

National Institute of Science Education and Research
(An Aided Institution under Department of Atomic Energy, Government of India)

Chapter – I

GENERAL

1. Short Title and Commencement

1.1 These Bye Laws and Statues may be called “Bye-Laws of the National Institute of Science Education and Research” (hereinafter referred to as “Institute”). These shall come into effect from 26th day of March Month, 2019 Year, the date of approval by the Central Government.

1.2 These Bye-laws may be read in conjunction with the Rules and Regulations of the National Institute of Science Education and Research.

2. Name and Address of the Institute

The name of the aided institute shall be "National Institute of Science Education and Research" (NISER) hereinafter called "Institute". The registered office of the Institute shall be at PO- Bhimpur-Padanpur, Via- Jatni, District:- Khurda, Odisha, India, PIN- 752050.

3. Definitions and Interpretation

- (a) “Act” means the Atomic Energy Act 1962.
- (b) “Administrative Department” means Department of Atomic Energy, Government of India.
- (c) “Bye Laws” means Bye Laws of the Institute.
- (d) 'Rules' means the Rules of the Institute.
- (e) ‘Board’ or “BOG” means the Board of Governors of the Institute.
- (f) 'Director' means the Director of the Institute.
- (g) School' means a constituent academic unit of the Institute.
- (h) ‘Faculty’ mean persons who are appointed as Assistant Professor, Reader-F, Associate Professor, Professor, Senior Professor or such other academic posts as may be approved by the Board.
- (i) ‘Professor’ means a member of Faculty who has been appointed in the rank of Professor or above.
- (j) “Academic Council” means the Academic Council of the Institute.
- (k) “Finance Committee” means the Finance Committee of the Institute.
- (l) Building and Works Committee” means Building and Work Committee of the Institute.

- (m) "Research Advisory Committee" means Research Advisory Committee of the Institute.
- (n) "Central Government / Government" means the Government of India represented by the Department of Atomic Energy.
- (o) "State Government" means Odisha State Government.
- (p) "Commission" means Atomic Energy Commission (AEC).
- (q) "Society" means the National Institute of Science Education and Research and registered under the Societies Registration Act, 1860 for the purpose stated in the Memorandum of Association thereof.
- (r) "Registrar" means Registrar of the Institute.
- (s) "Deputy Director" means Deputy Director of the Institute.
- (t) "Finance Officer" means Finance Officer of the Institute.

4. Aims and Objectives

National Institute of Science Education and Research (NISER) is envisioned to be a centre of excellence in science education and research in all areas of Basic Sciences that includes Biology, Chemistry, Mathematics, Physics, Computer Sciences, Earth and Planetary Sciences, Engineering Sciences and Humanities and Social Sciences.

NISER will conduct the following programmes in science education for bright and meritorious students.

- (a) An integrated 5-year M. Sc. Programme in the core and emerging branches of Basic Sciences to students after their 10+2 Higher Secondary Schooling or equivalent.
- (b) Integrated M.Sc-Ph.D programme after B.Sc. (or equivalent degree) from other recognized Universities/Institutes.
- (c) Ph. D Programmes after M.Sc. (or equivalent degree) from recognized Universities/Institutions.

NISER will do the following in the different areas of basic science research, through its faculty who are envisioned to devote 30-40 percent of his/her annual time for teaching and rest to research and guiding research scholars.

- (a) Research in frontier areas of Science.
- (b) Setting up interdisciplinary centers of basic sciences in NISER and state of the art research facilities.
- (c) Mentoring PhD students and Postdoctoral fellows.
- (d) Organizing platforms for exchange of ideas at highest level through workshops, conferences, advance schools, topical meetings, training programme on regular basis.
- (e) Having visitor programme to ensure that NISER constantly interacts with both national and international scientists. Foster and support research activities at other academic institutions/Universities.

- (f) To take all other steps necessary in fulfilling the aims and objectives of the Institute and as mentioned in Rule-5 of NISER.

Other objectives of NISER as envisaged during the formulation of NISER includes the following

- (a) Providing platform of science education to young talented students, with special emphasis on regional development.
- (b) Paving way to a possible career beginning in Research and Development (R&D) units of Department of Atomic Energy (DAE) and other organizations.
- (c) Fostering science communication through various outreach programme aimed at different levels (where participants includes students/teachers from schools, colleges etc.).
- (d) Institutionalizing efforts to build the long needed bridge between the professional world and educational world.
- (e) Educational system that focus on experimental as well as analytic skills, with a flexible curriculum.

5. Vesting of the Property of the Institute:

- 5.1 All lands, machinery equipment, plans and instruments (whether laboratory workshop or otherwise), books and journals, furniture, furnishings and fixtures belong to the Department of Atomic Energy.
- 5.2 All properties, funds or assets as are gifted by the Central Government, the State Government, or any other Government, or gifted or bequeathed by any other person, to the Institute, shall, subject to the Rules and Bye-laws, vest in the Board of Governors of the Institute.
- 5.3 The properties and funds of the Society will also include those listed in Rules 31 of NISER.

Chapter – II

CONSTITUTION OF BOARD OF GOVERNORS, ITS MEETINGS & PROCEDURE

6. BOG

Subject to the Rules and Bye-laws, the administration, management and direction of the affairs of the Institute shall vest in BOARD OF GOVERNORS, hereinafter called "THE BOG". The Department of Atomic Energy shall constitute the Board of Governors with 11 members as per Rules no. 9 of NISER.

6.1 The Composition of the Board of Governors shall be as under:

- (i) Chairperson
- (ii) Director of the Institute (ex-officio).
- (iii) The Chairman, Governing Council of the Institute of Physics, Bhubaneswar (ex-officio)

- (iv) Secretary, Higher Education, Govt. of Odisha or a Representative from the Odisha Government of similar rank. (ex-officio)
- (v) Three members from among the academicians of repute in the country having special knowledge of Science Education and Research to be nominated by the Secretary, Department of Atomic Energy, Government of India.
- (vi) Joint Secretary of the Department dealing with the Institute. (ex-officio)
- (vii) Joint Secretary (Finance). (ex-officio)
- (viii) Two nominees of the Academic Council of the Institute from among the faculty members of the Institute not below the rank of the Professor.

6.2 Secretary DAE, shall generally be ex-officio Chairperson of the BOG or may nominate an eminent scientist to the post.

6.3 The BOG shall be a permanent body. However, the Members of the BOG shall hold the office for 3 years. They are eligible for re-nomination for another term i.e one member can be allowed maximum of two terms. The tenure of the ex-officio Members shall be co-terminus with the service in their respective organization.

6.4 The Registrar shall be the ex-officio non-member secretary to the BOG. He/She shall have charge of such documents relating to the Institute as may be entrusted to him/her by the BOG or the Director.

7. Meeting of the BOG

7.1 The meetings of BOG shall be convened not less than two times every year by the Director at a date and time as may be fixed by him in consultation with the Chairperson of BOG. For the purpose of this rule, each year shall be deemed to commence on the first day of January and terminate on the 31st day of December of the same year i.e. calendar year. Meetings of the BOG shall be held at the Institute Headquarter unless the Chairperson BOG otherwise directs.

7.2 A special meeting of the BOG may be called at any other time by the Chairperson, either on his/her own initiative or at the request of not less than six members of the BOG.

8. Notice of the Meeting

8.1 For any meeting of the BOG, at least fifteen days' notice shall be given to the members. Non-receipt of notice of any meeting of the BOG by any member shall not, however, invalidate the proceedings of the meeting.

