

F.No.41-6/2015-TS.III
Government of India
Ministry of Human Resource Development
Department of Higher Education

Shastri Bhawan, New Delhi,
Dated the 9th February, 2016

To,
The Directors of NITs & IEST – Shibpur.

Subject: - Compliance of provisions of the NITSER Act, 2007 and First Statutes for NITs – regarding.

Sir,

The Central Government, for the purpose of enabling the National Institutes of Technology (NITs) to discharge their functions efficiently under the National Institutes of Technology, Science Education & Research (NITSER) Act, 2007 (No.29 of 2007), with the prior approval of the Visitor has framed the First Statutes for all NITs wherein Clause 3 envisages the following: -

Clause 3. Authorities

The following shall be the authorities of the Institute namely:-

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

2. All the above-mentioned authorities of the Institutes are, hence, statutory in nature and their functioning in accordance with the provisions of the NITSER Act, 2007 and the First Statutes for the NITs is of the paramount importance in furtherance of the endeavour of the Institutes to achieve excellence in teaching and research. It may kindly be appreciated that the smooth functioning of these statutory authorities of the Institutes would be vital to maintain academic standards and thereby at large the academic and functional autonomy of the Institutes.

3. In the recent past, it has been observed that the provisions as envisaged under the First Statutes for the NITs in respect of the above mentioned statutory authorities, specifically the Board of Governors (BoGs), the Finance Committee (FC) and the Building and Works Committee (BWC) have not been adhered to in letter and spirit in terms of the notice(s) issued for their meeting(s), circulation of the agenda items as well as recording of the minutes of these meetings and subsequent action taken etc.

4. Hence, in future, while conducting the various meeting(s) of the BoGs, Senate, FC and BWC in the overall interest of the Institute, the following procedures are to be scrupulously adhered to as envisaged under the First Statutes for the NITs: -

- (i) A written notice of every meeting shall be sent by the Registrar to every member at least fifteen (15) 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.

- (ii) The notice may be delivered either by hand or sent by registered post or e-mail or fax, at the address of each member as recorded in the office of the statutory authority 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.
- (iii) The BoGs, Senate, FC and BWC shall ordinarily meet four times during a calendar year.
- (iv) Agenda shall be circulated by the Registrar to all members at least ten (10) days before the meeting.
- (v) Notices of motions for inclusion of any item on the agenda must reach the Registrar at least one (01) week before the meeting:

Provided that the Chairperson may, permit inclusion of any item for which due notice has not been received.

- (vi) The minutes of the proceedings of a meeting of the BoGs, Senate, FC and BWC shall be drawn up by the Registrar and circulated to all members of the BoGs, Senate, FC and BWC within a time frame of two (02) working days and the same along with any amendment suggested shall be placed before the BoGs, Senate, FC and BWC in their next meeting for confirmation and after the minutes are confirmed and signed by the Chairpersons of these statutory authorities, they shall be recorded in the minute books.
- (vii) No matter concerned with finance shall be placed before the BoGs unless the same has been considered by the FC.

- (viii) No matter which should be first considered by the BWC shall be placed before the BoGs unless the same has been considered by the BWC after obtaining the administrative approval of the BoGs.
- (ix) A copy of the minutes of every meeting of the FC shall be placed before the BoGs.
- (x) All financial proposals shall be placed before the FC prior to being placed before the BoGs for consideration and approval.
- (xi) All orders and decisions of the BoGs shall be authenticated by the signature of the Director or Registrar or any person-authorized by the BoGs in this behalf.
- (xii) All academic matters including award of the stipends, scholarships, medals and prizes etc. brought before the BoGs, should have the prior approval of the Senate.
- (xiii) The extant General Financial Rules (GFR) and the CVC's guidelines on transparency be followed in letter and spirit while awarding works/consultancies/contracts.
- (xiv) The practice of tabling agenda item(s) should be avoided. In case of any emergency, prior permission of the Chairpersons of the statutory authorities should be sought for in advance for tabling the agenda items and in any case, the number of such proposals/agenda items should be a bare minimum.
- (xv) Efforts should be made to decide and finalize the number of agenda items being discussed by a statutory authority (BoGs, Senate, FC and BWC) in such a way that the overall agenda does not become bulky and therefore, the Registrar, who is Secretary to the Board, Senate, FC and BWC should ensure that each and every item included under the agenda is discussed, deliberated and finalized in a meaningful way to enable the Institute to achieve its desired goals.
- (xvi) The Registrar who acts as Secretary to the BoGs, Senate, Finance Committee and Building and Works Committee, shall before circulating the agenda items for any of these meetings certify that agenda items/issues brought before any of these statutory committees i.e. BoGs, FC, Senate and BWC have been recommended by the Director and are well within the provisions of the NITSER Act, 2007, the First Statutes, the extant General Financial Rules, CVC Guidelines and other related instructions issued by Government of India from time to time.

5. In view of the above, you are accordingly requested to kindly get the above advisory notified at the Institution level and circulated to all concerned for further necessary action.

Yours faithfully,


[SP Goyal]

Joint Secretary (NITs & DL)

Tel: 23383451

Copy for information to:-

1. The Chairpersons, Board of Governors of the National Institutes of Technology (NITs).
2. The Chairperson, Board of Governors, Indian Institute of Engineering Science and Technology (IEST) - Shibpur (West Bengal).