



# PARLIAMENT OF INDIA RAJYA SABHA

226

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**DEPARTMENT-RELATED PARLIAMENTARY STANDING  
COMMITTEE ON HUMAN RESOURCE  
DEVELOPMENT**

**TWO HUNDRED TWENTY-SIXTH REPORT**

**ON**

**THE NATIONAL INSTITUTES OF TECHNOLOGY  
(AMENDMENT) BILL, 2010**

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**(PRESENTED TO HON'BLE CHAIRMAN, RAJYA SABHA ON 30<sup>TH</sup> SEPTEMBER,  
2010)**

**(FORWARDED TO HON'BLE SPEAKER, LOK SABHA ON 30<sup>TH</sup> SEPTEMBER, 2010)**

**(PRESENTED TO THE RAJYA SABHA ON 15<sup>TH</sup> NOVEMBER, 2010)  
(LAID ON THE TABLE OF LOK SABHA ON 15<sup>TH</sup> NOVEMBER, 2010)**

**RAJYA SABHA SECRETARIAT  
NEW DELHI**

**SEPTEMBER, 2010/ASVINA, 1932 (SAKA)**

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**DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON  
HUMAN RESOURCE DEVELOPMENT**  
(Constituted w.e.f. 31<sup>st</sup> August, 2010)

1. Shri Oscar Fernandes — *Chairman*

**RAJYA SABHA**

2. Shrimati Mohsina Kidwai  
3. Dr. K. Keshava Rao  
4. Shri Prakash Javadekar  
5. Shri M. Rama Jois  
6. Shri Pramod Kureel  
7. Shri N.K. Singh  
8. Shrimati Kanimozhi  
9. Dr. Janardhan Waghmare  
10. Shri N. Balaganga

**LOK SABHA**

11. Shri Kirti Azad  
12. Shri P.K. Biju  
13. Shri Jeetendra Singh Bundela  
14. Shri Angadi Suresh Chanabasappa  
15. Shrimati J. Helen Davidson  
16. Shri P.C. Gaddigoudar  
17. Shri Rahul Gandhi  
18. Shri Deepender Singh Hooda  
19. Shri Prataprao Ganpatrao Jadhao  
20. Shri Suresh Kalmadi  
21. Shri P. Kumar  
22. Shri Prasanta Kumar Majumdar  
23. Capt. Jai Narain Prasad Nishad  
24. Shri Sheesh Ram Ola  
25. Shri Tapas Paul  
26. Shri Brijbhushan Sharan Singh  
27. Shri Ashok Tanwar  
28. Shri Joseph Toppo  
29. Dr. Vinay Kumar Pandey 'Vinnu'  
30. Shri P. Viswanathan  
31. Shri Madhu Goud Yaskhi

## **SECRETARIAT**

Smt. Vandana Garg, Additional Secretary  
Shri J. Sundriyal, Director  
Shri Arun Sharma, Joint Director  
Shri Sanjay Singh, Assistant Director  
Smt. Himanshi Arya, Committee Officer  
Smt. Harshita Shankar, Committee Officer

## PREFACE

I, the Chairman of the Department-related Parliamentary Standing Committee on Human Resource Development, having been authorized by the Committee, present this Two Hundred and Twenty-sixth Report of the Committee on the National Institutes of Technology (Amendment) Bill, 2010.\*

2. The National Institutes of Technology (Amendment) Bill, 2010 was introduced in the Lok Sabha on the 15<sup>th</sup> April, 2010. In pursuance of Rule 270 relating to Department-related Parliamentary Standing Committees, the Chairman, Rajya Sabha, referred\*\* the Bill to the Committee on the 13<sup>th</sup> May, 2010 for examination and report within two months.

3. In its sitting held on the 16<sup>th</sup> July, 2010, the Committee heard the Secretary, Department of Higher Education on various provisions of the Bill.

4. The Committee, while drafting the Report, relied on the following:

- (i) Background Note on the Bill; and
- (ii) Detailed Clause by Clause Note on the Bill, and
- (iii) Response of the Department to the Questionnaire

5. The Committee considered the Draft Report on the Bill and adopted the same in its meeting held on the 23<sup>rd</sup> September, 2010.

