgapur
5.	National Institute of Technology, Hamirpur Society	National Institute of Technology, Hamirpur
6.	Malaviya National Institute of Technology, Jaipur Society	Malaviya National Institute of Technology, Jaipur
7.	Dr. B.R. Ambedkar National Institute of Technology, Jalandhar Society	Dr. B.R. Ambedkar National Institute of Technology, Jalandhar
8.	National Institute of Technology, Jamshedpur Society	National Institute of Technology, Jamshedpur
9.	National Institute of Technology, Kurukshetra Society	National Institute of Technology, Kurukshetra
10.	Visvesvaraya National Institute of Technology, Nagpur Society	Visvesvaraya National Institute of Technology, Nagpur
11.	National Institute of Technology, Patana Society	National Institute of Technology, Patana
12.	National Institute of Technology, Rourkela Society	National Institute of Technology, Rourkela
13.	National Institute of Technology, Silchar Society	National Institute of Technology, Silchar
14.	National Institute of Technology, Srinagar Society	National Institute of Technology, Srinagar
15.	Sardar Vallabhbhai National Institute of Technology, Surat Society	Sardar Vallabhbhai National Institute of Technology, Surat
16.	National Institute of Technology, Karnataka, Surathkal Society	National Institute of Technology, Karnataka, Surathkal
17.	National Institute of Technology, Tiruchirappalli Society	National Institute of Technology, Tiruchirappalli
18.	National Institute of Technology, Warangal Society	National Institute of Technology, Warangal
19.	National Institute of Technology, Raipur Society	National Institute of Technology, Raipur
20.	National Institute of Technology, Agartala Society	National Institute of Technology, Agartala
21.	National Institute of Technology, Goa Society	National Institute of Technology, Goa
22.	National Institute of Technology, Puducherry Society	National Institute of Technology, Puducherry
23.	National Institute of Technology, Delhi Society	National Institute of Technology, Delhi
24.	National Institute of Technology, Sumari (Srinagar) Uttarakhand Society	National Institute of Technology, Uttarakhand
25.	National Institute of Technology, Sohra (Meghalaya) Society	National Institute of Technology, Meghalaya
26.	National Institute of Technology, Mizoram Society	National Institute of Technology, Mizoram
27.	National Institute of Technology, Manipur Society	National Institute of Technology, Manipur
28.	National Institute of Technology, Nagaland Society	National Institute of Technology, Nagaland
29.	National Institute of Technology, Arunachal Pradesh Society	National Institute of Technology, Arunachal Pradesh
30.	National Institute of Technology, Sikkim	National Institute of Technology, Sikkim

(2) After the first Schedule as so numbered, the following Schedule shall be inserted, namely:-

THE FIRST SCHEDULE
[See Section 3 (g), (m) and 4(1)]
LIST OF CENTRAL INSTITUTIONS INCORPORATED INTO THE ACT

Sl.No.	Society	Corresponding Institute
1	2	3
1.	Indian Institute of Science Education and Research, Kolkata Society	Indian Institute of Science Education and Research, Kolkata
2.	Indian Institute of Science Education and Research, Pune Society	Indian Institute of Science Education and Research, Pune
3.	Indian Institute of Science Education and Research, Mohali Society	Indian Institute of Science Education and Research, Mohali
4.	Indian Institute of Science Education and Research, Bhopal Society	Indian Institute of Science Education and Research, Bhopal
5.	Indian Institute of Science Education and Research, Thiruvananthapuram Society	Indian Institute of Science Education and Research, Thiruvananthapuram

V.K. Bhasin,
Secretary to the Govt. of India

**MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(Department of Higher Education)**

NOTIFICATION

New Delhi, the 21st July, 2017

S.O. 947 (E).- In exercise of the powers conferred by sub-section (3) and sub-section (4) of section 26 of the National Institutes of Technology, Science Education and Research Act, 2007, (29 of 2007), with the prior approval of the Visitor, the Central Government hereby makes the following Statutes further to amend the First Statutes of the 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 (Amendment) Statutes, 2017.

