

**MINUTES OF 14<sup>th</sup> STANDING COMMITTEE OF BOARD ON ESTABLISHMENT MATTERS ON 18<sup>th</sup> FEBRUARY, 2014 AT 10.30 A.M. AT NEW DELHI**

**Members Present :**

- 1- Ms. Kiran Dhingra, Chairperson-BOG NIFT -- In chair
- 2- Ms. NamitaChowdhary
- 3- Mr. P.K. Gera, DG-NIFT

**Leave of Absence :**

**Leave of absence was granted to the following members:**

- 1- Mr. N.K. Singh, Hon'ble MP, RajyaSabha
- 2- Mr. SabyasachiMukerjee, Fashion Designer

**Agenda Item No.1401**

**Presentation on NIFTs' Administrative Structure and Recruitment Rules**

In order to understand the proposal for modification of Recruitment Rules, Chairperson NIFT had desired that the members of the Establishment Committee may be briefed on the administrative structure of NIFT and Service Conditions of NIFT faculty and administrative staff.

The Board Secretary & Registrar, using a power point presentation, explained various aspects of the service conditions and recruitment rules for various positions in NIFT, and the issues that needed attention. She explained that service conditions of NIFT employees and recruitment rules for its staff had certain unique features. This included having 50% staff and faculty on contract. This allowed NIFT to ensure the competence and the continued motivation of its faculty and staff. Faculty was expected to be recruited so as to keep the teacher student ratio at 1:15, and in a proportion between asst professor, associate professor and professor/senior professor of 4:2:1. Much of the problems and issues facing NIFT today had arisen out of the fact that fashion education was not a very widely taught subject; the Institute had not stopped growing; had reacted variously to the acute pressure for faculty recruitment, especially at the senior levels; and the recruitment policies and rules had evolved over a period of time.

1. Registrar explained that perhaps till 2005, NIFT's recruitment process was conducted such that, after being satisfied of the suitability of the person on a long-term contract of three years, the person appointed would be offered a regular appointment. Due to various administrative reasons a large number of staff and faculty appointed on contract were given extension of their long term contracts instead of offering them regular jobs, as this was not an automatic process. The Board in its 69<sup>th</sup> meeting held on 29/11/2006 decided on a policy that would allow recruitment of faculty on contract in the ratio 1:1 i.e. for every regular faculty member there would be one on contract. In 2008 NIFT conducted recruitment in which the selected applicants higher in order of merit were given appointment on regular basis while those below them were given appointment on three years contract. During this recruitment a merit list of applicants was prepared. The top 172 (102 Assistant Prof and 70 Associate Prof) were offered posts on regular basis while 47 (28 Assistant Prof & 19 Associate Prof) were offered three year contracts. This was in contrast to the principle followed before 2005, of using an initial contractual period for observing the performance of all selected employees. In 2013, the Board in its 19<sup>th</sup> meeting held on 13<sup>th</sup> February 2013 endorsed the principle of 1:1 of regular: contract posts at all levels in faculty/staff, and took all staff, regular or otherwise, on an initial contract of three years, This had all led to a lot of confusion and a high degree of anxiety amongst staff and faculty, especially the ones on contract.
2. In addition to these issues, the Registrar pointed out that there were problems arising out of the requirement of PhD and the shortage of sufficient faculty with it. Promotions made by exercise of the relaxation provided in the RRs had bred a certain resentment amongst those that had obtained their PhDs. Further, though the rules provided for it, no guidelines or standards had been set down of the published papers that would qualify for equivalence to a PhD.
- 3- Each of the above issues was discussed at length in the discussions that followed:
  - i) **Qualification** : It was explained that since NIFT ran degree, PG and Research programmes the NIFT had, like the Universities under UGC, decided on PhD as essential qualification at the level of Associate Professor and Professor. However,

