

(v) **Rules & Regulations and Service Bye-laws of NIUA**

Rules and Regulations of the Institute

Title

1. These rules shall be called the Rules of the "National Institute of Urban Affairs", hereinafter referred to as the Institute.

Headquarters

2. The headquarters of the Institute shall be situated in the Union Territory of Delhi.

Definitions

3. In these Rules unless the context otherwise requires:-
 - (a) "The Institute" means the National Institute of Urban Affairs.
 - (b) "Act XXI of 1860" means the Societies Registration Act XXI of 1860 (Punjab Amendment Act. 1957) as extended to the Union Territory of Delhi.
 - (c) "The Governing Council" means the Governing Council of the Institute, as constituted under Rule 9.
"
 - (d) "The President" means the President of the Institute.
 - (e) "The Vice-President" means the Vice-President (s) of the Institute.
 - (f) "The Director" means the Director of the Institute.
 - (g) "Official year" means the official financial year from April 1 of a particular year and ending on March 31 of the ensuing year.

GENERAL BODY AND MEMBERSHIP

The General Body

4. The General Body of the Institute shall be composed of all Members of different categories as specified in Rule-5.

Membership

5. (1) The membership of the Institute shall include the following categories:

(a) (i) *Founder Members:*

All individual signatories to the Memorandum of Association.

All the State Governments and Union Territories of Delhi and Goa, subject to payment of Rs. 1,00,000 as foundation grant and other Andaman & Nicobar, Dadra & Nagar Haveli subject to payment foundation grant of Rs. 50,000 and Mizoram, Lakshadweep, Andaman & Nicobar, Dadra & Nagar Haveli subject to payment of Rs.25,000 as foundation grant. Such founder members who make the payment of foundation grant may be entitled to nominate two representatives to General Body.

(b) *Ex-officio Members:* Three representatives of the Government of India as nominated from time to time shall be ex-officio members, of the General Body of the Institute.

(c) *Patron Members:* Urban Authorities and Organisations contributing at least Rs.10,000/- per annum shall be the patron members of the society and may be entitled to nominate one representative to the General Body.

(d) *Corporate Members:* The Director may admit as corporate Members:-

1. a) Research institutions & Universities subject to payment of admission fee of Rs.500/- and annual subscriptions Rs.500/-. To get life membership, annual fee Rs.500/- and lump sum of Rs.2500/- for life.

b) Municipal Corporation having a population of more than one Lakh, development authorities any departments of Central or State Government, Autonomous Board, Charitable Trusts, Joint Stock companies and Business Establishment or any organization of the manufactures or traders who are interested in the aims and objectives of the Institute subject to payment of Rs.5000/- as Admission fee plus Rs.2500/- as annual subscription or for life membership Rs.5000/- as Admission fee plus Rs.15,000/- as lump sum for life.

c) i) Municipalities having a population of less than one lakh subject to the payment of Rs.1000/- as admission fee plus Rs.1000/- as annual subscription or for life membership Rs.1000/- as admission fee plus Rs.5000/- lump sum for life.

ii) Municipalities of Class III/c and below, subject to the payment of Rs.500/- as admission fee plus Rs.500/- as annual

subscription, or for life membership Rs.500/- admission fee plus Rs.2500/- lump sum for life membership.

Corporate Membership in the above categories may be entitled to nominate one representative to the General Body.

d) Individual Members: The Institute may from time to time invite a few persons who have achieved distinction or special knowledge or relevant fields to become members and such persons may be charged only an annual fee of Rs.50/- only.

2. The terms and conditions applicable and the manner of receiving applications for admission of different categories of members will be determined by a committees consisting of the President the two Vice-Presidents and two or three founding members.

Roll of Members

6. (i) The Institute shall maintain a Roll of Members, who have been admitted and paid their subscription, stating their full address as given in the application for membership.
- (ii) Whenever any member changes his address, he shall notify his new address to the Director of the Institute, but if he fails to notify the change, his address, as recorded in the Roll of Members, shall be deemed to be his address.
- (iii) The rights of Patron Members and Corporate Members shall be exercised by respective representatives, whose names are notified in writing to the Director from time to time.
- (iv) When a person is a Member of the Institute or its Governing Council by virtue of an office held by him, his membership shall terminate when he ceases to hold that office and the vacancy so caused shall be filled by his successor.
- (v) A member of the Institute may resign by a letter addressed to the Director, but his resignation shall take effect only on its acceptance by the Governing Council.
- (vi) In all proceedings of the Institute, no person shall be entitled to vote or be counted as a member, whose subscription at that time has been in arrears for a period exceeding three months as per section 15 of Act XXI of 1860.
- (vi) A member of the Institute shall cease to be such a member if he becomes unsound of mind or insolvent or is convicted of a criminal offence involving moral turpitude.

