

- a. Career Advancement Scheme (CAS) is an integral part of a rigid staff structure where the number of posts at any given level is limited. Such a scheme provides an avenue through which a qualified employee climbs to the higher rung of the career ladder, even if there is no vacancy. It, however, will not be treated as mere formality as the purpose of the scheme was for development of merit and not eligibility based promotions.
- b. For a faculty member to gain advancement under CAS, he or she must satisfy the approved criteria under three broad heads: (i) a critical number of years in the lower level of designation and/or ACP, (ii) cumulative academic performance during the service period at the current level in terms of teaching and research output as well as sharing institutional responsibility, and (iii) proficiency and knowledge in one's chosen field of research and teaching. Superior record in all these three fronts qualifies a faculty member for advancement to a higher level.
- c. CAS has been in operation in institutions under guidelines provided by AICTE and UGC. It is clarified that those norms and procedures are not applicable to NITs. CAS in NITs will be governed by guidelines and regulations defined by the Ministry of HRD and the Council of NITs.
- d. The Directors will be assisted by an in-house Advisory Committee on Faculty Recruitment (ACoFAR). Necessary details of this Committee are provided in the Recruitment Rules for faculty positions.
- e. Any distinction between faculty recruited against vacant positions and those promoted under CAS will be abolished completely. It is clarified emphatically that unlike the UGC system, there is no distinction in qualification or achievement between internal and external candidates while assessing their suitability for higher posts as the practice prevalent in the UGC system.
- f. All recommendations of the Selection Committee shall take effect only from the date of approval of the recommendations by the Board on any later date as decided by the Board. There shall be no retrospective implementation of recommendations in any case (financial or notional).
- g. The constitution of the Selection Committee, the procedure and criteria of selection shall be same for internal and external candidates. There shall not be a separate or special interview for CAS selection. Interviews should be conducted along with candidates for direct recruitment against vacancies, if any.
- h. All Professors irrespective of the mode of selection shall draw at the basic pay of Rs.42,000/- and ACP of Rs.10,000/- on or after 01/01/2006.
- i. When a vacancy occurs in the higher posts and there are serving faculty members with corresponding designation under CAS, they must be adjusted as per the respective seniority list before fresh advertisements are published. For a faculty member, there should be no distinction drawn between a CAS post or an direct selection post. Reservation principles for categories specified (viz. SC, ST, OBC) should be honoured.



j. Under special circumstances, if an Institute is looking for new faculty at Professor or Associate Professor level with expertise not available within the Institute, the Board of Governors (on recommendations of the ACPAR) can earmark a vacant position exclusively for external recruitment.

k. Any promotion or enhancement of Pay Band or Grade Pay, already implemented by the Institute should be got reviewed / examined by the Board by a duly constituted Selection Committee immediately. Any increment paid over the beginning of the scale of Associate Professor to those Assistant Professors who did not complete 3 years, is to be recovered from future pay.

l. The orders issued by the Ministry following the 6th Central Pay Commission provides minimum number of years of service to go to a higher AGP or a higher designation, e.g. 3 years from AGP Rs 6,000/- to Rs 7,000/- or from AGP Rs 7,000/- to AGP Rs 8,000/- etc. These are to be implemented only through the formal selection process. A formal Selection Committee (as per the NIT Act 2007 and the Statute of NITs) must examine the candidature and ensure that an enhancement is recommended on the strength of academic contribution expected of a faculty member of an Institution of National Importance.

m. The minimum duration prescribed by the Pay Commission for eligibility to move to higher AGPs are applicable only to performing faculty delivering quality academic output. A faculty member, apart from satisfying the minimum duration requirement, must meet academic and related standards set out in Recruitment Rules before being considered by the Selection Committee. Actual selection will depend on academic (research, teaching, writing and academic administration) performance.

n. The eligibility criteria (number of years in lower AGP) should be seen as necessary but not sufficient condition for upgradation of AGP or change of designation. Any upgradation can be done only on recommendation of a duly constituted Selection Committee after formal interview. The process for AGP upgradation should be as serious and dignified as that for change of designation. A candidate must convince the Selection Committee that he or she engaged in scholarly pursuits (teaching, research and management) to deserve an upgradation after his / her last advancement.

