## MINISTRY OF CHEMICALS AND FERTILIZERS

**(Department of** Chemicals and **Petrochemicals)**

New Delhi, e **30th** October, **2003**

G.S.R. 391.—In pursuance of Sub-section (1) of Section 36 of the National Institute of Pharmaceutical Educatio & Research Act. 1998 (13 of 1998). the Central Government hereby publishes the following first Statutes of the Nationa Institute of Pharmaceutical Education and Research framed under sub-section (1) of Sections 27 of the said Act by th Board of Governors of the said Institute with the previous approval of the Visitor, namely :—

### Statutes of the National Institute of Pharmaceutical Education and Research

1. **Short Title**

These Statutes shall be called the National Institute of Pharmaceutical Education and Research Statutes

2. **Definitions**

(a) 'An means The **National** Institute of Pharmaceutical Education and Research **Act,** 1998

(b) 'Academic Planning and Development Committee' means the Academic Planning and Development Committe of the Institute:

(c) 'Authorities', 'Officers' and 'Professors' respectively **mean** the authorities, officers and professors of th Institute:

(d) 'Borad' means the Board of Governors of the Institute;

(e) 'Chairman' means the Chairman of the Board:

(f) **'Dean'** means the Dean of the Institute:

(g) 'Director ' means the Director of the Institute;

(h) 'Finance Committee' means the Finance Committee of the Institute;

(i) 'Head of the Department' means the Head of the concerned department of the Institute;

(j) 'Institute' means The National Institute of Pharmaceutical Education and Research, Sahibzada Ajit Sing Nagar incorporated under the National Institute of Pharmaceutical Education and Research Act 1998.

(k) 'Laboratory Services. Building and Works Committee' means the Laboratory Services, Building and Work Committee of the Institute:

(l) **'Ordinances'** means the Ordinances of the Institute:

(m) 'Principal Library and Information Officer' means the Principal Library and I[redacted]on Officer of the Institut

(n) 'Principal scientific Officer' means the Principal Scientific Officer of the Institute.

(o) 'Registrar' means the Registrar of the Institute;

(p) 'Senate' means the Senate of the Institute; and

(q) **'Warden'** in relation to a Hall of Residence of the Institute means a Warden thereof.

### 3. THE BOARD, THE SENATE AND THE COMMITTEES

#### 3.1 The Board

#### 3.1.1 Composition

The composition of the Board shall be in accordance with the provisions of Section 4(3) of the **Act**

#### 3.1.2 Functions and Powers

In addition to the provisions under Section 8 of the Act, the Board shall have the following powers :

(a) to create posts subject to availability of funds, the determine the number and emoluments of such posts a to define die duties and conditions of service of the employees of the *Institute;*

(b) to appoint Professor. Associate Professors, Assistant Professor and other *staff* in equivalent grades, as m be necessary on the recommendation of the selection committees constituted for the purpose;

(c) to regulate and enforce discipline among employees in the accordance with the Statutes: the Ordinances a the Regulations;

(d) to manage and regulate the finances, accounts, investments, property, business and all other administrati affairs of the Institute and for that purpose, to appoint such agents as it may think fit;

(e) to fix the limit of the recurring and the non-recurring expenditure for a year on the recommendations of the Finance Committee;

(f) subject to the provisions of the *Act.* to invest any money belonging to the Institute including any unapplied income in any manner it thinks fit or in the purchase of immovable property in India;

(g) subject to the provisions of the Act to transfer or accept transfers of any movable or immovable property on behalf of the institute:

(h) to provide buildings, premises, furniture. apparatus and other means needed for carrying on the work of the Institute:

(i) to enter into, vary, carry out and cancel contracts on behalf of the Institute;

(j) to entertain, adjudicate upon and if thought fit, to redress any grievances of the employees of the Institute;

(k) to select a common seal for the Institute and provide for the custody and use of such seal;

(l) to delegate any of its powers to the Chairman, the Director, the Dean, the Registrar or such other employee or authority of the Institute or to a committee appointed by it, as it may deem fit;

(m) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act, or the Statutes.

**3.1.3 Meetings**

(a) The Board shall ordinarily meet three times during a calendar year.

(b) The meetings of the Board shall be convened by the Chairman either on his own initiative or at the request of the Director or on a requisition signed by not less than three members of the Board. A requisitioned meeting shall be a special meeting to discuss only those items of agenda for which the requisition is made. The requisitioned meeting shall be convened by the Chairman on a date and time convenient to him within fifteen days of receipt of requisition for such a meeting.

(c) The requisite quorum for a Board meeting shall be 1/3rd of the actual strength of the Board

(d) The registrar shall invite members of the Board for its meeting by giving not less than three weeks notice from the date of such meeting. The members shall attend the meeting in their official/personal capacities as the case may be. However, period of the notice may be reduced or waived with the prior consent of the Chairman, Director and three other members of the Board.

(e) The agenda shall be circulated by the Registrar to the members of the Board at least a week before the meeting. The Chairman may permit inclusion of any item for which due notice could not be given.

(f) The Board shall decide all issues by a majority of the votes of the members present including the Chairman. If the votes be equally divided, the Chairman shall have a casting vote.

(g) The Chairman, shall preside over meetings of the Board. The Director shall preside over meetings in the absence of the Chairman.

Provided that if the Chairman and the Director are absent and the issue to be considered is urgent and important. the members present shall elect one from amongst themselves to preside over the meeting to consider the particular issue.

(h) The ruling of the Chairman in a meeting in regard to all questions of procedure shall be final.

(i) If a member of the Board fails to attend three consecutive meetings without leave of absence from the Board he shall cease to be a member of the Board.