Office Bearers of the Institute

7. (i) The office bearers of the Institute shall be:-
- (a) The President shall be appointed by the Government after giving due consideration to such recommendations as the General Body may make in this regard. The term of the President shall be two years.
 - (b) Not more than two Vice-Presidents, elected by the General Body every alternate year.
 - (c) Director appointed by the Governing Council with the approval of the Government. The term of his office and other conditions of service to be such as may be determined by the Governing Council.
 - (d) Such other officers as the Governing Council may from time to time appoint.
- (ii) Notwithstanding the provisions of sub-Rule (i), the President, Vice-President and Director, whose names are set out in clause 4 of the Memorandum of Association, shall hold office until such time as a new President and Vice-Presidents are elected and another Director appointed under these Rules.

Meetings of the Institute

8. (1) *Annual General Meeting:* The General Body of the Institute shall meet at least once a year at a time and place as may be determined by the President to transact the following business:-
- (a) to elect a President and Vice-Presidents of the Institute for a period of two years;
 - (b) to elect ten members of the Governing Council as per Rule 9;
 - (c) to appoint Auditors each year;
 - (d) to consider the Annual Report along with Annual Accounts of the Institute;
 - (e) to consider any other matter of which 7 days notice has been given in advance to the Director, in writing and any other ancillary business as may be brought forth with the permission of the Chairman.
- (2) *Extraordinary General Meeting:* The President may convene Extraordinary General Meeting of the Institute on the written requisition of not less than one-fifth of the members of the Institute. Every requisition so made by the members of the Institute shall express the objects for which the meeting is proposed to be called and shall be left at the address of the Director or posted to his address. Upon receiving any such requisition, the Director in consultation with the President shall forthwith convene a meeting of the Institute. At all Extraordinary General Body Meetings, no

subject other than that stated in the notice of the requisition, shall be discussed, except with permission of the President.

- (3) *Notice:* Every notice calling a meeting of the Institute shall state the date, time and place at which such meeting shall be held and shall be served upon every member of the Institute not less than fifteen days before the day appointed for such a meeting.
- (4) *Quorum:* Any ten members present in person shall form a quorum for any meeting of the General Body.
- (5) *President of the Meeting:* The President and in his absence one of the Vice-Presidents and in their absence one of the members to be elected by those present shall preside at the meeting of the General Body.
- (6) *Decisions by Majority:* All matters before the General Body of the Institute shall be decided by a majority of those present and voting and the presiding officer shall have a casting vote.

GOVERNING COUNCIL

9. Composition of the Governing Council

- (1) The Governing Council of the Institute for the purposes of Act XXI of 1860 shall consist of the members and office bearers, whose names are set out in clause 4 of the Memorandum of Association. The number of Members of the Governing Council excluding the office bearers may, however, be increased to fifteen and the vacancies thus arising may be filled by cooption by the Governing Council. Members of the Governing Council shall hold office till 31st March 1977 or till such earlier date, as a new Governing Council is constituted as follows:-
 - (a) The President appointed by the Government and Vice-Presidents of the Institute elected by the General Body according to Rule 7(i) (a & b).
 - (b) One ex-officio member who shall be the representative of Ministry of Finance/Integrated Finance Division of the Ministry of Urban Affairs and Employment, to be nominated by the Ministry of Urban Affairs and Employment in consultation with the Ministry of Finance.
 - (c) Nine persons to be elected by the Members of the Institute present and voting at a meeting of the General Body so that atleast eight of them are drawn from the categories of Founder, Patron, Ex-officio or Corporate members. The term of the members so elected shall be four years; provided that at the first election, half the number of members shall be elected for two years.

- (d) Not more than five members representing different disciplines as may be co-opted by the Governing Council for a term ending on the date when fresh elections are held at the Annual Meeting of General Body.
 - (e) The Director to be ex-officio Member-Secretary of the Governing Council.
- (2) Any casual vacancy amongst the members of the Governing Council arising from death, resignation or discontinuance of membership or for any other cause, may be filled up by cooption by the Governing Council for the unexpired portion of the term of office causing the vacancy.

10. As required under section 4 of Act XXI of 1860, once in every year, on or before the fourteenth day succeeding the day on which the Annual General Meeting of the Institute is held according to these Rules, a list of the names, addresses and occupations of all the members of the Governing Council shall be filed with the Registrar of Societies of the Union Territory of Delhi.

Powers of the Governing Council

11. The general superintendence, direction and control of affairs, funds, assets and properties of the Institute shall vest in the Governing Council, which shall exercise all powers and do all acts and things which may be necessary or expedient for the furtherance of the objects of the Institute.

Suits by and against the Institute

11. The Governing Council may on behalf of the Institute sue and defend all legal proceedings through the Director or such other officer as may be designated for the purpose by the Governing Council in accordance with section 6 of Act XXI of 1860.

Bye-laws

13. The Governing Council shall have power to make such byelaws as it deems fit for the regulation of the business of the Institute and in particular with reference to the appointment of the staff, their condition of service, preparation and sanction of budget estimates, the sanctioning of expenditure, entering into contracts and investment of the funds of the Institute provided that, (i) the structure of emoluments of posts, i.e. pay scales and allowances and revision thereof, and (ii) creation of additional posts above the pay level specified by the Ministry of Finance from time to time, shall come into effect only after the approval of the Ministry of Urban Affairs and Employment in consultation with Ministry of Finance, Deptt. Of

Expenditure. Provided, further, that, the approval of the Deptt. Of Expenditure, Ministry of Finance may not be necessary for the creation of posts of Project Consultants as well as posts for projects sponsored by other organizations, required for specific periods, and also for the terms and conditions of appointment to such posts.

