

THE INSTITUTE OF MATHEMATICAL SCIENCES

CHENNAI – 600 113

CONSTITUTION +

1. The name of the Institute shall be:-
THE INSTITUTE OF MATHEMATICAL SCIENCES, MADRAS
2. The Institute has been registered under the Societies Registration Act, 1860(Central Act XXI of 1860). The Institute is located in the City of Chennai.
3. The official year of the Institute shall be from the 1st April to 31st March of of the year.

For the purpose of Section 6 of the Registration of Societies Act, 1860 (Central Act XXI of 1860), the person in whose name the Society may sue or be sued shall be the Director of the Institute.

4. The aims and objectives of the Institute are:-
 - (i) To create and provide an atmosphere and environment suitable for creative work and pursuit of knowledge and advanced learning in the Mathematical Sciences for its own sake;
 - (ii) To promote and conduct research and original investigation in fundamental sciences in general with particular emphasis on mathematics, applied mathematics, theoretical physics, and astrophysics;
 - (iii) To foster a rigorous mathematical discipline, to stimulate a zest for creative work and to cultivate a spirit of intellectual collaboration amongst academic workers in pure and applied branches of science;
 - (iv) To arrange lectures, meetings, seminars and symposia in pursuance of its academic work and for the diffusion of scientific knowledge;
 - (v) To invite scientists in India and abroad actively engaged in creative work to deliver lectures and participate in its academic activities; and
 - (vi) To take such other steps as may be necessary and conducive to the advancement of learning in Mathematical Sciences and for the dissemination of knowledge in these sciences.

+ Approved by the Board of Governors in the meeting held on May 11, 1991.

5. Interpretation:

Unless there is anything contrary or repugnant to the context.

- a) “Board” means the Board of the Institute;
- b) “Council” means the Executive Council of the Institute
- c) “Director” means the Director of the Institute.
- d) “Institute” means the Institute of Mathematical Sciences, Madras, Tamil Nadu;
- e) “Employee/employees” means officers and employees of the Institute of Mathematical Sciences including those seconded to the Institute from the Governmental or non-Governmental bodies or honoraries in visiting capacity;
- f) “Year” means the period of twelve calendar months beginning from the first day of April and ending on the thirty first day of March following:

6. Constitution of the Board: *

- | | |
|---|----------------|
| 1. Minister of Education, Govt. of Tamil Nadu | Chairman |
| 2. Chairman, Atomic Energy Commission &
Secretary, Department of Atomic Energy | Vice- Chairman |
| 3. Chairman, Executive Council of the Institute | Member |
| 4. Director of a National Institute to be nominated
by Department of Atomic Energy | Member |
| 5. Vice-Chancellor of a University to be
nominated by Govt.of Tamil Nadu | Member |
| (6,7 &8) Three eminent Academicians to be
nominated by the DAE | Member |
| 9. Additional Secretary /Joint Secretary, DAE
Govt. of India. | Member |
| 10. Joint Secretary, (Finance), DAE, Govt. of India | Member |
| 11. Secretary, Education Department,
Govt. of Tamil Nadu | Member |
| 12. Director, Institute of Mathematical Sciences, Member-Secretary | |

(* as amended in the Board Meeting held on 25.11.2003)

7. Term of Office:

The term of office of the Chairman and of the members who are nominated on the Board in their individual capacity shall be three years. The term of office of officials nominated shall be co-terminus with the office they hold.

8. Powers & Functions of the Board

- a) To approve the budget, annual plans and Five Year Plans;
- b) To make annual reviews of the functioning of the Institute.
- c) To consider the policy implications adopted by the Council;
- d) The Board shall meet once a year.

9. Constitution of the Executive Council

(Agenda item No.6: 20th meeting of the Executive Council held on 25th November 2003 and ratified by the Board of Governors in the meeting held on 25th November 2003)

Council approved the reconstitution of the Executive Council under clause 9 of the constitution & byelaws of the Institute as follows:

- | | |
|--|------------------|
| 1. Chairman AEC/Secretary DAE or his nominee | Chairman |
| (2, 3 & 4) Three Eminent Academicians nominated
by the Board of Governors amongst its members | Members |
| 5. Additional Secretary/Joint Secretary, DAE
Govt. of India | Member |
| 6. Joint Secretary(Finance) DAE, Govt. of India | Member |
| 7. Secretary, Higher Education, Dept. of Tamil Nadu | Member |
| 8. Director, The Institute of Mathematical Sciences,
Chennai. | Member/Secretary |

10. Term of Office

The term of office of the Chairman and the members who are nominated on the Council in their individual capacity shall be three years. The term of office of official nominees shall be co-terminus with the office they hold.