(j) All orders and decisions of the Board shall be authenticated by the signature of the Registrar or any other person authorised by the Board in this behalf.

(k) The minutes of the proceedings of a meeting of the Board shall be drawn up by the Registrar and circulated to all members of the Board present. The minutes along with amendments, if any, suggested shall be placed for confirmation at the next meeting of the Board. After the minutes are confirmed and signed by the Chairman of the Board, they shall be recorded in a minute book which shall be kept open for inspection of the members of the Board at all times during office hours.

### 3.2 The Senate

#### 3.2.1. Composition

In accordance with Section 13 of the Act the following shall be the members of the Senate :

(a) Director, who shall be the Chairman of the Senate;

(b) Dean,

(c) Five Professors of the Institute nominated in terms of Section 13(c) of the Act.

(d) Three persons, nominated in terms of Section 13(d) of the Act.

(e) One Associate Professor of the Institute appointed by rotation;

(f) One Assistant Professor of the Institute by rotation.

(g) Head of the Department of any department unrepresented by the above.

#### 3.2.2 Functions

Subject to the provisions of the Act, the Senate shall :

(a) frame and revise curricula and syllabi for the courses of studies for the various departments;

(b) make arrangements for the conduct of examinations;

(c) declare the results of the examinations or to appoint committees or officers to do so and to make recommendations to the Board regarding conferment of degrees and diplomas;

(d) appoint Advisory Committees or Expert Committees or both for the Departments/Centres of the Institute to make recommendations on academic matters connected with their working; The Head of Departments/ Centres concerned shall act as convenor of such Committee;

(e) apoint Committees from amongst faculty members of the Institute and experts from outside to advise on such specific academic matters as may be referred to any such Committee by the Senate;

(f) consider the recommendations of the Advisory Committees attached to various Departments/Centres and that of expert and other Committees and take such action as required;

(g) periodically review the working of the Departments/Centres and take appropriate action as required;

(h) review periodically the working of the Library and Information Services/Central Instrumentation Centre and any other non-teaching department/centre and take such action as required;

(i) frame such regulations and rules consistent with the Statutes and the Ordinances regarding the functioning of the Institute, admission, discipline, attendance, award of fellowships, scholarships studentships, medals and prizes, fees, residences, concessions, and campus life attendance;

(j) exercise general supervision over the academic policies of the Institute and to give directions regarding method of instruction and co-operative teaching among institutions;

(k) to consider matters of general academic interest either on its own initiative or on a reference by Departments/ Centres or the Board and to take appropriate action thereon.

#### 3.2.3 Meetings

(a) The Senate shall meet as often as necessary but not less than once in six months.

(b) The meetings of the Senate shall be convened by the Chairman of the Senate either on his own initiative or on a requisition signed by not less than twenty per cent of the members of the Senate. A requisitioned meeting shall be a special meeting to discuss only those items of agenda for which the requisition is made. The requisitioned meeting shall be convened by the Chairman of the Senate on date and time convenient to him within fifteen days of receipt of requisition for such a meeting. Atleast 1/3rd of total number of members should be present in the meeting to complete quorum.

(c) The Director shall preside over meetings of the Senate. In his absence the Dean shall preside and in the absence of both the Director and the Dean, the senior most Professor present shall preside.

(d) The Director may call an emergency meeting of the Senate at short notice to consider urgent issues.

(e) The ruling of the Chairman of the Senate in regard to all questions of procedure shall be final.

(f) The minutes of the proceedings of a meeting of the Senate shall be drawn up by the Registrar and circulated to all members of the Senate. The minutes along with amendments, if any, suggested shall be placed for confirmation at the next meeting of the Senate. After the minutes are confirmed and signed by the Chairman

of the Senate, they shall be recorded in a minute book which shall be kept open for inspection of the members of the Senate at all times during office hours.

(g) All orders and decisions of the Senate shall be authenticated by the signature of the Registrar or any other person authorised by the Senate in this behalf.

**3.3 Academic Planning and Development Committee**

It is hereby declare that the Academic Planning and Development Committee shall also be an authority within the meaning of Section 12 of the Act.

**3.3.1 Composition**

3.3.1.1 The committee shall consist of the following persons :

(a) An eminent academician/scientist/technologist of cognate disciplines, to be nominated by the Board of Governors from outside the Institute to be the Chairman of the said Committee.

(b) the Director of the Institute;

(c) one Professor of the Institute nominated by the Board in consultation with the Director;

(d) six external experts representing different disciplines of pharmaceutical and allied sciences, from academic and research Institutions and from pharmaceutical industries to be nominated by the Board on the recommendation of the Director; and

(e) the Dean, who shall be the member secretary;

The committee shall be reconstituted every three years, one third of the members nominated under clause 3.3.1.1(d) will retire each year and be replaced by fresh nomination. However in the first Committee one third of the members will retire after one year and another one third after two years respectively.

**3.3.2 Functions**

(a) To aid and advise the Board on academic planning and development and to monitor the academic research and consultancy activities of the Institute.

(b) To recommend to the Board with regard to (i) the creation of posts on the staff and abolition thereof, and (ii) the emoluments and duties attached to such posts.

(c) To suggest ways and means for interdisciplinary coordination in teaching and research.

**3.3.3 Meetings**

(a) The Academic Planning and Development Committee shall meet as often as necessary but not less than twice in a year.

(b) The meetings of the Academic Planning and Development Committee shall be convened by the Director. The Dean shall preside over the meetings in the absence of the Chairman of the Committee. At least 1/3rd of total number of members should be present in the meeting to complete quorum.

**3.4 Finance Committee**

It is hereby declared that the Finance Committee shall be an authority within the meaning of Section 12 of the Act.

