

F. No.33-71/2011-TS-III  
Government of India  
Ministry of Human Resource Development  
Department of Higher Education  
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Shastri Bhawan, New Delhi  
Dated, the 18 March 2013.

To  
The Directors  
All NITs.

**Subject: Removal of anomalies arising out of the implementation of Sarangi Committee recommendations - regarding.**

Sir,

This Ministry had received several representations from the faculty/Teacher's Welfare Associations and others consequent upon the implementation of various recommendations of Sarangi Committee on pay anomalies and Career Advancement Scheme. These representations along with the recommendations of Sarangi Committee on various issues relating to guidelines on CAS, Model Recruitment Rules etc. were discussed in the meetings of Special Committee headed by Special Secretary (TE), MHRD held on 10.01.2012 and AS (TE) on 2.1.2013. After detailed deliberations following decisions have been taken:-

- i) Career Advancement Scheme (CAS) was in operation in institutions under guidelines provided by AICTE & UGC. However it was made clear that those norms and procedures are not applicable to NITs. As a special case, institutes that have not considered CAS for 3 years or longer were allowed to do so as a one-time measure.
- ii) The Ministry reiterates the decision of the NIT Council [3<sup>rd</sup> meeting, item No.3.17] to adopt Flexible 4-tier faculty cadre structure by way of resolution by the respective Board of Governors of all NITs with a compliance report to be sent by them to the Ministry by 30<sup>th</sup> April, 2013. As directed vide Ministry's order No. F. No.23-1/2008-TS.II dated 18.08.2009, the Ministry will put up the selection norms for various positions under the 4-tier flexible faculty cadre structure by 30<sup>th</sup> April, 2013.
- iii) The Council of NITs had permitted CAS only as a one-time measure. No permission shall be granted for conducting selection under CAS in any Institute w.e.f. 30.4.2013 as the institutes have to adopt implementation of 4-tier faculty cadre structure by this date after having received one time exemption for CAS
- iv) Since Ph. D. has become the basic qualification for entering into the "regular" faculty cadre in any grade, there shall be no Ph. D. increment [ for those who are already holding regular faculty positions with lower qualifications] as already decided by the Council [3<sup>rd</sup> Meeting item No. 3.18]. There shall, however, be no roll back nor recovery of payments already made. The earlier orders from the Ministry dated 09.03.2010 stands modified and is annexed.
- v) As provided in the Clause 14(i) of Statutes. "the BoGs have the power to fix on the recommendation 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 appointment

Contd. -- 2/-

can be made by the Board under the provision of the Act". The Directors who are integral to all Selection Committees, would ensure that initial salaries granted to all new recruits, and to existing faculty entering higher positions, are commensurate with the candidates' experience and performance record and that no new anomaly are created by the recommendations of additional increments made by the Selection Committees. There has to be an effort to eliminate anomalies at the BoG level after exercising the powers as per statute.

- vi) When selection committees are called upon to consider HAG scale for senior Professors, only eminent people already in HAG or comparable scale of pay, or fellows of national academics, be appointed to Selection Committees.
  - vii) Since selection of staff both administrative, technical and academic (except Director NITs) is done by the Selection Committee of NITs with the approval of BoG, the anomalies related to the selection under CAS or, otherwise may be dealt at their level of the Board.
2. Directors of all NITs are requested to kindly adhere to these decisions strictly so that anomalies of the employees with regard to pay, recruitment, selection of faculties, HAG scales etc. are minimized. Action taken in this regard may kindly be communicated to this Ministry at the earliest.

Thanking you,

Yours faithfully,



(Rajesh Singh)  
Director (T)

Telefax No.23073687

F. No. 38-17/2011-TS-III  
Government of India  
Ministry of Human Resource Development  
Department of Higher Education  
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Dated, the March, 2013.

To  
The Director of all NITs

Subject: Incentives for acquiring Ph. D. Degree by faculties engaged in Centrally Funded Technical Institutions (CFTIs) including NITs- regarding.

Sir,

This Ministry had issued the following letters on the pay of teachers and equivalent cadres in Universities/Colleges/ CFTIs/NITs etc. on the basis of recommendations of the 6<sup>th</sup> Central Pay Commission –

- i) Letter no. F.1-32/2006-U-II/U-I(1) dated 31<sup>st</sup> December, 2008. This letter pertains to Universities and Colleges under UGCs.
  - ii) Letter no. F.23-1/2008-TS-II dated 18<sup>th</sup> August 2009- revision of pay and other service conditions of teaching and other staff in CFTIs [ Clause no2 (b)] pertaining to 7 non-compounded advance increments.
  - iii) Letter no. F. 23-2/2009-TS-II dated 9<sup>th</sup> March, 2010 [Clause no.1 (b)] pertaining to advance increments.
  - iv) Letter no. F.33-7/2011-TS-III dated 14-03-2012 wherein after NIT Council's decision on Recruitment Rules for faculty Ph. D. Degree has been made an essential criterion for recruitment as Assistant Professor.
2. However, while implementing the scheme of incentives to teaching staff by NITs, some of NITs have made payment (benefits of 3 non-compounded advance increments as per clause no 7 of letter dated 31-12-2008 which was applicable for UGC institutions and not for CFTIs). Subsequently this was clarified through letters dated 18.08.2009 and 09.03.2010. The staff of NIT Jaipur filed a Civil writ petitions no 4080 to 4090, no.37 to no 39, 4190 to 4191, 4297 to 4208 and 4215 to 4218 or 2011 in the Hon'ble Bench of Rajasthan High Court at Jaipur, seeking advance increments to Ph. D. quoting clause of the letter dated 9<sup>th</sup> March 2010.
3. The Hon'ble bench of Rajasthan High Court Jaipur vide order vide order dated 19.05.12 directed MHRD, Government of India to take a proper decision as to whether order dated 31.12.2008 has to be applied to NITs and Technical University throughout India. If it has to be applied, then all those who have taken higher education while in service, would be entitled to three non-compounded increments. If benefit as given out in the order dated 31.12.2008 is not applicable to the MNITs and Technical University, then it should be clarified to all concerns, but in that eventuality, benefit already given should not be recovered as it was extended by the NIT at their own level and not due to fraud and misrepresentation by the petitioners. The Hon'ble Court has disposed of the cases with the above direction".

In view of the above and keeping in view the Hon'ble High Court's, Jaipur order dated 19.05.12 the matter has been examined afresh and the following is suggested to adhere to it strictly.

- i) The letter of UGC dated 31.12.2008 is not applicable to CFTIs including NITs. The letter from the Ministry dated 18.08.2009 was pertaining to CFTIs and NITs.
- ii) Para 1 (b) of the letter dated 9<sup>th</sup> March 2010 stands modified to the extent that advance compounded increments would not apply to all categories of teachers, henceforth.
- iii) Since Ph. D. is a minimum qualification for entry into the 'regular' faculty cadre in any grade, there shall be no Ph. D. increments (for the faculty already holding regular faculty positions with lower qualifications), as already decided by the NIT Council in its 3<sup>rd</sup> meeting (item no. 3.18). As provided in the NIT statutes [clause 14(i)] "the BOGs have the power to fix on the recommendations of the Selection Committee the initial pay of an 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 of the Act".
- iv) The benefits already given would not be recovered from the academic staff of the Institutes as directed by the Hon'ble Court and also as per NIT Councils decision.

Thanking you.

**Yours faithfully,**



**(Rajesh Singh)  
Director (T)**

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