11. Powers and functions of the Council

- a) Administration and Management of the Institute shall be under the supervision of of the Council.
- b) To consider the budget estimates proposed by the Director and to make recommendations to the Board.
- c) To consider all proposals for new and additional expenditure.
- d) To consider the audited accounts and the Auditor's report thereon and to take decisions relating to them
- e) To appoint an auditor to audit the accounts of the Institute every year.
- f) To review the finance of the Institute from time to time through periodical control statements and to give advice thereon.
- g) To review the work and progress of the Institute and to hold enquiries into the affairs thereof.
- h) To recommend to the Govt. of India and the Govt. of Tamil Nadu to appoint a Committee to review the work and progress of the Institute and to hold enquiries into the affairs thereof in the manner as may be stipulated.
- i) To frame regulations, bye-laws, rules and procedure for the conduct of the affairs of the Institute.
- j) To receive subscriptions and donations for the aims and objects of the Institute provided that no subscriptions or donations shall be accepted if they are accompanied by conditions which are inconsistent or in conflict with the objects of the Institute.
- k) To enter into agreements for cooperation with educational institutions having objects wholly or partly similar to those of the Institute in such manner as may be stipulated.
- l) The council shall meet as often as necessary for the conduct of its business.

12. Chairman of the Council

Where the Chairman of the Council is not available for presiding over any meeting of the Council, the members present shall elect one amongst themselves, other than the Director, as ad-hoc Chairman to preside over the meeting.

13. Resolution of the Council

All resolutions of the Council shall be adopted in a meeting duly convened.

Provided that when it is not expedient to convene a meeting immediately and a decision is required to be taken urgently in the interest of the Institute, a resolution to this effect may be passed by circulation.

14. Vacancies

Where a vacancy occurs in the Office of a Member of the Council, other than the Director, through death, resignation or for any other reason such vacancy shall be filled by the authority which appointed such member.

15. Vacancy or defective appointment not to affect proceedings

If a vacancy in the office of the Member of the Council occurs, the continuing members shall act as if no vacancy had occurred. No act or proceedings of the Council shall be deemed to be invalid merely by reason of vacancy in the Council or of a defect in the appointment of a person acting as a member of the Council or by reason of the fact that an appointing authority has failed to appoint a member.

16. Dispute regarding appointment of a Member of the Council

In the event of a dispute as to whether any member of the Council is validly appointed or not, the decision of the Chairman of the Council shall be final.

17. Bye-laws

A) The Council may frame bye-laws or other instructions from time to time, not inconsistent with these Rules, for the general administration and management of the Institute and may, in particular, provide for the following matters:

- 1) The conduct of Business and the procedure to be followed at the meeting of the Council;
- 2) The finance and accounts of the Institute;
- 3) The amount and mode of payment of fees and other charges to be levied;
- 4) Creation of post and norms and procedures for recruitment thereto.

- 5) The terms and tenure of appointments, emoluments, allowances, leave, conduct and other conditions of service of the officers and employees of the Institute;
- 6) The duties and functions of the Director, and other officers and employees of the Institute;
- 7) Framing of rules relating to discipline, suspension, and dismissal of officers and employees of the Institute.
- 8) Courses of study, training and research at the Institute;
- 9) Award of Certificates and diploma;
- 10) Admission of students, trainees and research workers, research fellows to the Institute for any specified period;
- 11) Execution of contracts and other instruments on behalf of the Institute;
- 12) Establishment and maintenance of pension, gratuity, provident or other funds for the benefit of the officers and employees of the Institute;
- 13) Such other matter as may be necessary for the efficient administration and management of the Institute;

(B) The Council may alter, amend, repeal, or substitute any bye-law as it may think fit.