(2) 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 Institute 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 and academic unit 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 of 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-statute (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 at 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 it 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 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 question 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 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 minutes 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 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. **In absence of Director, the Registrar or any person-authorized 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) Meeting 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 or 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 proceeding 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 interest 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 provision 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 recommendation to the Board) as warranted by each case;
- vii. Make periodical review of the activities 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 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 in the cases of signing of agreement with the foreign agency, agreement may be signed with the approval of the Ministry.
- xiv. Invite up to two student representatives during discussion of general nature not involving policy o-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 Institute 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, Members-Secretary:
Provided that in additional to the above, the Chairman may invite an expert as special invitee, however, the special invitee may not have voting rights.
- (2) All financial proposals shall be placed before the Finance Committee prior to being placed before the Board for consideration and approval.
- (3) The Finance Committee shall meet ordinarily four times in a year preferably before the meeting of the Board of Governors.
- (4) Four members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.
- (5) The Chairman, shall preside over the meetings of the Finance Committee and in his absence, the Director shall preside over the meetings.
- (6) 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.
- (7) A copy of the minutes of every meeting of the Finance Committee shall be placed before the Board.

11. POWER OF THE FINANCE COMMITTEE

The Finance Committee shall have power to:-

- (i) Examine and scrutinized the annual budget of the Institute prepared by the Director and make recommendation to the Board; and
- (ii) give its views and make its recommendations on any financial proposals or issues 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) Director or Deputy Secretary or his nominee dealing with the National Institutes of Technology in the Ministry and Director or Deputy Secretary or his nominee dealing with Finance of the National Institutes of Technology in the Ministry as *Ex- Officio* Members of the Central Government.
- (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 or Central or State Government or any autonomous body or reputed member.

(2) The Building and Works Committee shall meet as often as necessary but ordinarily not less than four times a year.

(3) Four members shall form a quorum for a meeting of the Building and Work Committee.

(4) The Provisions in these Statutes regarding notice 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 together with the recommendations of the Finance Committee on specific proposal or proposals which requires approval of 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 and the Board will define the minor work and minor repair and maintenance in terms of quantum or expenditure.
 - iii. cause to prepare estimates of cost of buildings and other capital works, minor works, repairs, maintenance and the like. The building and works committee shall approve the cost estimates for minor works, minor repairs and maintenance.
 - 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 duly recommended by the Dean (P&D) of the Institute.
 - 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 power 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 provision 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 and the visit abroad by the Director shall be approved by the Chairman. National Institute of Technology Council.
- iii. He shall execute the contract of service between the Institute and the 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 MEMBER OF THE AUTHORITIES OF INSTITUTE

Members of the Board and other authorities of the Institute and members of the Committee constituted under the Act or these Statutes or appointed by the Board and other authorities shall be entitled to travelling allowance, daily allowance and sitting fee for attending the meeting 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 recommendations of a search-cum-Selection Committee constituted by him consisting of atleast five members. The Chairperson of the Council shall be its Chairperson and the Secretary of the Department of Higher Education or his representative shall be one of its members besides three other 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 inform 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 item 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, Technician 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 member of the staff for training or to attend course of instruction inside India subject to such terms and conditions as may be specified in 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 an on behalf of the Institute except the one between the Institute and the Director shall when authorized 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 authorize 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.
- (17) The disciplinary powers for Director of the Institute shall be decided by the Board of Governors of the respective National Institute of Technology from time to time.

18. THE DEPUTY DIRECTOR

- (1) The appointment of the Deputy Director shall be made by the Board on the recommendations of the Selection committee constituted in terms of provisions under Statutes 23(5)(a) of the First Statutes of National Institutes of Technology.
- (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 academics 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
- (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.

(3) The review of performance of the Registrar upon completion of one year of service may be carried out by the Committee to be constituted by the Board.

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 other 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, 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 in the Institute, the rules as approved by the Council or Central Government 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 the Central Government 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 qualification and other terms and conditions of appointment of Academic 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:-

- | | |
|---|------------|
| (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 (for other than the post of Deputy Director and Professor) | -Member |

(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 Assistant Professor and above shall consist of the following members, namely:-

- | | |
|--|------------|
| 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 of 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 circumstance of each case may require.

9. Where 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 or centre and in such emergent situations, the appointments shall be for a period of twelve months.

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 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 application of the employees eligible for promotion under Assured Career Progression (ACP) shall be considered by the Department Promotion Committees before any promotion or up-gradation is recommended.

18. The Department 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 specified 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 a period not exceeding one year.

- 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 and till such time the code of conduct for employees is framed, the Institute shall follow the Central Civil Services (Classification, Control and appeal) Rules, 1965.

26. SUSPENSION, PENALTIES, DISCIPLINARY PROCEEDINGS

The Central Civil Services (Classification, Control and Appeal) Rules, 1965 shall apply to all the employees.