Acceptance of Endowments etc

14. The Governing Council may accept the management of any endowment, trust or donation provided that it is unaccompanied by any condition inconsistent or in conflict with the objects of the Society.

Delegation of Powers

15. The Governing Council may by Resolution delegate to the President, Director, any officer or any Committee or Sub-Committee which may be formed, such of its powers for the conduct of business as it may deem fit.

Committees and Study Panels

16. The Governing Council may by Resolution appoint:
 - (a) Committees for such purposes and with such powers as the Governing Council may think fit, and lay down rules of procedure for such Committees; and
 - (b) Specialists' Panels and Expert Working Groups, drawn if necessary from non-members, for studies and investigation in particular fields and make necessary provision for their functioning.

Meetings of the Governing Council

17. (1) *Method of Calling Meeting of Governing Council:* The President himself can, or by requisition in writing signed by him may require the Director to call a meeting of the Governing Council at any time and on the receipt of such requisition the Director shall forthwith call such meeting.
- (2) *Notice of Meeting of Governing Council:* Not less than seven clear days' notice of every Meeting of the Governing Council shall be given to each member of the Governing Council.
- (3) *Presiding Authority:* Every meeting of the Governing Council shall be presided over by the President. If the President is not present at any meeting one of the Vice-President(s) and in their absence one of the members chosen by those present shall be the Chairman of the meeting.

- (4) *Quorum:* Any five members of the Governing Council present in person shall form a quorum for any Meeting of the Governing Council.
- (5) *Decisions by Majority of Vote:* All matters at a meeting of the Governing Council shall be decided by a majority of those present and voting and in case of an equality of votes, the Chairman shall have a casting vote provided further that, in the event of disagreement between the ex-officio member nominated in accordance with sub-clause (b) of clause (1) of Rule 9 and the Chairman of the Governing Council on any financial matter which is beyond the powers delegated to the Ministry of Urban Affairs & Employment, Govt. of India, the matter shall be referred to the Ministry of Urban Affairs & Employment and the Finance Minister for a decision.
- (6) *Business by Circulars:* Any business which it may be necessary for the Governing Council to transact may be transacted by circulation among all its members and any resolution so circulated and approved by a majority of the members shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Council.

Powers of the Director

18. The Director shall be responsible for the over-all supervision of the affairs of the Institute under the direction and guidance of the Governing Council. He shall regulate the work of the Institute undertaken in furtherance of its objects as its technical and academic head. He shall be responsible for all administrative duties as the Chief Executive Officer of the Institute, control the academic, professional and other staff and perform all duties and exercise all powers assigned to him under these, rules or entrusted or delegated to him by the Governing Council.

FINANCE

Funds of the Institute

19. The funds of the Institute shall consist of the following:-
 - (a) grants made by the Government of India, any State government or planning and development authority; municipal corporation or other local bodies;
 - (b) donations and contributions from other sources;
 - (c) Membership fees and subscriptions;
 - (d) fees and charges imposed by the Institute for services rendered by it;

- (e) income from investment, properties and other assets;
- (f) income and receipts from publication and other sources.

Reserve Funds or Special Funds

20. The Governing Council may set apart a Reserve Fund or Special Funds out of any income, endowments, loans, donations, grants and contributions *for* specified purposes and *for* progressive financing of the activities of the Institute. No part of such funds shall be utilised *for* purposes other than specified.

Bankers, Accounts & Audit

21. (1) The bankers of the Institute shall be a duly constituted bank or banks designated for the purpose by the Governing Council from time to time. All money shall be paid into the Institute's account with the bank or banks so appointed and shall not be withdrawn except by means of cheques signed by the Director or by such officer or officers of the Institute or by such of its members as may be decided by the Governing Council.
- (2) The accounts of the Institute shall be audited by Auditors appointed by the General Body. The nature of audit to be applied and the detailed arrangements to be made in regard to the form of accounts and their maintenance and presentation of the account shall be determined by the Governing Council from time to time.
- (3) The annual account of the Institute together with the audit report thereon and a report of the proceedings on all work undertaken during the year shall be prepared by the Governing Council *for* the information of the members and shall be placed before the General Body of the Institute at the Annual General meeting.

GENERAL

22. (1) No proceedings of the General Body of the Institute or the Governing Council shall be deemed *to* be invalid by reason merely of any Vacancy in or any defect in the constitution of the Institute or the Governing Council as the case may be.
- (2) In all cases of elections or cooption provided in these rules, persons concerned will be eligible *for* re-election or re-cooption as the case may be.
- (3) The income and property of the Institute however derived shall be solely applied towards the promotion of the objects of the Institute as set forth in the Memorandum of Association. No portion of the income and property of the Institute shall be paid *or* transferred directly or indirectly by way of dividends, bonus or otherwise

howsoever by way of profit to persons who at any time are or have been members of the Institute *or* to any of them, *or* to any claiming through them or any of them, provided that nothing herein shall prevent the payment in good faith of remuneration to any members or other person in return for service rendered to the Institute or *for* traveling allowance, halting allowances and other similar charges.