18. Representation of the Council in Legal proceedings

Unless the Council otherwise decides, and subject to the superintendence of the Council, the Registrar shall represent the Institute in all legal proceedings where Civil, Criminal, Revenue or of any other description and shall have the authority to Institute, conduct or defend any suit, complaint or criminal case or any legal proceedings on behalf of or against the Institute as also to sign and or verify all proceedings, complaints, statements or applications to be filed before any Court, Tribunal, Arbitrator, Board or Authority, as the case may be.

19. Officers and employees of the Institute

The Institute shall consist of the Director and the following categories of staff:

- a) Academic
- b) Scientific & Technical
- c) Administrative
- d) Auxiliary

20. Appointment of Director

The Director of the Institute shall be appointed by the Chairman of the Council by invitation on the recommendation by a Search Committee duly constituted for the purpose by the Department of Atomic Energy in consultation with the Govt. of Tamil Nadu. The terms and conditions of the appointment and the emoluments etc. will be decided by DAE in consultation with the Govt. of Tamil Nadu. Director will be in overall charge of the Institute and hold office for a period not exceeding five years at a time. He shall, however, be eligible for reappointment for another five years or less at the discretion of the Chairman of the Council with the concurrence of the Govt. of India (DAE) and the Govt. of Tamil Nadu.

21. Appointment of officiating Director

Notwithstanding anything contained in Rule 20, the Chairman of the Council may appoint a person to officiate as Director in the absence of the Director. Appointment under this Rule shall not exceed a period of one year at a time.

22. Procedure for delegation of powers

The delegation of powers and duties by the Council to the Director and other officers shall be by a resolution adopted at a meeting, or approved by a majority of the members in circulation.

23. Power of Director to delegate

The Director may delegate any of his duties, functions or powers to any other member of the staff of the Institute with the previous approval of the Council;

24. Appointment of Staff

All appointments of staff for the Institute shall be made by the Director in accordance with

the procedures stated in the bye laws of the Institute.

25. Tenure of Service

(as amended in the E C Meeting held on 01.04.2006, ratified by the Board at its meeting held on 19th October 2007 and approved by DAE vide their OM No.21/7/2007-R&D-II/2373 dt. April 7, 2008.)

Save as otherwise prescribed, all employees of the Institute after successful completion of the probationary period, will be offered continuous appointments up to the date of superannuation, which shall be the date of attaining the age of sixty years.

Extension of service beyond the age of superannuation may be granted by the Executive Council, in special circumstances, up to the age of 65 years to the academic staff. Such an extension should not be for more than two years at a time.

26. Properties and funds vested in the Council

The properties and funds of the Institute vested in the Council shall consist of:

- a) recurring and non-recurring grants made by the Government of India and Government of Tamil Nadu;
- b) other grants; donations and gifts (periodicals or otherwise)
- c) the income from properties and funds vested in the Council and fees, subscriptions and other annual receipts;
- d) all lands, machinery, plants, equipment and instruments (whether laboratory, workshop or otherwise) books and journals, furniture, furnishings and fixtures belonging to the Institute.

27. Donation etc.

The Council may accept donations, gifts, subscriptions, etc. for specific purpose provided that conditions, if any, attached thereto are acceptable to the Council and are not contrary to or repugnant to the Rules of the Institute and all such donations, gifts, subscriptions etc. shall be transferred to and vested in the Council.

28. Budget and Accounts

a) The Director shall be in charge of the preparation of the annual budget estimates of the Institute and shall obtain the approval of the Council/Board before forwarding the same to the Government of India in the Department of Atomic Energy and the Education Department, Government of Tamil Nadu. The estimates shall give, under various heads, the following information in respect of receipts and expenditure;

- 1) The actuals for the preceding year;
- 2) The approved estimates for the current year;
- 3) the revised estimates for the current year and
- 4) the budget estimates for the next year.

b) Moneys forming part of the funds of the Institute shall be deposited in nationalized bank/banks as specified in the RBI Act, 1934 (ii of 1934) and /or invested in any Trust, securities or investments authorized by Law and approved by the Council. Such account or accounts shall be operated by the Registrar or such other officers of the Institute as may be authorised by the Director.