6. For facility of reference, observations and recommendations of the Committee have been printed in bold letters at the end of the Report.

NEW DELHI;

September 23, 2010  
Parliamentary  
*Asvina 1, 1932 (Saka)*

OSCAR FERNANDE  
Chairman

Department-related

Standing Committee on Human Resource Development

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\*Published in Gazette of India Extraordinary Part II Section 2 dated the 15<sup>th</sup> April, 2010

\*\* Rajya Sabha Parliamentary Bulletin Part II No. 47152 dated the 16<sup>th</sup> April, 2010

## **REPORT**

While appreciating the initiative taken by IISERs, the Committee would like to point out that the inter-disciplinary knowledge regime as indicated by the Department is not clearly spelt out in the Bill. The Committee is of the view that this needs to be sustained, strengthened and expanded further. It hopes that the Department would seriously strive towards flexibility for freedom and research environment within inter-disciplinary regime so that the students could practically move seamlessly from one area to another. (Para 1.7)

### **II. Inclusion of IISERs under the NIT Act**

The Committee notes that the first batch of graduates from IISER Kolkata, and Pune will come out in April-May, 2011, from Mohali in May, 2013 and from Bhopal and Thiruvananthapuram in 2013. The Committee would like to emphasize that concerted efforts by all concerned, be it the Department, respective State Governments or the IISER authorities, have to be made in a time-bound manner so that all the IISERs having state of the art facilities are fully functional at the earliest. Only then the objective of declaring the five IISERs as the institutions of national importance will be achieved in the real sense. For reaching this goal, the Department will have to play a very pro-active role. (Para 2.4)

### **III. Impact of NIT Act, 2007 on the existing NITs**

The Committee notes that these NITs which have started functioning from the academic session 2010-2011 are in the initial stage of being set up. While four NITs, i.e. NIT-Delhi, NIT-Meghalaya, NIT-Nagaland and NIT-Mizoram would start functioning in the campus of their respective mentor NITs, the remaining six NITs would operate from temporary campus. Except Delhi, all the respective nine State Governments / UT Administration have identified the land for the permanent campus. The Committee welcomes the further expansion of NITs which have made significant contribution in making the outreach of technical education possible to the remotest corners of the country. The Committee, however, would like to reiterate that like the IISERs, the process of making the new NITs fully functional in a time bound manner needs to be

ensured by all the stakeholders. Here again, the Department will have to play a proactive role by being both facilitator and co-ordinator. (Para 3.3)

The Committee observes that the first Statutes of each NIT were envisaged to be framed by the Central Government at the earliest after the NIT Act was enacted on 6<sup>th</sup> June, 2007. However, these Statutes pertaining to crucial matters like methods of appointment and service conditions of teachers / officers of NITs, formation of departments, establishment and maintenance of halls / hostels etc. could come into force w.e.f. 23<sup>rd</sup> April, 2009. Gap of almost two years for bringing in place all the requisite formulations/guidelines, the most essential components for the running of national institutes cannot be considered an ideal proposition. The Committee, accordingly, would like to emphasize that all the Statutes for IISERs and the new ten NITs need to be framed at the earliest after the enactment of the proposed legislation.

(Para 3.4)

#### IV. Status of Faculty

Committee has been voicing its serious concern about the non-availability of required faculty in the higher education institutions. With the massive expansion of higher education, both in the Government and private sector along with new specialized courses emerging in the recent years, acute shortage of qualified teachers is showing an increasingly disturbing trend. In such a scenario, the Committee strongly feels that while setting up new higher education institutions, specially premier institutions like IISERs and NITs, this crucial area needs to be paid the maximum attention. The Committee would like to point out that in a vast country like ours, there is no dearth of experts and scientists and also fresh pass-outs who can prove to be very good teachers. However, in spite of Government's best efforts by formulating many incentive schemes, required qualified faculty is simply not there. (Para 4.1)

