

# THE INSTITUTE OF MATHEMATICAL SCIENCES CHENNAI

(An Aided Institution under the Department of Atomic Energy, Government of India)



## BYE – LAWS 2019

IV CROSS ROAD  
CENTRAL INSTITUTES OF TECHNOLOGY CAMPUS  
TARAMANI, CHENNAI 600 113



**The Institute of Mathematical Sciences, Chennai**  
(An Aided Institution under Department of Atomic Energy, Government of India)

**BYE - LAWS**

---

**Chapter I**  
**GENERAL**

**1. Short Title and Commencement**

1.1 These Bye-Laws and statutes may be called "Bye-Laws of The Institute of Mathematical Sciences, Chennai" (abbreviated as IMSc, Chennai). These shall come into effect from January 1, 2019 (the date of approval by the DAE).

1.2 These Bye-laws may be read in conjunction with the Rules of The Institute of Mathematical Sciences, Chennai.

**2. Name and Address of the Institute**

The name of the Aided Institute shall be "The Institute of Mathematical Sciences, Chennai", abbreviated as IMSc, Chennai. The registered office of The Institute of Mathematical Sciences shall be at 4<sup>th</sup> Cross Road, Central Institute of Technology Campus, Taramani, Chennai 600113, Tamil Nadu, India.

**3. Definitions and interpretation**

In these Bye-laws, the following words and abbreviations shall have the meanings given against them, unless the context signifies otherwise :

- (a) "Act" means the Atomic Energy Act 1962
- (b) "Administrative Department" means Department of Atomic Energy, Government of India
- (c) "Institute" means The Institute of Mathematical Sciences, Chennai.
- (d) "Governing Board" means the Governing Board of IMSc, Chennai
- (e) "Executive Council" means the Executive Council of IMSc, Chennai
- (f) "Building and Works Committee" means Building and Works Committee of IMSc, Chennai.
- (g) "Bye-laws" means Bye-laws of IMSc, Chennai.
- (h) "Governing Board Chairman" means the Chairman of the Governing Board of IMSc, Chennai.
- (i) "Executive Council Chairman" means the Chairman of the Executive Council of IMSc, Chennai.

- (j) "Central Government /Government" means the Government of India represented by the Department of Atomic Energy
- (k) "Competent Authority" means the authority indicated for various purposes in these rules or any other rules applicable or in force in IMSc, Chennai or any such orders of the Government/DAE issued for its Autonomous Bodies/Institutions.
- (l) "Commission" means Atomic Energy Commission (AEC)
- (m) "Co-Chairman" means the Co-Chairman of the Governing Board
- (n) "Director" means the Director of IMSc, Chennai
- (o) "Finance Adviser" means the Internal financial Advisor of IMSc, Chennai
- (p) "Registrar" means Registrar, IMSc, Chennai
- (q) "State Government" means Tamil Nadu State Government.

#### **4. Aims and Objectives of IMSc, Chennai**

The aims and objective of IMSc, Chennai are:

- (a) To create and provide an atmosphere and environment suitable for creative work and pursuit of knowledge and advanced learning in the Mathematical Sciences and allied Theoretical Sciences.
- (b) To promote and conduct research and original investigations in fundamental sciences in general with particular emphasis on Mathematics, Theoretical Physics, Theoretical Computer Science, and Theoretical Biology.
- (c) To foster a rigorous mathematical discipline, to stimulate zest for creative work and to cultivate a spirit of intellectual collaboration amongst academic workers in pure and applied branches of science.
- (d) To arrange lectures, meetings, seminars, and symposia in pursuance of its academic work and for the diffusion of scientific knowledge.
- (e) To invite scientists, from India and from abroad, actively engaged in creative work to deliver lectures and participate in its academic activities.
- (f) 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.

#### **5. Vesting of the Property of the Institute**

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

- (a) Recurring and non-recurring grants made by the Government of India (including Department of Atomic Energy) and Govt of Tamil Nadu.

- (b) Other grants, donations, bequests, and gifts (Periodical or otherwise).
- (c) Income from properties and funds vested in the Council and fees, subscriptions and other annual receipts.
- (d) All land, machinery, plants, equipment and instruments (whether laboratory, workshop or otherwise), books and journals, furniture, furnishings and fixtures belonging to the Institute.