8.2 A notice indicating the date, time and place of every meeting, shall be sent by the non-member Secretary of the BOG in writing to the Members

provided, the Chairperson BOG may call a special meeting of the BOG at a short notice to consider urgent special issues.

- 8.3 The notices may be delivered either by hand or sent by registered post/speed post at the address of each member as recorded in the records of the office of the BOG or by email and if so sent shall be deemed to be duly delivered at the time at which notice would be delivered in the ordinary course of post.
- 8.4 The non-member Secretary of the BOG shall circulate agenda at least 10 days before the meeting.
- 8.5 Notices of motions for inclusion of any item on the agenda must reach non-member Secretary of the BOG at least one week before the meeting. The Chairperson BOG may permit inclusion of any item for which due notice was not served.

9. Chairperson of the Meeting

- 9.1 The Chairperson of the BOG shall preside at all meetings of the BOG. In the absence of the Chairperson BOG, the members present shall elect one among themselves to preside over the meeting and he/she shall exercise all the rights and privileges of the Chairperson of BOG for that meeting.
- 9.2 In the event of the occurrence of any vacancy in the office of the Chairperson of the Board of Governors, by reason of death, resignation or otherwise or in the event of the Chairperson being unable to discharge his functions owing to absence, illness or any other cause, the members shall elect one among themselves to discharge the urgent functions assigned to the Chairperson of BOG.

10. Quorum and Procedure

- 10.1 Six members including the Chairperson BOG, shall constitute a quorum at any meeting of the BOG.
- 10.2 All matters considered at the meeting of the BOG shall be decided by mutual consent of all Members. In case of difference of opinion among the members, the opinion of the majority shall prevail.
- 10.3 Each member of the BOG, including the Chairperson, shall have one vote, and if there be a tie on any question to be determined by the BOG, the Chairperson shall, in addition, have and exercise a casting vote.
- 10.4 The decision of the Chairperson BOG shall be final with regard to all questions regarding the procedure for the conduct of the meeting.
- 10.5 If a Member of the BOG (except official/representatives of DAE and State Government) fails to attend three consecutive meetings without leave of absence from the BOG, he/she shall cease to be a Member of the BOG.

- 10.6 If Joint Secretary of the Department dealing with the Institute or Joint Secretary (Finance) or Secretary, Higher Education, Govt. of Odisha is unable to attend the meeting, they may be represented by their representative(s)/nominee(s) who should not be below the rank of Under Secretary. In this case, the representative/nominee shall be treated as deemed Members for the particular BOG meeting and shall be part of quorum.
- 10.7 As per the Department of Expenditure, Ministry of Finance (MoF), GoI OM no F.No 8(4)E-Coord./84 dated 15th October 1984 duly endorsed by DAE letter no JS(F)/DAE/IV/14/25/63 dated June 2nd 2016, following restrictions shall be applicable;-
- (a) Proposal relating to employment structure i.e. adoption of pay scales, allowances and revision and revision thereof and creation of posts above a specified/sanctioned pay level would need the prior approval of the Govt. of India.
 - (b) In the event of disagreement between representative of the Ministry of Finance and the Chairperson of the Governing Body of the Autonomous Organization on the financial matter beyond the delegated power of the Ministry/Department of Govt. of India, the matter may be referred to Administrative Ministry for a decision.

11. Adjourned Meeting

If there is no quorum at the expiry of fifteen minutes after the time fixed for a meeting, the meeting shall be adjourned to such a date and time as the Chairperson BOG may fix. However, if a meeting is adjourned for want of quorum after fifteen minutes, it may be held on the same day after a gap of 30 minutes as the Chairperson BOG may determine. No quorum shall be necessary for a meeting adjourned for want of a quorum.

12. Minutes of the Meeting

- 12.1 The Registrar will act as the non-Member Secretary who shall keep the minutes of the meetings of the BOG and send a copy of the minutes of every such meeting to the members as early as possible.
- 12.2 The minutes along with the amendments, if any shall be placed for confirmation at the next meeting of the BOG. After the Minutes are confirmed and signed by the Chairperson BOG, they shall be recorded in the minutes book, which shall be kept open for inspection by the members of the BOG at all times.

13. Business by Circulation

Any business of the Institute to be performed by the BOG, except such as may be placed before the meetings of the BOG, may be carried out by circulation among all its members and any resolution, so circulated and approved by a majority of the members who have signified their approval, or disapproval of such resolution, shall be as effective and binding as if such resolution had been passed at a meeting of the BOG. The matter to be taken up for business by circulation will be decided by the Director of the Institute. The resolution as approved by the BOG should be reported at the next meeting of the BOG for information and ratification.

14. Vacancy

When a vacancy occurs in the office of a member of the BOG, other than Director, through death, resignation or any other reason, such vacancy shall be filled by the authority, which appointed such a member. The member so nominated to fill such a casual vacancy, shall hold office for the remainder of the term of the member in whose place he/she has been nominated.

No action or resolution of the BOG shall be invalid by reason of any vacancy in the membership of the BOG or defect in the appointment of a person acting as a Member.

15. Committee of the BOG

The BOG may appoint committees from amongst its own members or the staff of the institute or outside experts or amongst these persons, and may assign to such committees such powers and duties as are in accordance with the bye-laws and rules/sub-rules.

16. Authentication of Orders and decision of the BOG

All the orders and decisions of the BOG shall be authenticated by the signature of the Registrar or any other person authorized by the BOG in its behalf.

17. Disqualification

A Member of the BOG including the Chairperson shall be disqualified to be a Member only on the ground of:

- (a) Mental Infirmary
- (b) Convicted by a Court of Law
- (c) Insolvency
- (d) Resignation
- (e) Retirement (Regular members other than ex-officio members can continue even if they retire from their parent organization.
- (f) Death

18. Sitting Fee and Allowances

Members of the BOG other than the employees of the Governments and the Institute will be eligible for travelling and daily allowances at the highest level as applicable to a Secretary to the Government of India, "for attending meetings or for any other work for the Institute". Members of the Board shall be entitled to sitting fee, if any, as may be approved by the Board. Members who are employees of the Government and the Institute will be eligible to travel and daily allowances as per their entitlement.

Chapter – III

POWERS OF THE BOG & OTHER OFFICIALS

19. General Powers of the BOG

Subject to various orders issued by the Government of India/Department, Administration and management of the Institute shall be under the supervision of the BOG. The BOG will act on behalf of the society in all matters relating to the management of the Institute in accordance with the rules framed. The BOG shall be competent to frame bye-laws for the day-to-day management of the institute. The BOG shall have the power to:

- 19.1 Make guidelines specific to mandate of the Institute and decide the duties of Director and other employees of the Institute;
- 19.2 Frame and revise Bye-Laws for the governance of the Institute and as might be necessary for fulfilling the objectives of the Institute and under any rule of the Institute;
- 19.3 Frame Recruitment Rules, Promotion Policy, Pay structure and cadre structure up to the level of the Director of the Institute. Director of the Institute shall be appointed by the Appointment Committee of the Cabinet (ACC) as per the guidelines issued by the Government/ACC;
- 19.4 Make appointments and fix procedures of selection of the employees of the Institute;
- 19.5 Frame rules related to establishment, pay, pension, disciplinary proceedings, leave, vacation, office timing etc. for the employees of the Institute and Establish and maintain pension, provident or other funds for the benefit of the officers and employees for the purposes of the Institute;
- 19.6 Consider all cases of promotion and grant promotion to all employees, as per the promotion policy of the Institute subject to following the relevant procedures/norms;
- 19.7 Exercise the Financial Powers as indicated in the Bye-Laws;

