

उप-विधियां

BYE-LAWS



आरोग्यं मृतमप्ययति

राष्ट्रीय स्वास्थ्य एवं परिवार कल्याण संस्थान
NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE
NEW DELHI

उप-विधियां **BYE-LAWS**



आरोग्यम् सुखसम्पदा

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**NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE,
NEW DELHI**

BYE-LAWS

In exercise of the powers conferred by Rule 17 of the Rules and Regulations of the National Institute of Health and Family Welfare, the Governing Body hereby makes the following bye-laws, namely:

THE NATIONAL INSTITUTE OF HEALTH & FAMILY WELFARE BYE-LAWS

PART I - GENERAL

1. *Short Title*

- (i) These Bye-Laws may be called the National Institute of Health and Family Welfare Bye-Laws.
- (ii) They shall be deemed to have come into force with effect* from the date they are duly passed by the Governing Body.

2. *Definitions*

In these Bye-Laws, unless the context otherwise requires:

- (a) "ACCOUNTS OFFICER" means the Accounts Officer of the National Institute of Health and Family Welfare;
- (b) "ALTERNATIVE VICE-CHAIRMAN" means the Alternative Vice-Chairman of the Governing Body of the National Institute of Health and Family Welfare;
- (c) "APPENDIX" means an Appendix to these Bye-Laws;
- (d) "APPOINTING AUTHORITY" in relation to any post under the Institute means the authority competent to make appointment to that post;

*Passed by the Governing Body on the 20th of July, 1979.

- (e) "DEPUTY DIRECTOR (ADMINISTRATION)" means the Deputy Director (Administration) of the National Institute of Health and Family Welfare;
- (f) "CHAIRMAN" means the Chairman of the Governing Body of the National Institute of Health and Family Welfare;
- (g) "DIRECTOR" means the Director of the National Institute of Health and Family Welfare;
- (h) "EMPLOYEE" means a person serving in the Institute in any post or capacity;
- (i) "EXISTING EMPLOYEE" means a person in the service of the defunct Central Family Planning Institute as a Government Servant on the 21st March, 1965 and who opted to serve the said Institute after its registration under the Indian Societies Registration Act (XXI) of 1860;
- (j) "GOVERNING BODY" means the Governing Body of the National Institute of Health and Family Welfare;
- (k) "GOVERNMENT" means the Central Government;
- (l) "INSTITUTE" means the National Institute of Health and Family Welfare;
- (m) "RULES" means the Rules and Regulations of the National Institute of Health and Family Welfare;
- (n) "SECTION OFFICER" means the Section Officer of the National Institute of Health and Family Welfare;
- (o) "STANDING AND AD HOC COMMITTEES" means respectively Standing and *ad hoc* Committees constituted under Rules 20 and 21 of the Rules and Regulations of the Institute;
- (p) "VICE-CHAIRMAN" means the Vice-Chairman of the Governing Body of the National Institute of Health and Family Welfare;
- (q) "YEAR" means the financial year ending on 31st March.

PART II - BYE-LAWS FOR THE CONDUCT OF BUSINESS

3. *Powers and Functions of the Chairman and Member-Secretary*

The Chairman and the Member-Secretary shall exercise such powers and discharge such functions as are laid down in the Rules and Regulations and these Bye-Laws as the powers and functions of the Chairman and the Member-Secretary.

4. *Meetings of the Governing Body*

(1) The Governing Body may meet as often as may be considered necessary by the Chairman for the transaction of the business of the Institute, but shall meet at least once a year.

(2) a) Meetings of the Governing Body shall be held at such place, date and time as may be fixed by the Chairman;

b) All proceedings of meetings of the Governing Body shall be entered in the Minute Book to be maintained by the Member-Secretary for the purpose and each minute shall be signed by the Chairman of the next meeting after the same is duly confirmed.

(3) For ordinary meetings of the Governing Body, a notice specifying the place, date and time of the meeting shall be given by the Member-Secretary to the Chairman and the members not less than 21 clear days prior to the date of the meeting and under a certificate of posting, if sent by post. The agenda shall also be sent along with the notice of the meeting, and where it is not possible the agenda shall be sent at least 10 days before the meeting, under a certificate of posting, if sent by post.

(4) An extra-ordinary meeting of the Governing Body may be called by the Chairman at any time for the transaction of urgent business of the Institute.

(5) For extraordinary meetings, a notice specifying the place, date and time of the meeting shall be sent by the Member-Secretary to the Chairman and the members at least

seven days before the date of the meeting, under a certificate of posting, if sent by post or by telegrams. The agenda shall be sent, under a certificate of posting, if sent by post, at least seven days before the meetings.

(6) An extraordinary meeting of the Governing Body shall also be called on a written request of not less than four members of the Governing Body, within a month of receipt of such a request. The requisition for the meeting shall indicate the purpose of the meeting.

(7) In the absence of the Chairman at any meeting of the Governing Body, the Vice-Chairman or if he is also not present the Alternative Vice-Chairman will preside over such meeting. In the absence of the Chairman and Vice-Chairman and Alternative Vice-Chairman, the members present shall elect a person from amongst themselves to act as Chairman of the meeting.

(8) Five members of the Governing Body, in addition to the Chairman/Vice-Chairman or the presiding member present in person shall constitute a quorum of any meeting of the Governing Body. In the absence of both the Chairman and Vice-Chairman, 7 members of the Governing Body present at the said meeting will constitute a quorum.

(9) The Chairman of the meeting may include in the agenda, at any time before or during a meeting, fresh items of business supplementary to those included in the agenda and those supplementary items shall also be taken up for consideration.

(10) Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Member-Secretary so as to reach him not less than 7 days before the date of ordinary meeting and 5 days in the case of extraordinary meeting. When such notice has been given, the proposed resolution shall be circulated immediately by the Member-Secretary to the members and be included in the Agenda.