Service of Notice

23. (1) A notice may be served upon any member of the Institute either personally or through the post at his/her address mentioned in the roll of members.
- (2) Any notice so served by post shall be deemed to have been served on the day following that on which the letter, envelope or wrapper containing the same is posted and in proving such service it shall be sufficient to prove that the cover containing such notice was properly addressed and put into the Post Office.

Alteration or Extension of the Purposes of the Institute

24. The Institute may alter or extend the purposes for which it is established:
- (a) If the Governing Council shall submit a proposal for such alteration or extension as aforesaid to the members of the Institute in a written or printed report;
 - (b) if the Governing Council shall convene an Extraordinary General Body Meeting of the members of the Institute according to these Rules for the consideration of the said proposal;
 - (c) if such report be delivered or sent by post to every member of the institute fourteen clear days previous to such Extraordinary General Meeting as aforesaid;
 - (d) if such proposal be agreed to by the votes of three-fifths of the members of the Institute delivered in person at such Extraordinary General Meeting as aforesaid; and
 - (e) if such proposal be confirmed by the votes of three-fifths of the members of the Institute present at a second Extraordinary General Meeting convened by the Governing Council at an interval of one month after the former meeting. .

Amendment of the Rules

25. The rules of the Institute may be altered at any time by Resolution passed by two-thirds majority of members of the Governing Council present and voting at a meeting of the Council which shall have been specially convened for the purpose, and subject to confirmation at a meeting of the General Body of the Institute, duly convened for the purpose.

26. The Institute may change its name by a Resolution passed by a majority of the members of the Institute present and voting at a meeting of the General Body of the Institute, which shall have been duly convened for the purpose.

Dissolution

27. (a) The dissolution of the Institute and adjustment of its affairs shall be in accordance with Section 13 of Act XXI of 1860.
- (b) If on winding up or dissolution of the Institute there shall remain after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Institute or any of them, but shall be dealt with in the manner provided by Sections 14 of Act XXI of 1860, "subject to the condition that the transfer shall take place to some other charitable society having similar aims and objectives".

Act XXI of 1860 to Apply

28. All the provisions of the Societies Registration Act XXI of 1860 (Punjab Amendment Act, 1957), as extended to the Union Territory of Delhi shall apply to this Institute.

We, the undersigned being three of the members of the Governing Council of the National Institute of Urban Affairs, do hereby certify that this is the correct copy of our Rules and Regulations as passed in the special General Body meeting held on February 23, 1976 and confirmed on March 26, 1976.

1. Shri J.R. Bhatia
5, Sunder Nagar
New Delhi .. Sd/-
2. Prof. P .B. Desai.
A/5, Institute of Economic Growth
Delhi University, Delhi Sd/-
3. Shri P.L. Varma
28, Sector 5
Chandigarh Sd/-

**SERVICE BYE-LAWS OF THE
NATIONAL INSTITUTE OF URBAN AFFAIRS AS ON 1st March 1997**

CHAPTER I:

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT:

- 1) These bye-laws shall be called the National Institute of Urban Affairs Service Bye-laws.
- 2) They shall come into force on 1 March 1997.

2. APPLICATION:

- 1) These bye-laws shall apply to every employee of the Institute other than contract employees appointed on consolidated salary.
- 2) Notwithstanding anything contained in Clause (1), the Governing Council may, with prior approval of the Government of India, make such special provisions regarding conditions of service of an employee or class of employees, as it considers necessary and thereupon these bye-laws shall apply to such an employee or class of employees subject to such special provisions.

3. DEFINITIONS:

In these bye-laws, unless the context otherwise requires:

- a) "Appointing Authority" shall be:
 - i) The Governing Council, in the case of Director
 - ii) The President, in case of Group 'A' post except Director.
 - iii) The Director, in case of other posts.
- b) "Appointments Committee" means the Committee on appointments appointed by the resolutions of the Governing council, under Rule 16 (a) of the Rules and Regulations of the Institute;
- c) "Borrowed employee" means an employee of any authority whose services are obtained by the Institute on loan;

- d) "Employee" means a person appointed against a post in the Institute;
- e) "Foreign Service" means the service for which an employee received with the approval of the Appointing Authority, his pay from any source other than the funds of the Institute;
- f) "Governing Council and/or Council" means the Governing council of the Institute;
- g) "Government" means Central Government, through its Department dealing with Urban Development;
- h) Institute means the National institute of Urban Affairs;
- i) "Schedule" means a schedule to these bye- laws;
- j) "Senior Vice President" means Senior Vice President of the Governing Council.