- 19.8 To approve the Annual Report and Annual Audited Statement of Accounts within six months of the end of each financial year;
- 19.9 Make recommendations to the Department about the creation/up gradation of the post as powers for creation/up gradation of the post rest with Government/Department;
- 19.10 Execution of contracts and other instruments on behalf of the Institute, conduct and defense of legal proceedings and the manner of signing pleading. The BOG may delegate these powers to such other officers as considered necessary;
- 19.11 Appointment of members to the Finance Committee, Academic Council and the Building and Works Committee of the Institute;
- 19.12 Frame procedures for accounts, purchase of capital and consumable items required by the Institute, stores and disposal of equipment's and other items, consistent with the Government of India guidelines;
- 19.13 Frame guidelines for copyrights, patents and use of such intellectual property rights and such other matters as may be necessary for the administration of the Institute;
- 19.14 Decide the intake of the number of students/fellows commensurate with the mandate of the Institute. Approve academic and research programmes in the institute and carry out admission of students under a well defined policy for merit based selection.
- 19.15 Determine the fees to be levied for the courses (both regular and short term);
- 19.16 Promote research within the Institute and decide the date of commencement and duration of the session of the Institute;
- 19.17 Review decisions of the Academic Council;
- 19.18 Appointment of Statutory Auditors and fixing the remuneration;
- 19.19 Appoint Deputy Director, Deans and Chief Vigilance Officer (CVO) for fixed periods from among the Professors of the Institute on the recommendation of the Director, and fix their duties;
- 19.20 Appoint Honorary Fellows, Professor of Emeritus, Guest Professors, Adjunct Professors etc.at the Institute;
- 19.21 Consider the recommendations of such Advisory/Expert Committees and acceptance or otherwise of such recommendations;
- 19.22 Form the guidelines and review discipline, suspension and dismissal of officers and employees of the Institute;
- 19.23 Accept grants, donations and gifts received from any Government or a Company being a Government Company under Indian Companies Act 1956;
- 19.24 Accept grants, donations and gifts received from any corporate or individual donors, with prior written approval of the Department of Atomic Energy, Government of India;
- 19.25 Execute contracts and other instruments on behalf of the Institute;

- 19.26 Conduct and defend legal proceedings and the manner of signing pleadings;
- 19.27 The BOG may delegate some of the powers, functions and duties to the Director or one of its appointee of the Institute or a committee constituted by it with the approval of the members of the Board of Governors;
- 19.28 Such other matters as may be necessary for the administration of the Institute.

20. Service Extension

Extension of services to Academic (Faculty) with proven expertise and in exceptional cases beyond 65 years of age can be considered with the approval of BOG and Department of Atomic Energy, Govt. of India.

21. Appointing Authorities

- 21.1 The BOG shall be the Appointing Authority in the cases of appointments to the posts in the level 13 of 7th CPC Pay Matrix (or equivalent) and above.
- 21.2 The Director shall be the appointing authority for all other appointments (other than mentioned in 21.1)
- 21.3 The same authority shall approve the promotion to the members in a particular pay scale, which is the appointing authority for that pay scale.

22. Disciplinary Authority

- 22.1 The BOG can initiate disciplinary action against its employees for which the BOG is appointing Authority. DAE shall be the Appellate Authority in all such cases.
- 22.2 Director of the Institute shall be disciplinary authority for those employees for which he is appointing authority. The BOG shall be the Appellate Authority in all such cases.

23. Specific Powers of the Authorities

23.1 Chairperson BOG

- 23.1.1 The Chairperson of the BOG shall have the power to fix on the recommendation of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum of the scale in respect of posts to which appointments can be made by the BOG.
- 23.1.2 The Chairperson of BOG shall have the power to send Employees/Students/Fellows of the Institute for training, any work or a course of instructions outside India exceeding a period of 6 months, subject to the terms and conditions the BOG may lay down as from time to time.

23.1.3 In emergent circumstances and in the interest of the Institute, the Chairperson may exercise the power of the BOG and will inform of the action taken by him/her for its approval.

23.1.4 The Chairperson of the BOG shall have the power to approve the recommendations made by the selection committee for grant of a maximum of five increments at the time of initial appointment.

23.2 Director

23.2.1 The Director is Head of the Institution and can exercise the powers of the Head of the Department under FR&SRs, General Financial Rules, TA Rules, LTC Rules, Provident Fund (both Contributory and General) Rules, Exercise of Financial Rules etc.

23.2.2 It shall be the duty of the Director to carry on the work of the Institute under the control of the BOG in accordance with the Bye-Laws and Rules/Sub-rules for the administration and the management of the Institute. In case of an emergency, he may take such action as may be necessary and report it to the BOG.

23.2.3 Recruitment and Promotion of personnel's in respect of those posts of which he/she is an appointment authority.

23.2.4 The Director shall have the power to fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum of the scale but not more than five increments in respect of posts of which he/she can make appointment.

23.2.5 The Director shall have the power to engage Project Staff/Project Assistants/Technician and other manpower as and when required on need basis subject to the payment of minimum wages and such engagement shall not be more than the project completion period.

23.2.6 The Director shall have the power to appoint Visiting Professor/Faculty and Associates of the Institute for a period of 2 years upon recommendation of a standing committee constituted by the BOG for the purpose. The remunerations will be as per Department (DAE) rule.

23.2.7 The Director shall have the power to possess a building on hire or leasing out its building.

23.2.8 The Director shall have the power to sanction remission or reduction of rent for buildings rendered wholly or partially unsuitable.

23.2.9 The Director shall have the powers of "Estate Officer" in relation to the office and residential buildings of the Institute.

23.2.10 During the absence of Registrar not exceeding a period of one month, the Director shall take over or assign the responsibility, to any other employee of the Institute any functions of Registrar as he/she deemed fit. Provided that if any time the temporary absence of the Registrar exceeds one month, the BOG may, if thinks

fit' authorize the Director to take charge or assign the function of Registrar as aforesaid, for a period exceeding one month.

- 23.2.11 The Director may during absence from headquarters authorize the Deputy Director, or one of the Deans or the Senior Professor present who shall be below the age of superannuation, to execute the current duties of the post of the Director.
- 23.2.12 The Director may, with the approval of the BOG delegate any of his/her powers, responsibilities and authorities vested in him /her to one or more members of academic or administrative staff of the Institute.
- 23.2.13 Director shall be responsible for implementing the rules relating to reservation in service to SC/ST/OBC and Persons with Disabilities.
- 23.2.14 Take decisions as to the implementation or otherwise of the Court judgments related to the staff.
- 23.2.15 Director can engage Legal Counsel(s)/Advocates/Lawyers to defend the cases and pay the fees.
- 23.2.16 The Director shall have the power to send members of the Staff of the Institute for attending conferences, workshop or a training programme for periods upto 6 months, in accordance with the Institute policy and subject to such terms and conditions as may be laid down by the Board of Governors from time to time.
- 23.2.17 The Director may, at his discretion, constitute such committees to assist him/her as he/she may consider appropriate. The Director shall appoint CPIO and Appellate authority etc. for RTI matters.
- 23.2.18 The Director may appoint a faculty as Associate Dean(s)/Chairperson(s) to assist Dean(s)/Chairperson(s) in discharging their duties or Faculty-In-Charge to assist him/her for works related to the Institute.

23.3 Deputy Director

The Board, on recommendation of the Director, may appoint a Professor of the Institute as the Deputy Director to assist the Director in academic and administrative work. He/She shall discharge all emergency functions of the Director in the absence of Director, if the Board of Governors has not appointed a temporary Director. The Director may assign specific responsibilities to the Deputy Director, such as, maintaining liaison with other institutions of higher learning and research or any administrative duties for the Institute etc. The term of office of a Deputy Director shall be for three years and an incumbent may be reappointed for further term or terms.