(11) A decision given by the Chairman of the meeting on a point of order raised by a member shall be final.

(12) All decisions of the Governing Body shall be taken on a majority vote. In case of equality of votes, the Chairman of the meeting shall have the casting vote.

(13) Any business which it may be necessary for the Governing Body to perform may also be carried out by circulation amongst all its members and any resolution so circulated and approved by a majority of members of the Governing Body shall be effectual and binding as if such resolution had been passed by a meeting of the Governing Body. The resolution and the action taken thereon shall be placed before the next meeting of the Governing Body for confirmation.

(14) Any urgent matter may be got approved by the Chairman and the action taken thereon shall be placed before the next meeting of the Governing Body for confirmation.

(15) No subject disposed of by the Governing Body at a meeting shall be brought up again for consideration until after the expiry of one year, except in a case where the Chairman or Government certifies that the subject requires further consideration in the interest of the Institute.

5. *Authentication of Order and Decisions of the Governing Body*

All order and decisions of the Governing Body shall be authenticated by the signatures of the Director, Deputy Director (Admn.) or any other person authorised by the Governing Body in this behalf.

6. *Roll of Members*

The Institute shall keep a roll of members of the Governing Body giving their addresses and occupation and every member shall sign the same. If any member changes his address, he shall notify his new address to the Member-Secretary, who shall thereupon enter his new address in the roll of members. If the member fails to notify his new address, the address in the roll of members shall be deemed to be his address.

7. *Allowances to the Members of the Governing Body, Standing Committees and Ad hoc Committees*

(1) The members of the Governing Body, Standing Committees and Ad hoc Committees shall not receive any pay, fee, remuneration or other allowances except travelling and daily allowances for attending meetings.

(2) The members of the Governing Body, Standing and Ad hoc Committees, if they are officers of the Central Government or State Government shall normally receive travelling allowance and daily allowance from the source from which they draw their salaries at the rates admissible to them. If so required, the Institute shall reimburse the Government/individual concerned.

(3) In the case of members of the Governing Body, Standing and Ad hoc Committees other than those mentioned in sub-bye-law (2), travelling and daily allowances shall be paid at the rates prescribed from time to time by the Central Government under SR 190 and the executive decisions and orders thereunder.

(4) The Director may, for special reasons, sanction journeys by air, not otherwise admissible to members of the Governing Body, Standing and Ad hoc Committees. For such journeys travelling allowances shall be paid at rates admissible to Group 'A' officers of the Central Government. The Director should send a list to the Chairman of the Standing Finance Committee of all journeys so authorised.

8. Estate Committee

There may be constituted an Estate Committee for the purpose of considering additions and alterations to buildings and other questions relating to

Director,
NIHFW

Chairman

Integrated Financial Adviser,
Ministry of Health & Family
Welfare or his representative

Member

Joint Secretary in the Deptt.
of Family Welfare Dealing with
NIHFW or his representative

Member

Senior Architect DGHS or his
representative

Member

Dy. Director (Admn.)
NIHFW

Convenor

Eme. Adgt

Minor works not exceeding Rs. 25,000 in each case may be undertaken by the Director without reference to the Estate Committee.

9. *Buildings and Lands Belonging to the Institute*

(1) The Institute shall use its lands and buildings for the purposes of the Institute and may, when not required for such purposes, allot them for occupation by such persons, officers, offices or laboratories attached to other institutions in accordance with the guidelines given by the Governing Body.

(2) The allotment and the assessment and recovery of rent of the buildings shall, so far as possible, be made by the Director in accordance with the provisions of Fundamental Rules 45-A, 45-B and 45-C and the Supplementary Rules framed thereunder.

(3) Any employee of the Institute, if offered residential accommodation in the premises of the Institute shall on occupation pay therefor such rent and other charges as may be fixed by the Governing Body.

(4) The residential quarters will be allotted to the employees of the Institute on the basis of the allotment rules as may be adopted by the Governing Body.

10. *Power to Award Prizes, Scholarships etc.*

The Institute may award such prizes, souvenir, stipends and scholarships to its trainees or students, as may be decided by the Governing Body from time to time.

11. *Power to Arrange Lectures*

(1) The Institute may invite experts to deliver lectures in the Institute from time to time on payment of suitable fee or honorarium and pay them travelling allowance at the rates admissible to Central Government employees of similar status for their journeys within India.

(2) The rate of fee or honorarium payable to a lecturer shall be such as may be determined by the Director in each case, but shall not exceed the limits prescribed by the Governing Body from time to time.

PART III - SERVICE BYE-LAWS

12. *Employees to be whole time Servants*

Unless in any case it be otherwise distinctly provided, the whole time of an employee of the Institute shall be at the disposal of the Institute and he may be employed in any manner required by the appointing authority of the Institute without claim for additional remuneration.

13. *Permanent and Temporary Posts*

A post in the Institute shall be either a "permanent post", that is, a post carrying a definite rate of pay sanctioned without any limit of time; or a "Temporary Post", that is, a post carrying a definite rate of pay sanctioned for a limited time.

14. *Classification of Posts*

(a) All the posts in the Institute shall be classified in the following groups:

- (i) Group 'A' as per Part A of Appendix I
- (ii) Group 'B' as per Part B of Appendix I
- (iii) Group 'C' as per Part C of Appendix I
- (iv) Group 'D' as per Part D of Appendix I

(b) The Governing Body may direct:

- (i) The creation of a post in any category;
- (ii) The abolition of a post in any category.

15. *Appointing Authorities*

Appointments to posts under the Institute shall be made:

- (i) by the Governing Body in the case of Director with the prior approval of the Government of India;

- (ii) by the Chairman in the case of appointments to Group 'A' posts;
- (iii) by the Director in the case of appointments to Group 'B' and Group 'C' posts; and
- (iv) by the Deputy Director (Admn.) in the case of appointments to Group 'D' posts.