All other words and expressions used but not defined in these bye-laws and defined in the Rules and Regulations of the Institute shall have the meanings respectively assigned to them in the said Rules and Regulations.

CHAPTER II:

NUMBER, CLASSES AND GRADATION OF POSTS

04.1 NUMBER, CLASSES AND CATEGORIES OF POSTS:

- i) The posts under the Institute shall be of the classes and categories specified in the Schedule I.
- ii) At the commencement of these byelaws the number of core posts shall be as sanctioned by the Government.
- iii) The Governing Council may recommend to the Government the creation, abolition or upgradation of any core post and upon approval by the Government the number of core posts shall stand amended in accordance with such approval.

Provided that creation and upgradation of only certain Group A Core posts shall also require the prior approval of Ministry of Finance.

- iv) The Director may from time to time create project posts on contract basis for a specific period or for a specific project in any of the group, 'B' 'C' and 'D' posts.
- v) The President may from time to time create project posts on contract basis for a specific period or for a specific project in group 'A' posts.
- vi) The posts referred to in sub clause (iv) and (v) shall be non-core posts.

05.1 CATEGORISATION OF POSTS

- i.) The posts in the Institute shall be categorised in the following groups:

Posts carrying Basic pay or a scale of pay with a maximum of	Category of posts
Rs. 4,000 & above	Group `A`
Rs. 2,900 to 3999	Group `B`
Rs. 1,151 to 2899	Group `C`
Rs. 1 to 1,150	Group `D`

- ii) The Classification of posts in terms of Group A, B, C and D or otherwise shall be the same as classified by Government of India from time to time for the central civil posts/services.

CHAPTER III

6.0 RECRUITMENT

06.1 METHODS OF RECRUITMENT:

- 1) The method of recruitment, age limits, qualifications and other matters related to said posts shall be as specified for individual posts given in schedule II.
- 2) An employee of the Institute subject to conditions of eligibility etc. may apply for post sought to be filled up by direct recruitment.

06.2.1 Recruitment by Promotion:

- a) Appointment to a post in any group by promotion shall be made on the recommendation of the Departmental Promotion Committee.
- b) The Departmental Promotion Committee/The Departmental Screening Committee shall consist of:
 - i) President (in his absence Chairman Senior Vice President) Chairman
 - One member of the Governing Council Member nominated by President Member
 - One expert on the subject not belonging to the Institute nominated by the President. Member
 - Director Member
 - ii) Unless the Chairman or one of the members of Departmental Promotion Committee belongs to SC or ST category, one Member of Scheduled Caste/Scheduled Tribe Category shall also be nominated by the President.
- c) Government of India scheme namely "The Assured Career Progression Scheme for the Central Government Civilian Employees" shall apply to the employees of the Institute.

06.2.2 Direct Recruitment:

- 1) The Appointing Authority shall on the recommendation of a Selection Committee make appointment to any post by direct recruitment:

- i) from amongst candidates applying in response to any advertisement or recommended by the , Employment Exchange on requisition, for group 'C' &'D' posts;
- ii) from amongst candidates applying in response to any advertisement; or by inviting suitable persons for appointment to group A & B posts.
- iii) from nominations received for group A posts in response to request for nominations.

2) The Selection Committee for Group 'A' posts except that of Director, shall consist of:

- a) President, (Senior Vice-President in the absence of President) Chairman
- b) Two members nominated by the Governing Council from among themselves including one representative of Government. Members
- c) Director Member
- d) For scientific and technical posts above the lowest grade, one expert on the subject, nominated by the President and not belonging to the Institute and nominated by the President. Member
- e) In case of scientific and technical posts of lowest level and for non-technical posts, one member, shall be from SC/ST Community, nominated by the President.

3) The Selection Committee for Group 'B' posts shall consist of:

- Senior Vice-President Chairman
- Director Member
- Administrative & Accounts Officer Member
- One member of SC/ST Community nominated by the President. Member

4) The Selection Committee for Group 'C' posts shall consist of:

- Director Chairman
- Two officers nominated by the Director including one Members

Representative of SC/ST Community

Administrative & Accounts Officer Member

- 5) The Selection Committee for Group 'D' posts shall consist of :
- | | |
|---|----------|
| Administrative & Accounts Officer
by the Director | Chairman |
| One Officer belonging to the ' SC/ST'
Community | Member |
| Officer not below the rank of
Executive Officer/Research Officer | Member |

- 6) The tenure of a Selection Committee shall be two years.

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06.2.3 Appointment of Borrowed Employees:

An employee may be appointed on deputation to any post on standard terms and conditions of appointment as laid down by Government of India.

7.0 RESERVATION OF POSTS FOR SCHEDULED CASTES/TRIBES/ HANDICAPPED

While making appointments to various posts the appointing authority shall observe Government of India orders regarding reservation and other concessions admissible to the Scheduled castes, Scheduled Tribes etc. applicable from time to time. Instructions/clarifications, if necessary shall be sought from Government while implementing these orders.