29. Audit

The accounts of the Institute for every financial year shall be audited by the professional Chartered Accountants/Accountants as prescribed by Law and shall be appointed by the Council.

30. Annual Report

The Council shall submit annually before the end of November copies of a report to the Government of India, the Government of Tamil Nadu and the Board on the working of the Institute. Such reports shall contain significant particulars of the work done at the Institute and shall be accompanied by a balance sheet, duly audited, showing the income and expenditure of the Institute during the previous year.

31. Amendments

The Council may, wherever necessary, amend the bye-laws, rules and regulations of the Institute. Amendments to the Constitution will need the ratification by the Board.

**THE INSTITUTE OF MATHEMATICAL SCIENCES
CHENNAI – 600 113**

BYE-LAWS +

(Framed under Rule 17(A) (1) of the
Constitution of the Institute)

I. Council Meetings and Procedure

1.1. Meetings:

Meetings of the Council shall be held not less than thrice a year. The Chairman acting on his own initiative or on the request of the Director may convene a meeting at any time by giving due notice.

1.2 Quorum:

Three members shall form a quorum for the meetings of the council

(as amended in EC Meeting held on 18-10-1996)

1.3 Chairman of the meeting:

The Chairman of the Council will preside over all meetings of the Council. In the absence of the Chairman, the members present shall elect one from themselves to preside over the meeting.

+ Approved by the Board of Governors in its meeting held on May 11, 1991.

1.4 Minutes:

The Secretary of the Council will prepare the minutes of meetings of the Council and send a copy of minutes of every such meeting as early as possible to every member.

1.5 Committees of the Council:

The Council may appoint Committees from amongst its own members or the staff of the Institute or from outside, and assign to such Committee such duties as are found necessary.

1.6 Vacancy:

When a vacancy occurs in the Office of a Member of the Council through death, resignation or for any other cause, the Secretary shall, initiate appropriate action to get the vacancy filled up by the appropriate authority.

II Finance and Accounts

[Under Rule 17 (A) (2)]

2.1 Accounts:

The Registrar shall be responsible for the accounts of the Institute.

2.2 Receipts:

All moneys received for or on behalf of the Institute shall be placed in account with the State Bank of India, any of its subsidiaries or any of the nationalised banks.

2.3 Investments:

All moneys of the Institute may be invested on behalf of the Institute in securities and investments authorized by law, if it is in the interest of the Institute to do so with the approval of the Council. Any surplus funds not needed for immediate research work will be invested by the Institute in accordance with the modes specified in the Section 11(2), 11(3) and 11(5) of IT Act 1961, as amended from time to time.

(as approved in the Council Meeting held on 29.8.02)

2.4 Sanction of expenditure:

The Director shall have the authority to sanction expenditure within the sanctioned budget/grant duly approved by the Council and subject to such procedures and directions as may be applicable from time to time.

2.5 Payments:

Payments by and on behalf of the Institute exceeding Rs.100/- shall ordinarily be made by cheque. All cheques above Rs.5000/- shall be jointly signed by two officials authorised to sign cheques.

2.6 Endorsements:

All bills for payment shall have an endorsement for payment signed by an authorised officer to whom the power has been delegated by the Director.

2.7 Imprest:

An imprest amount of Rs.3000/- may be kept by the Registrar for cash payments.

2.8 Budget Estimates:

The Budget estimates of the Institute shall be finalised by Director who shall get them approved by the Council/Board according to the time schedule given by the Government of India/Tamil Nadu. These will be shown under the following heads:

- a) the budget expenditure of the preceding year;
- b) the budget estimates for the current year;
- c) the actual expenditure up to the end of August or any month in the current year prescribed by the Government of India/Tamil Nadu.
- d) the revised estimates for the current year;
- e) the budget estimates for the ensuing year.

2.9 Sanction of Expenditure:

All expenditure shall be approved and sanctioned by the Director within the approved budget. He may delegate this to the extent necessary to other officers of the Institute.

III Admission Fees and Charges

[Under Rule 17(A) (3) of the Rules]

3.1 The Director and other officers of the Institute so authorised by the Director shall have the authority to issue standing orders regarding:

- a) the procedure for admission and training of research students/fellows;
- b) the rates of fees to be charged for different items, services and other necessary amenities;
- c) any other service provided by the Institute.