While appreciating the present level of faculty available at the upcoming IISERs, the Committee would like to point out that this trend not only needs to be sustained but also strengthened to keep pace with the requirements of a fully functional Indian Institute of Science Education and Research with newer diverse areas of education being taken up in future. The Committee has its own doubts about the status of faculty at the existing twenty NITs. Position would not be encouraging for the upcoming ten NITs. The Committee can only reiterate that by simply declaring these NITs also as institutions of national importance



through a statutory mechanism, they cannot acquire the status of a premier institute in the real sense. For achieving this, need of the hour is to have qualified and motivated faculty. This problem-area needs to be tackled in a mission mode. Present trend of guest faculty / visiting professors as teachers can only fill up the very visible gaps in a very limited way. The Committee, therefore, recommends that the Government should adopt a coordinated approach for filling the very tangible gaps in the availability of the faculty. The Committee would like the Department to provide special incentives to attract more and more trained faculty for these institutes to achieve academic excellence. (Para 4.3)

## V. Admission Procedure for IISERs

The Committee notes that for admission in the five-year integrated Master's course at the IISERs, students have to qualify in IIT JEE or Kishore Vaigyanic Protsahan Yojana or have to be among top one per cent of students in 12<sup>th</sup> standard examination of CBSE and other Boards. The Committee is not aware about there being any quota prescribed for the three different eligibility criteria. If not, the Committee fails to understand as to what would be the mechanism for deciding the admissibility of number of students qualifying the different criteria. The Committee also has its reservations about performance level in CBSE Boards and other Boards having varying standards being fixed as the eligibility criteria. The Committee, therefore, recommends that eligibility criteria for admission in IISERs may be reviewed and revised accordingly.

## VI. Composition of Boards of Governors

6.1 **Clause 7** of the Bill proposes to insert Section 11A after Section 11 so as to establish a **Board of Governors** of every *Institute i.e. IISER mentioned in the Second Schedule comprising the following members, :—*

- (a) *the Chairperson to be nominated by the Visitor;*
- (b) *Secretary, Department of Higher Education, Government of India, ex officio;*
- (c) *Director of the Institute, ex officio;*
- (d) *Director of Indian Institute of Science, Bangalore, ex officio;*
- (e) *Director of one of the Indian Institutes of Technology, to be nominated by the Central Government;*

- (f) *three Secretaries to the Government of India, to be nominated by the Central Government representing its Scientific or Industrial Ministries;*
- (g) *Chief Secretary of the State in which the Institute is located, ex officio;*
- (h) *two professors of the Institute to be nominated by the Senate;*
- (i) *four eminent scientists to be nominated by the Central Government; and*
- (j) *Financial Adviser, Ministry of Human Resource Development, ex officio.”*

6.2 As in the case of NITs, Board of Governors for each IISER is envisaged. However, on a comparative analysis of the composition of Board of Governors for NITs and IISERs, the Committee observes that whereas NIT Board is an eleven-member body, IISER Board would be having sixteen members. When asked to clarify, the Department has informed that broadly speaking, IISERs are envisaged to carry out research in frontier areas of science and to provide quality science education at the undergraduate and postgraduate level. As such, eminent scientists, representatives from the Ministries / Department pertaining to science and industry like Department of Science and Technology and Director of IISC, Bangalore and ITT have to be associated with the IISER Board of Governors.

The Committee appreciates the initiative of the Department in making the Board of Governors of IISERs / NITs broad-based having the representation of eminent scientists, experts and representatives of industry and also concerned State / Central Department with the objective of having better governance structure of premier educational institutions. Representation of Director of IIT in the Board of Governors of NITs and IISERs is a step in the right direction. **However, at the same time, the Committee is constrained to observe that there is a very apparent difference in the composition of Board of Governors of NITs and IISERs. As per the latest amendment, against an eleven member Board of Governors of NITs, IISER Board of Governors will be having sixteen members. Whereas out of the eleven member Board of Governors of NIT, there are only two Joint Secretary level representatives of Central Government dealing with technical education and finance, IISER Board is proposed to have, besides three Secretaries representing scientific or industrial Ministries of Central Government, Secretary, Department of Higher Education and Financial Adviser, Ministry of HRD. Secondly, four eminent scientists are to be nominated to the IISER Board by Central Government against two persons (one of them a woman) from education / science / engineering background being nominated to**

the NIT Board by its Council. This clearly shows that not only there is over-representation of Central Government nominees, but experts are also being nominated by the Central Government, with the Council not having any say in the selection of experts as in the case of NITs. The Committee would like a change in the pattern and, accordingly, recommends that composition of the Board of Governors for IISERs may be reviewed and made more expert specific in line with the mandate of IISERs. (Para 6.3)

