

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

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 6th Central Pay Commission –

- i) Letter no. F.1-32/2006-U-II/U-I(1) dated 31st December, 2008. This letter pertains to Universities and Colleges under UGCs.
 - ii) Letter no. F.23-1/2008-TS-II dated 18th 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 9th 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 9th 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 9th 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 3rd 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)**

Tele fax No.2307368