23.4 Deans

The Board, on recommendation of the Director may appoint a Professor of the Institute as a Dean with responsibilities and power relevant to the area of function of such Dean.

- 23.4.1 **Designations:** There shall be four Deans designated as Dean (Faculty), Dean (Academic Programmes), Dean (Research and Development) and Dean (Student Affairs).
- 23.4.2 **Term of Office:** The term of office of a Dean shall be for three years provided that there will be no restriction of a person being appointed as a Dean for more than one term for the same responsibility or a different responsibility.
- 23.4.3 **Dean (Faculty) :** The Dean (Faculty) will be coordinating Dean for all matters connected with the academic staff and Group A Scientific staff of the institute. He/She will assist the Director in matters such as recruitment, leave, promotion, extension of service etc for all the above staff. He/She in absence of Deputy Director, will be the chair of the Medical Advisory Committee/Board of the Institute.
- 23.4.4 **Dean (Academic Programmes) :** The Dean (Academic Programmes) shall be responsible for smooth running of all teaching and student research programmes of the Institute which will lead to a degree or diploma of the Institute, save and except otherwise provided in the Rules and Bye-laws. He/She will coordinate with the schools in matters of curriculum development, responsible for enforcing the academic norms, deal with issues of scholarships, prizes and awards for students, termination of studentship or probation of such students who are unable to complete the required academic programme within the specified period, disciplinary action against students accused of academic dishonesty, liaise with the Institute which awards the degree and other such academic bodies related to academic activities. He/She will be the member secretary of the Academic Council of the Institute and perform the necessary duties during the graduation program at the end of the academic year.
- 23.4.5 **Dean (Research and Development):** The Dean (R&D) shall be responsible for coordinating the research programme of the Institute (Both DAE and non DAE funded) and will take all steps to promote research activities in the Institute. He/She will present to the Research Advisory Committee such proposals of research, which may require internal funding. He/She will liaise with all internal and external agencies in connection with sponsored and industrial research. He/She will coordinate the consultancy activities of all employees of the Institute in accordance with norms that may be laid down by the Research Advisory Committee and the Board of Governors. He/She will also address the Intellectual Property, patents, incubation centers related activities of the Institute.
- 23.4.6 **Dean (Student Affairs):** The Dean Student Affairs will be responsible for coordinating all extra-curricular activities of the students including sports and culture. He/She will be ex-officio President of the Student Gymkhana, Chair of the recommending committee for disciplinary action against students, take

all measures for welfare of students, including hostel accommodation, health etc, will chair the committee of wardens of the hostels, will liaise with external organizations with a view to promote overall personality development of students and will be the coordinator of the Placement Cell of the Institute and will look after the Alumni related activities.

23.5 Registrar

- 23.5.1 The Registrar will be the custodian of the Institute Seal and Estate. He will be in charge of all related records of the Institute. He/She will ensure that the Estate is in compliance with the various statutory requirements of the Government.
- 23.5.2 The Registrar shall act as Non-Member Secretary to the Board of Governors.
- 23.5.3 Shall work under the general control of the Director: In all matters concerning the Institute he shall act under the general control and orders of the Director or the Deputy Director if so desired by the Director.
- 23.5.4 The Registrar shall be in charge of correspondence relating to the Institute subject to the instructions of the Director.
- 23.5.5 The Registrar will be in charge of the administrative staff and the general maintenance staff of the Institute, unless such cases where the power is delegated by the Director or Board to the Deputy Director, Dean or any other designated official of the Institute.
- 23.5.6 The Registrar will look after the maintenance and upkeep of the premises.
- 23.5.7 The Registrar will be responsible for preparation of the Annual Report of the Institute to be laid before the Board and subsequently to the Parliament.

23.6 Finance Officer

He/She will work under the general control of the Director or Deputy Director if so desired by the Director. He/She shall be in-charge of Finance and Accounts Department of the Institute. He/She will be in charge of funds received by the Institute and payments made by the Institute. He/She shall prepare, in consultation with the Director, the annual budget of the Institute for submission to Board.

23.7 Chairperson of a School

Each School of the Institute shall be placed in charge of a Chair who shall be selected by the Director from among the Professors of the School provided however, that in case there is no person of the rank of Professor in a School, the Director may appoint any senior faculty as the Chair of that School till such time as the School has Professors as its faculty. The chair of the school shall be responsible for the entire

working of the School subject to general control of the Director. He/She shall perform such other duties as may be assigned to him by the Director. The term of office of a Chair of the School shall be three years provided that an incumbent may be reappointed for a second term or part thereof. Each school will have its own, Research, Faculty, Teaching related committees which will advise, present and coordinate respective activities with the corresponding Institute authorities.

Chapter – IV

STAFF, ITS CATEGORIES & APPOINTMENTS

24. Classification of the Members of the Staff of the Institute

Except in the case of employees paid from contingencies and project staff, the members of the staff of the Institute shall be classified as:-

(A) Academic: which term shall include Director, Deputy Director, Professors (including Senior Professors), Associate Professors, Reader-F, Assistant Professors, etc doing academic work, as approved by the Board. In case of any doubt as to whether a particular post is academic, the decision of the Director shall be final.

The academic staff of the Institute will be responsible for teaching and conducting research. They will be responsible for conducting examinations as per the rules framed by the Academic Council and shall submit the grades and results within time frame as required. They will participate in periodic conferences and seminars for their academic development. They will submit research proposals for funding to the appropriate authorities of the Institute and send annual progress report of the work done to the Director. They will also undertake such other responsibilities, as may be decided by the Director, in the interest of the Institute.

- (i) Supervision: Faculty members shall supervise and direct the work in their respective subjects under the general direction of the Director.
- (ii) Contribution to Scientific Periodicals: Contributions to scientific journals resulting from work carried on in the Institute by members of the staff of the Institute shall contain the Institute's name. No contribution which may relate to classified or confidential material shall be made without the prior approval of the Director.

(B) Scientific: which term shall include all Scientific Officers engaged in scientific and laboratory work related to schools, research /research facility/centers, works/engineering department, medical facility, animal house, Library, etc. In case of any doubt as to whether a particular post is Scientific, the decision of the Director shall be final.

(C) Technical: which term shall include Scientific Assistant, Foreman, Supervisor (Workshop), Mechanic, Technicians, Fire Service Personnel, Physical training

instructors, and such other technical posts as may be decided by the Council. In case of any doubt about classification of a post as Technical, the decision of Director shall be final.

(D) Administrative and other including Auxiliary :- which term shall include Registrar, Deputy Registrar, Assistant Registrar, Administrative Officer, Assistant Personnel Officer, Section Officer, Finance Officer, Joint/Deputy controller of Accounts, Assistant Accounts Officer, Purchase Officer, Store/Purchase Officer, Estate Officer, Stores Keeper, Purchase Assistant, Clerk, and such other administrative and other staff as may be decided by the BOG and given in NISER DPR. Decision of the Director will be final in case of any doubt the classification of the members of the staff.

(E) In addition, the employees of the Institute shall be classified in to the following:-

- (i) Posts carrying a pay in the pay matrix at level 10 and above (or equivalent) are classified and equated Group "A" posts of Government of India Service.
- (ii) Post carrying a pay in the pay matrix at level from 6 to 9 (or equivalent) are classified and equated Group "B" posts of Government of India Service.
- (iii) Post carrying a pay in the pay matrix at level 5 or below (or equivalent) are classified and equated Group "C" posts of Government of India Service.