**3.4.1 Composition**

3.4.1.1 The Committee shall consist of the following persons :

(a) the Director of the Institute who shall be the Chairman of the Committee;

(b) the Dean, who shall also preside over the meeting in the absence of the Director;

(c) the Director (Finance)/Dy. Financial Advisor of the Department of Chemicals and Petrochemicals, Government of India.

(d) three persons nominated by the Board to represent education, research and industry;

(e) the Registrar who shall be the Member Secretary.

3.4.1.2 The Committee shall be reconstituted every three years.

**3.4.2 Functions**

(a) to examine the accounts and to scrutinize the proposals for expenditure;

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(b) to consider the actual accounts and financial estimates of the institute and submit the same to the Board.

(c) to fix limits of the total recurring expenditure and the total non-recurring expenditure of the year based on the income and resources of the Institute.

**3.4.3 Meetings**

The Committee shall meet as often as necessary but not less than twice a year. At least 1/3rd of the total number of members should be present in the meeting to complete quorum.

**3.5 Laboratory Services, Building and Works Committee**

It is hereby declared that the Building and Works Committee shall also be an authority within the meaning of Section 12 of the Act.

**3.5.1 Composition**

The Committee shall consist of the following members :

(a) The Director, who shall be the Chairman of the Committee;

(b) The Dean, who shall also preside over the meetings in absence of the Director;

(c) one nominee of the Board;

(d) Director (Finance)/Deputy Financial Advisor of the Department of Chemicals and Petrochemicals, Government of India or his nominee;

(e) An officer of CPWD not below the rank of superintending Engineer to be nominated by the Ministry of Urban Development, Government of India, or his nominee not less than an Executive Engineer;

(f) One Professor of the Institute to be nominated by Board inconsultation with Director of the Institute.

(g) Chief Maintenance Engineer of the Institute;

(h) The Registrar, who shall be the member Secretary.

**3.5.2 Functions**

(a) to approve all major capital works after securing from the Board the necessary administrative approval and expenditure sanction;

(b) to give the necessary administrative approval and expenditure sanction for minor works and works pertaining to maintenance and repairs, within the grant placed at the disposal of the Institute for the purpose beyond the value of Rs. 2.00 lakhs.

(c) to record the estimates of cost of buildings and other capital works, minor works, repairs, maintenance and the like;

(d) to make technical scrutiny as may be considered necessary by it;

(e) to enlist suitable contractors and accept tenders and provide directions for departmental works where necessary;

(f) to fix rates not covered by tender and settle claims and disputes with contractors;

(g) to perform such other functions in the matter of construction of buildings and development of land for the Institute as the Board may entrust to it from time to time;

(h) to develop system for maintenance of the laboratory services of the Institute.

**3.5.3 Meetings**

(a) The Committee shall meet as often as necessary but not less than twice a year. At least 1/3rd of the total number of members should be present in the meeting to complete quorum.

(b) In emergent cases the Chairman of the Committee may exercise the powers of the Committee. Such cases shall be reported by him to the Committee and the Board at the next meeting of the Committee and of the Board.

**3.6 Selection Committee**

*Quorum : 50% of the total strength of the members in addition to the chairman.

There shall be selection committees for making recommendations for the appointment to the post of the Professors, Associate Professors, Assistant Professors, Registrar, Principal Library and Information Officer, Principal Scientific Officer and other posts. The Selection Committee for appointment to the posts specified in column 1 of Table I below shall consist of the persons specified in the corresponding entry in column 2.

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**TABLE**

| (1) | (2) |
|---|---|
| Professor/Associate Professor/ Professor/Assistant | —Chairman : An eminent Scientist/academician/professional/technologist nominated by the Board.<br>—One academician scientist of repute nominated by the Board.<br>At least two external experts in the respective specialization to be nominated by the Director.<br>—Director, Ex-officio. |
| Principal Library and Information Officer/Principal Scientific Officer/Other Technical Staff | (a) The Director of the Institute, who shall be the Chairman of the Committee.<br>(b) The Dean.<br>(c) Three experts nominated by the Director. |
| Registrar/Deputy Registrar/other Administrative staff | (a) The Director of the Institute. Who shall be the Chairman of the Committee.<br>(b) The Dean.<br>(c) Two experts nominated by the Director.<br>(d) Registrar, except for the post of Registrar, who shall also be the Secretary of the committee. |
| Other posts not covered by the above mentioned categories and carrying a scale of Pay the Maximum of Pay exceeds Rs. 3050.00 per mensem | (a) Director or his nominee who shall be the Chairman of the Committee.<br>(b) Head of the Department concerned or the Registrar, as the case may be.<br>(c) two members from the Staff of the Institute nominated by the Director. |

Note 1 — Within the overall provision provided by the rule the Selection Committee shall have the power to fix the initial pay of any incumbent at a stage higher than the minimum of the scale in respect of the post to which appointment can be made by the Board under the provisions of the Act.

Note 2 — The Selection Committee shall recommend appointment to the posts on contract basis not exceeding a period of five years and the contract may be renewed on similar terms by the Board on the recommendation of the Director.

Note 3 — In the absence of the Director, any Member of the staff of the Institute who is appointed to perform the current duties of the Director shall be the Chairman of the Selection Committees in the place of the Director.

Note 4 — In the absence of the Dean, the Director may nominate any member of the staff of the Institute to work on the Selection Committees in his place.

Note 5 — Where a post is to be filled by invitation, the Chairman may, at his discretion, constitute such ad hoc Selection Committees, as circumstances of each case may require.