3.2 All such standing orders shall be placed before the Council for information. The standing orders and procedures in regard to fees and charges shall, however, be placed before the Council for its ratification.

IV. Creation of Posts and Procedure for Recruitment and Promotion

[Under rule 17(A) (4)]

4.1 The Council shall have the authority to create any post or posts as it may deem necessary, subject to the availability of FUNDS.

4.2 Classification of posts:

All posts of the Institute shall be classified into the following four categories:

- a) Academic
- b) Scientific & Technical
- c) Administrative
- d) Auxiliary

4.3 Recruitment & Promotion : Appointments to the posts created in accordance with Bye –law 4.1 above shall be made by the Director in accordance with the procedures prescribed below:

4.3.1. Detailed procedures and norms for recruitment of the candidates to different posts shall be laid down by the Director. Appointments to all posts shall be made on the recommendations of the Committees duly constituted for the purpose by the Council.

4.4. Honorary appointments:

The Council, may, on the recommendations of the Director, create honorary posts and determine the honorarium and other service conditions applicable to such posts.

4.5 Visiting Appointments:

Appointment of visiting Scientists/Professors/Lecturers may be made by Director in accordance with the scheme, if any approved in this behalf. Such a scheme shall, inter-alia, stipulate the terms and conditions including payment of allowances/honorarium or, any other payments.

V. Terms and tenure of appointments, emoluments, allowances and other conditions of service of the Officers and employees of the Institute.

[Under Rule 17(A) (5)]

Establishment and maintenance of pension, Gratuity, Provident or other funds for the benefit of the officers and employees or for the purpose of the Institute.

[Under Rule 17(A) (12)]

(in this section the words “employee” and “employees” shall unless repugnant to the context, mean the “officers and the employees” of the Institute)

5.1 Physical fitness:

Each employee shall produce a certificate of physical fitness from a medical officer nominated by the Director or other authorised officer before appointment and may at any time be required to submit to such medical examination as the Director may decide, during the course of his service.

5.2 Probation :

Save as otherwise expressly provided, each employee on appointment shall be put on probation for a period of one year. The appointing authority may extend, reduce or waive the period of probation for special reasons, provided that it may not be extended for more than a total probationary period of two years. During the period a probation the service of an employee may be terminated by the appointing authority without assigning any reason or without notice unless otherwise provided in the letter to appointment.

5.3 Tenure:

Save as otherwise expressly provided, each employee of the Institute shall after successful completion of the probationary period be confirmed in his appointment if it has been made against a permanent post.

5.4.1 Emoluments:

The Council shall fix the scales of pay and allowance for the employees of the Institute from time to time in conformity with the pay scales in force at that time.

5.4.2 Each employee shall be paid the salary for the post as long as he is in the service of the Institute and satisfactorily carries out his duties.

5.4.3 Each employee will earn periodical increment for the post he holds, unless such increment is specifically withheld by way of punishment under the orders of a competent authority in accordance with the procedures prescribed for the purpose.

5.4.4 Power to grant higher initial pay on initial appointment

The Director shall have the power, subject to such directions as the Council may give, to grant a higher initial pay on initial appointment to an employee on the basis of recommendations made by the Selection Committee.

5.5 Obedience to rules and regulations

5.5.1 During the period of his service every employee shall observe, obey and abide by the Rules of the Institute and the Bye-laws, Regulations, made from time to time by the Council and all Standing Orders passed by the Director and other competent authorities.

5.5.2 Each employee shall perform to the best of his ability all the duties pertaining to his post and shall carry out any directions given to him by the Competent Authorities.

5.6 Whole time Service:

5.6.1 No employee shall, except with the previous sanction of the Director, engage directly or indirectly in any trade or business or undertake any other employment or without the permission on the Council undertake outside work.

Provided that an employee may with the knowledge of the Director, undertake honorary work of a social or charitable nature or occasional work of literary, artistic or scientific character subject to the condition that his official duties do not thereby suffer; but he shall not undertake and shall discontinue such work if so directed.

5.6.2 No employee shall, except with previous sanction, take part in the registration, promotion or management of any bank or other companies registered under the Companies Act, 1956(I of 1956) or any other law for the time being in force.