**6. Donations, gifts, etc.**

The council may accept donations, bequests, gifts, subscriptions, creation of corpus funds etc., from individuals and public/private agencies, for a specific purpose provided the conditions, if any, attached thereto are acceptable to the Council and are not contrary or repugnant to the rules/bye-laws/regulations of the Institute, and all such donations, bequests, gifts, subscriptions, creation of corpus funds etc shall be transferred to and vested in the Council.

**Chapter — II**

**CONSTITUTION OF THE GOVERNING BOARD AND THE  
EXECUTIVE COUNCIL OF IMSC, CHENNAI**

**7. Governing Board**

7.1 Subject to the rules and bye-laws of the Institute, the Governing Board of the Institute shall have the following powers and functions:

- (a) To approve the budget, annual plan, and vision statement of the Institute.
- (b) To make annual reviews of the functioning of the Institute.
- (c) To consider policy implications adopted by the Executive Council of the Institute, and provide broad guidance to the Institute.

7.2 The Board shall meet once a year.

**8. Constitution of the Governing Board**

- (a) Minister of Education, Govt. of Tamil Nadu – Chairman.
- (b) Chairman, Atomic Energy Commission and Secretary, Department of Atomic Energy – Co-Chairman.
- (c) Chairman, Executive Council of the Institute – Member.
- (d) Director of a National Institute/Vice-Chancellor of a University to be nominated by the Govt. of Tamil Nadu – Member.
- (e) **Three** eminent academicians to be nominated by the DAE – Member.
- (f) Additional Secretary/Joint Secretary (R&D), DAE - Member.
- (g) Additional Secretary/Joint Secretary (Finance), DAE - Member.

- (h) Secretary, Education Department, Govt. of Tamil Nadu – Member.
- (i) Director, IMSc Chennai – Member-Secretary.

*Note : Registrar, IMSc, Chennai will be present to provide Secretarial Assistance.*

#### **9. Terms of the Governing Board**

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. For ex-officio members, the term of office shall be co-terminus with the office they hold.

#### **10. Constitution of the Executive Council**

- (a) Chairman AEC/Secretary, DAE or his nominee – Chairman.
- (b) **Three** eminent academician nominated by the Governing Board of IMSc, Chennai from among its members – Members.
- (c) Additional Secretary/Joint Secretary (R&D), DAE - Member.
- (d) Additional Secretary/Joint Secretary (Finance), DAE - Member.
- (e) Secretary, Education Department, Govt. of Tamil Nadu – Member.
- (f) Director, IMSc Chennai – Member-Secretary.

*Note : Registrar, IMSc, Chennai will be present to provide Secretarial Assistance.*

#### **Terms of office of Executive Council**

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

#### **11. Powers and functions of the Executive Council**

- (a) Administration and Management of the Institute shall be under the supervision of the Council.
- (b) To consider budget estimates proposed by the Institute and make recommendations to the Governing Board.
- (c) To exercise financial powers as indicated in the schedule to these bye-laws. Specifically, to consider proposals for new and additional expenditure.
- (d) Make rules specific to the mandate of the Institute and decide duties of the Director and other employees of the Institute specific to the Institute's mandate.
- (e) Frame and revise rules for governance of the Institute.
- (f) Approve the annual report and annual audited statement of accounts of the Institute within six months of the end of each financial year, and submit these to the

Government of India and the State Government of Tamil Nadu.