(the above classification shall be treated as amended as and when amended by Government of India)

(F) Honorary Fellows, Professor Emeritus, Guest Professors, Visiting Scientists, Adjunct Faculty, Associates, Tenure Track Faculty

- (a) The Board of Governors, on the recommendation of the Director, may appoint **Honorary Fellows** of the Institute. Such fellowships will be conferred on eminent scholars of national and international repute in recognition of their distinguished contribution to knowledge in subjects in which the Institute is interested, or on persons who have rendered eminent service to the Institute. Honorary Fellows shall enjoy such privileges as may be decided by the Board of Governors.
- (b) The Board on recommendation of the Academic Council, may designate a Professor or a Senior Professor, who has retired from the service of the Institute, as **Emeritus Professor**. The retired Professor of the Institute who has a proven record of excellence in research and/or teaching, in form of recognitions received from prestigious academic bodies within India or abroad or Government will be considered. Emeritus Professor shall enjoy such privileges as may be decided by the BOG.
- (c) Scientists and academics may be appointed by BOG/Director as "Guest Professors" or "Visiting Professors" or "Visiting Scientist" to participate in teaching and/or research programmes of the Institute. Such appointments will

be for durations not exceeding two years at a time and the appointees will be paid honoraria and other allowances such as travelling allowance at rates to be determined on case to case basis following the DAE guidelines.

- (d) Scientists and academics from other institutions may be appointed to serve the Institute as "**Adjunct Faculty**". Such appointments may be made either to fill in a gap in the Institute's faculty expertise in areas of interest to the Institute or to complement teaching and research programmes of the Institute. Adjunct faculty will be expected to spend a part of their time at the Institute and will be paid an honorarium for their services. A person considered for Adjunct faculty should have a received recognition for his research and/or teaching from prestigious academic bodies/Government within and/or outside India. They will be accorded such privileges and facilities as may be decided by the Board.
- (e) **Associates:** The Institute will establish Associates Programme in order to encourage scientific fraternity employed in other institutions to carry out research either independently or in collaborative mode. The Associates will be identified through a careful selection procedure, to be framed by the Academic Council. and will be provided financial assistance for a suitable fixed period.
- (f) **Tenure Track Faculty:** The institute can consider introducing tenure track (or fixed period contract) faculty hiring process in order to lift the quality of hire as regular faculty in the institute. The BOG can form guidelines on this matter by which the tenure process allows the NISER to properly gauge the faculty recruits true potential and performance in teaching and research over a sufficient period of time before the job is regularized.

25. Appointments & Promotions

- A. All posts shall be filled as per the recruitment and promotion rules of the Institute approved by the Board of Governors. All posts shall normally be filled by advertisements. But in exceptional cases, the BOG shall have the power to decide on the recommendations of the Director that a particular post be filled by invitation or by promotion from amongst the members of the staff of the Institute. The institute in order to attract bright and good academic staff all the year round can have a rolling advertisement in place.
- B. While making appointments, the Institute shall make necessary provisions for the reservation of posts in favor of SC/ST/OBC and Persons with Disabilities in accordance with the decision of the Board of Governors.
- C. Where a post is to be filled on contract basis or by invitation, the Chairman/Director may at his discretion, constitute such ad-hoc Selection Committee, as circumstances of each case may require.
- D. Where a post is to be filled by promotion amongst the members of the Institute or temporarily for a period of not exceeding 12 months, the BOG shall lay down the procedure to be followed.

- E. Notwithstanding anything contained in these bye-laws, the BOG have the power to make appointments of persons trained under “approved” programmes in such a manner as it may deem appropriate.
- F. The BOG can frame rules or procedure in line with the regulations of Government for the appointment of overseas citizens of India (OCI) in the Institute.
- G. Unless otherwise provided under the bye-laws, a selection committee constituted under these laws or specified in the Recruitment Rules and Promotion policy framed by the BOG will be eligible to exercise its functions in relation to that post until the time the appointment is made.
- H. All appointments made/promotions given shall be reported to the BOG in its next meeting.

26. Appointment of the Director

The Director will be an outstanding scientist with a broad vision for management of an institute of excellence for research and teaching.

- 26.1 The process of appointment shall be as per the directive of DAE. The Search-cum-Selection Committee shall be formed by DAE on the request of the BOG. The Chairperson of BOG will be one of the members. The committee may seek nomination for such an appointment from leading scientific and technological institutions of the country including National Science Academies. The recommendation of the Search-cum-Selection Committee shall be placed before the BOG for consideration and ratification.
- 26.2 Appointment of the Director shall be normally for a period not exceeding 5 years at a time. His/Her salary and allowances and other conditions of service shall be fixed by the BOG as per the norms provided by the Department.
- 26.3 He or she shall be eligible for re-employment for further term(s) of five years at the discretion of the BOG with the concurrence of the Department of Atomic Energy provided that no person shall hold office of the Director after he or she has attained the age of 65 years.
- 26.4 Appointment of the Director shall be approved by the Appointment Committee of Cabinet (ACC). Acceptance of resignation of Director or early relief of the Director shall be referred to the Administrative Ministry for further necessary action.

27. Officiate Director / Acting Director

- 27.1 Notwithstanding anything contained in clause 26, the Chairperson BOG may appoint a person to officiate as Director i.e. Officiating Director, in the absence (more than 30 days in single stretch) of the Director appointed under clause 26. It shall be reported to the BOG in the next meeting.

- 27.2 The BOG may also make a temporary appointment of Director i.e. Acting Director in the vacancy of the office of the Director. Every appointment under this clause shall be for a period not exceeding one year at a time with the concurrence of the DAE.

Chapter – V

FINANCE & ACCOUNTS

28. Year

The Financial Year of the Institute shall be from the 1st April to the 31st March in the succeeding calendar year.

29. Budget & Funds of the Institute

- 29.1 The Director shall be in-charge of preparation of the annual budget estimates of the institute and shall obtain the approval of the BOG on the same. The estimates shall be given under various heads of accounts in accordance with the prescribed proforma of Ministry of Finance/Department of Atomic Energy.

Information in respect of receipts and expenditure shall be as per the following:-

- A. Actuals for the preceding year
- B. Approved budget estimates for the current year
- C. Revised Estimates for the current year
- D. Budget Estimates for the following year

The funds of the Institute shall consist of:

- (a) Grants from governments, governmental bodies, universities, Institutes or corporations, institutions or societies;
 - (b) Income and benefits received or accruing from properties, assets and investments of the Institute, the sale of the publications of the Institute, fees levied from time to time, user charges etc
 - (c) Contributions or grants received from other sources approved by the Council
 - (d) Income from consultancy and other charges
 - (e) Corpus funds
- 29.2 The accounts shall be maintained as per the Accounting Standards and in the prescribed format as required by the law.
- 29.3 The Finance Officer shall be responsible for the accounts of the Institute.
- 29.4 All bills for payment shall bear an endorsement "PASSED FOR PAYMENT" and shall be signed by the Director or by an Officer of the Institute to whom the power has been delegated.

- 29.5 A PERMANENT ADVANCE of sum to be fixed from time to time by the Director may be kept by the Finance Officer for cash payments.
- 29.6 All moneys received for or on behalf of the Institute shall be placed in the name of the Institute in current, savings or fixed deposit accounts with a nationalized bank or any other bank notified by the Ministry of Finance.

30. Audit

The accounts of the Institute shall be audited every year by qualified Chartered Accountant or Accountants (Statutory Auditors) as prescribed by law and shall be appointed by the Director with the approval of the BOG from time to time for the purpose. The Statutory Auditors should be selected from the empanelled list with the Comptroller & Auditor General. The term of the auditors shall normally be for three years.