o. Existing faculty members without Ph.D. degree must direct (at least 50% of their time during semester days) and during vacations and holidays towards completing their Ph.D. A faculty member without Ph.D. will not earn any enhancement of AGP unless he acquires a Ph.D. degree. The Directors of NITs may ensure that such faculty members are reasonably free from non academic duties to ensure that their Ph.D. gets completed before they are considered for enhanced AGP. A concerted effort must be made to make all faculty members of all NITs obtain Ph.D. degrees.

p. In case of upgradation of AGP of Professors to HAG scale, personal interview shall be dispensed with. The Selection Committees constituted as per the Statutes for the selection of Faculty shall make their recommendations on

the strength of published work, patents, sponsored projects, consultancy, continuing and distance education, R & D guidance and contribution to the administration of the Institute, including service in other comparable institutions if on sanctioned leave, etc. as submitted by the candidates.

- q. All Institutes shall strive to conduct annual selection processes regularly. In case of Institutes that have not conducted OAB interviews for 3 years or more, Selection Committees may, as a one-time measure, examine academic contribution of internal candidates made after the last interview and recommend a salary and ACP they would have earned now, had the Selection Committee met at the appropriate time.
- r. A copy of the RRs (including the relevant performance criteria for different posts and ACPs) shall be made available to the members of the Selection Committees. Ministry of HRD shall, through an appropriate communication, brief the Visitors/nominees (in the Selection Committee) to guide the Selection Committees to adopt norms that are prevalent in other Institutes of National Importance.
- s. All NITs will be required to adopt the 4-tier flexible faculty structure (presently operating in IITs, IIMs, IISERs and NITs) within a time frame to be determined by Council of NITs.

6. In view of the above, it is requested that the above guidelines may be adopted by the respective BoCs so as to undertake promotion under OAB while adhering to the basic principles of Government rules & regulations and relevant instructions. In case any further difficulties are noticed within one year of the issue of these guidelines, the same may be placed before the Special Committee constituted by MHRD (vide order F.No.33-7/2011-TS.II dated 14th March, 2012) for a decision thereupon.

7. This Issue with the approval of the competent authority.

Yours faithfully,

(Rajesh Singh)

Deputy Secretary (NITs)

Tel: 23073687

Fax: 23384946

Copy to:-

- (i) PSO to Secretary (HR)
- (ii) PSO to Special Secretary (TE) MHRD
- (iii) Director (Finance), MHRD

NATIONAL INSTITUTE OF TECHNOLOGY KURUKSHETRA

Dated: 11.01.2017

Minutes of the Meeting

Minutes of the meeting of the committee held during 30.11.2016 & 01.12.2016 in the Board Room, Golden Jubilee Administrative Building of the Institute to look into the issues related to the grievances of the faculty and non faculty members of the Institute.

The following were present:

- | | |
|--|-----------------|
| <p>1. Shri. S C. Narang
Former Chief Controller Resources and Management
DRDO Head Quarters & Former Chairman,
Centre for Personnel Talent Management,
DRDO, New Delhi</p> | <p>Chairman</p> |
| <p>2. Shri Suresh Chand
Former Chief Administrative Officer
TBRL, DRDO, Chandigarh</p> | <p>Member</p> |

Effective date of pay fixation of Assistant Professors

The Committee assembled on 20.12.2016 at 9:30 am in the Board Room of the Institute. The committee was apprised about the facts of the case by Prof. I/C (Admin & PR) Prof. V. K. Bajpai.

Committees Assembled at 09:30 am on 19.12.2016 in the Administrative Block of the Institute.

Committee was apprised in regard to the pay anomaly cases of Assistant Professors who were promoted / placed in the PB 3 AGP-7000/- and AGP of Rs. 8000/- with the effective date of promotions from the date of approval of BoG consequent to the promotion/placement of Assistant Professors against the one time opportunity provided by MHRD vide their letter no. F.33-7/2011-TSIII Dated 14.03.2012 (Annexure I).

Committee interacted with some of the affected Assistant Professors to have their version of their claimed anomaly.