16. *Method of Recruitment*

- (i) Recruitment to posts under the Institute may be made:
 - (a) by direct recruitment; or
 - (b) by promotion; or
 - (c) by appointment of a person on deputation/foreign service; or
 - (d) on contract basis.
- (ii) There shall be recruitment rules for each post. These shall be approved by the Governing Body. While framing recruitment rules, the following principles may be broadly kept in view:

A. Age Limits

- 1. The upper age limit for the posts of Professor and Associate Professor in Group 'A' may be 50 years; and 40 years for all other posts in Group 'A'.
- 2. The upper age limit for the posts in Group 'B' may be 35 years; and for 'C' and 'D' 30 years.
- 3. The age limit prescribed for direct recruits may not apply to departmental candidates competing as direct recruits.
- 4. The crucial date for computing age limit may be 1st July of the year.

B. Educational Qualifications

The Degrees/Diplomas/Certificates prescribed shall be from a recognised University/Institution or their equivalent declared as such by the Government for recruitment purposes.

C. Mode of Recruitment

1. All the posts of Professors, Associate Professors and Assistant Professors except Joint Director, which may be filled by promotion may be filled by direct recruitment.
- ✓ *2. The post of Deputy Director (Admn.) and Accounts Officer and such other posts for which feeder posts are not available may be filled by deputation on foreign service; failing this, the posts may be filled by direct recruitment.
3. For all other posts where an immediate lower cadre exists which can act as a feeder cadre/posts for promotion in direct line, a quota for promotion may be laid down. Where it is a single higher post, it may be filled by promotion, failing which by direct recruitment. Where two or more posts exists, 50 per cent vacancies may be filled by promotion and 50 per cent by direct recruitment.
4. For posts being filled by promotion, there should be at least three feeder posts in the lower cadre.
5. The crucial date for computing the length of service should be 1st of the month in which the Departmental Promotion Committee meets.

D. Research Experience/Publications

*Amendment approved by the Governing Body of the Institute in its 8th meeting held on 28th January, 1982;

"The post of Dy. Director (Admn.), may be filled in by deputation on foreign service terms; and the post of Accounts Officer by promotion, failing which by deputation".

The following criteria may be adopted:

Experience of research work in an appropriate research post; original research published in national and international journals; research published as monographs or a technical report or equivalent publication of a Government or Autonomous Organisation; or research presented and accepted in scientific conferences at State, national or international levels.

Direct Recruitments:

- (i) Appointment to any post by direct recruitment shall be made on the recommendation of a Selection Committee.

- (a-A) The Standing Selection Committee for Group 'A' post of the level of Professor/Associate Professor/Reader/Deputy Director (Admn.) and above, except that of Director shall consist of:

Secretary (Family Welfare)	-	Chairman
Ministry of Health & Family Welfare		

Director General of Health Services	-	Vice-Chairman
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Two members nominated by the Governing Body from amongst themselves	-	Members
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Two experts on the subject not belonging to the Institute from amongst the Panel of Experts approved by the Chairman of the Governing Body.	-	Members
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Director, NIHFV	-	Member-Secretary
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- a-B) The Standing Selection Committee for the other Junior Grade 'A' post shall consist of

Director NIHFV	-	Chairman
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Two experts on the subject not belonging to the Institute from amongst the panel of Experts approved by the Chairman of the Governing Body.	-	Members
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Additional D.G. (PH)	-	Member
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Head of the concerned Deptt. of the Institute.	-	Member-Secretary
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The tenure of the non-official members of the Governing Body shall be co-terminus with their terms of the Governing Body.

The life of the panel for Experts will be for a period of five years.

Approved by the Ministry of Health and Family Welfare vide letter No.A. 45011/60/89-C&G, dated 14.3.1990 and 25.10.

- (b) Selection Committee for Group 'B' posts shall consist of:

Director	Chairman
Two officers from the concerned and/or allied Department nominated by the Director	Members
Deputy Director (Admn.)	Secretary

- (c) The Selection Committee for Group 'C' posts shall consist of:

Director or any officer nominated by him	Chairman
Two officers from the concerned and/or allied Department nominated by the Director	Members
Deputy Director (Admn.)	Secretary

- (d) The Selection Committee for Group 'D' posts shall consist of:

Deputy Director (Admn.)	Chairman
Two officers nominated by the Director	Members
Section Officer	Secretary

- (iii) In the matter of selection of candidates for any post to be filled by direct recruitment, the following procedure shall be followed:

- (a) As and when direct recruitment is made to Group 'A' and Group 'B' posts, the Institute shall notify the vacancies to Employment Exchange and also simultaneously advertise them. In respect of vacancies in Groups 'C' and 'D', selection shall be made from the nominees of Employment Exchange alone and the posts will be advertised only when a non-availability certificate has been issued by the Employment Exchange concerned.

- (b) Employees of Groups 'C' and 'D' of the Institute will be considered for higher posts in the Institute as direct recruits along with the nominees of the Employment Exchange without being sponsored by the Employment Exchange(s) provided they fulfil the prescribed educational qualifications etc. Departmental candidates will not be given any preferential treatment nor will they be interviewed earlier than the nominees of the Employment Exchange.
- (c) Selection of candidates for any posts, in the Institute shall normally be made from amongst the candidates applying in response to advertisements by the Institute or sponsored by Employment Exchange. However, in respect of those posts where the response is poor and suitable candidates are not likely to apply, potential candidates may also be contacted, but they will also have to apply formally and such applications may also be considered by the Selection Committee along with those received in response to such advertisement.
- (iv) Appointment of casual labourers to Group 'D' posts borne on regular establishment, which are required to be filled by direct recruitment, will be made subject to the following conditions:
 - (a) No casual labourer, not registered with the Employment Exchange, should be appointed to posts borne on the regular establishment;
 - (b) Casual labourers appointed through Employment Exchange and possessing experience of a minimum of 240 days of service (including broken period of service during the 2 years of continuous service) as casual labourer in the Institute will be eligible for appointment to the posts in the regular establishment of the Institute without any further reference to the Employment Exchange.