- (g) Frame rules related to establishment, pay, pension, disciplinary proceedings etc. for the employees of the Institute.
- (h) To consider proposals of the Institute for changes in the intake of number of students/postdoctoral fellows, commensurate with the mandate of the Institute.
- (i) Promote mandate of the Institute, including research and other activities consistent with the mandate.
- (j) Consider all cases of promotions and grant promotion to all employees, as per the promotion rules of the Institute.
- (k) Frame recruitment rules, promotion policy, pay structure and cadre structure below the level of Director of the Institute. Appointment of Director of the Institute shall be made by the Council with the approval of the Appointment Committee of the Cabinet (ACC) as per the guidelines issued by the Govt/ACC, if the pay of the Director is equivalent to or above Joint Secretary of the Govt of India.
- (l) Make recommendations to the department about the creation of new positions or upgradation of existing positions, as powers for creation/upgradation of positions rest with Govt/DAE. However, creation of posts to accommodate promotion of scientific/technical/ faculty or other personal promotion can be approved by the Council.
- (m) Execution of contracts and other instruments on behalf of the Institute, conduct and defense of legal proceedings and the manner of signing pleading. The Council may re-delegate these powers to such other officers as considered necessary.
- (n) Make such rules as might be necessary for fulfilling the objectives of the Institute and under any rule of the Institute.
- (o) Appointment of members of the Finance Committee.
- (p) Appointment of Statutory Auditors and fixing the remuneration.
- (q) Delegation of its powers to the Director.

The Council shall be competent to conduct Cadre Review of the Administrative and Auxiliary personnel of the Institute and approve the same for implementation. Any creation of posts, pay of which is equivalent or more than that of Joint Secretary of the Govt, arising out of such cadre review will be referred to the Department for approval after following necessary procedures.

## **12. Meeting of the Executive Council**

12.1 The meetings of Council shall be convened not less than **twice** every year by the Director at a date and time as may be fixed by him in consultation with the Chairman. 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 Council shall be held at the Institute unless the

Chairman otherwise directs.

12.2 A special meeting of the Council may be called at any other time by the Chairman, either on his own initiative or at the request of not less than four members of the Council.

### **13. Notice of the Meeting**

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

13.2 A notice indicating the date, time and place of every meeting, shall be sent by the Member Secretary of the Council writing to the Members provided, the Chairman may call a special meeting of the Council at a short notice to consider urgent special issues.

13.3 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 Council 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.

13.4 Agenda shall be circulated by the Secretary of the Council at least 10 days before the meeting.

13.5 Notices of motions for inclusion of any item on the agenda must reach Secretary of the council at least one week before the meeting. The Chairman may permit inclusion of any item for which due notice was not served.

### **14. Chairman of the Meeting**

The Chairman of the Council shall preside all meetings of the Council. In the absence of the Chairman, the members present shall elect one from among themselves to preside the meeting or the nominee of the Chairman for the particular meeting shall preside the meeting and he shall exercise all the rights and privileges of the Chairman for that meeting.

### **15. Quorum and Procedure**

15.1 Five members, including the Chairman, shall constitute a quorum at any meeting of the Council.

15.2 All matters considered at the meeting of the Council 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.

15.3 Each member of the Council, including the Chairman, shall have one vote, and if there be a tie on any question to be determined by the Council, the Chairman shall, in addition, have and exercise a casting vote.

15.4 The decision of the Chairman shall be final with regard to all questions regarding the procedure for the conduct of the meeting.

15.5 If a Member of the Council (except official/representatives of DAE, State Government) fails to attend three consecutive meetings without leave of absence from the council, he/she shall cease to be a Member of the Council.

15.6 If Joint Secretary of the Department dealing with the Institute or Joint Secretary (Finance) is unable to attend the meeting, they may be represented by their representative(s)/nominee(s) who should not be below the rank of Director/Dy. Secretary. In this case, the representative/nominee shall have full authorization and shall be treated as deemed Members for the particular Council meeting and shall be part of quorum.

15.7 As per the Department of Expenditure, Ministry of Finance (MoF), Gal 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 thereof and creation of posts would need the prior approval of the Govt. of India.

(b) In the event of disagreement between Joint Secretary (Finance) of DAE and the Chairman of the Executive Council of the Aided Institution on the financial matter beyond the delegated power of the Ministry/Department of Govt. of India, the matter may be referred to the Administrative Ministry for taking a decision after following the due procedure.

#### **16. 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 Chairman 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 Chairman may determine. No quorum shall be necessary for a meeting adjourned for want of a quorum.

#### **17. Minutes of the Meeting**

The minutes along with the amendments, if any shall be placed for confirmation at the next meeting of the council. After the Minutes are confirmed and signed by the Chairman, they shall be recorded in the minutes book, which shall be kept open for inspection of the members of the Council at all times.