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. APPOINTMENT 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 01.01.2004 will be governed by Central Civil Services (Pension) Rules, 1972 and General Provident Fund (Central Services) Rules, 1960 and the Employees appointed on or after 01.01.2004 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 services 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 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 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 rate 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 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 Board of Governors which shall be applicable to concerned Institute.
- (ii) The Caution Money shall be refundable to students, 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, after deduction of relevant dues, if any and where no claim for a refund is received within two year 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 HOSTEL AND HALLS

1. Every Institute shall be a residential institution and all students and research scholar shall reside in the hostels and hall of residence build 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 hall 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 hosts 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 Senate and shall be approved by the Board.

No. F22-5/2006/TS.III(PT)
N.K. Sinha, JT.Secy.

The National Institutes of Technology Schedule 'A' (See Statute 17 (2))

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 Statutes 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 RESENTS WITNESSETH and the parties here to respectively agree as follows:-

1. This agreement of service shall be deemed to have been entered into subject at all time 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 provide din the said Act and Statutes.

4. The appointee shall devote his 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 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 entitle subject to the Indian Income Tax 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 my be admissible form 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 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, he shall join the corresponding Scheme of the Institute with transfer of this accumulation as admissible under the Statutes. In case of the appointee is the employee of the Institute he shall continue to be governed-by Contributory Provident Fund-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 his contract like other permanent employees of the Institute 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 subject to 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 the extent the provisions of these present.
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 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 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 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 this 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 Institute 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 Institute of Technology Act, 2007 (29 of 2007).

* WHEREAS in terms of Section 17(1) of the National Institute of Technology Act, 2007 (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 WITNESSWITH and the parties hereto respectively agree as follows:

1. This agreement of service shall be deemed to have been entered into subject all time 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 in below 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 leave without pay, the

Appointee shall be entitled subject to the Indian Income Tax to an initial pay of Rs _____ in 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 provision 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 of General Provident Fund-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 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 ad per the Statutes.

[7] Notwithstanding anything hereinbefore contained the appointee shall unless otherwise decide 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 member 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. Travelling 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 the 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 is 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 herein 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
Deputy Director, NIT _____

SCHEDULE 'C' See Statue 19(5) DEANSHIPS

Institute may have not more than six deanships. There may be having Deanship in National Institute of Technology with the approval 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 be discharged in its right spirit. Dean must be nominated by the Director only from amongst the Professor/Associate Professors. But not be head of the Department.

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

DUTIES AND REPONSIBILITIES OF DEANS

The following duties and responsibilities have been entrusted to the Deans

1. Dean (Academic)

He/she will advise the Director in:

- a) Admission and enrolment of students;
- b) Finalization of academic calendar, time-table, registration of students for course work and examination, class room arrangements and all other requirement for proper conduct of class work;
- c) Conduct of class tests and co-coordinating the finalization of sessions evaluation and for ensuring the timely declaration of results.
- d) Supervision for the maintenance of up to date academic records of all of students.

- e) Publication and distribution of the syllabi
- f) Organising 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 or 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 examinations 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 Indication Programmed and Quality Improvement Programme candidates.
- n) To suggest to 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 following:

- a) Planning the expansion and diversification of institutional activities and preparation of all developmental proposals, to the extent up to the submission of plan & estimates related to Civil, electrical, works, sanitary, network systems, 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 of submission of progress report.
- d) Formulating proposal for new courses and in organizing meetings of faculty members and external experts for this purpose in this regards;
- e) In the efforts to expand and monitor the activities of consultancy, testing an sponsored research of Institute and to ensure submission of progress reports;
- f) In coordinating the formulation and conduct of non-formal an continuing education and extension programmes.
- g) To arrange for the agenda and organization of the meeting for procurement of equipment 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 organizing the students counseling.
- b) He/she will be responsible for the publication of students Magazine, News, Bulletins, Newsletters 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 enquires 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 meeting of the evaluating of papers submitted of 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, air conditioners, telephones, etc.
- f) He/she will assist the Director in maintain 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 situation.
- 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 of 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), Defence 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

FORWARDING OF APPLICATIONS FOR EMPLOYMENT ELSEWHERE

Application for employment shall be forwarded only as per the norms approved by 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 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 form permanent, employee should accompany with an undertaking that he will either join back to the concerned National Institutes of Technology after 3 years.
- b) Temporary employee should give and 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 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 of 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 of 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 Employee 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/filled in the court of sanction for his prosecution has been accorded.

Employees whose conduct is under Investigation.

An application of an employee whose conduct is 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.