18. *Recruitment by Promotion*

- (a) Appointment to a post in any group by promotion shall be made whether in a substantive or officiating capacity,

on the recommendation of a Departmental Promotion Committee from amongst employees serving in posts in the lower grade on the basis of 'merit with due regard to seniority' in the case of 'selection posts' and on the basis of 'seniority-cum-fitness' in the case of 'non-selection posts'.

(b) The Departmental Promotion Committee shall consist of:

(i) for promotion to a post in Group 'A' of the level of Assistant Professors and above and other equivalent posts except that of Director:

Secretary/Additional Secretary in the Department of Family Welfare, Ministry of Health and Family Welfare	Chairman
Director General of Health Services or his nominee	Member
One expert on the subject not belonging to the Institute nominated by the Chairman of the Governing Body	Member
Director	Member- Secretary

(ii) for promotion to other Group 'A' posts:

Director	Chairman
Head of the concerned Department	Member
Head of another allied Department nominated by the Director	Member
One expert on the subject not belonging to the Institute nominated by the Alternative Vice-Chairman	Member
Deputy Director (Admn.)	Secretary

(iii) for promotion to Groups 'B' and 'C' posts:

Director or any officer nominated by him	Chairman
Head of the concerned and/or allied Department	Member
One outside expert not belonging to the Institute nominated by the Director	Member
Deputy Director (Admn.)	Secretary

(iv) for promotion to Group 'D' posts:

Deputy Director (Admn.)	Chairman
One officer to be nominated by the Director	Member
One outside member not belonging to the Institute nominated by the Director	Member
Section Officer	Secretary

19. *Qualifications for Appointments*

The age, qualifications, etc. for appointment in any post in the Institute shall be such as may be prescribed in the recruitment rules. These rules shall normally correspond to those prescribed for similar posts under the Central Government and/or similar posts in various national institutions.

20. *Reservation of Posts for Scheduled Castes/Tribes*

While making appointments to posts in the Institute, the appointing authority shall observe Government orders regarding reservations and other concessions admissible to the Scheduled Castes, Scheduled Tribes etc. from time to time.

21. *Application Fee and TA for Attending Interview*

(1) The outside candidates applying for Group 'A' and

'B' posts in the Institute shall be charged application fee of Rs.8/- for each post, provided that Scheduled Castes/ Scheduled Tribes candidates, displaced persons etc. shall be granted such concessions as are admissible under Government orders from time to time.

(2) Candidates selected for interview for a post in the Institute may be paid travelling allowance as admissible under Government rules from time to time.

22. *Fitness*

No person shall be appointed to any post by direct recruitment unless:

- (i) he is found medically fit by competent authority as per Government rules; and
- (ii) the Appointing Authority is satisfied that he possesses good character and antecedents.

23. *Grant of Advance Increments on Initial Appointment*

The Appointing Authority may, on the recommendation of the Selection Committee, supported by adequate justification, grant advance increments, not exceeding five, in consideration of his qualification and experience to an employee on his initial appointment to a post in the Institute.

24. *Period of Probation*

(1) Employees appointed/promoted to Group 'A', 'B' and 'C' posts shall be on probation for two years and to Group 'D' posts, for one year. During the period of probation, the employee shall be required to put in satisfactory service failing which his service shall be liable to be terminated at any time without assigning any reason. The Appointing Authority may, however, extend or curtail the period of probation.

(2) Where a person appointed to a post under the Institute on probation, is, during his period of probation, found unsuitable for holding that post, or has not completed his period of probation satisfactorily, the Appointing Authority may,

- (i) in case of a person appointed by promotion or by direct recruitment as a departmental candidate revert him to the post held by him immediately before such appointment;
- (ii) in the case of a person appointed by direct recruitment terminate his services under the Institute without notice;
- (iii) every person appointed to a permanent post under the Institute by promotion or by direct recruitment shall, on satisfactory completion of his period of probation, be eligible for substantive appointment for that post.

25. *Temporary and Permanent Service*

- (i) An employee shall be temporary employee of the Institute unless he is appointed substantively to a permanent post under the Institute.
- (ii) An employee appointed substantively to any permanent post under the Institute shall be permanent employee of the Institute.

26. *Termination of Services*

Service of a temporary employee may be terminated by the Appointing Authority:

- (i) without assigning reasons during the period of probation following first appointment at any time without notice;
- (ii) after such period of probation in accordance with the provisions of the Central Civil Services (Temporary Service) Rules 1965 as amended from time to time.

27. *Seniority*

The seniority of employees of the Institute in each category shall be determined by the order of merit in which they were selected for appointment to the Grade in question, those selected on an earlier occasion being ranked senior to those selected later.

The seniority of "existing employees" shall be the same as on the 21st March, 1965.

The inter-so-seniority of the employees working in the erstwhile National Institute of Family Planning and National Institute of Health Administration and Education and those who are recruited on deputation/foreign service terms and seek/sought their absorption in the Institute shall be determined as per principles laid down by the Department of Personnel and Administrative Reforms, Government of India.

28. *Leave*

The employees of the Institute shall be entitled to such leave and leave salary as are admissible to the corresponding categories of Central Government servants under the Central Civil Services (Leave Rules) 1972 as amended from time to time, providing that incumbents on deputation to posts in the Institute on foreign service shall be governed by leave rules as may be stipulated in the conditions of their deputation.