#### **18. Business by Circulation**

Any business of the Institute to be performed by the Council, except such as may be placed before the meetings of the Council, 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 Council. The resolution as approved by the Executive Council should be reported at the next meeting of the Executive



Council for information and ratification.

**19. Vacancy**

When a vacancy occurs in the office of a member of the Council, 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 has been nominated.

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

**20. Committees of the Council**

The council 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.

**21. Authentication of Orders and decision of the Council**

All the orders and decisions of the Council shall be authenticated by the signature of the Registrar/Chief Administrative Officer or any other person authorized by the Council in its behalf.

**22. Disqualification**

A Member of the Council including the Chairman 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) Death

**Chapter — III**

**POWERS OF THE COUNCIL & OTHER OFFICIALS**

**23. Service Extension**

(The Institute shall follow the age of superannuation for their employees as per their existing bye-laws)

The Council may grant extension of services to Academic staff of the Institute with proven expertise subject to the following conditions:

- 23.1 The extension of service cannot be considered as a matter of routine. Only some fraction of faculty members retiring during a given period under consideration can be considered for extension. The fraction, and the period of consideration, will be determined by the Executive Council from time to time.
- 23.2 The first spell of extension will only be for a period of two years, and after review a further extension may be granted for another term of two years.
- 23.3 In no case the extension of services shall be considered beyond the age of 64 years.
- 23.4 All cases of extension of services shall be considered by the Executive Council.

#### **24. Appointing Authorities**

- 24.1 The Council shall be the Appointing Authority in the cases of appointments to the posts having Pay matrix Level 13 and above.
- 24.2 The Director shall be the appointing authority for the appointments of all posts equivalent to Pay matrix Levels 12 and below.
- 24.3 The promotion to the members in a particular pay scale shall be approved by the same authority which is the appointing authority for that pay scale.

#### **25. Disciplinary Authority**

- 25.1 The Council can initiate disciplinary action against its employees for which the Council is the appointing authority. No appeal lies against the orders of the Council. Representations submitted by the concerned for reconsideration of penalties can be considered by the Council.
- 25.2 Director of the Institute shall be the disciplinary authority for those employees for whom he is the appointing authority. The Council shall be the Appellate, Revision, and Review authority in all such cases.
- 25.3 Registrar of the Institute shall be the disciplinary authority for employees of the administrative staff. The Director of the Institute shall be the Appellate Authority, and the Council shall be the Revisionary and Review Authority in all such cases.

#### **26. Specific Powers of the Authorities**

- 26.1 The Chairman of the Council shall have the power to fix the initial pay (by granting a maximum of five increments) of an incumbent at a stage higher than the minimum of the scale on the recommendation of the Selection Committee, in respect of posts to which appointments can be made by the Council.
- 26.2 In the interest of the Institute, the Chairman may exercise the above power on behalf of the Council and will inform of the action taken in the next Council meeting.

#### **27. Director**

The Director is the Head of the Institute and can exercise 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.

27.1 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 by 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 it later to the Council.

27.2 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, whether receiving salaries from the Institute or directly from such agencies shall be under the general directions and control of the Director.

27.3 Director is in charge of recruitment and promotion of personnel in respect of those posts for which he is the appointing authority.

27.4 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 for which he is the appointing authority. This should be as per norms of GoI/DAE.

27.5 The Director shall have the power to engage Project Staff, Project Assistants/ Technicians, and other manpower including consultants, 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. The norms of GoI/DAE (if any) shall be followed.

27.6 Subject to the terms and conditions as may be laid down by the Council from time to time, the Director shall have the power to permit both national and international travel of academic staff, PhD students, and postdoctoral fellows to make academic visits, attend conferences etc.

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

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

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

27.10 During the absence of Registrar, not exceeding a month, the Director can assign responsibility to any other employee(s) of the Institute any functions of the Registrar as he/she deems fit. If the Registrar is absent for longer than a month, the Council will authorize the Director to assign responsibility as aforesaid for a period exceeding one month.

27.11 The Director may during absence from headquarters authorize 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.

27.12 The Director may, with the approval of the Council delegate any of his/her powers, responsibilities and authorities vested in him/her to one or more members of the academic or administrative staff of the Institute.