Another issue related to the composition of the Board of Governors is the availability of its members for the meeting of the Board. The Committee notes that the Secretary of Department of Higher Education, the Chief Secretary of the State in which the institute is located and the Financial Advisor of the Ministry of Human Resource Development shall be ex-officio members of the Board. It is understood that these officers may also be nominated to other similar bodies. Due to their pre-occupation with manifold assignments it may not be possible for them to attend the meetings. As a result, both the Department and the concerned State Government invariably remain deprived of useful inputs due to absence of their representatives on the Board. The Committee, therefore, feels that a viable alternative could be to authorise designated nominees of such members to attend the meetings of the Board, in the event of their being not present due to unavoidable circumstances. (Para 6.4)

## **VII. Clause 12 – Composition of IISER Council.**

Clause 12 seeks to insert Section 30A relating to establishment of IISER Council. The Committee observes that composition of IISER Council is similar to the NIT Council, with only one difference. As per Section 30A (2) (g) five Secretaries representing Central Ministries / Departments dealing with bio-technology, atomic energy, information technology and space, ex-officio are to be nominated. The Committee would like to point out that instead of five there should be four Secretaries nominated to the IISER Council on the pattern of NIT Council. Clause 12 may be amended accordingly.

8. The Committee adopts the remaining clauses of Bill without any amendments.
9. The enacting formula and the title are adopted.
10. The Committee recommends that the Bill be passed after incorporating the amendments suggested by it.

## RECOMMENDATIONS/OBSERVATIONS AT A GLANCE

While appreciating the initiative taken by IISERs the Committee would like to point out that the inter-disciplinary knowledge regime as indicated by the Department is not clearly spelt out in the Bill. The Committee is of the view that this needs to be sustained, strengthened and expanded further. It hopes that the Department would seriously strive towards flexibility for freedom and research environment within inter-disciplinary regime so that the students could practically move seamlessly from one area to another. (Para 1.7)

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new ten NITs need to be framed at the earliest after the enactment of the proposed legislation.  
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**VII. Clause 12 – Composition of IISER Council.**

**The Committee would like to point out that instead of five there should be four Secretaries nominated to the IISER Council on the pattern of NIT Council. Clause 12 may be amended accordingly. (Para 7.1)**

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# MINUTES

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**I**  
**FIRST MEETING**

The Committee on Human Resource Development met at 2.30 p.m. on Thursday, the 16<sup>th</sup> September, 2010 in Main Committee Room, First Floor, Parliament House Annexe, New Delhi.

**MEMBERS PRESENT**

**RAJYA SABHA**

1. Shri Oscar Fernandes - **Chairman**
2. Shri N.K. Singh
3. Shri N. Balaganga

**LOK SABHA**

4. Shri Kirti Azad
5. Shri P.K.Biju
6. Shri Angadi Suresh Chanabasappa
7. Shrimati J.Helen Davidson
8. Shri P.C.Gaddigoudar
9. Shri Prataprao Ganpatrao Jadhav
10. Shri P.Kumar
11. Shri Prasanta Kumar Majumdar
12. Capt. Jai Narain Prasad Nishad
13. Shri Sheesh Ram Ola
14. Shri Tapas Paul
15. Shri Brijbhushan Sharan Singh
16. Dr. Vinay Kumar Pandey 'Vinnu'
17. Shri Madhu Goud Yaskhi

**SECRETARIAT**

Smt.Vandana Garg, Additional Secretary  
Shri J. Sundriyal, Director  
Shri Arun Sharma, Joint Director  
Shri Sanjay Singh, Assistant Director  
Smt. Himanshi Arya, Committee Officer  
Smt. Harshita Shankar, Committee Officer