29. *Contributory Provident Funds*

(1) Employees of the Institute, except those on deputation or on foreign service, shall be eligible to join the Contributory Provident Funds of the Institute, on model of the rules of the Contributory Provident Fund (India) of the Central Government. Superannuated and retired officers re-employed in the Institute, may be permitted to contribute to the Contributory Provident Fund, provided that where the terms of re-employment is initially for a year or less but is later extended so as to exceed one year, the Institute's contribution with the interest will be credited to their account only after the completion of one year's service on re-employment. The Institute's contribution with interest aforesaid shall be payable for the entire period for which the re-employed officer is allowed to contribute to the Contributory Provident Fund if such period exceeds one year.

(2) The "existing employees" will be eligible to contribute to the Contributory Provident Fund with effect from the 22nd March, 1965 or after completion of one year's continuous service, whichever is later. For the purpose of computing length of service under this sub-bye-law, service under the

Government of India prior to the 22nd March, 1965, shall be taken into account.

30. *Protection of Pensionary Terms of "Existing Employees"*

Notwithstanding anything contained in Bye-Laws 22, the existing employees who had the option to retain the pensionary benefits available to them under the Government rules will be entitled to the benefit of the liberalisation in pension rules sanctioned by Government subsequent to their transfer. The liability to retiring benefits in such cases will be shared between the Government and the Institute in accordance with the provisions of Appendix II.

31. *Triple Benefit Scheme*

The Institute may constitute a suitable scheme for providing gratuity and pension to the employees of the Institute on the basis of the triple benefit scheme in vogue in other academic institutions in consultation with the Central Government.

32. *Absence from Duty*

Unless otherwise decided by the Chairman of the Governing Body, in exceptional circumstances, no permanent employees of the Institute shall be away from his post otherwise than on leave or because of suspension, for more than five years continuously.

33. *Superannuation*

The rules governing the retirement of the employees of the Government of India, as amended from time to time, shall apply to the employees of the NIHFV. The age of superannuation of Scientific and Technical personnel shall, however, be 60 years.

34. *Conduct, Discipline and Penalties*

(1) The Central Civil Services (Conduct) Rules 1964 as amended from time to time shall apply *mutatis-mutandis* to the employees of the Institute.

(2) The Central Civil Services (Classification, Control

and Appeal) Rules 1965 as amended from time to time, shall *mutatis-mutandis*, apply to the employees of the Institute, provided that for this purpose:

- (a) Except where specifically provided otherwise the Governing Body shall exercise the same powers in respect of its employees as are exerciseable by the President of the Union of India in respect of Central Government Employees. Powers of Disciplinary Authority shall be exercised by the Appointing Authority and the powers of the appellate authority shall be exercised by the next higher authority.
- (b) In respect of Central or State Government servant borrowed by the Institute, the provisions respectively of Rules 20 and 21 of the Central Civil Services (Classification, Control and Appeal) Rules 1965 shall apply and the Governing Body shall exercise the function of the Central or the State Government as the case may be, for the purpose of the two rules aforesaid.

35. *Appointments on Contracts*

Notwithstanding anything contained in these Bye-Laws the Institute may, in special circumstances, appoint a person on contract for a period not exceeding 5 years with a provision of renewal for further period. The contract shall be in the form prescribed by the Government for this purpose with such formal modifications as may be necessary.

36. *Projects and Project Employees*

- (a) The Institute may accept such projects as may be approved by the Governing Body or by the Director in accordance with the guidelines laid down by the Governing Body. The Director may employ suitable persons for the purpose on such terms and conditions as may be determined by the rules to be framed from time to time and approved by the Governing Body.
- (b) Until detailed rules are framed and approved by the Governing Body, the Director with the approval of the Government of India is empowered to accept projects

and funds for research programmes from outside agencies subject to the condition that the objectives of the project/research programmes are of relevance to the main objectives of the Institute and are of value to the health and family welfare programmes.

- (c) Till such time as the detailed rules are framed and approved by the Governing Body, the Director subject to the approval of the Alternative Vice-Chairman is empowered to create posts and to appoint any person thereto in the prescribed scales of pay and on the terms and conditions applicable to the corresponding posts in the Institute for a period not exceeding 6 months. For making such appointment he may at his discretion constitute such *ad hoc* Selection Committees as the circumstances of each case may require. For filling up of projects posts, the duration of which is three months or less, a fortnight notice will be given to the concerned Employment Exchange(s) for receipt of the nominations and, in case, where such nominations are not received by the due date, the vacancies will be filled otherwise.
- (d) The Director shall have full powers to dispose of the surplus stores left over on the termination of a project/scheme unless otherwise provided in the terms on which the project/scheme has been accepted.

37. *Consultancy Services*

The Institute shall provide consultancy services on terms and conditions to be approved by the Governing Body.

38. *Foreign Service/Deputation*

The employees of the Institute may be transferred or sent on deputation, whether within or outside India.

39. *Medical Facilities for Employees*

Employees of the Institute and members of their families shall be entitled to such medical aid as is admissible to Central Government Servants of similar categories.

40. *House Rent Allowance*

Such of the employees of the Institute as are not provided with Institute's accommodation shall be entitled to House Rent Allowance at such rate as may be approved by Government of India.

41. *Loans and Advances*

The employees of the Institute shall be entitled to all kinds of loans and advances on the same terms and conditions as are applicable to Central Government employees of corresponding status.

42. *Other Conditions of Service*

In respect of matters not provided for in these Bye-Laws, the rules as applicable to Central Government servants regarding the general conditions of service, pay, allowances including travelling and daily allowances, leave salary, joining time, foreign service terms etc. and orders and decisions issued in this regard by the Central Government from time to time shall apply *mutatis-mutandis* to the employees of the Institute.