7.1 TRAVELLING ALLOWANCE FOR ATTENDING INTERVIEW

Candidates appearing for interview for a post shall be paid such traveling allowance as admissible under Government rules as amended from time to time, for a similar post in the Government.

7.2 FITNESS

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

- i) produces a certificate of physical fitness from a Medical Consultant approved by the Institute; and
- ii) produces an affidavit of good character in such form as may be prescribed by the of Government of India for its employees.

CHAPTER IV

8.0 TENURE

01. PERIOD OF PROBATION:

- 1) Employees appointed/promoted to Group 'A', 'B' and 'C' posts shall be on probation for two years and those to Group 'D' posts, for one year. During the period of probation, the employee shall be required to put in satisfactory service failing which his/her services shall be liable to be terminated at any time without assigning any reason. The Appointing Authority may, however, extend or curtail the period of probation.
- 2) Where a person appointed to a post is found unsuitable for holding that post during the period of probation or has not satisfactorily completed the period of probation or it is discovered at any time that the information on the basis of which he was appointed is incorrect in material respect, the Appointing Authority may:
 - i) terminate his services without notice; or
 - ii) revert him to a lower post for which he is otherwise found suitable; or
 - iii) extend the period of probation and on or after completion of such extended period of probation examine his suitability for the post.
- 3) Every person appointed against a permanent post whether by promotion or by direct recruitment shall, on satisfactory completion of the period of probation, be eligible for substantive appointment to that post.

02. TEMPORARY AND PERMANENT SERVICE:

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

03. SUBSTANTIVE APPOINTMENT:

No employee shall be appointed substantively to any post unless:

- i) such post is permanent and nobody else is holding that post in substantive capacity; and
- ii) his services are found satisfactory by the Appointing Authority.

04. TERMINATION OF SERVICE:

- (1) The service of a temporary employee may be terminated by the Appointing Authority without assigning any reasons:
 - a) At any time during the period of probation including the extended period, if any, following the first appointment.
 - b) By a notice of one month in writing or on payment of one months' pay or on payment of pay *for* such period as the notice falls short of one month, in case the period of probation is over.
- (2) For employees appointed on Contract basis the manner *of termination and the period of notice shall be as specified in the appointment order.*
- (3) Without prejudice to the provisions of clause (1) and (2), the service of a temporary employee shall, ipso facto stand terminated:
 - i) on the expiry of such period if his appointment is made *for* a specific period, or
 - ii) on the abolition of the post or on the *expiry of the period for which the post was created*; or
 - iii) on completion of the project *for which he was appointed*; or
 - iv) on the joining of the incumbent *of the post*, if his appointment was made against a leave vacancy whichever is earliest.
- (4) The service of a permanent employee may be terminated by a notice of three months or on payment of pay for such period as the notice falls short of three months or without notice on payment of three months pay; after obtaining approval of the Governing Council with not less than 2/3 of the total members present and voting in such a meeting. Before approving the termination by issue of notice as referred to herein above the Governing Council shall record its reasons for the proposed termination. If the Governing Council is satisfied on representation of the employee or otherwise that it is necessary to do so, it may revoke the order of termination within 3 months of the notice or order of termination whichever is earlier.

- (5) An employee who is given notice of termination of service under clause (3) may be granted, during the period of notice, such earned leave as may be admissible to him not exceeding the remaining period of notice.

05. SENIORITY:

The seniority of employees of the Institute in each category shall be determined by the order of merit in which they are promoted/selected for appointment to the Grade in question. Those selected on an earlier occasion shall be ranked senior to those selected later. In case of employees not joining within 4 months of selection/promotion seniority will be decided by the date of joining under that selection.

06. SUPERANNUATION:

The age of superannuation will be as notified by Ministry of Personnel, Public Grievances and Pensions vide DOPT notification no. 25012/2/97-Estt. dated 27.5.1998 for the employees of the Institute.

07. COMPULSORY RETIREMENT:

An employee shall be compulsory retired from the service on his being declared medically unfit for the service by a Medical Board to be designated by the Appointing Authority in this behalf.

08. VOLUNTARY RETIREMENT:

Notwithstanding anything contained in clause 6 the Appointing Authority may permit an employee to voluntarily retire by giving a notice of three months on his attaining the age of fifty years and/or after having completed 20 years of regular service in the Institute. In such case, he will be entitled to all the benefits of retirement as may be admissible at the age of superannuation, commensurate with the length of service.

09. RESIGNATION:

- i. An employee may resign from the service of the Institute by giving to the Appointing Authority, in writing, of one month before confirmation

and a notice of three months after confirmation, unless notice is specially relaxed by the Appointing Authority.

- ii. Resignation shall be operative only on its acceptance by the Appointing Authority.

CHAPTER V

PAY

01. SCALES OF PAY:

The scales of pay for various posts under this Institute shall be as specified in the Recruitment Rules for that particular post.