Most of the Assistant Professors have raised the issue of effective date of the promotion i.e. the date of eligibility for promotion rather than from the date of approval by the BoG

PL - put up on
file
Uk
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Summary
24/1
... LAM ... 24/12/17

as per the instructions /provisions under MHRD Letter No. F.33-7/2011-TSIII Dated 14.03.2012 (Annexure I)

Committee on having gone through the representations of affected Assistant Professors, instructions issued by the MHRD, approval of BoG and relevant correspondence of administrative office observed that:

- i. The Institute is governed by the rules as were applicable to UGC/AICTE in regard to the promotion of Faculty Members under CAS under 3tier system before 14th march 2012.
- ii. Although the Institute invited the applications for promotion under CAS to all Faculty Posts vide Notification No. Estt.-I/CAS/6992 Dated 25.11.2010 (annexure II). In response the applications were received from eligible Faculty Members. The Interviews were held only for the promotion to the post of Professors. The process for selection to the other Faculty Posts were held in abeyance without assigning any reason thereof.
- iii. Institute took up the special Recruitment drive for filling up the backlog vacancies reserved for SC/ST vide Notification Advertisement No. 14/2012 (Annexure III) at AGP of Rs 7000/-. The incumbent Assistant Professors at AGP of Rs 6000/-, who had Ph.D, were also called for interview for upgradation to AGP of Rs 7000/-. Except one, all the incumbent Assistant Professors could not get through. Although these Assistant Professors were made eligible for same upgradation next year by the Institute as per guidelines of MHRD/UGC.
- iv. The claims of such affected Assistant Professors are as under: (List)

S.No.	Name	Claim
1.	Karan Sharma	AGP of Rs. 8000/- should be from Date of eligibility as per UGC guidelines and consequently AGP of Rs. 9000/-
2.	Sandeep Santosh	-do-
3.	Anil Dahiya	-do-
4.	Arvind Sharma	-do-
5.	Avadhesh Yadav	AGP of Rs. 7000/- should be from the Date of eligibility as per UGC/ MHRD guidelines
6.	Jatinder Kumar	-do-
7.	Gulshan Sachdeva	-do-

u

[Signature]

8.	Sarsvati Yadav	-do-
9.	Ritu Garg	-do-
10.	Poonam Jindal	-do-
11.	Virender Ranga	-do-
12.	Mohit Dua	-do-

- v. At the instance of MHRD instructions to the Institute for taking up the promotion process as one time measure to fill the backlog vacancies as per UGC / MHRD guidelines Institute had called for the applications from the eligible Faculty Members vide Notification No. Estt-I/1684 dated 13.03.2013 (Annexure IV) and the process of promotions of Faculty Members was taken up. The Faculty Members so promoted were given the effective date of promotion from the date of approval of BoG. Whereas the effective date of Notional Promotion should be from the date of their eligibility as provided under Para '4q' of MHRD Letter No. F.33-7/2011-TSIII Dated 14.03.2012 (Annexure I).
- vi. Committee was also apprised that Hon'ble High Court Agartala vide their Judgment Dated 31.03.2016 has extended the benefit of CAS to all eligible Faculty members. The appeal of the institute in the case was dismissed vide Hon'ble High Court order dated 05.05.2016 (Annexure V). MHRD vide Para '4q' of their Letter No. F.33-7/2011-TS.III Dated 14.3.2012 has also provided that "All Institutes shall strive to conduct annual selection processes regularly. In case of Institutes that have not conducted CAS interviews for three years or more, Selection Committees may, as a onetime measure, examine scholastic contribution of internal candidates made after the last interview and recommend a salary and AGP they would have earned now, had the Selection Committee met at the appropriate time". Taking into account the said para '4q' NIT Calicut granted the promotional benefit from the date of eligibility (Annexure VI).
- vii. Mr. Karan Sharma, Mr Sandeep Santosh, Anil Dahiya and Arvind Sharma claimed that they were eligible for the AGP of Rs.8000/- & Rs.9000/-, but were considered for granting only to the AGP of Rs.8000/- with effective date of promotions from the Date of approval of BoG i.e. 22.08.2013 whereas the committee should have considered the effective date from the date of eligibility.