PART IV - FINANCIAL BYE-LAWS

43. *Preparation and Sanction of Budget Estimates*

(1) The Director will each year prepare detailed estimates of the receipts and expenditure of the Institute for the ensuing financial year for approval by the Governing Body.

(2) Should it be proposed, during the course of a financial year, to finance any scheme which has not been included in the estimates for that year, the sanction of the Governing Body shall be obtained to the method proposed for financing it within the sanctioned estimates. The Director shall maintain in his office a Budget Register in which he will enter the grants received from the Government of India and any money received from other sources and shall show all amounts allotted for specific purposes. The Director shall furnish annual certificate to the Auditor as to the correctness of the annual balances.

(3) The approval of the Governing Body is necessary to all Schemes proposed to be financed from the funds of the Institute.

(4) Subject to availability of funds, an additional grant for any approved scheme or new emergent expenditure for purposes and objects of the Institute can be sanctioned upto the following limits:

Chairman	Rs.1,00,000.00
Director	Rs. 25,000.00

44. *Communication of Sanctioned Budget Estimates*

One copy of the finally sanctioned estimates will be supplied to the Auditor. All variations in the estimates sanctioned during the year shall be similarly communicated.

45. *Appropriation*

(1) The funds of the Institute shall not be appropriated for expenditure on any item which has not been approved by the competent authority under these bye-laws.

(2) The Primary Unit of appropriation shall be a major head which may further be divided into minor heads subordinate thereto. The major and minor heads of account shall be such as may be approved for the budget estimates of each year.

46. *Re-appropriation*

The Director shall have the power to re-appropriate funds from one Secondary Unit of appropriation to another within a Primary Unit. Re-appropriation from one Primary Unit to another can be done by the Director only with the approval of the Standing Finance Committee.

47. *Expenditure Sanction*

(1) The Director shall keep a watch over expenditure against the grants sanctioned by the Governing Body and in cases where expenditure has exceeded or is likely to exceed the sanctioned grant, take steps to provide an additional grant or make a re-appropriation from anticipated savings under other units of appropriation.

(2) No expenditure from the funds of the Institute shall be incurred without the sanction of the competent authority.

(3) The Director shall have full powers to sanction the details of expenditure on any item included in the budget and sanctioned by competent authority.

(4) A sanction to incur expenditure will not become operative until there has been an appropriation of funds under these bye-laws to cover it.

48. *Contracts*

The Director shall sign and execute on behalf of the Institute all agreements, contracts, etc., which may be necessary for the proper conduct of the business of the Institute.

49. *Bank Account*

(1) The funds of the Institute shall be lodged and transacted through a current account with the State Bank of

India or any Nationalised Bank. However, part of such balance in the bank as may not be required for expenditure for sometime may be kept in any interest-bearing account by investing the funds in short-term fixed deposits or by keeping in savings fund of the bank as reserve fund as per rules of the bank. As soon as the balance kept in interest-bearing account is required for expenditure, the same may be re-transferred to the current account.

(2) All cheques on the bank account be signed and all bills, notes and other negotiable instruments be drawn, accepted and made on behalf of the Institute by the joint signatures of any two of the following officers:

- (i) Director
- (ii) Deputy Director (Admn.)
- (iii) Drawing and Disbursing Officer

(3) All cheques, bills, notes and other negotiable instruments payable to the Institute may be endorsed on behalf of the Institute by the Drawing and Disbursing Officer.

(4) All loans, advances or borrowings on behalf of the Institute may be negotiated by the Director and approved by the Governing Body.

50. *Drawal of Funds and Maintenance of Accounts*

(1) Funds shall be drawn from the bank by means of cheques in the manner laid down in the bye-laws. Cheque books will remain in the personal custody of the Director or other person, as may be authorised by the Director in this behalf.

(2) The claims for pay and allowances and travelling allowances of officers and contingent bills will be drawn in the prescribed forms and submitted to the Drawing and Disbursing Officer. All bills will be checked and passed for payment by the Accounts Officer. The pay and allowances bills of the employees may be signed by an officer declared to be the Drawing and Disbursing Officer by the Director. The contingent and travelling allowances bills will be countersigned by the Director or any other officer authorised by the Director on his behalf before these are passed by the Accounts Officer for payment. The monthly pay and allowances

bills shall be passed for payment by the Accounts Officer. Payment will be made by means of demand drafts or cheques or cash as may be decided by the Director.

(3) The Director shall maintain regular accounts of all the money and properties in respect of the affairs of the Institute and shall prepare annual statement of accounts including the Balance Sheet in such form as may be prescribed by the Institute in consultation with the Auditor of the Institute. The Accounts Officer of the Institute will advise the Director on all matters concerning Audit and Accounts. He will be responsible to the Director for the accuracy and completeness of the Accounts of the Institute in accordance with the bye-laws of the Institute,

(4) The Primary Accounts of the Institute will be maintained in the following forms:

- (i) The Cash Book/Ledger
- (ii) The Register of Securities
- (iii) The Receipt Book
- (iv) The Register of Stock of Cheque Books
- (v) The Register of Stock of Receipt Books
- (vi) The Register of Stock of non-expenditure article
- (vii) The Register of Leave and Pension Contributions
- (viii) The Register of Advances, Permanent and Temporary.

51. Audit

(1) The Accounts of the Institute shall be audited annually by the Comptroller and Auditor General of India or by any other person appointed by him in this behalf and the Director shall provide all facilities in this regard. The Auditor of the Institute shall have the right to demand the production of documents, books, accounts, vouchers and papers as may be required or necessary for the purpose of Audit.