02. INITIAL PAY:

1. An employee shall, on his first appointment to a post on a time scale of pay, draw at the lowest stage of time scale.
2. If an employee is assigned the additional charge of an identical post in the order of seniority, for a continuous period exceeding 30 days he will be entitled to a Special Allowance @ 15% of his basic pay for the period of holding additional charge.
3. If an employee holds the additional charge of higher post in the order of seniority, for a continuous period exceeding 30 days he will be entitled to a special allowance @20% of his basic pay in his scale of pay for the period of holding additional charge.

03. INCREMENTS:

1. An increment shall be drawn in the time scale of pay on the first day of the month in which it falls due, unless otherwise withheld. The employee should be present on the date of granting increment.
2. The Appointing Authority shall be the Competent Authority to allow an employee to cross efficiency bar in the time scale subject to fitness.

04. SERVICE FOR INCREMENTS:

The following service shall count for granting increments in the time scale of a post:

1. Duty in that post or in any other post of the same or higher grade;

2. Duty in an equivalent or higher post in foreign service; and
3. Leave, other than extra ordinary leave without medical grounds.

05. LEAVE SALARY DURING LEAVE:

1. Leave Salary during duly sanctioned leave will be admissible to employees at the same rates and subject to the same conditions as admissible to the employees of the Government.
2. An employee on duly sanctioned study leave shall draw pay at such rate as may be specified by the Government for its employees under the Central Civil Service (Leave) Rules 1972, as amended from time to time.
3. No pay shall be admissible to an employee on extra ordinary leave.

06. HONORARIUM:

The Appointing Authority may sanction to an employee, such honorarium and on such conditions as applicable to Government of India employees.

07. DRAWAL OF PAY:

1. An employee shall be entitled to draw the pay of the post to which he is appointed, from the date on which he assumes charge of that post, if the charge is assumed in the forenoon of that date. If the charge is assumed in the afternoon, he shall draw pay from the following date.
2. Pay in respect of any month shall become payable on the last working day of the month, except for the month of March, which shall be payable on the 1st working day of April.
3. Unless the Appointing Authority directs otherwise in writing an employee resigning from the service of the Institute, without the notice prescribed under clause 9 of Chapter IV, shall not be allowed to draw pay for the period not exceeding the prescribed period of notice,

CHAPTER VI

ALLOWANCES

01. KINDS OF ALLOWANCES:

Such allowances will be admissible to employees at the same rates and subject to same conditions from time to time for *holding* the same post as are applicable to the employees of the Government .

02. ALLOWANCES DURING LEAVE:

An employee shall be entitled to such allowances during the period of duly sanctioned leave as are admissible as per the Government of India orders issued from time to time in this regard for its employees.

03. LEAVE TRAVEL CONCESSION:

An employee shall be entitled to leave travel concession on the same terms and conditions as are applicable to the employees of the Government of India from time to time.

CHAPTER VII

MEDICAL FACILITIES

An employee shall be entitled to such medical benefits as are admissible under the medical rules in force for the time being.

CHAPTER VIII

LEAVE

01. The employees may be granted such leave as are admissible to the corresponding categories of Central Government employees under the Central Civil Services (Leave Rules) 1972 as amended from time to time. Provided that an employee on deputation to a post in the Institute shall be governed by leave rules as stipulated in the deputation order.

PROCEDURE FOR GRANT OF LEAVE:

02.

1. The procedure for applying and grant of leave and maintenance of leave record as provided in CCS (Leave Rules) 1972 shall mutatis and mutandis apply to the Institute.
2. The Director shall be the competent authority to sanction leave other than study leave. In the case of Director, the President shall be the competent authority to sanction leave, other than study leave.
3. The President shall be the competent authority for sanctioning study leave to employees other than the Director.

03. **LEAVE ENCASHMENT/LEAVE TRANSFER**

An employee of the Institute shall be entitled to leave encashment/transfer of leaves at par with Central Government employees under CCS (Leave Rules), 1972.

CHAPTER IX:

RETIREMENT AND OTHER BENEFITS:

01. **CONTRIBUTORY PROVIDENT FUND:**

An employee shall be entitled to the benefits of the Contributory Provident Fund of the Institute subject to and in accordance with the Rules of the Institute.

02. **GRATUITY:**

Rules as applicable to Central Government employees shall apply to the employees of the Institute.

03. **INSURANCE:**

i) **Group Savings Linked Insurance Scheme.**

The existing scheme of Life Insurance Corporation of India, shall apply to all the future appointments, in addition to the existing members. The members will subscribe 82.5% and the Institute will contribute 17.5% of the subscription, payable to Life Insurance Corporation of India.

ii) **Group Insurance Scheme.**

The scheme shall apply compulsorily to all the employees of the Institute. The Institute will pay the premium payable to the Life Insurance Corporation of India annually.

CHAPTER X

GENERAL CONDITIONS OF SERVICE:

1) **WHOLE TIME EMPLOYMENT:**

An employee of the Institute shall be a whole time employee and will be required to perform his duties attached to the post or as may be assigned from time to time keeping in view the exigencies of the work.

2) **DEPUTATION AND POSTING:**

- i) The Institute may permit an employee to go on deputation or require him to undergo a course of study or instruction within or outside India.
- ii) An employee may be required to serve the Institute at any place in India and in any post not lower than the post in which he is working on regular basis.