27.13 Director shall be responsible for implementing the rules relating to reservation in service to SC/ST/OBC and persons with disabilities.

27.14 Director shall take decisions as to implementation or otherwise of Court judgments related to the staff.

27.15 Director can engage legal counsel/advocates/lawyers to defend the cases and pay the fees.

**28. Registrar**

28.1 By definition Registrar is the custodian of the Institute Seal and estate.

28.2 The Registrar shall provide Secretarial help to the Council.

28.3 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.

28.4 The Registrar shall be in charge of correspondence relating to the Institute subject to the instructions of the Director.

28.5 The Registrar shall be in charge of the administrative/non-academic staff and the general maintenance staff of the Institute.

28.6 The Registrar will look after the maintenance and upkeep of the premises.

**Chapter IV**

**STAFF, ITS CATEGORIES & APPOINTMENTS**

**29. The employees of the Institute classified in to the following Group:**

29.1 Post carrying a pay in the Pay Matrix at the Level from 10 to 18 are classified and equated Group "A" posts of Government of India Service.

29.2 Post carrying a pay in the Pay Matrix at the Level from 6 to 9 are classified and equated Group "B" posts of Government of India Service.

29.3 Post carrying a pay in the Pay Matrix at the Level from 1 to 5 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)*

**30. Appointments & Promotions**

30.1 All posts shall be filled as per the Council approved recruitment and promotion rules of the Institute.

30.2 While making appointments, the Institute shall make necessary provisions

for the reservation of posts in favour of SC/ST/OBC and Persons with Disabilities in accordance with the decision of the Council.

- 30.3 The Council can frame rules or procedures in line with the regulations of the Government for the appointment of overseas citizens of India (OCI) in the Institute.
- 30.4 All appointments made and promotions given shall be reported to the Council in the next meeting.

**31. Appointment of the Director**

- 31.1 The process of appointment shall be as per the directive of DAE. The Search Committee shall be formed by DAE on the request of the Executive Council. The recommendation of the Search Committee shall be placed before the Executive Council for consideration and ratification.
- 31.2 Appointment of the Director shall be normally for a period not exceeding 5 years at a time. His salary and allowances and other conditions of service shall be fixed by the Council as per the norms provided by the Department.
- 31.3 He or she shall be eligible for re-employment for further term(s) of five years at the discretion of the Council 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.
- 31.4 Appointment of the Director and extension of tenure as 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.

**32. Officiate Director/Acting Director**

32.1 Notwithstanding anything contained in clause 25, the Chairman may appoint a person as Director, in the absence (more than 30 days in single stretch) of the Director appointed under clause 25. It shall be reported to Council in the next meeting. He shall attend day-to-day affairs and shall not use the statutory powers of the regular Director.

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

**33. Appointment of Registrar**

The appointment of the Registrar/Chief Administrative Officer/Internal Financial Advisor/Finance Officer irrespective of the scale shall be made by the Council on the recommendation of the Director.

**Chapter - V**  
**FINANCE & ACCOUNTS**

**34. Year**

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

**35. Budget & Funds of the Institute**

35.1 The Director shall be in-charge of preparation of the annual budget estimates of the Institute and shall obtain the approval of the council 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:

- (i) Grants from governments, governmental bodies, universities, Institutes or corporations, institutions or societies;
- (ii) 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.
- (iii) Contributions or grants received from other sources approved by the Council.
- (iv) Income from consultancy and other charges.
- (v) Corpus Funds.

35.2 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

35.3 The accounts shall be maintained as per the Accounting Standards and in the prescribed format as required by the law.

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

35.5 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.

35.6 A PERMANENT ADVANCE of sum to be fixed from time to time by the Director may be kept by the Registrar for cash payments.

35.7 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.

### **36. 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 Council 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.