Provided that an employee, may take part in the registration, promotion or management of a Co-operative Society registered under the Co-operative Societies Act, 1912 (II of 1912) or any other law for the time being in force, or literary, scientific or charitable society registered under the Societies Registration Act 1860(XXI of 1860) or any other corresponding law in force under intimation to the Institute.

5.6.3 An employee shall not, with out the permission of the competent authority absent himself from duty.

5.6.4 Members of the Staff are liable to be entrusted with the urgent work in the interest of the Institute outside the usual working hours or Sundays or holidays. For work on Sundays and other holidays, compensatory holidays or overtime allowance if admissible will be allowed.

5.7 Election and Nominations:

No employee shall take part in politics or offer for election or accept nomination to any local body.

Provided that for election as a member of a Board of Studies or any other authority in any University, an employee may offer himself with the knowledge of the Director.

5.8 Leave:

Leave shall be granted in accordance with the regulations framed by the Council from time to time.

5.9 Provident Fund:

5.9.1 During the continuance of his service an employee shall contribute to the Provident fund, in accordance with the Provident Fund regulations of the Institute in force from time to time.

5.9.2 Other Funds

The Director with the approval of the Council may from time to time establish and maintain other funds for the welfare and assistance of the employees of the Institute.

5.10 Retirement benefits: The Council may formulate as it may deem necessary regulations regarding retirement benefits such as gratuity, pension, etc. subject to the approval of the Government where necessary.

5.11 Termination of Service:

5.11.1 The appointing authority may terminate the services of any employee in accordance with the procedure laid down for the purpose, provided that the services of an employee shall be terminated only after giving due notice as specified in the letter of appointment. Likewise the employee shall be required to give notice of his intention to leave the service of the Institute in accordance with the terms of his appointment, subject to the condition that in no case the total period of notice shall be more than 3 months provided further that the appointing authority may terminate the services of an employee by giving him a shorter notice than that specified in the appointment letter on payment of him of a sum equivalent to the salary and allowances for the period by which such notice falls short of the specified period provided, further that the appointing authority may accept a shorter period of notice.

5.12 Travelling & Daily allowances:

5.12.1. The Council may prescribe from time to time the rates of travelling and daily allowances and LTC admissible to its own members and the staff of the Institute and others for travel.

5.13 Deputations:

5.13.1 Members of the staff may be deputed to attend conferences and congresses or to participate in seminars or symposia in India in accordance with prescribed norms and procedures.

5.13.2. Members of the staff so deputed in India shall be eligible for travelling and daily allowance according to the rates admissible to them. Provided that in the event of any other agency providing the expenses or part thereof the expenses payable by the Institute shall be reduced to that extent.

5.13.3 The Council may frame rules for deputation of the members of the staff of the Institute outside India for attending international meetings, conferences, congresses, seminars et., or for grant of study leave.

5.13.4 The travelling and other expenses of the members of the staff deputed outside India shall be regulated in such manner as may be prescribed by the Council.

5.13.5 The treatment of the period spent on such deputations both in India and outside shall be regulated as per the rules referred to in bye-law 5-13-3.

VI. Duties and Functions of the Director and other Officers and Employees of the Institute

[Under Rule 17(A) (6)]

6.1 Director:

6.1.1. It shall be the duty of the Director to carry out the work of the Institute in accordance with the Rules and Bye-laws and also to act under the general direction and control of the Council. Save as otherwise expressly provided in the Rules and these Bye-laws, the Director shall have all the powers necessary for the exercise of general supervision and control of the work of the Institute and for proper and efficient management of the Institute. In an emergency, the Director shall have the authority to take any suitable action and report in later to the Council.

6.1.2. All members of the staff of the Institute and all other persons working at the Institute including those employed on research projects or schemes financed by other agencies and whether receiving salaries from the Institute or direct from such agencies shall be under the general directions and control of the Director.

6.1.3 Standing orders:

Subject to the Rules and Bye-laws, the Director may issue from time to time with the knowledge of the Council standing orders for the guidance of the staff on any matter connected with the work of the Institute. Such standing orders may inter alia lay down the procedures to be followed or specify the powers delegated and duties assigned to the officers and staff.