Note 6 — Notwithstanding anything contained in these Statutes, the Director shall have the power to make appointments of persons under "approved" projects in such manner as it may deem appropriate. The Registrar shall maintain a schedule of such "approved" projects.

Note 7 — If the post is to be filled by advertisement, the terms and conditions of the post shall be advertised by the Registrar and all applications received within the date specified in the advertisement shall be considered by the Selection committee :

Provided that the Selection Committee may for sufficient reasons consider any application received after the date so specified.

Note 8 — The Selection Comnitee shall examine the credentials of all persons who have applied and may also consider other suitable names suggested, if any, by a member of the Selection Committee or brought otherwise to the notice of Committee. The Selection committee may interview any of the candidates as the Chairman may think fit, and shall made its recommendations to the Board or the Director as the case may be, the names of the selected candidates being arranged in order of merit.

Note 9 — No act or proceedings of any Selection Committee shall be called in question on the ground merely of the absence of any member or members of the Selection Committee.

Note 10 — The Registrar shall give notice of the meeting to the members of the Committee at least a fortnight before the date of the meeting.

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Note 11 — Unless otherwise provided for under these Statutes, the Selection Committee constituted for the purpose of making recommendations for appointment to a post shall be eligible to exercise its functions in relation to that post until the time the appointment is made.

Note 12 — Director with the approval of the Board can relax the eligibility conditions in respect of any of the posts mentioned in paragraph 3.6.

Note 13 — All appointments made at the Institute shall be reported to the Board at its next meeting.

One third of the total members of the Board, senate and all the Committees shall form a quorum for a meeting. Provided that if a meeting is adjourned for want of quorum, it shall be held on the same day after at least half an hour from the time appointed for holding the meeting and that the members so present shall constitute the quorum.

The provisions in these Statutes regarding notices of the meetings, inclusion of items in the agenda and confirmation of the minutes applicable to the meetings of the Board shall so far as may be, be followed in connection with the meetings of the Committee.

## 4. RECRUITMENT OF FACULTY

4.1 A candidate is to comply with the minimum qualification and experience indicated against each of the following category of posts. However, a relaxation in qualifcations and experience can be made in case of otherwise meritorious candidates, subject to the conditions laid down in these statutes else where.

4.1.1 Assistant Professor : Ph. D. with first class or equivalent grade at the preceding degree in the appropriate branch with a very good academic record throughout and at least 5 years of teaching/research/industrial experience with published work of high quality.

4.1.2 Associate Professor : Ph. D. with first class or equivalent grade at the preceding degree in the appropriate branch with a very good academic record throughout and at least 8 years of teaching/research/industrial experience with published work of high quality and an established reputation of having made seminal contribution to knowledge in pharmaceutical and allied areas.

4.1.3 Professor : Ph. D with first class or equivalent grade at the preceding degree in the appropriate branch with a very good academic record throughout and at least 10 years of tecahing/research/industrial experience with published work of high quality well recognized and established reputation of having made conspicuous seminal contribution to knowledge in pharmaceutical and allied areas.

4.2 The recruitment shall be made on the recommendation of a Selection Committee constituted in accordance with para 3.6 of the Statutes of NIPER.

4.3 The recommendations of the Selection Committee shall be placed before the Board for approval.

4.4 Appointment of an exceptionally well qualified candidate may be made on *ad hoc*/Supernumery basis by the Director after an interview by a special committee consisting of the Director, the Dean and the Head of the concerned department.

4.5 The Director shall bring such *ad hoc* appointments to the notice of the Board at next meeting.

4.6 *Ad hoc* appointment shall not exceed 5-10% of the total faculty staff.

4.7 An *ad hoc* appointment shall have to go through regular selection within one year against a normal vacancy in accordance with paras 4.2 and 4.3 of the statutes of NIPER.

## 5. CAREER ADVANCEMENT SCHEME :

5.1 There should be provision for placement in the next higher grade from Assistant Professor to Associate Professor and from Associate Professor to Professor after 5 years of satisfactory service. This should be based on a very strict selection process. The confidence in this system will depend upon putting in place an effective and well functioning system of performance appraisal. This must include consideration of the following :

(a) Faculty's annual appraisal reports.

(b) Evaluation record of each year by the students

(c) Record of publications, reports, patents, etc.,

(d) Contribution made by the faculty for development of the Institute,

(e) Recognition received from outside agencies in the form of projects, awards etc.

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These reports and records of achievements would be examined by two external experts, whose recommendations shall be placed before the Selection Committee constituted in accordance with para 3.6 of the Statutes of the institute. The candidates shall be interviewed by the Selection committee. On the recommendations of the Committee, further action to placement in the next highter grade or otherwise sahll be taken.

5.2 The recommendations of the Selection Committee shall be placed before the Board for approval.

5.3 The total number of faculty position in a Department shall remain fixed but flexibility shall be allowed for upgrading the respective positions for the incumbent. This way the merit of a faculty member shall be recognised irrespective of the availability of a post in the higher cadre. This provision should be used very judiciously in the larger interest of the Institute.

5.4 The placement in the next higher grade in accordance with para 5.1 above shall not interfere with the provision of lateral entry by direct recruitment. The faculty member placed in the next higher grade under the scheme shall however, get all the privileges of the higher post.

## 6. REVIEW OF CONTRACTS OF THE FACULTY

6.1 The NIPER adopt a policy of making appointments on contract basis. The Period of contract laid is five years.

6.2 A Contract Review Committees may be constituted with the following composition :

—Director, Chairman

—Dean

—Head of the Respective Department

—Two Experts from outside the NIPER.