31. Exercise of Financial Powers

The Institute shall be governed by the orders issued by the Department of Atomic Energy from time on matters relating to Delegation of Financial powers in respect of Purchases, works contract, consultancy contract etc. The BOG shall delegate its powers to the various authorities to the extent necessary.

Chapter – VI COMMITTEES

32. Finance Committee

- 32.1 There shall be an Finance Committee which shall consist of the following officials
- (a) Director, who will be ex-officio Chairperson of the Committee
 - (b) The Joint Secretary of the Department of Atomic Energy, Government of India dealing with the Institute
 - (c) The Joint Secretary (Finance) DAE
 - (d) The Finance Officer who shall be Member Secretary of the Committee.
 - (e) If necessary, one or two persons to be nominated by the Board of Governors.
- 32.2 The functions of the Finance Committee shall be as per the following:
- (a) Examine and scrutinize the annual budget and make its recommendations to the BOG.
 - (b) Any issue related to the finances of the institute.
 - (c) Examine the annual financial statement of the Institutes.
 - (d) Fixing and reviewing of user charges.
 - (e) The Committee shall submit its minutes to the BOG for consideration and ratification.

(f) Exercise of Financial Powers of the BOG on matters relating to finalizing consultancy contracts, works and procurement contract.

32.3 The committee shall meet as often as necessary or the BOG/Chairman desires to do so for any specific task.

32.4 The Committee shall submit its minutes to the BOG for consideration and ratification.

33. Building and Works Committee (BWC)

33.1 There shall be a Building and Works Committee (BWC) of the Institute constituted by the BOG. The Committee may consist of 5-7 members under the chairmanship of Director of the Institute and other members may be nominated/constituted by the BOG. The representative from the Administrative/Finance/Directorate of Construction Services and Estate Management in DAE shall be included in Committee. The Committee shall function under the direction of the BOG and within the frame work of DAE / CPWD Works procedure. Head of the Engineering Services of the Institute will be the non-member Secretary of the Committee.

33.2 The function of the BWC will include:

- (a) It shall be responsible under the direction of the Board of Governors for construction of all major capital works after securing from the Board the necessary sanction.
- (b) It shall have the power to give the necessary administrative approval for works pertaining to maintenance, and repairs.
- (c) It shall cause to be prepared estimates of cost of buildings and other capital works, minor works, repairs, maintenance and the like.
- (d) It shall be responsible for making technical scrutiny as may be considered necessary by it.
- (e) It shall be responsible for enlistment of suitable contractors and acceptance of tenders and shall have the power to give directions for departmental works where necessary.
- (f) The Committee shall perform such other functions in the matter of construction of buildings and development of land of the Institute as the Board may entrust it from time to time.
- (g) In emergent cases the Chairperson of the Committee may exercise the powers of the Committee. Such cases shall be reported by him/her to the Committee and the Board of Governors at their next meetings respectively.

- 33.3 The Committee shall meet as often as necessary. Three members shall form a quorum for a meeting of the Committee.

34. Academic Council

- 34.1 The Academic Council shall consist of the following persons; namely;
- (a) The Director, ex-officio, who shall be the Chairperson of the Academic Council;
 - (b) All full time Professors of the Institute;
 - (c) Faculty-In-charge of Library or Librarian of the Institute;
 - (d) Five persons, not being employees of the Institute, to be nominated by the Chairperson of the Board, in consultation with the Director of the Institute, which shall be from among scientists and technologists in each discipline in which a degree course is run by the Institute. The term of office of such nominated members will be three years, but a member may be re-nominated for a further term.
 - (e) A maximum of six members of academic faculty not covered under (b) above to be nominated by the Board by rotation from the Academic Schools. The term of office of such members will be three years.
 - (f) Such other members and invitees as may be decided by the Board of Governors to meet any statutory requirement for the Institute; in particular to meet the statutory requirement for the Institute to be allowed to award degrees, certificates and diplomas.
 - (g) The Dean (Academic Programmes) of the Institute shall be the member Secretary of the Academic Council and shall be custodian of documents, admission and academic records of students.
- 34.2 The Academic Council shall be responsible for standards of instruction, education and examination in the Institute. The Academic Council will exercise the following powers:
- (a) Recommend to the Board of Governors, institution of new academic programmes;
 - (b) Approve curriculum and syllabi of courses before onward transmission to the Degree awarding Institute
 - (c) Fix the duration of the academic semester, dates of examination and declaration of results;
 - (d) Recommend to the Board of Governors a transparent merit-based policy for selection of students for admission to the Institute;
 - (e) Recommend award of degrees, diplomas and certificates;
 - (f) Formulate disciplinary and other rules for smooth conduct of academic programmes leading to award of degrees;
 - (g) Appoint Board of Studies/Standing committees for each of the School of

the Institute and the for the full institute, determine their membership and fix their responsibilities;

- (h) Frame and revise curricula and syllabi for courses of study for the various Schools in consultation with the respective Boards of Studies/Standing committees;
- (i) Make arrangement for the conduct of examinations, appoint examiners, moderators, and such other personnel as may be required for conduct of examinations;
- (j) Declare the results of the examinations or to appoint Committees or Officers to do so, and recommend to the authorities of the degree awarding institute and inform the Board of Governors on conferment or grant of degrees, diplomas and other academic distinctions or titles;
- (k) Appoint Advisory Committees or Expert Committees or both for the Schools of the Institute to make recommendation on academic matters connected with the teaching and degree programmes of the Schools, the Chair of the School concerned will act as the convener of such Committees;
- (l) Consider the recommendations of the Advisory Committees attached to various Schools and that of Expert and other Committees and make recommendations to the Board of Governors thereon;
- (m) Make periodic review of those activities of the Schools which come under its purview and take appropriate action, including making of recommendations to the Board of Governors;
- (n) Suggest policies related to Institute Library and discuss its functioning;
- (o) Promote high quality research among students;
- (p) Award stipend, scholarship, medals and prizes and make other awards in accordance with bye-laws on compliance of such other conditions as may be attached to such awards;
- (q) Make recommendations to the Board of Governors with regard to the creation of posts of academic staff and the abolition thereof and emoluments and duties attached to such posts.

34.3 Meetings of the Academic Council

- (a) The Academic Council shall meet as often as necessary but not less than two times during a calendar year.
- (b) Meeting of the Academic Council shall be convened by the Chairperson of the Academic Council either on his / her own initiative or on the recommendation by the Dean of Academic Programmes.
- (c) A meeting of the Academic Council may also be called on a requisition signed by not less than 20% of the members of the Academic Council. Requisitioned meeting shall be a special meeting only to discuss those items of agenda for which requisition is made. The Chairperson of the

Academic Council will convene a meeting of the Academic Council within ten working days of receiving such a requisition.