due to the paucity of persons with research degrees, the prevalent RRs for Associate Professors and Professors have a provision whereby on selection the faculty is given 5-7 years to obtain a PhD degree. The promotions to the post of Associate Professors and Professors were conducted in 2004-05 when 32 Associate Professors and 03 Professors were promoted with the abovementioned stipulation for completing the PhD. Of these 03 faculty members had submitted their thesis while 03 were at the final stages and 16 who had registered and were at various stages for completing their PhD. As many as 13 had not even registered. Perforce, 32 Associate Professors and 3 Professors were issued Show Cause Notices in January 2013, but a decision on the Administration's next step is pending. There is a provision in RRs where under exceptional published work could be treated equivalent to PhD. All faculty members who had not met the conditions were asked to provide the details of their work, which could be treated as equivalent to PhD. A Committee under the Dean (A) was being proposed to look into the details. In 2008, appointment offers on promotion without PhD were again given to 70 Associate Professors. While the condition of acquiring the degree in 5-7 years was not mentioned in the offer letters, It can be presumed that they were expected to meet the PhD condition as stipulated in RRs. The Committee recommended that before the Dean got down to examining the published papers, the Senate, with the help of an expert committee, should be decide the guidelines of the number of papers, kind of journals, etc, which would constitute acceptable published work considered equivalent to PhD. The Committee also felt that if a faculty had failed to acquire the degree even after 7 years, the DG could not afford to ignore the fact that the recruitment rules stood violated.

ii) **Ratio of Regular and Contract Employees:** It was clarified that the ratio of 50% on contract at all times applied to all posts, at all levels, administrative staff and faculty alike. The Committee appreciated that by having faculty on contract for a certain period made for greater commitment and an absence of complacency, and gave NIFT the freedom to weed out faculty members who were not contributing, but she wanted the Committee to deliberate if this was necessary also for administrative staff. After discussion, the Committee agreed that commitment and lack of complacency were

essential at all levels, and that the provision of 1:1 for regular to contract at all levels should be continued.

iii) **Pay and Allowances** : The Committee wanted to know if other than the above factors, there was any reason behind the 1:1 ratio for contract and regular. On none being put forth, and the assurance that financial savings was never a consideration, it discussed that differential rates of remuneration, perks and allowances were not in the interest of the Institute, and recommended that pay, pensionary contribution and allowances of both categories of personnel be kept at par. Since there was already very little difference, no difficulty was voiced in accepting this recommendation. Discussion took place at length only on the extended maternity benefit being allowed to short term faculty in view of the tendency to take all the leave admissible with and without pay and then to hand in a resignation. On this perquisite alone, a decision was deferred in order to examine the incidence and percentage of such cases first.

iv) **Age Limit** : The current Recruitment Rules provide age limit at various levels. It was agreed that since the contractual positions were offered only for three years at all levels, the maximum age limit for recruitment on contract ( but not such as to cross retirement age, obviously) to these posts could be amended to be 56 years as this would allow NIFT to engage applicants for faculty positions with rich industry experience to come and teach for three years on contract and thereafter possibly return to the industry.

v) **Regularization of contract employees** : Registrar said that contract employees felt that no prescribed mechanism existed for offering regular appointment to the contract employees. Yet contractual employees kept hoping for regularisation, and pursuing that ambition. On the recommendation of the DG, Board in its 13<sup>th</sup> Meeting held on 18/3/2011 allowed 144 persons appointed on contract to the various administrative/faculty posts including Assistant Professor/Legal Officer/Stenographers/Research Assistants etc. to be offered regular appointments with prospective effect on the basis of their performance. Registrar explained that an established procedure would give employees on contract clarity as to their prospects for becoming regular and stop them feeling aggrieved. This could perhaps take into

account their contribution to NIFT in terms of Continuing Education Program/ Projects /papers published etc. in case of faculty members.