(2) The results of audit shall be communicated by the Auditor to the Director who shall submit a copy of the Audit

Report along with his observations to the Governing Body and the Ministry of Health and Family Welfare, Government of India. The Auditor shall also forward a copy of the report direct to the Ministry of Health and Family Welfare.

(3) The Accounts Officer will apply a check of the nature of pre-audit to all payments from the funds of the Institute and will maintain appropriate registers in this behalf.

(4) All sanctions, order of delegations of competent authorities under the Rules and Regulations or these bye-laws affecting the Institute accounts shall be reduced to writing and communicated to audit.

52. *Exercise of Financial and Other Powers*

*(1) Unless otherwise provided in the Rules and Regulations and bye-laws, the Director and the Governing Body, may exercise respectively, the financial powers vested in the Head of Department and the Administrative Ministries of the Government of India under the Delegation of Financial Powers Rules, 1978, the General Financial Rules, the Fundamental Rules, the Treasury Rules etc. as amended from time to time. The Governing Body may authorise the Chairman to exercise such of its powers as may be considered expedient for the day-to-day administration of the Institute.

(2) The Director may, subject to such restrictions as he may think fit to impose, authorise Deputy Director (Admn.) or any other Group 'A' Officer of the Institute to exercise all or any of the powers conferred upon him under these bye-laws.

53. *Amendment of Bye-Laws*

Any alternation in the bye-laws shall require the prior approval of the Government of India.

*Amendment approved by the Governing Body of the Institute in its 8th meeting held on 28th January, 1982;

"Full powers for Stationery, printing and binding and also other expenditure of non-recurring and recurring nature upto budgetary limits and also to order sale by auction or otherwise in the interest of the Institute of in-serviceable stores and perishable articles. The powers to write off irrecoverable losses should be exercised as laid down in the Delegation of Financial Power Rules, 1978".

APPENDIX I

SCHEDULE SHOWING POSTS IN THE NATIONAL INSTITUTE OF HEALTH AND FAMILY WELFARE (BYE-LAW 14)

Part A (Group 'A')

1. Director	(Rs.2500-125/2-2750) *
2. Joint Director	(Rs.2250-125/2-2500) *
3. Professor (Medical)	(Rs.1800-100-2000-125/2-2250) *
4. Professor (Non-Medical)	(Rs.1500-60-1800-100-2000)
5. Deputy Director (Admn.)	(Rs.1500-60-1800)
6. Associate Professor (Medical)	(Rs.1100-50-1500-60-1800) *
7. Associate Professor (Non-Medical)	(Rs.1300-50-1700)
8. Assistant Professor (Medical)	(Rs.1100-50-1600-60-1800) *
9. Assistant Professor (Non-Medical)	(Rs.1100-50-1600)
10. Senior Documentation Officer	(Rs.1100-50-1600)
11. Research Officer (Medical)	(Rs.700-40-900-EB-40-1100- 50-1300) *
12. Research Officer (Non-Medical)	(Rs.700-40-900-EB-40-1100- 50-1300)
13. General Duty Medical Officer Grade II	
Junior Scale	(Rs.700-40-900-EB-40-1100- 50-1300) *
Senior Scale	Rs.1100-50-1600) *

*These posts carry Non-practicing Allowance as per rates approved by the Government of India.

**Note: The revision of scales of pay of faculty posts is under consideration. The pay scale of the faculty posts will, therefore, be substituted by those approved for these categories of posts.

14. Technical Officer Documentation	(Rs.700-40-900-EB-40-1100-50-1300)
15. Technical Officer (Reprography)	(Rs.700-40-900-EB-40-1100-50-1300)
<i>Part B (Group 'B')</i>	
1. Accounts Officer	(Rs.840-40-1000-EB-40-1200)
2. Section Officer	(Rs.650-30-740-35-810-EB-35-880-40-1000-EB-40-1200)
3. Stores Officer	-do-
4. Health Educator	-do-
5. Librarian	-do-
6. Training Officer	-do-
7. Hindi Officer	-do-
8. Workshop and Maintenance Officer	-do-
9. Stenographer Grade I	(Rs.650-30-740-35-880-EB-40-960)
10. Technical Officer (AV)	(Rs.550-25-750-EB-30-900)
11. Photographer	-do-
12. Senior Artist	-do-
13. Sub-Editor	-do-
14. Senior Technical Assistant	-do-
15. Assistant Research Officer	-do-*

*Revision in pay scale of the post of Assistant Research Officer as approved by the Governing Body of the Institute in its meeting held on 28th January, 1982 and made effective from 28th January, 1982:

"Rs.650-30-750-35-810-EB-35-880-40-1000-EB-40-1200".

16. Cameraman (Microfilming)	-do-
17. Silk Screen Technician	-do-
18. Senior Public Health Nurse	-do-
19. Accountant	(Rs.500-20-700-EB-25-900)

Part C (Group 'C')

1. Assistant	(Rs.425-15-500-EB-15-560-20-700-EB-25-800)
2. Stenographer Grade II	-do-
3. Purchase Assistant	-do-
4. Senior Draftsman	(Rs.550-20-650-25-750)
5. Research Assistant	(Rs.425-15-500-EB-15-560-20-700)
6. Senior Machine Operator	-do-
7. Public Health Nurse	(Rs.455-15-560-EB-20-700)
8. Offset Press Operator	(Rs.425-15-500-EB-15-560-20-700)
9. Cameraman-cum-Platemaker	-do-
10. IBM Typewriter Operator	-do-
11. Technical Assistant (Production)	-do-
12. Technical Assistant(AV)	-do-
13. Transport Supervisor	-do-
14. Assistant Librarian	-do-
15. Junior Hindi Translator	-do-
16. Electrical Supervisor	-do-