6.3 Other procedures shall be as prescribed under Clauses 5.1. to 5.2 of the Statutes.

## 7. SEARCH FOR NEW FACULTY MEMBERS

7.1 The talent search need be carried out through personal contacts. If a sufficient number of prospective candidates can be identified abroad, a trip by the Director can be organised for a visit to interview the candidates and determine their suitability.

7.2 The recommendations of the Director, the credentials of respective candidates can be considered by a duly appointed Selection Committees as laid down under Para 3.6 of the Statutes.

7.3 The usual procedure of advertisement in national and international media should continue to be followed for the necessary follow-up.

## 8. EXCELLENCE AS THE HALLMARK

8.1 At the NIPER excellence is to remain the distinguishing feature. The quality is to be maintained at all levels if the institute is to justify its creation and maintenance to service the best of the national interest.

8.2 While reviewing the contracts, the promotion of the faculty already in position, recruitment of new faculty, and even in making *ad hoc* appointments, the quality should be the ultimate criterion. The spirit of excellence should not be compromised.

## 9. APPOINTMENT OF DIRECTOR

The appointment shall be for a 5 year term, renewable for one more term of 5 years provided that the upper age limit does not go beyond 65 years.

***Amended vide letter No. 52 (8)/98-PI-IV dated 16th October, 2001***

**Amendment : The appointment shall be for a 5 years term, renewable for one more term up to 5 years.**

10. Appointment of a Professor of Eminence from amongst scientists of outstanding and exceptional merit, whether from within or from outside, may be made at a fixed salary as applicable to such Professor of Eminence in the Indian Institute of Technology.

## 11. ESTABLISHMENT OF ENDOWMENT CHAIRS

Selection to these chairs should be even more rigorous than usal. The emoluments for the chairs shall be fixed by the Selection Committee on the basis of the conditions set by the donor and accepted by the Institute in this regard. The Selection Committee shall record the basis for such selection.

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12. PAY STRUCTURE AND RELATED ISSUES

12.1 The pay structure shall be comparable with that applicable to the faculty in the Indian Institute of Technology (IITs)

12.2 The pay scales of the faculty shall be kept as applicable to the faculty of Indian Institute of Technology.

It implies that the current pay scales be as below :

| Category | Pay Scales |
|---|---|
| Lecturer | 8000-275-13500 |
| Lecturer (Senior Scale) | 10,000-325-15200 |
| Assistant Professor | 12,000-420-18300 |
| Associate Professor | 16,400-450-20000 |
| Professor | 18400-500-22400 |
| Director | 25000 (Fixed) |
| Professor of Eminence | 25000 (Fixed) |
| Endowment Chairs | By negotiation |

12.3 Any decision with regard to the revision of pay scales in IITs in the future shall be applicable to the faculty of NIPER.

13. OTHER AMENITIES/ALLOWANCES

13.1 The faculty of NIPER shall be entitled to Dearness Allowance, Medical Allowance, House Rent Allowance, Transport Allowance, City Compensatory Allowance, LTC and other allowances and loans as applicable in I.I.Ts.

13.2 In addition, the faculty of the Institute shall be given the following special allowances to help them in their professional development.

13.2.1 MEMBERSHIP OF PROFESSIONAL SOCIETIES/PROCUREMENT OF JOURNALS

Every faculty member shall get 50% subsidy on the cost of membership or of the journals upto a maximum of Rs. 5,000/- per year, which shall be paid on production of vouchers.

13.2.2 BOOK ALLOWANCE

Every faculty member shall get a book allowance upto maximum of Rs. 5000 per year, which shall be paid on production of vouchers. The books shall ultimately form a part of the Institute's Library accession.

13.2.3 DEPUTATION TO ATTEND CONFERENCE

Faculty members may be permitted to attend scientific and technical conferences to present their work. Such deputation will not exceed one national conference per year and one international conference every 3 years provided the paper for presentation has been accepted by the organisers of the conference or the concerned faculty member has been invited to deliver a lecture or to preside at a conference/ meeting or is an office bearer at the conference.

14 POWERS, DUTIES AND FUNCTIONS OF THE DIRECTOR, DEAN, HEAD OF DEPARTMENT AND REGISTRAR OF THE INSTITUTE

The powers, duties and functions of the Director, Dean, Head of Department and Registrar, specified in column 1 of Table II below shall be those specified in the corresponding entry in column 2.

TABLE II

| (1) | (2) |
|---|---|
| Director | (a) To incur expenditure in accordance with the procedure as may be laid down by the Board from time to time. |
| | (b) To fix, on the recommendations of the Selection Committee, the initial pay an incumbent at a stage higher than the minimum of the scale but not involving more than five increments in respect of posts to which appointment can be made by him under the powers vested in him by the provisions of the Act. |