- (d) One third of the total membership of the Academic Council will form a quorum for a regular meeting. In cases where there is no quorum after half an hour of the appointed hour for the meeting, the Chairperson shall adjourn the meeting to such other date and time as may be determined by him/her. If there is no quorum even at an adjourned meeting, the meeting will proceed.
- (e) The Director, if present, will preside over the meeting of the Academic Council. In his absence the Deputy Director, if present, will preside over the meeting. In the absence of both Director and Deputy Director, the senior-most Professor will preside over the meeting.
- (f) A written notice of every meeting together with the agenda of the meeting shall be circulated by the Dean (Academic Programme) to the members at least a week before the meeting. The Chairperson of the Academic Council may permit inclusion of any item for which due notice could not be given.
- (g) Notwithstanding the provision of sub-section (b), the Director may call an emergency meeting of the Academic Council at short notice to consider urgent issues.
- (h) The ruling of the Chairperson of the Academic Council in regard to all questions of procedure shall be final.
- (i) The minutes of the proceedings of the meeting of the Academic Council shall be kept by the Dean (Academic Programmes) and circulated to all members provided that any such minute shall not be circulated if the Academic Council considers such circulation prejudicial to the interests of the Institute. The minutes along with amendments, if suggested, shall be placed for confirmation at the next meeting of the Academic Council. In cases where urgent action on any item approved by the Academic Council is required, the Academic Council may confirm the minutes of such item at the meeting in which it is approved.
- (j) The Chairperson of the Academic Council is authorized to approve items such as results of examinations, thesis defense, admission and all such items of a nature which cannot be kept pending for a meeting of the Academic Council. All such actions taken by him shall be reported at the next meeting of the Academic Council.

35. Research Advisory Committee

The Institute will have a Research Advisory Committee which will coordinate research and consultancy activities of the Institute. It will be constituted by the Director of the Institute.

- 35.1 Members of the Committee: The Director will be its ex-officio Chairperson. The Dean of Research and Development will be its Associate Chairperson who will be responsible for carrying out day to day administrative functions of the Committee. The Committee will have Chairs of Schools as its ex-officio members and a few other members from among the faculty members of the Institute to be appointed by the Director for a term of three years. Additional members may be co-opted from time to time from outside the Institute for specific periods or for particular meetings of the Committee, if it is felt that expertise of such members will add value to the working of the Committee. One of the officers in the office of the Dean of Research & Development will act as its non-member secretary.
- 35.2 The Research Advisory Committee will function as the Institute's strategy and planning body to advise the Director and the Board of Governors for establishing the Institute as an institution of excellence in frontiers of research. It will plan and periodically review all research programmes being carried out or proposed to be undertaken at the Institute by different Academic Schools and Faculty members, including Plan proposals for funding by the Government of India. It may invite outside experts to review various research proposals and activities.
- 35.3 The Dean of Research and Development will be authorized to forward project proposals submitted by the academic staff of the Institute to outside sponsoring agencies, subject to guidelines framed by the Research Advisory Committee and approved by the Board of Governors. All such proposals will be reported to the Committee.
- 35.4 The Dean of Research and Development will be empowered to authorize staff members to undertake consultancy work for outside organizations in accordance with a well-defined policy and on such terms and conditions as the Research Advisory Committee with the approval of the Board of Governors may prescribe.

Chapter – VII

SERVICE CONDITIONS

36. Disciplinary Rules

- 36.1 The authority which appoints a member of the staff of the Institute may suspend, discharge, dismiss, or otherwise punish him/her for the misconduct or for breach of the terms and conditions of his/her appointment.

- 36.2 In the matters of conduct and disciplinary rules, the employees shall be governed by the Central Civil Service (Conduct) Rules, 1964 and Central Civil Service (Control Classification and Appeal), 1965.
- 36.3 Agreement: Every employee of the Institute shall accept in writing terms and conditions of his/her appointment before joining the Institute and shall make a declaration of loyalty to the Institute in writing.
- 36.4 Obedience to Rules and Bye-laws, etc.: During the period of his/her service, every employee shall observe, obey and abide by the Central Civil Services (Conduct) Rules, 1964, the Rules, Bye-Laws and orders of the Institute framed from time to time by the Board of Governors,
- 36.5 Specific Work: Every employee shall perform such duties as may be entrusted to him/her and shall to the best of his/her ability, carry out the lawful directions of the Board of Governors, of the Director or of any other person to whose authority he/she may be subject, according to the Rules, Bye-Laws and orders of the Institute. Such duties may also be entrusted to places other than the headquarters.
- 36.6 Work Report: Every regular employee of the Institute, other than the Director, will submit annual confidential report regarding the work done by him/her during the year to the Director or to an authority nominated by the Director for each type of employees.
- 36.7 Whole-time Service: An employee shall devote his/her whole time to the service of the Institute and shall not take part in politics, or without the prior permission of the Board of Governors in the case of Director, or of the Director in the case of others, engage, directly or indirectly, in any trade, business or occupation or enter on any remunerative commitment, or absent himself/herself from duty without prior approval of the competent authority except in the case of accident or sickness certified by a competent medical authority. Members of the staff shall not stand for election to local bodies, state or central legislatures. However, members can stand for election of professional bodies relevant to their professional expertise. Members shall not accept nomination to any company Board, University and other such authorities without the prior permission of the Board of Governors, in the case of Director, and of the Director in the case of others.
- 36.8 The appointing authority may place an employee of the Institute under suspension:
- (a) Where a disciplinary proceedings against the employee is contemplated or pending,
 - (b) Where a case against the employee in respect of a criminal offence is under investigation or trial: Provided that where an employee is detained in custody for a period exceeding forty eight hours, whether in connection with a criminal offence or under any law in

force providing for such preventive detention, such employee shall be deemed to have been placed under suspension with effect from the date on which he/she was so detained.

- (c) During the period of suspension the employee will be entitled to draw a subsistence allowance as applicable to an employee of the Government of India.

36.9 Penalties : The following penalties may for good and sufficient reasons and as hereinafter provided, be imposed on any member of the staff :

A. Minor Penalties:

- (i) censure;
- (ii) withholding of promotion;
- (iii) recovery of any pecuniary loss caused to the Institute by negligence or breach of orders;
- (iv) reduction to lower stage in the time scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting pension;
- (v) Withholding of increments of pay;
- (vi) No order imposing on any employee any of the penalties specified at (i) to (v) above shall be passed by any authority subordinate to that by which he was appointed and unless the employee concerned has been given an opportunity to make a representation to the Appointing Authority.

B. Major Penalties:

- (i) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of pay;
- (ii) reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or service, as applicable to employees of Government of India.
- (iii) compulsory retirement;
- (iv) removal from service which shall not be a disqualification for future employment under the Institute;

(v) dismissal from service which shall ordinarily be a disqualification for future employment under the Institute.

(vi) No order imposing on any employee any of the penalties specified above shall be passed by any authority subordinate to that by which he was appointed and except after an enquiry has been held and the employee concerned has been given reasonable opportunity of showing cause against the action proposed to be taken with regard to him/her.

36.10 Notwithstanding the provisions of the Bye-Laws 36.9, it shall not be necessary to follow the procedure mentioned therein in the following cases:

- a. where an employee is dismissed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge;
- b. where the authority empowered to dismiss or remove the person or reduce him/her in rank is satisfied that for reasons to be recorded in writing, it is not practicable to give that person an opportunity of showing cause.

36.11 Appeals: An employee aggrieved by any order imposing penalty shall be entitled to prefer an appeal to the Board of Governors. In cases where the order imposing penalty has been made by the Board of Governors, the aggrieved employee may prefer a representation for revision and reconsideration to the Board of Governors itself. Orders passed on such appeal or revision shall be final. No appeal under this sub-section shall be entertained unless it is submitted within 30 days from the date on which the appellant receives a copy of the order appealed against provided that the Appellate authority may entertain the appeal after the expiry of the said period but not beyond 45 days, if it is satisfied that the appellant has sufficient cause for not submitting appeal in time.

37. Leave Rules

37.1 Employees will be granted leave (including casual leave, earned leave, leave on medical grounds etc.) in accordance with the leave rules formed by the Institute and approved by the BOG. These will be broadly based the guidelines from DAE/Central Government rules and catering to the needs to the Institute.