Recommendations

Committee in view of the said observation is of the considered opinion:-

- I. Revised Selection Committee should consider the applications received from the different faculty members vide Institute's Letter No. Estt.-I/CAS/6992 dated 25.11.2010 where the promotion processes were withheld during the year 2010.

UM


[Signature]

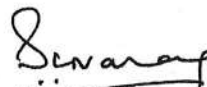
- II. All the promotional benefits should be considered w.e.f. the date of eligibility as provided under Para '4q' of said MHRD Letter No. F.33-7/2011-TS.III dated 14.03.2012 for the faculty members promoted in 2013. The Para '4q' is reproduced below:

"All Institutes shall strive to conduct annual selection processes regularly. In case of Institutes that have not conducted CAS interviews for 3 years or more, Selection Committees may, as a onetime measure, examine scholastic contribution of internal candidates made after the last interview and recommend a salary and AGP they would have earned now, had the Selection Committee met at the appropriate time".

- III. Faculty members, who are eligible for two AGPs i.e. Rs. 8000/- & Rs.9000/- should also be considered to effect the promotions from date of eligibility and consequent effect of promotions accordingly as the direction of Hon'ble High Court Agartala which has been complied by NIT Agartala .

The meeting ended with vote of thanks to the Chair.


(Suresh Chand)


(S. C. Narang)

N.I.T. KURUKSHETRA

Op. No.	4649	Date	28/11/2011	
R	DPD	IS	DAI	CVO
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28/11/2011
10:00 AM
A.

F.No.10 - 16 / 2011 - TS.III
Government of India
Ministry of Human Resource Development
Department of Higher Education
_

New Delhi, the 22nd November,

To

The Director,
National Institute of Technology - Kurukshetra,
Haryana - 136119.

Subject:-

Request for granting permission for making appointments to the of Professor based on CAS Selection Committee recommendation which the interviews conducted on 7th & 8th January, 2011 under Chairmanship of the then Director Incharge - regarding.

Sir,

01-292 I am directed to refer to your communication No.Estt.-1/4562 dated 12.08.2011 the subject mentioned above and to state that the faculty members who became eligible CAS during the 5th Pay Commission regime and were recommended by the Selection Committee may be given the benefit of promotion under CAS as applicable with reference to 5th CPC scales. In respect of 5th CPC cases, the promotion will be notionally effective 30.06.2009 / 01.07.2009; but the financial benefit will be from 22.06.2011.

2. As regards, the 05 (five) other faculty members who have become eligible for after implementation of 6th CPC scales, the Institute is advised to reconsider their cases in light of the recommendations of Sarangi Committee constituted for CAS related matters

Yours faithfully



[Rajesh Singh]

Deputy Secretary (N
Tel: 23073

01-292 30/11/11

D.S.(Estt.)
Estt.-1

(11)

Annexure- 11

NATIONAL INSTITUTE OF TECHNOLOGY
KURUKSHETRA-136119

No. NITK / 45th BOG / 3325

Dated: 28/06/2018

The Board of Governors of the Institute at its 45th meeting held on 04.06.2018 has decided under:

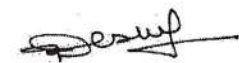
BoG 45.22 To note the action taken report for item No. 44.13 on the minutes of 44th meeting of the Board of Governors held on 05.02.2018.

"The Board noted the action taken report and decided that the matter be referred to MHRD for clarification and comments in the matter."

This is for your reference, record and further necessary action in the matter.

Encl: Agenda Item

Deputy Registrar (GA & L)



Registrar (I/C)

O/c Devi
28.6.18

(226+232)

CM-16440-CWP-2018 in
CWP-24632-2013

and

CM-16439-CWP-2018 in
CWP-24673-2013

Sandeep Santosh

Vs.

National Institute of Technology, Kurukshetra and others

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Yogesh Sheoran, Advocate for the applicant/petitioner.

Mr. A.S. Virk, Advocate for respondent Nos.1 and 3.

None for respondent No.3.