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| (1) | (2) |
|---|---|
| | (c) In exceptional cases and subject to availability of funds, the Director shall have the power to create temporary posts with the approval of the Chairman for not more than two years' duration on approved scales of pay and report to the Board provided that no such post, of which the Director is not the appointing authority, shall be so created. |
| | (d) To appoint the Dean from amongst the Professors of the Institute. |
| | (e) To designate from amongst the Professsors of a department as head of the Department, If there is no Professor in a department the Director at his discretion may designate an Associate/Assistant Professor of that department as Head of the Department for interim period. |
| | (f) To appoint Warden(s) from amongst the Professors/Associate Professors/Assistant Professors of the Institute. |
| | (g) To appoint such persons as the Director may feeel deem fit to perform the duties of the Registrar when the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or any other cause, unable to perform the duties of his office. |
| | (h) The power of a Head of Department for purposes of rules in the Accounts Code, the Fundamental and Supplementary Rules and other rules of the Government in so far as they are applicable or may be made applicable to the conduct of the business of the Institute. |
| | (i) All contracts for and on behalf of the Institute, except the one between the Institute and the Director, shall when authorised by a resolution of the Board passed in that behalf, be in writing and be expressed to be made in the name of the Instiute and every such contract shall be executed on behalf of the Institute by the Director or Registrar, but the Director/Registrar shall not be personally liable in respect of anything under such contract. |
| | (j) To convene or cause to be convened meetings of the Board, the Senate, Academic Planning and Committee, Finance Committee and laboratory Services, Building and Works Committee. |
| | (k) To invite persons from outside the Institute as Visiting faculty or consultants in areas where adequate expertise is not available in the Institute on terms to be decided by him on the recommendation of the Academic Planning and Development Committee. |
| | (l) To waive recovery of over-payment, to write off irrecoverable losses and of irrecoverable value of stores lost or rendered unserviceable due to fair wear and tear upto an amount to be decided by the Board in any individual case subject to such stipulations as may be made by the Board from time to time. |
| | (m) To appoint such person as he may deem fit to perform the duties of the office when the office of the Director is vacant or when the Director is, by reason of illness, absence, or any other cause, unable to perform the duties of his office, provided however, such arrangements shall not exceed 30 days. The current charge arrangements for the post of Director, beyond 30 days should have the approval of the Board of Governors. |
| | (n) May, with the approval of the Board, delegate any of his powers, responsibilities and authorities vested in him by the Act and the Statutes to one or more members of academic or administrative staff of the Institute. |

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| (1) | (2) |
|---|---|
| | (o) In the absence of the Chairman to be the ex-officio Chairman of the Board and in the absence of the Chairman to preside at the convocations of the Institute for conferring degrees and be entitled to be present at, and to address, any meeting of any authority or other body of the Institute, but shall not be entitled to vote there unless he is a member of such authority or body.<br>(p) To see that the Act, the Statutes, Ordinances and the Regulations are duly observed, and shall have all powers necessary to ensure such observance.<br>(q) To take disciplinary action against the employees, and to suspend them pending inquiry to administer warnings to them or to impose any penalty in accordance with the rules.<br>Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of being heard and showing cause against the action proposed to be taken in regard to him.<br>An appeal shall lie to the Chairman against any order of the Director imposing any of the penalties.<br>(r) Shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for reappointment.<br>Provided that the Visitor may direct that a Director, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction.<br>(s) Notwithstanding anything contained in clause (r) above a person appointed as Director shall, if he completes the age of sixty five years during the term of his office or any extension thereof, shall retire from office.<br>Amended vide letter no. 52/8/98-PI-III/NIPER dated 28 February, 2002.<br>Amendment : BOG resolved to delete the clause 14 (s) w.e.f. date of approval of amendment to clause 9 of Statutes of NIPER. |
| **Dean** | (a) To assist the Director in academic and administrative work and in maintaining liaison with other institutions of higher learning and research and also with industrial undertaking and other employees.<br>(b) Shall hold office for a period of three years and be eligible for reappointment for one more term provided the upper age limit does not go beyond 62 years. |
| **Head of Department** | To perform such functions as may be determined by the Director. |
| **Registrar** | (a) To invite bodies entitled to nominate representatives of the Board to do so within a reasonable time not ordinarily exceeding four weeks from the date on which such invitations are issued by him. The same procedure shall be followed for filling casual vacanies of the Board.<br>(b) To be ex-officio Secretary of the Board, the Senate, the Finance Committee, Laboratory Services, Building and Works Committee but shall not be deemed to be a member of any of these authorities unless otherwise specified.<br>(c) To be the custodian of the records, the common seal and such other property of the Institute as the Board shall commit to his charge.<br>(d) To issue all notices convening meetings of the Board, the Senate, the Board of Studies and of any committees appointed by the authorities of the Institute.<br>(e) To keep the minutes of all the meetings of the Board, the Senate, and of any other committees appointed by the authorities of the Institute. |

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| (1) | (2) |
|---|---|
| | (f) To conduct the official correspondance of the Board, the Senate and the various committees. |
| | (g) to arrange for and superintend the examinations of the Institute in accordance with the manner prescribed by the Ordinances. |
| | (h) Subject to the control of the Board the Registrar shall :— |
| | (1) Exercise general supervision over the funds of the Institute and shall advise it regarding the financial matters of the Institute. |
| | (2) Perform such other financial functions as may be assigned to him by the Director or as may be prescribed by the Statutes or the Ordinances. |
| | Provided that the Registrar shall not incur any expenditure or make any investment without the previous approval of the Director. |
| | (3) Hold and manage the property and investments of the Institute including trust and endowed property. |
| | (4) Ensure that the limits fixed by the Board for recurring and non-recurring expenditute for a year are not exceeded and that all moneys are utilised on the purposes for which they are granted or alloted. |
| | (5) Be responsible for the preparation of annual accounts and the budget of the Institute and for their presentation to the Board. |
| | (6) Keep a constant watch on the state of the cash and bank balances and on the state of investments. |
| | (7) Watch the progress of the collection of revenue and advise on the methods of collection employed. |
| | (8) Ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all Offices, Departments, Centres and Laboratories of the Institute. |
| | (9) Call for explanation for unauthorised expenditute and for other financial irregularities and suggest disciplinary action against persons at fault. |
| | (10) Call for from any Office, Department, Centre and Laboratory maintained by the Institute any information or returns that he may consider necessary for the performance of his duties. |
| | (11) The receipt of the Registrar or of the person or persons duly authorised in this behalf by the Director for any money payable to the Institute shall be sufficient discharge for payment of such money. |
| | (i) To represent the Institute in suits or proceedings by or against the Institute, sign powers of attorney and verify pleading or deput his representative for the purpose. |
| | (j) To perform such other duties as may be specified in the Statues, the Ordinances or the Regulations or as may be required, from time to time, by the Board or the Director. |

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15. **Provident Fund, Pension and Gratuity Scheme**

All the employees of NIPER may opt between General Provident Fund (Central Services) Rules, 1960-cum-Pension-cum-Gratuity Scheme and Contributory Provident Fund Rules (India), 1962-cum-Gratuity Scheme as amended from time to time.

