

Minutes of the Work Assignment Committee meeting held on 30th December, 2008 at 4 pm at DORD Office

Members present: DORD, IRDC Convener, AR/Legal Cell, AR/DORD, Dr(s). Satyaki Roy, and S. S. K. Iyer.

Preamble: Work-assignment as a channel of appointment was introduced around 1999. The idea was to employ individuals on an emergency basis to accomplish certain project-related tasks of great urgency. Such employments do not require an appointment letter of the Institute. They are meant to be of three month duration.

It has been observed over the last one decade that a large number of persons are recruited through the work assignment mode to perform tasks that are of non-technical nature. In addition, the appointment is continued for several years together. We have received legal opinion that such appointments are not tenable in a court of law and must be immediately dispensed with.

After a detailed discussion on the socio-economic aspect of this issue, the committee has suggested the following aspects:

1. In the current implementation scheme for employing persons through work assignment route, no official agreement is signed between the person hired on *work assignment* mode and the Institute. In order to ensure legal aspects, any employer in the Institute should have an agreement with the employer. Therefore, the present mode of hiring under this particular category does not meet the demanding legal criterion.
2. The committee proposed that the Institute can allow a panel of private contractors of national repute to provide unskilled and semi-skilled manpower. For unskilled employment, local residents should be given priority. The institute will sign an agreement with the contractors so that the law-of-the-land is strictly enforced. Payment of PF and health insurance will be ensured.

Minutes of the meeting held on 30th December, 2008 at 5 pm at DORD

Office to discuss maximum permissible tenure of project staff

Members present: DORD, AR/Legal Cell, AR/DORD, Dr(s). Satyaki Roy and A. Chandra

Preamble: It has been observed that there is no upper limit to the total tenure of a project employee at present. There are people who have remained appointed in projects over 10-15 years by switching from one project to the other. The committee was asked to look into matter from both legal and professional view points and make appropriate recommendations regarding continuity or discontinuity of such a practice.

A detailed discussion took place on the matter. There was a general feeling that by continuing with the same person over so many years and over so many projects, probably the best talents are not properly searched for. Also, although all project employees are required to undertake in writing that their appointments are temporary and for a limited period, continuation in such modes of appointment over many years by switching from one project to the other may cause legal complications. It was noted that some of the other IITs have already put an upper limit to the total tenure of project employees. For example, IIT Kharagpur has a limit of 5 years.

In view of the above discussions, the following recommendations are being made by the committee:

1. A person can continue as a project employee over a total period of six years (i.e. over two 3-year projects).
2. Continuation beyond six years would be allowed only after a thorough evaluation of his/her performance over the past six years. A strong case has to be made by the PI whenever such a continuation is sought.
3. These new policies would be applicable to all new appointments. The existing appointments will be allowed to continue as per their present terms and conditions.
4. The above recommendation does not apply to registered students, who may be simultaneously employed on projects.