Learned Senior counsel for the petitioner points that vide order dated 22.03.2018, it was observed that matter of grant of grade pay to the petitioner has been pending consideration for further action before the competent authority i.e. Board of Governors. He points out that a committee constituted by the respondents had submitted a report dated 11.01.2017 recommending the grant of grade pay to the petitioner with effect from the date of his eligibility. Based on the said recommendation, the matter of grant of grade pay was taken up in 45th Meeting of the Board of Governors held on 04.06.2018 as an agenda item No.44.13. He further points out that instead of accepting the recommendations of the committee, the Board of Governors noted that the matter be referred to Ministry of Human Resource Development for clarifications and comments thereof.

Learned counsel for respondent Nos.1 and 2 does not controvert the statements of learned Senior counsel.

In this view of the matter, respondent No.3 i.e. Government of

India, Ministry of Human Resource Development, Department of Higher Education is directed to pass appropriate orders on the clarifications as sought by the Board of Governors within 1 month from today and the Board of Governors shall pass appropriate orders within a period of 4 weeks thereafter.

Adjourned to 06.03.2019.

Photocopy of this order be placed on the file of other connected case.

(ARUN MONGA)
JUDGE

December 20, 2018.
sandeep

ANNEUXRE 481M TRA

F. No. 10 – 1 / 2019 - TS.III
 Government of India
 Ministry of Human Resource Development
 Department of Higher Education

Diary No.....496.....

Dated....22/01/19....

Shastri Bhawan, New Delhi,
 Dated, the 17 January, 2019

To,

The Director,
 National Institute of Technology, Kurukshetra,
 Haryana

Subject: Clarification for promotion of faculty members of the Institute under CAS from the due date instead of from the date of decision of the Board of Governors (BoG)- regarding.

Sir,

I am directed to refer to your communication No. Estt.-I/4462 dated 28.08.2018 on the subject mentioned above and communications dated 28.12.2018 of Er. Sandeep Santosh, Assistant Professor & Dr. N. K. Tiwari, Associate Professor of NIT, Kurukshetra forwarding therewith a copy of the order dated 20.12.2018 of Hon'ble High Court wherein this Ministry is directed to pass appropriate orders on the clarifications as sought by the BoG within one month from today and the BoG shall pass appropriate orders within a period of 4 weeks thereafter.

2. The matter has been examined in this Ministry and following are the observations:

- Career Advancement Scheme was discontinued w.e.f 30.04.2013.
- Career Advancement Scheme (CAS) was an integral part of a rigid staff structure where the number of posts at any given level was limited. Such a scheme provides an avenue through which a qualified employee climbs to the higher rung of the career ladder, even if there is no vacancy. With the adoption of 4-tier Flexible structure, it cannot run concurrently.
- Clause 4(f) of letter dated 14.03.2012 provides that all recommendations of the Selection Committee shall take effect only from the date of approval of the recommendations by the Board or any later date as decided by the Board. There shall be no retrospective implementation of recommendations in any case (either financial or notional).
- Clause 4(q) of this Ministry letter No.F.33-7/2011-TS.III dated 14.03.2012 provides

"All Institutes shall strive to conduct annual selection processes regularly. In case of Institutes that have not conducted CAS interviews for 3 years or more, Selection Committees may, as a onetime measure, examine scholastic contribution of internal candidates made after the last interview and recommend a salary and AGP they would have earned now, had the Selection Committee met at the appropriate time".

Amr

22/01/19
 AGP(CAS)

22/01/19

DR (CAREER) 22/01/19

For necessary action

22/01/19

Therefore, the Institute may place the recommendations of the Selection Committee before the Board for consideration and a decision.

- On adoption of 4-Tier Flexible structure, the Council of NITs had permitted CAS only as on one-time measure. No permission shall be granted for conducting selection under CAS in any Institute w.e.f. 30.04.2013 as the institutes have to adopt implementation of 4-tier faculty cadre structure by this date after having received one time exemption for CAS.
- CAS was in operation as a one-time measure, when RRs of 4-Tier structure were being framed and it was dispensed w.e.f. 30.04.2013 when 4-Tier norms were made available and Recruitment Rules finalized were put in place for implementation.

3. It is requested to kindly place the observations contained in para-2 above before Board of Governors (BoG) of NIT, Kurukshetra for a decision.

Yours faithfully,



(Anil Kumar Singh)

Under Secretary to the Govt. of India

Tel: 23384897