16. **Vacation and leave**

The employees of the Institute shall be governed by Central Civil Services (Leave) Rules, 1972 as amended from time to time subject to variations/additions indicated hereafter :

(a) A maximum of two spells of Earned Leave in normal course and a third spell in case of emergency.

(b) provision for sabbatical leave as in IIT may be made.

(c) provision of Earned Leave as in vacation Department may be made.

17. **Residential Accommodation for the Staff**

(a) The Institute may allot the unfurnished house, within the NIPER campus under the provision of "Allotment of residences (NIPER) Rules" to be framed by BOG.

(b) The BOG may allot furnished or unfurnished accommodation without levying a licence fee or levying such fee at concessional rates to any category of staff, if it considers necessary to do so in the interest of the Institute.

18. **Travelling Allowances**

All employees of the Institute shall be entitled to travelling and daily allowance as per Supplementary Rules (Travelling Allowances) of Govt. of India as amended from time to time subject to the following variations/ additions :

(a) Reimbursement of local conveyance charges shall be on need basis and in specific cases only which will be decided by the Director of the Institute.

(b) For Group 'A' Officers, the D.A. on tour (including hotel charges) will be as per the CSIR pattern.

19. **Medical Attendance**

The employees of the Insitute shall be governed by the Central Services (Medical Attendance) Rules, 1944 as amended from time to time subject to variations/additions as proposed :

(a) Cost of pathological tests from private laboratories on the advice of AMA may be limited to the rates of PGI, Chandigarh/AIIMS, New Delhi.

(b) Cost of dental treatment from the Dental Surgeon from private AMA shall also be limited to the rates of PGI, Chandigarh/AIIMS, New Delhi.

20. **Conduct Rules**

The employees of the Institue shall be governed by the Central Civil Services (Conduct) Rules, 1964 as amended from time to time.

21. **Discipline and Appeals**

The employees of the Institute shall be governed by the Central Civil Services (Classification, Control and Appeal) Rules, 1965 as amended from time to time.

22. **Consultancy**

The employees of the Institute may undertake contract research and provide consultancy and technical services as laid down in Schedule 'A'.

23. **Miscellaneous**

Any modification, change and amendments or repeal of the whole or part of the Statutes shall be subject to the provisions of Section 27 of the Act.

[No. F. 52(7)/2001-PC-I (NIPER)]

SHARAD GUPTA, Jt. Secy.

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## APPENDIX-A

**(Refer Statute 22)**

NIPER Faculty may undertake contract research and provide consultancy and technical services.

1. **Contract Research**

Contract research shall comprise all R & D undertaken through specific contractual arrangement agreed upon for the purpose and shall cover the :

1.1a **Sponsored Projects :** Projects wholly funded by the client having specified R & D objectives, and well defined expected project output/results, generally culminating in generation of intellectual property. Sponsored projects could be multi-client also, with the sharing the project funding and research results.

1.1b **Collaborative Projects :** Projects partially funded by the client and supplemented by provision of inputs from the Institute such as extra manpower, production/fabrication of product in bulk for testing infrastructural facilities etc. Collaborative projects could be for upscaling/proving of laboratory level knowhow, technology development or generation of intellectual property etc. The expected project output/results are well defined.

1.1c **Grant-in-Aid Projects :** Grant-in-Aid Projects are normally for supporting for basic or exploratory research or for maintaining or creating testing and infrastructural facilities. These projects shall involve grant by way of financial inputs, either in full or in part, assistance in kind e.g. equipment, training to supplement NIPER's efforts in ongoing or new R & D Projects or for creating new capabilities/facilities.

1.2 **Costing of contract Research Projects**

1.2.1 The charges for contract research shall include expenses on account of :

(a) Cost of man-days of staff deployed.

(b) Cost of consumables/raw materials/components with 25% overheads.

(c) Cost of physical inputs/services/utilities with 25% overheads.

(d) Equipment usage cost/cost of equipment procured specifically for the project.

(e) Any external payment envisaged.

(f) TA/DA.

(g) Contingencies.

Total expenses = sum of a to g.

1.2.2 Intellectual Fee : Minimum of 33.3% of total expenses as at 1.2.1.

1.2.3 For any sponsored research, rights for licensing intellectual property shall rest with NIPER. In case of collaborative research, such rights shall be held by NIPER and collaborator. Licensing for commercial exploitation of the intellectual property generated out of contract research shall be held jointly.

NIPER shall charge an adequate amount as fee. This could be a lumpsum and or recurring royalty.

N.B. : Wherever feasible the sponsorer shall be given a non-exclusive licence fee with an exclusive licence for a limited period of time, normally not exceeding 5 years, for commercial exploitation of the intellectual property.

1.2.4 Project charges = Total expenses+intellectual fee+licence fee.

1.3 **Sharin of the Monies by Staff**

Forty per cent of the intellectual fee or net surplus (remaining after accounting for all direct or indirect project expenditure) whichever is lower arising from R & D contracted is to be shared with the staff.