SCHEDULE 'E'
[See Statute 23 (5)(a)]
Qualification and other terms and conditions of appointment of Academic Staff

Sl. No.	Designation, Pay Band and Academic Grade Pay	Essential Qualification	Essential Requirements	Cumulative Essential Credit Points
(1)	(2)	(3)	(4)	(5)
1.	*Assistant Professor (on contract) Pay Band-3 with Grade Pay of Rs.6000	Ph.D.	NIL	NIL
2.	*Assistant Professor (on contract) Pay Band-3 with Grade Pay of Rs.7000	Ph.D.	one year post Ph.D. experience of Teaching and Research in Institution of repute or Industry	10
3.	*Assistant Professor Pay Band-3 with Grade Pay of Rs.8000 with a minimum pay of Rs.30000	Ph.D.	three years after Ph.D. or six years total teaching and research experience in reputed academic Institute or Research and Development Labs or relevant industry.	20
4.	Associate Professor Pay Band-4 with Grade Pay of Rs.9500 with a minimum pay of Rs.42800	Ph.D.	six years after Ph.D. of which at least three years at the level of Assistant Professor with Academic Grade pay of Rs. 8000; Or nine years total working experience, of which three year should be after Ph.D., with at least three years at the level of Assistant Professor with Academic Grade Pay of Rs. 8000.	50
5.	Professor Pay Band-4 with Grade Pay of Rs.10500 with minimum pay of Rs.48000	Ph.D.	ten year after Ph.D. or thirteen years total working experience, out of which seven years should be after Ph.D. at least three years at the level of Associate professor with Academic Grade Pay of Rs. 9500 or four years at the level of Associate Professor with Academic Grade Pay of Rs. 9000 or combination of Rs. 9000 and Rs. 9500 or equivalent in an Institution of repute or Research & Development lab or relevant industry.	80
6.	Professor (Higher Administrative Grade Scale) Rs.67000–79000	Ph.D.	Six years as Professor with Academic Grade Pay of Rs.10000 or Rs.10500 or a combination of Rs.10000 and Rs.10500 in an Institute of National Importance.	150

Note 1:

- (1) Any change in the grade pay will be through open advertisement and on recommendation of duly constituted selection committee, except where specifically exempted in these rules.
- (2) All new entrants shall have Ph.D. in the relevant or equivalent discipline and shall have first class in the preceding degrees.
- (3) For existing faculty members who completed their Ph.D. along-with their normal teaching load of Institute or quality improvement programme, the enrolment period of Ph.D. will be counted as teaching experience.
- (4) Contribution to Institute Administration shall be recommended by concerned Head or Chairman and approved by the Director. Contribution to departmental Administration shall be recommended by concerned Head and approved by the Director.
- (5) For the departments which are not having any vacancy, movement in higher Academic Grade Pay or cadre shall be carried out as per specified selection process but it will be restricted to only for serving faculty members of the respective departments.
- (6) The permanent faculty members who have put in more than ten years experience, but have not acquired Ph.D. qualification as on the date of these notification shall be mapped into four-tier flexible system as one time measure as per following norms:
 - (a) Permanent faculty with age fifty or above:
 - (i) The Assistant Professors with Academic Grade Pay of Rs.7000 shall be mapped at the level of Assistant Professor with Academic Grade Pay of Rs.8000, provided they have at least 10 credit points in their lifetime.

- (ii) The Assistant Professors with Academic Grade Pay of Rs.8000 shall be mapped at the level of Associate Professor with Academic Grade Pay of Rs.9500, provided they have at least 25 credit points in their lifetime.
- (iii) The Associate Professors with Academic Grade Pay of Rs.9000 shall be mapped at the level of Associate Professor with Academic Grade Pay of Rs.9500, provided they have at least 25 credit points in their lifetime:

Provided, they have been found suitable through a Selection Committee duly constituted under the Statute.

- (b) Permanent faculty members less than fifty years of age shall be sponsored for Ph.D. in any of the Indian Institutes of Technology or National Institutes of Technology duly provided a facility to take study leave of three-years from their respective National Institute of Technology and on completion of the Ph.D., they shall compete to get into the four tier system as per the new recruitment rules.
- (7) For faculty in the department of Architecture following shall be essential qualification without insisting on credit point requirements at Assistant Professor level:
- (i) M.Arch. or M.Plan. with one year professional experience: Assistant Professor at Academic Grade Pay of Rs. 6000;
- (ii) M.Arch. or M.Plan. with two years of professional experience: Assistant Professor at Academic Grade Pay of Rs. 7000;
- (iii) For higher cadres the educational qualifications and credit point requirement shall remain same as given in the table for Engineering and Sciences.