2.       \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*

3.       The Chairman then drew the attention of the Members to a status note prepared by the Secretariat regarding the business pending before the Committee and sought their suggestions thereon. The Committee noted that it had a huge business to transact in the form of eight bills referred to it for examination and report within the specified time. The Chairman informed the Members that the deliberations on two Bills i.e. (i) The Copyright (Amendment) Bill, 2010 and (ii) the National Institutes of Technology (Amendment) Bill, 2010 were over. Report on the Copyright (Amendment) Bill, 2010 was being drafted by the Secretariat and the draft Report on The National Institutes of Technology (Amendment) Bill, 2010 was ready and may be considered in the next meeting scheduled for 23<sup>rd</sup> September, 2010. It was also decided to hear Secretary, Department of Higher Education on the Prohibition of Unfair Practices in Technical Institutions, Medical Institutions and Universities Bill, 2010 on that day. The Committee noted that apart from examination of the Bills, it has also to adopt Action Taken Reports on Demand for Grants (2010-11) of the Departments / Ministries under its purview. The Chairman proposed that in view of heavy business before the Committee, it would be advisable to meet at short intervals.

4.       \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*                   \*\*\*

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9.       The Committee then adjourned at 3.30 p.m. to meet again on Thursday the 23<sup>rd</sup> September, 2010.

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\*\*\*Relates to other matter

## **II SECOND-MEETING**

The Committee on Human Resource Development met at 3.30 p.m. on Thursday, the 23<sup>rd</sup> September, 2010 in Committee Room 'A', Ground Floor, Parliament House Annexe, New Delhi.

### **MEMBERS PRESENT**

#### **RAJYA SABHA**

1. Shri N.K. Singh - in the Chair
2. Shrimati Mohsina Kidwai
3. Dr. K. Keshava Rao
4. Shri Prakash Javadekar
5. Shri M. Rama Jois
6. Shri N. Balaganga

#### **LOK SABHA**

7. Shri Kirti Azad
8. Shri P.K.Biju
9. Shri Angadi Suresh Chanabasappa
10. Shrimati J.Helen Davidson
11. Shri P.C.Gaddigoudar
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13. Shri P.Kumar
14. Shri Prasanta Kumar Majumdar
15. Capt. Jai Narain Prasad Nishad
16. Shri Sheesh Ram Ola
17. Shri Brijbhushan Sharan Singh
18. Dr. Vinay Kumar Pandey 'Vinnu'
19. Shri P. Viswanathan
20. Shri Madhu Goud Yaskhi

## LIST OF WITNESSES

### I. DEPARTMENT OF HIGHER EDUCATION MINISTRY OF HUMAN RESOURCE DEVELOPMENT

- (i) Smt. Vibha Puri Das, Secretary(HE)
- (ii) Shri Sunil Kumar, Additional Secretary
- (iii) Shri R.P. Sisodia, Director, UGC

### II LEGISLATIVE DEPARTMENT

- (i) Shri V.K. Bhasin, Secretary (Legislative Deptt.)
- (ii) Dr. G. Narayana Raju, Joint Secretary, Legislative Deptt.
- (iii) Shri Diwakar Singh, Deputy Legislative Counsel

### SECRETARIAT

Smt. Vandana Garg, Additional Secretary  
Shri J. Sundriyal, Director  
Shri Arun Sharma, Joint Director  
Shri Sanjay Singh, Assistant Director  
Smt. Harshita Shankar, Committee Officer

2. \*\*\* \*\*

3. The Committee first considered the draft 226<sup>th</sup> Report on the National Institutes of Technology (Amendment) Bill, 2010 and adopted the same with minor modifications.

4. \*\*\* \*\*

5. \*\*\* \*\*

6. \*\*\* \*\*7. A

verbatim record of the proceedings was kept.

8. The Committee then adjourned at 4.45 p.m. to meet again on Friday, the 1<sup>st</sup> October, 2010.

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\*\*\* Relates to other matter