### **37. Exercise of Financial Powers**

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

## **Chapter — VI**

### **COMMITTEES**

### **38. Finance Committee**

38.1 There shall be an Finance Committee of the Institute consisting of the following members. The Council Chairman of the Council shall be ex-officio Chairman of the Finance Committee. The remaining committee members shall be as follows:

- (a) Director
- (b) Joint Secretary, DAE dealing with the Institute
- (c) Joint Secretary(Finance)
- (d) One other member nominated by the Council

38.2 The functions of the Finance Committee shall be as the following:

- i. To examine and scrutinize the annual budget and make its recommendations to the council.

- ii. To examine the annual financial statement of the Institute.
- iii. To examine any issue related to the finances of the Institute.
- iv. To fix and review user charges.
- v. To exercise Financial Powers of the Executive Council on matters relating to finalizing consultancy contracts, works and procurement contract.

38.3 The Finance Committee shall meet as often as necessary or Council/Chairman desires to do so for any specific task.

38.4 The Committee shall submit its minutes to the Council for consideration and ratification.

**39. Building and Works Committee (BWC)**

There shall be a Building and Works Committee (BWC) of the Institute constituted by the council. The Committee may consist of 5-7 members under the chairmanship of Director of the Institute as may be nominated / constituted by the Council. The representative from the Administrative and Finance in DAE shall be included in Committee. The Committee shall function under the direction of the Council and within the frame work of DAE / CPWD Works procedure.

**40. Academic Selection Committee**

The constitution of the Academic Selection Committee for recruitments and promotions will be as per the recruitment and promotion rules of the Institute which has been approved by the Executive Council.

**Chapter — vii**

**SERVICE CONDITIONS**

**41. Disciplinary Rules**

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

41.2 In the matters of conduct and disciplinary rules, the employees shall be governed by its own Conduct and Disciplinary Rules adopted by the Executive Council, which is along the lines of Central Civil Service (Conduct) Rules (1964) and Central Civil Service (Control Classification and Appeal), (1965).

The Institute will use the Service Rules, already in place as approved by the Executive Council, such as Fundamental Rules, Supplementary Rules, Traveling Allowance Rules, Leave Rules, Leave Travel Concession Rules, Pension Rules, etc.

**42. Leave Rules**

41.1 Employees will be granted leave (including casual leave, earned leave, leave on medical grounds etc.) in accordance with the leave rules of the Institute adopted



in the lines of Leave Rules of the Central Government. Rules for study leave, sabbatical leave, extraordinary leave etc. shall be as approved by Executive Council and the DAE.

41.2 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.

#### **43. 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 recruitment and promotion rules formulated by the Executive Council.

The Institute shall use Annual Performance Appraisal Reports (APAR) for all its employees.

There shall be a proper system of review of its employees as per the provisions of FR-56(j).

#### **44. Scheduled Castes/Scheduled Tribes**

The Govt 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.

#### **45. 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.

### **Chapter - IX**

#### **MISCELLANEOUS**

#### **46. 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 Council by the Director or by an officer of the Institute authorized by the Council for the purpose.

#### **47. Perpetual Succession**

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

#### **48. Amendments of the Bye-Laws**

The Bye-Laws can be amended with the concurrence of Department after following due procedure enumerated in the respective statute by which the Institute is registered.

**49. Residuary Power**

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

**50.** In the matter of interpretation of the Bye-laws or any provisions of the rules of governance, the decision of the Council is final and binding all.

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

**52. Right to Information Act**

The Institute shall take all necessary steps for the implementation of the RTI Act 2005 by appointing 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.

**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. Establishment of Grievances Redressal Mechanism**

There should be a proper mechanism for the grievance redressal of IMSc employees. The Institute shall appoint a Grievance Redressal Committee for setting the grievance petitions in a time bound manner.

**55. Rules and Regulations**

The Institute shall follow the above bye-laws and, in addition to the above, additional Rules & Regulations may be framed for its activities ensuring that provisions mentioned above in the Bye-laws are not violated i.e should not be in contradiction to the provisions of above Bye-Laws or Government's/Department's directives. In the event of their being any inconsistency between Rules & Regulations and these Bye-laws, the provisions of Bye-laws shall prevail.

**56. Matters not Covered Herein**

56.1 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 Executive Council for a decision

56.2 If any question arises which is not covered by these Bye-Laws, the decision of the Council 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.

### 56.3 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.

\*\*\*\*\*