Note 2: Credit Point System

The following shall be the credit point system:

S. No.	Activity	Credits Points
1.	One external Sponsored Research and Development Projects completed or ongoing or Patent granted	8 credit points per project or 8 credit points per patent as inventor (in case of more than one person in a Project, the Principal Investigator gets 5 credit points and the rest to be divided equally among other members)
2.	Consultancy projects	2 Credit points @ Rs.5 Lakhs of consultancy, subject to maximum of 10 Credit points
3.	Ph.D completed (including thesis submitted cases)	8 Credit points per Ph.D. student (in case there are more than one supervisor, then the Guide (1 st Supervisor) gets 5 credit points per student and the rest to be divided equally among other supervisor.
4.	One Journal papers in Science Citation Index or Scopus (Paid Journals not allowed)	4 point per paper since the last promotion. First author or Main supervisor will get 2 point and rest will be divided among others.
5.	One Conference paper indexed in Science Citation Index or Scopus or Web of science Conference or any internationally renowned conference	1 credit points per paper up to a maximum of 10 credit points. First author or Main Supervisor will get 0.6 and rest will be divided among the rest.
6.	Head of the Department, Dean, Chief Warden, Professor Incharge (Training and Placement), Advisor (Estate), Chief Vigilance Officer, PI (Exam), TEQIP (Coordinator)	2 points per semester up to a max of 16 credits points since the last promotion.
7.	Warden, Assistant wardens, Associate Dean, Chairman or Convener institute academic committees, Faculty In charge Computer Center or Information and Technology Services or Library or Admission or student activities and other Institutional activities	1 credit point per semester up to a maximum of 8 credits points since the last promotion.
8.	Chairman and Convener of different standing committee and special committee (Ex officio status will not be considered). Faculty incharges (Each for one year duration) of different Units or equivalent	0.5 credit point per Semesters up to a maximum of 3 credits points since the last promotion.
9.	Departmental activities identified by Head of the Department like lab in charges, or department level committee for a minimum period of one year.	0.5 credit point per Semesters up to a maximum of 3 credits points since the last promotion.
10.	Workshop or Faculty Development Program or short term courses of min 05 working days duration offered as coordinator or convener	2 credit points per course up to a maximum of 8 credits points since the last promotion.
11.	For conducting national programs like Global Initiative of Academic Networks etc. as course coordinator	2 credit points per course up to a maximum of 4 credit points since the last promotion.
	Program of two weeks duration	1 credit point per course up to a maximum of 2 credit points since the last promotion.
	Program of one week duration	1 credit point per course up to a maximum of 2 credit points since the last promotion.
12.	National or International conference organized as	3 credit points per program up a maximum of 6 credits points

S. No.	Activity	Credits Points
	Chairman or Secretary	since the last promotion.
13.	Length of service over and above the relevant minimum teaching experience required for a given cadre	2 credit points per semester with maximum of 10 credit points since the last promotion.
14.	Establishment of New Lab(s)	4 credit points since the last promotion.
15.	Theory Teaching of over and above 6 credit hrs. course	1 credit point or credit hrs. up to a maximum of 6 credit points since the last promotion.
16.	Post Graduate Dissertation guided	0.5 credit point per project to a maximum of 10 points since the last promotion.
17.	Under Graduate Projects	0.25 credit point per project up to a maximum of 4 points since the last promotion.
18.	Text or Reference Books published on relevant subjects from reputed international publishers	6 credit points per book up to a maximum of 18 points since the last promotion.
19.	Text or Reference book published on relevant subjects from reputed national publishers or book chapters in the books published by reputed international publishers	2 credit points per unit up to a maximum of 6 points since the last promotion.
20.	Significant outreach Institute out activities	1 credit point per activity up to a maximum of 4 credit points since the last promotion.
21.	Fellow IEEE, FNA, FNAE, FNASc	10 credit points
22.	Placement percentage (only for the placement cell officers or Faculty incharge of Placement)	
	Above 85%	4 credit points per year upto a maximum of 20 points since the last promotion.
	75% - 84% (% to be based on total number of students passing out and single job offer)	2 credit points per year upto a maximum of 10 points since the last promotion.

[F.No. 22 – 5/2006-TS. III]
R. SUBRAMANYAM, Addl. Secy.

Note: The Principal Statutes were published in the Gazette of India, Extraordinary, Part II, Section I, sub-section (i) vide notification number G.S.R. 280 (E) dated the 23rd April, 2009 and subsequent amendment was published in the Gazette of India, Extraordinary, PartII, Section I, sub-section (i) vide notification G.S.R. 837 (E) dated the 5th November, 2015.