The Committee noted that if 50% posts were to be on contract at all times, regularization of contractual employees ought only to have happened along a clearly laid down procedure. There was no gainsaying that there was an urgent, crying need for a clear and transparent system on the filling up of the posts on regular and on contract basis. Chairperson said that in her understanding the system that should work best was one of two separate rosters for each of these two streams at every level. Each roster would need to be maintained along GOI guidelines, since in the matter of reservations NIFT was committed to following the GOI system. Each would have assigned to it 50% of the posts created, currently available or when created in the future. A view could be taken concerning isolated posts, as to which of the two methods would be appropriate, contract or regular. This could be put to the Board to decide. With rosters available, each contractual appointee would be able to confirm for himself that he had been assigned a contractual post fairly. Assigning the regular posts first out of a select list of recommended candidates of every Selection Committee as was done earlier seemed an unobjectionable procedure and could be adopted and codified as the prescribed procedure. Giving even the regular appointees a three year contract at the initial appointment could also be followed if the balance of convenience lay in that, but then forgetting to regularise them and continuing them on contract as in the past would betray the system and the employees. Since all employees were on probation for a year after their first appointment, DG should consider if three years had any definite advantage over a year of probation, and put it to the Board for a considered decision.

Chairperson reiterated her perception that the hankering to be made regular grew out of the perceived difference in pay, pension and allowances, and repeated the need to ensure parity, and the widespread understanding that there would be parity between the contract employees and the regular employees. Since financial implications were involved, however negligible, she recommended that the DG study them and put up an agenda note on the issue to the appropriate authority.

Chairperson also expressed the view that if contract employees were given regular posts that lay vacant, NIFT would be creating for the regular employees a foreshortened promotional channel and therefore a problem of stagnation. It would also be raising expectations of the contract employees that it could not hope to meet without causing a breakdown of the system it had chosen to follow. Yet noting that posts cannot be kept vacant for promotion, she suggested two possible options. One, that posts in the regular roster be filled as currently provided in the RRs, viz., on promotion failing which on direct recruitment. Direct recruitment, when advertised, could be open also to all existing faculty, regular or contract, to compete to better their prospects. Alternatively, it could be considered that failing promotion, regular posts could be offered first to contract employees on the same pay scale and grade for regular appointment, on the basis of their eligibility and length of service with NIFT; and failing that, they could be filled on direct recruitment through open competition in which all NIFT employees could also be eligible. She requested that these suggestions be examined

vi) **Adhoc Recruitment:** The Committee also noted that NIFT was appointing staff and faculty on adhoc basis on a short-term contract of 06 months. As approved in the First Statutes under no circumstances such persons should be allowed to work beyond 03 years without getting either a long -term contract or a regular position.

vii) **Maintaining Faculty ratio 1:2:4:** The Board had approved a student-faculty ratio of 15:1 and inter-se faculty ratio at the level of Professor/Associate Professor/Assistant Professor as 1:2:4. The Chairperson felt that although NIFT was maintaining this ratio by taking into account faculty posted in all campuses together, in the long run it would make sense and be transparent and operable only if the ratio were followed in each department in each campus. The Committee recommended to the DG that the financial implication be studied, vis a vis the current revenues and available surpluses, and a plan to put it into place be drawn up.

**viii) Transfer Policy:** The committee appreciated that the difficulty with implementing a 1:2:4 ratio in each department arose because of the imbalances already created, especially in the older and more popular Institutes, and felt that rationalization would require a transfer policy to be put in place. It was agreed that the mention of transfer created a great deal of apprehension, but with the shortages of staff in the new Institutes a huge problem before the Administration, and the need to provide for upward mobility within cadres of staff and faculty, it was becoming clear that adhoc measures to move staff would soon create more issues than they would solve. Chairperson suggested that a transfer policy could be framed that provided inducements for relocation, and that was drawn up with the help of the employees themselves. Linking relocation to promotion as one possible inducement was discussed. It was decided that DG should discuss a draft policy in the Executive Committee where all the Directors, Chairpersons and Unit Heads could discuss and an outcome may be placed before the Establishment Committee for its consideration.