The pattern of sharing for staff is as follows :

| | Staff | Share |
|---|---|---|
| (i) | Innovators & Principal Contributors | 40% |
| (ii) | S & T (supporting staff) | 35% |
| (iii) | Remaining supporting staff of the NIPER | 20% |
| (iv) | Welfare fund | 5% |

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2. **Consultancy**

All consultancy services in the NIPER shall be institutional. There shall be two categories of consultancy viz.

2.1.1 **Advisory Consultancy**

Wherein the services would involve scientific, technical, engineering or other professional advice, provided to a client purely on the basis of available expert knowledge and experience of individual(s), rendered outside NIPER and not envisaging use of any facilities of the NIPER and also not involving any kind of survey, detailed study or report preparation/submission.

2.1.2 **General Consultancy**

Wherein the services shall comprise scientific, technical, engineering or other professional advice/assistance based on the available knowledge base/expertise of NIPER, and envisaging only minimum use of laboratory facilities for essential experimentation needed to meet the objectives of the consultancy assignment. General consultancy may *inter alia* cover :—

- Preparation of literature survey/feasibility studies, state of the art/project/technology forecasting reports;
- interpretation and validation of test results and data, risks and hazard/environment impact analysis etc.,
- design engineering;
- assistance in erection, commissioning, operation, fabrication/tendering and purchase of equipment, trouble-shooting, productivity improvements, pollution abatement/control measures, engery conservation, waste utilisation, technology assessement/evaluation.

2.1.3 Any consultancy assignment which does not strictly fall under the category of Advisory Consultancy, shall be taken up as General Consultancy.

2.2 **COSTING OF CONSULTANCY PROJECT**

2.2.1 The charges for consultancy project shall include expenses on account of

a. cost of man-days of staff deployed

b. cost of physical inputs/services/utilities/consumables raw materials/component with 25% overheads

c. equipment usage cost

external payment envisaged e.g. to outside consultants, for obtaining data, hiring of infrastructural facilities.

TA/DA.

Contingencies.

NOTE : Total Expenses = sum of a to f.

2.2.2 **Intellectual fee**

This should commensurate with the quality of inputs provided and the likely benefits to accrue to the client as a result of the consultancy. While there is no ceiling on the upper limit of intellectual fee to be charged, it should not be less than the estimated manpower charges.

2.3 **DISTRIBUTION OF HONORARIUM**

**For Advisory Consultancy**

Distributable amount upto a maximum of 2/3rd of intellectual fee as follows :—

| | |
|---|---|
| Team of consultants | 95% |
| Welfare Fund | 5% |

**For General Consultancy**

Distributable amount upto a maximum of 2/3rd of intellectual fee or 300% of the manpower charges levied, whichever is less, as follows :—

| | |
|---|---|
| Team of Consultants | 65% |
| Other S&T Staff | 15% |
| Remaining Supporting Staff | 15% |
| Welfare Fund | 5% |

3. **INTELLECTUAL PROPERTY**

Intellectual Property shall include patents, copyright, registered design trademark, knowhow for a process/product/ design and computer software. Intellectual property generated shall be of two types.

3.1.1 **UNENCUMBERED**

(i) Developed through wholly in-house R&D programmes/projects. In such cases ownership of intellectual property is solely that of NIPER, and consequently the licensing rights are that of NIPER alone.

(ii) Intellectual property developed through contract research and subsequently rendered unencumbered as per contractual arrangement with the client. In such cases licensing of intellectual property by NIPER would be in accordance with the terms & conditions agreed upon with respect to third party licensing with the client.

3.1.2 **ENCUMBERED**

Developed through contract research i.e. total or partial financial support, and with/without technical inputs from users/clients. In such cases, ownership and licensing of intellectual property for commercial utilisation shall be governed by NIPER's obligations to client in the matter.

3.1.3 **LICENSING OF INTELLECTUAL PROPERTY**

Licensing of intellectual property shall mean granting the licencee the right to utilise the intellectual property and sell or use the resulting product(s) either for commercial/captive purpose or as otherwise agreed to.

3.3 **PRICING OF INTELLECTUAL PROPERTY**

There is not rigid formula for determing the price of intellectual property and thus estimates vary from case to case. The price of knowhow/intellectual property normally ranges between 2% to 10% of either the plant & equipment cost or projected turnover of the unit for a period of 5 years's production.

To arrive at price of intellectual property following factors will be kept in view :

(i) cost of development.

(ii) estimate of net benefit to be derived by the licencee.

(iii) size and number of potential licencees.

(iv) comparative cost of imported intellectual property,

(v) possibility of intellectual property being pirated.

(vi) Opportunity value.

4. **TECHNICAL SERVICES**

Technical services are meant to render to the clients/customers, assistance of a minor nature based on available knowledge, expertise, skill and facilities of the institute. Technical services shall comprise :

— Testing & Analysis (including certification and calibration)

— Training

— Technical assistance of an advisory nature

— Fabrication/production of special products

— Repair and maintenance

— Supply of information/database.

4.1 **CHARGES FOR TECHNICAL SERVICES**

Charges shall comprise of (A+B) below except for supply of information/databases.

A. Estimated expenditure on :

(i) Manpower (at prescribed rates).

(ii) Physical inputs/services/utilities etc. including overheads at 25%.

(iii) Raw material/consumable components with 25% overheads.

(iv) Equipment usage depreciation/replacement cost.

(v) any other out of pocket expenditure.

B. Intellectual fee/opportunity cost. The quantum shall be at the discretion of the Director considering the nature of client and his paying capacity.

4.2 **DISTRIBUTION OF MONIES**

Twenty per cent of the intellectual fee or net surplus (remaining after accounting for all direct and indirect expenditure for the service) whichever is lower is to be shared with the staff. The pattern of sharing for staff shall be same as given in 1.3.

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