37.2 Leave cannot be claimed as a matter of right. Where the exigencies of office so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant leave.

37.3 All academic staff of the Institute will be eligible for a leave of maximum period of 60 days in a year during vacation period to be decided by the Institute every year. The term "year" for this purpose will mean an Academic Year, which will be from the first day of July during a calendar year till the last day of the June in the following year.

37.4 The Institute will use the service rules already in place, such as Fundamental Rules, Supplementary Rules, Travelling Allowance Rules, Leave Rules, Leave Travel Concession Rules, Pension Rules etc.

38. Recruitment and Promotion of Staff

Recruitment and promotion, including assessment and merit promotion in respect of all categories of staff of the Institute shall be regulated in accordance with the detailed scheme formulated by the BOG.

BOG will formulate a proper system of Review of its employees as per the provisions of FR-56(j).

BOG shall formulate Annual Performance Appraisal Reports (APAR) for its employees and the Institute will implement the same.

39. Scheduled Castes / Scheduled Tribes / OBC / PWD

The Government of India Rules / Orders issued from time to time regarding reservation of posts for SC/ST/OBCs and Physically Handicapped shall apply to the extent applicable in regard to appointments to posts to be made in the Institute.

40. Contractual Services

The Director will outsource and contract out infrastructural, support, maintenance and other related services for the Institute as far as possible. Any person engaged by the contractor shall not be considered as an employee of the Institute.

41. Residential Accommodation

The Institute may allot residential accommodation to an employee of the Institute depending on the scale of pay of the employee and availability of such accommodation. Employees who opt to avail of residential accommodation shall not be eligible for house rent allowance and shall be required to pay prescribed license fee and other charges as applicable to the employees of the Government of India.

42. Medical Facilities

CHSS shall be constituted, maintained and administered for the employees and their dependents, stipend holders and those as allowed by CHSS rules of DAE in accordance with provisions to be framed by the Board of Governors.

42.1 Certificate of Physical Fitness: Every employee shall, prior to taking up his/her appointment, be medically examined and be certified fit for service by a Medical Officer of the Institute or by a medical practitioner nominated by the Director. He/she shall undergo an annual medical examination so long as he/she continues in the service of the Institute.

43. Probation and Superannuation

Subject to provisions of the Rules and Bye-Laws, in force from time to time, all appointments to the posts under the Institute except to the post of Director, shall ordinarily be made on probation for a period of one year, after which period the appointee, if confirmed, shall continue to hold office till the last day of the month in which he/she attains the age of superannuation, which shall be 65 years in case of those members of the Institute who are classified as academic staff and 60 years in case of all other staff. However if the employee is born on the 1st day of the month then he/she attains the age of superannuation (65 years for academic staff and 60 years for other staff) on the last day of the month previous to the birth month. The date of superannuation for the post of Director shall be 65 years. For academic staff appointed under Tenure Track Scheme the maximum duration of probation will be 5 years.

- 43.1 Extension of Probation: The appointing authority shall have the power to extend the period of probation of an employee of the Institute by one year in addition to as mentioned above, provided that the intimation of such extension shall be communicated to the employee before completion of the period of probation. At the end of probation period, whether original or extended, if the service of the employee has not been terminated, he/she will be deemed to have been confirmed in the post for which the appointment was made.
- 43.2 Termination during probation: The appointing authority shall have the power to terminate the services of any employee in accordance with the procedure prescribed in case of the employees of the Department of Atomic Energy, Government of India.
- 43.3 An employee who is on probation may terminate employment with the Institute by giving a notice for a period of one month.
- 43.4 Termination of service: The appointing authority shall have the power to terminate the services of any member of the staff by giving three month's notice or on payment of three months salary in lieu thereof, if on medical grounds, certified by a medical authority nominated by the Board of Governors, his/her retention in service is considered undesirable by the appointing authority.
- 43.5 The Board of Governors shall have the power to terminate the service of any member of staff on grounds of retrenchment by giving the person concerned three months' notice in writing or on payment of three months of salary in lieu thereof.
- 43.6 An employee of the Institute, who has been confirmed in service, may terminate his employment by giving the appointing authority three months' notice provided that the appointing authority may reduce this period.

Resignation shall be effective only on its acceptance.

- 43.7 Compulsory retirement: Notwithstanding anything contained in the Rules and Bye-Laws, the Board of Governors shall have power to retire any employee, in public interest, by giving him/her three months' notice or pay and allowances in lieu of the notice period, after he/she has attained the age of 55 years.
- 43.8 Voluntary Retirement : At any time after an employee has completed twenty years of qualifying service, he/she may opt to voluntarily retire from the service of the Institute under terms that are applicable in similar cases for the employees of the Government of India. An employee may also opt to prematurely retire from the services of the Institute under terms applicable in such cases for the employees of the Department of Atomic Energy, Government of India.

Chapter – IX

MISCELLANEOUS

44. Execution of Contracts on behalf of the Institute

All agreements, contracts etc except one between the Institute and Director which may be necessary for the proper conduct of business of the Institute shall be executed on behalf of the BOG by the Director or by an officer of the Institute authorized by the BOG for the purpose.

45. Perpetual Succession

The Institute shall have a perpetual succession and shall be capable of suing or being sued in its name through its Registrar.

46. Amendments of the Bye-Laws

The BOG shall have the power to alter, add or modify the provisions of these Bye-Laws by a three-fourth of its member present in the meeting called for the purpose. The Bye-Laws can be amended with the concurrence of the Department after following due procedure enumerated in the respective statute by which the Institute is registered.

47. Residuary Power

Powers not vested in the Bye-Laws can be exercised by the BOG in consultation with the Administrative Ministry.

48. Interpretation of Bye-Laws

In the matter of interpretation of the bye laws or any provisions of the rules of governance, the decision of the BOG is final and binding to all.

49. Power to Relax

The BOG is competent to relax any or all provisions of the Bye-Laws in the larger Public interest.

50. Annual Report

The BOG shall submit an annual report on the working of the Institute to the Government of India, which shall include the Audited Statement of Accounts pertaining the concerned financial year.

51. Right to Information Act

The Institute shall take all necessary steps for the implementation of the RTI Act 2005 by appropriate Public Information Officers, Appellate Authorities and Transparency Officer. The Institute shall also monitor the Section 4 of RTI Act 2005 and ensure that proactive disclosures are properly updated and updated periodically.

52. Establishment of Grievances Redressal Mechanism

There should be a proper mechanism for the redressal of staff as well as public. The Institute shall appoint a Public Grievance Officer for setting the grievance petitions in a time bound manner.

53. Implementation of Sexual Harassment Act

The Institute shall ensure that "The Sexual Harassment of Woman at Work Place (Prevention, Prohibition and Redressal) Act is implemented in the Institute in true spirit and form.

54. Rules and Regulations

The Institutes shall follow the above bye-laws and in addition, to the above it will follow the Rules already existing and as registered under the Societies Registration Act (No. XXI of 1860). Amendment and addition to these Rules may be made by a resolution of the Board of Governors provided that such amendments or additions will come into force only on approval of the Government of India.

55. Matters not Covered Herein

55.1 Removal of Doubts: Where a doubt arises as to the interpretation of any of the provisions of these Bye-laws, the matter shall be referred to the BOG for a decision.

55.2 If any question arises which is not covered by these Bye-laws, the decision of the BOG shall be the final. In regard to the regulation of any matter not covered hereinabove, recourse shall be taken to Central Government rules/orders etc. on the subject.

56. Saving Clause

Any directives by the Government or Department shall be the binding on the Institute and shall have the overriding effect on any provision of bye-laws, statues or rules of the Institute.