**ix) The Problem of Research Assistants :** Explaining the genesis of the post and the fact that the research assistants had no avenue of promotion, the DG suggested that the posts of Research Assistants working on administrative /Library tasks and not in teaching, and comprising the bulk of the posts, could be merged with the posts of Senior Assistant (Admn) with which level they had parity of pay and work. They could thus be integrated with the existing cadre and promotional channel for Assistant Directors. Similarly on the Library side, the RA(Lib) could be re-designated Assistant Librarian and merged with the library cadre. The committee felt that there was much merit in the suggestion, but pointed out that the merger of this large number of posts would cause a crimp in the promotional channel due to the mismatch it would create in the number of posts at this and the next level. The Committee advised the DG to take a more comprehensive view, that would provide proportionately more posts at the senior levels, by surrendering some at the base, and keeping the whole proposal financially neutral. As to the Research Assistants (Academics), they could be re-designated Faculty Associate with teaching responsibilities. The faculty members assisting DG were of the persuasion that these posts were needed in large numbers and could

perhaps be considered the direct recruitment/ base level post for the faculty channel of promotion. Committee noted that this implied that some posts of assistant professors would need to be converted to Faculty Associates to maintain the 1:15 ratio of faculty to students; also that the 4:2:1 ratio deciding intra faculty strength would need to be read as 4 :2:1: of Research Assistants/Assistant Professors: Associate Professors : Professors/ Senior Professors. DG was requested to study the suggestion and its implications.

The Committee stated that changes to the Employees terms and conditions and methods of recruitment always affected personnel differently, and therefore, before any change was finalized, the drafts of the proposed amendments should be circulated to objections and comments invited.

**x) SC/ST Roster :** The Committee was provided the details of the faculty from various categories viz General/SC/ST & OBC. However, the Committee wanted these details to be broken up further for regular and those who are on contract, and wished to examine the rosters being maintained.

**xi) Modification in RRs:** Due to paucity of time, it was decided that the Committee would continue with its deliberations on the proposal to modify the Recruitment Rules for the faculty in its next meeting.

After detailed deliberations on the above issues, the following recommendations were made by the Committee:

1. The committee noted the violation of RRs in all those cases where faculty was given conditional promotion to acquire the PhD within 5 years from the date of promotion and they have not possessed the same within the stipulated time. The provision of RR that “exceptional published/professional work can be treated equivalent to Phd” was also noted. It was decided that the Senate with the help of Expert Committee may frame the guidelines of the no. of papers, kind of journals etc. which would be considered equivalent to PhD, an essential qualification required for promotion to the post of Associate Professor and Professor as per existing RRs.



2. The ratio of 1:1 for regular and contract employees may be continued at all levels.
3. Payment of salary perks and other service conditions including leave and medical facility etc. to contractual employees at par with regular employees.
4. To frame of guidelines for regularization of contract employees keeping in view the ratio of 1:1 of regular & contract.
5. To maintain campus-wise faculty ratio of 1:2:4 at the level of Professors, Associate professors and Assistant Professor. It was also decided to prepare a Transfer Policy of faculty on promotion so as to maintain the prescribed ratio. The Committee also recommended to frame a transfer policy for administrative staff.
6. To submit a detailed proposal for re-structuring of administrative post & library post, re-designation & merger of posts of RA(Admn) with Sr. Assisstant(Admn), RA(Library) with Asstt. Librarian & RA(Academic) as Faculty Associate, creation of post etc. ensuring promotional avenues at all levels.

### **PENDING AGENDA OF PREVIOUS MEETING HELD ON 28.11.2013**

#### **AGENDA ITEM NO. 1307**

#### **Appeal of Prof. KavitaSaluja, Professor, NIFT Bengaluru Campus against adverse remarks in APAR 2010.**

The Committee considered the report of the Peer Review Committee for upgrading the "Poor" grading recorded in the APAR of Ms. KavitaSaluja, Professor, NIFT Bengaluru. Taking into account the recommendation of Peer Review Committee, the Establishment Committee decided to make the APAR for the year 2010 as Non-est. The review carried out by the then DG would be pasted with white sheets to mask the adverse entries.

**AGENDA ITEM NOS. 1303 to 1306** could not be discussed due to paucity of time.

The meeting ended with a vote of thanks to the Chair.