HOLIDAYS:

The Institute shall observe such holidays as are observed by the Government.

SERVICE BOOKS AND CHARACTER ROLLS:

- (i) The Institute shall maintain a service book and character roll of each employee in such form and setting out such particulars as may be specified by the Director.
- (ii) The entries in the Service Book of an employee shall be made by such Officer as may be authorised by the Director.
- (iii) The procedure of making entries in the Character Roll by the Central Government, so far as applicable shall be followed in the Institute.

CHAPTER XI

DISCIPLINE

01. DISCIPLINARY PROCEEDINGS:

Subject to the provisions hereinafter made in this Chapter, in matters of disciplinary proceedings, penalty, appeal revision and review Parts IV to VIII and Rules 30 and 31 of CCS (CCA) rules, 1965, shall so far as relevant, apply to an employee of the Institute.

02. DISCIPLINARY AUTHORITIES:

President	-	For Director
Director	-	For group A, B & C
Admn. & Accounts Officer	-	For group D

03. APPELLATE AUTHORITIES:

An appeal against the order of the disciplinary authority shall lie:

- i) to the Council of the Institute against the orders passed by the President;
- ii) to the President of the Institute against the orders passed by the Director; and
- iii) to the Director of the Institute against the orders passed by an authority lower than the Director.

04. PERIOD OF LIMITATION FOR APPEALS:

No appeal shall lie against the order of suspension made or deemed to have been made. No appeal shall be entertained after a period of 60 days from the date the order was served upon the person concerned.

05. REVIEWING AUTHORITIES:

A review may be made by the following:

President	-	against the order of the Director
Governing Council	-	against the orders of the President
Government	-	against the orders passed by the

Governing Council.

06. OTHER ADAPTATIONS:

In application of the CCS (CCA) rules, 1965 all the references therein of Government Servant shall be read, as employee of the Institute and all the provisions giving powers to President shall be deemed to have been omitted to that extent.

CHAPTER XII

GENERAL

01. MATTERS RELATING TO GENERAL CONDUCT:

All the employees including Director shall be governed by the provisions as contained in CCS (Conduct) Rules 1964. The prescribed authority for the purpose of application of such Rules shall be:

- Director of the Institute for all the employees of the Institute other than Director.
- President of the institute for Director.

02. DELEGATION OF POWER:

Unless the context otherwise requires the President or Director may, by order in writing, delegate any of his powers under these bye-laws, to any of the officers of the Institute.

03. CENTRAL VIGILANCE JURISDICTION:

The employees of the Institute shall be under the jurisdiction of Central Vigilance Commission for purposes of matters relating to vigilance.

04. RESIDUARY CONDITIONS OF SERVICE:

Any matter relating to the conditions of the service of an employee for which no provision is made in these bye-laws shall be determined by the Governing Council with the approval of the Government.

05. POWER TO AMEND:

The Governing Council may from time to time with the approval of Government amend any provisions of these byelaws.

06. REMOVAL OF DOUBTS:

Where a doubt arises as to whether any authority of the Institute is superior to any other authority of the institute in any manner or as to the

interpretation or application of any of the provisions of these byelaws, the decision of the Governing Council thereon shall be final.

SCHEDULE-I**NATIONAL INSTITUTE OF URBAN AFFAIRS
NEW DELHI**

Sl. No.	Name of the Post	Pay Scale
GROUP A		
01	Director	22400-525-24500
02	Professor	14300-400-18300
03	Associate Professor/Housing Environmental & Urban Planner/ Senior Systems Analyst/ Senior Executive Officer	12000-375-16500
04	Senior Research Officer/Research Fellow/ Social Planner/Administration & Accounts Officer/Editor/ Systems Analyst/ Librarian – I/ Library & Information Officer	10000-325-15200
05	Research Officer/ Purchase, Maintenance & Security Officer/ Executive Officer	8000-275-13500
GROUP 'B'		
06	Librarian	6500-200-10500
07	Junior Research Officer	5500-175-9000+335 SP
08	Senior Draughtsman/Private Secretary/ Junior Systems Analyst/ Asstt. Executive Officer	5500-175-9000
GROUP 'C'		
09	Research Analyst	5000-180-8000
10	Personal Assistant/Senior Accountant/ Assistant – I	5000-180-8000
11	Supervisor/ Incharge (WPO or DTP)/ Asstt. Programmer/Draughtsman/ Senior Machine Operator	4500-125-7000
12	Investigator/ Word Processing Operator/ Jr. Draughtsman/ Accountant/UDC/Assistant Stenographer/ Machine Operator/ Caretaker/ Library Assistant	4000-100-6000
13	Lower Division Clerk/ Telephone Operator/ Asstt. Machine Operator/ Tracer/ Staff Car Driver	3050-15-3950-80-4590
GROUP 'D'		
14	Library Attendant	2650-65-3300-70-4000
15	Peon/Chowkidar/Gardner/Farrash/ Sweeper/ Messenger	2550-55-2660-60-3200