6.1.4. Annual Report:

The Director shall submit an annual report of the working of the Institute to the Council as soon as possible after the close of the year.

6.2 Registrar: (Wherever the word “Chief Administrative Officer” occurs please read as “Registrar” as ammended in Board Meeting held on 13.11.2001.)

The Registrar shall perform such duties and exercise such powers as may be delegated to him by the Director.

VII. Discipline, Suspension and Dismissal of the Officers and Employees of the Institute

[Under Rule 17(A) (7)]

7.1 Punishment :

7.1.1 The authority which appoints en employee of the Institute may discharge, dismiss or otherwise punish him for any misconduct or for breach of the terms and conditions of his appointment.

7.1.2 The appointing authority shall also have the power to suspend an employee and fix the rates of subsistence allowance during the period of his suspension in the following cases:

- a) Where a disciplinary proceeding against the employee concerned is contemplated or is pending or,

- b) Where a case against him in respect of any criminal offence is under investigation or inquiry or trial.

7.2 Procedure for punishment :

7.2.1 No order shall be passed under the foregoing bye-law except in accordance with the following procedure:

- a) The appointing authority shall apprise the concerned employee of the position and shall call for his explanation in writing in relation thereto.
- b) If such explanation is not found satisfactory by the appointing authority, specific charges shall be framed against the employee concerned and he shall be given a notice to show cause why any of the punishments (which should be mentioned in the notice) shall not be imposed on him.
- c) In the light of the employee's reply to the show cause notice, the action to be taken or the punishment to be imposed on the employee shall be decided by the appointing authority.

7.2.2. For the purpose of conducting an enquiry or calling for an explanation, the appointing authority shall have the power to nominate any other officer of the Institute to assist him.

7.2.3 The requirements of any of clauses (a) , (b) and (c) in bye-law above may be waived if (i) the facts on the basis of which action is to be taken, have been established in a Court of Law, or (ii) the employee has absconded, or (iii) for any reason it is impracticable to communicate with him. The reasons for waiving shall be recorded in writing.

7.3 Appeals and Review

7.3.1 An employee against whom an order of punishment is passed shall have the right to make a representation to the next higher authority than the authority which has passed the order of punishment by way of an appeal against the order for reconsideration.

Note: In the case of an order passed by the Council the appeal also shall lie with it.

- 7.3.2 Such representation shall be concise, polite and respectful in language and Complete in all respects, specifying the relief desired. It shall be addressed by designation to the next higher authority than the authority which has passed the order of punishment and shall be sent through the proper channel and not direct.
- 7.3.3 The appellate authority shall consider the representation (in the case of the Council, the Council itself) and pass appropriate orders on it.
- 7.3.4 In the case of full or partial exoneration of charges against an employee, such orders shall specify the amount of pay and allowances to be paid to the employee, if suspended during the period of enquiry, on consideration of the representation.
- 7.3.5 No further appeal shall lie against the orders by the Council as in Bye-law
- 7.3.6 The Council may suo moto review any order of punishment passed by the appointing authority and after obtaining the views of the Director on its findings of the review, pass appropriate orders on it.

**VIII. Courses of study, specialised training and research at the Institute;
Admission of students, trainees and research workers to the Institute; award
of certificates and diplomas**

[Under Rule 17A(3) (8) (9) (10)

- 8.1 The Director shall have the power to institute courses of study and facilities for specialised training and research at the Institute on the scheme having been approved by the Council.
- 8.1.1 The Council may institute studentships and fellowships on fixed monthly stipends at the Institute and prescribe the terms and conditions subject to which such studentships/fellowships shall be awarded.
- 8.1.2 The Director or the officer authorised by him shall have the authority (i) to admit every year postgraduate students, trainees and research workers in any branch of studies for training in which the Institute can provide specialized facilities (ii) to prescribe the tenure and conditions of work of the students, trainees or research workers, and (iii) to prescribe from time to time fees payable by such students, trainees and research workers and in suitable cases to waive such fees or part thereof.

IX. Execution of contracts and other instruments on behalf of the Institute

[Under Rule 17(A) (11)]

- 9.1 All contracts by or on behalf of the Institute shall be executed by the Director and such officers of the Institute as may be authorised.