17. Theatre Sister	(Rs.425-15-560-EB-20-640)
18. Selection Grade Clerk	-do-
19. Store-keeper	(Rs.380-12-440-EB-15-560-EB-20-640)
20. Caretaker	-do-
21. Hostel Warden	(Rs.380-12-440-EB-15-560-EB-20-640) (Inclusive of messing allowance)
22. Wireman-cum-Mechanic (Electrician)	(Rs.380-12-500-EB-15-560)
23. Mechanic	-do-
24. Laboratory Technician	-do-
25. Computer	(Rs.330-10-380-EB-12-500-EB-15-560)
26. Machine Operator	-do-
27. Key-Punch Operator	-do-
28. Lady Health Visitor	-do-
29. Draftsman	-do-
30. Graining Machine Operator-cum-Plate maker	-do-
31. Xerox Operator	-do-
32. Projectionist	-do-*
33. Upper Division Clerk	-do-

*Revision in pay scale of the post of Projectionist as approved by the Governing Body of the Institute in its meeting held on 27th June, 1981 and made effective from 27th June, 1981:

"Rs.425-15-530-EB-15-560-20-600".

34. Upper Division Clerk-cum-Cashier	(Rs.330-10-380-EB-12-500-EB-15-560 + special pay)
35. Stenographer Grade III	(Rs.330-10-380-EB-12-500-EB-15-560)
36. Receptionist	-do-
37. Junior Artist	(Rs.330-8-370-10-400-EB-10-480)
38. Proof Reader	-do-
39. Field Worker	-do-
40. Lower Division Clerk	(Rs.260-6-290-EB-6-326-8-366-EB-8-390-10-400)
41. Hindi Typist	-do-
42. Assistant Store-keeper	-do-
43. Assistant Projectionist	-do-
44. Addressograph Operator	-do-
45. Feeder	(Rs.260-6-326-EB-8-350)
46. Copy Holder	-do-
47. Library Attendant	-do-
48. Senior Gestetner Operator	-do-
49. Driver	-do-
50. Carpenter	-do-
51. Plumber	-do-
<i>Part D (Group 'D')</i>	
1. Book Binder	(Rs.210-4-250-EB-5-270)
2. Inkman	-do-

3. Field Attendant	(Rs.210-4-250-EB-5-270)
4. Clinic Attendant/Female Attendant	-do-
5. Junior Gestetner Operator	-do-
6. Library Attendant (Junior)	-do-
7. Daftry	(Rs.200-3-206-4-234-EB-4-250)
8. Packer	-do-
9. Cleaner	-do-
10. Cook	-do-
11. Assistant Cook	(Rs.196-3-220-EB-3-232)
12. Assistant Cook-cum-Bearer	-do-
13. Bearer	-do-
14. Room Attendant	-do-
15. Masalchi	-do-
16. Peon	-do-
17. Farash	-do-
18. Chowkidar	-do-
19. Sweeper	-do-
20. Mali	-do-
21. Animal Attendant	-do-
22. Processing Attendant	-do-
23. Helper Offset	-do-

**Revision in pay scales of faculty posts as approved by the Governing Body in its meeting held on 21st October, 1981 and made effective from 21st October, 1981:

1. Professor (Medical) (Rs.1500-60-1800-100-2000-125/2-2500 + NPA Rs.500/-)
2. Professor (Non-Medical) (Rs.1500-60-1800-100-2000-125/2-2500)
3. Associate Professor (Medical) (Rs.1200-50-1300-60-1900 + NPA Rs.400/-)
4. Associate Professor (Non-Medical) (Rs.1200-50-1300-60-1900)
5. Assistant Professor (Medical) (Rs.1100-50-1500-60-1800 + NPA Rs.300/-)
6. Assistant Professor (Non-Medical) (Rs.1100-50-1500-60-1800)

BYE-LAW 30

Settlement of pensionary terms in respect of the Government employees as transferred to the Central Family Planning Institute consequent on its conversion from a Government Office into an autonomous body.

- (1) Permanent Government servant so transferred were given the option to either retain the pensionary benefits available to them under the Government rules or be governed by the rules of the Institute. Those who exercised the option for retaining pensionary benefits under Government rules, will continue to be entitled to the benefit of the liberalisations in pension rules introduced on Government side subsequent to their transfer.

This option will also be available to quasi-permanent and temporary employees when they are confirmed in the Institute.

- (2) (i) Where a Government servant has opted/opts to retain the service conditions as under Government which provide for pensionary benefits and the Institute has no pension scheme on their side Government would undertake to pay them pension but will recover the capitalised value (commuted value of pension plus the proportionate death-cum-retirement gratuity) of Institute's share of pension from that body on retirement of the individual concerned determined on the basis of service rendered with the Institute.
 - (ii) In the event of death on an optee of Central Government rules while in service of the Institute, family pension/death-cum-retirement gratuity to the family of the deceased will be admissible under Central Government rules and liability thereof apportioned as in clause (i) above.
- (3) In cases where the Government servant transferred to the Institute has elected/opts to be governed by

the rules of the Institute and the rules of the Institute provide for Contributory Provident Fund benefits, an amount equal to what Government would have contributed had the employee been on Contributory Provident Fund terms under Government, together with simple interest thereon at two per cent, for the period of his service under Government may be credited to his Contributory Provident Fund account by the Government with the Institute as an opening balance on the date of his confirmation and Government's liability in respect of his service under them treated as extinguished by this payment.

Provided that this concession may not be claimed as a matter of right but may be sanctioned at the discretion of the Government in individual cases where it is merited.

- (4) In cases where the Government servants transferred to the Institute have elected/elect to be governed by the rules of the Institute and the rules of the Institute provide for pension, the pension on retirement from the Institute would be payable to them by the Institute. The pensionary liability will, however, be allocated between Government and the Institute on service share basis. The Government will liquidate its share by paying the capitalized value of their share of pension to the Institute.