

प्लाज़्मा अनुसंधान संस्थान
निकट इन्दिरा पुल भाट गांधीनगर 382 428 भारत

INSTITUTE FOR PLASMA RESEARCH
NEAR INDIRA BRIDGE, BHAT, GANDHINAGAR –382 428 (INDIA)

BYE-LAWS



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Bye-Laws are approved in the 41st Governing Council meeting held on 31.10.2018 and minutes of the 41st Governing Council are confirmed in 42nd Governing Council meeting held on 02.04.2019.

CONTENTS

Page No.

No.	Contents	Page no
	Chapter – I GENERAL	1
1.	Short Title and Commencement	1
2.	Name and Address of the Institute	1
3.	Definitions and Interpretation	1
4.	Aims and Objectives	3
5.	Vesting of the Property of the Institute	3
	Chapter – II Constitution of Governing Council, its meeting and procedure	4
6.	Governing Council	4
7.	Meeting of the Governing Council	4
8.	Notice of the Meeting	5
9.	Chairperson of the Meeting	5
10.	Quorum and Procedure	6
11.	Adjourned Meeting	6
12.	Minutes of the Meeting	6
13.	Business by Circulation	7
14.	Vacancy	7
15.	Committee of the Council	7
16.	Authentication of Orders and decision of the Council	7
17.	Disqualification	7
	Chapter – III Powers of the Council and other Officials	8
18.	General Powers of the Council	8
19.	Service Extension	9
20.	Session of the Institute	10
21.	Appointing Authorities	10
22.	Disciplinary Authority	10
23.	Specific Powers of the Authorities	10
	Chapter –IV Staff, Its Categories & Appointments	13
24.	Classification of the Members of the Staff of the Institute	13
25.	Appointments & Promotions	14
26.	Appointment of the Director / Head of the Institution	14
27.	Officiating Director / Acting Director	15
28.	Appointment of Registrar/Chief Administrative Officer/ Internal Financial Adviser/Head (Accounts)	15

	Chapter – V Finance & Accounts	15
29.	Year	15
30.	Budget & Funds of the Institute	15
31.	Audit	16
32.	Exercise of Financial Powers	17
	Chapter – VI – Committees	17
33.	Finance Committee	17
34.	Procurements, Building and Works Committee (PBWC)	18
35.	Director's Advisory Council (DAC)	18
36.	Constitutions of Recruitment/Promotion Committees	18
	Chapter - VII Service Conditions	18
37.	Disciplinary Rules	18
38.	Leave Rules	18
39.	Recruitment and Promotion of Staff	19
40.	Reservations for Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Persons with Disabilities	19
41.	Contractual Services	19
42.	Project Appointment	19
43.	Contributory Health Service Scheme (CHSS)	20
44.	Contributory Provident Fund Rules	20
45.	Purchase & Stores Procedures	20
	Chapter –VIII Miscellaneous	20
46.	Execution of Contracts on behalf of the Institute	20
47.	Perpetual Succession	20
48.	Amendments of the Bye-Laws	20
49.	Residuary Power	20
50.	Interpretation of Bye-Laws	20
51.	Power to Relax	20
52.	Annual Report	21
53.	Right to Information Act, 2005	21
54.	Establishment of Grievances Redressal Mechanism	21
55.	Implementation of Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act	21
56.	Rules and Regulations	21
57.	Matters not Covered Herein	21
58.	Saving Clause	21

BYE-LAWS

Institute for Plasma Research (An Aided Institution under Department of Atomic Energy, Government of India)

Chapter – I

GENERAL

1 Short Title and Commencement

- 1.1 These Bye Laws and Statutes may be called "Bye-Laws of the Institute for Plasma Research" (hereinafter referred to as "Institute"). These shall come into effect from 1st May 2019, the date of approval by the Central Government.
- 1.2 These Bye-laws may be read in conjunction with the Rules and Regulations of the Institute for Plasma Research.
- 1.3 This supersedes the earlier approved Bye-Laws of the Institute for Plasma Research.

2 Name and Address of the Institute

The name of the aided institute shall be "Institute for Plasma Research" hereinafter called "Institute". The registered office of the Aided Institute shall be at Institute for Plasma Research, Near Indira Bridge, Bhat Village, Gandhinagar – 382 428. Gujarat.

There are three campuses as under –

- (i) Institute for Plasma Research (IPR), Near Indira Bridge, Bhat Village, Gandhinagar – 382 428, Gujarat
- (ii) Facilitation Centre for Industrial Plasma Technologies, Institute for Plasma Research (FCIPT, IPR) – A-10/B, GIDC Electronic Estate, Gandhinagar – 382 044. Gujarat
- (iii) Centre of Plasma Physics – Institute for Plasma Research (CPP-IPR), Nazirakhat, Sonapur-782402, Assam.

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) "Authorities, Officers and Academicians/Professors" respectively means authorities, officers and academicians/Professors of the Institute
- (d) "Finance Committee" or "Standing Finance Committee" means the Finance Committee of the Institute

- (e) Standing Committee for high value procurement, works - means "Purchase, Building and Works Committee (PBWC)" of the Institute.
- (f) "Bye Laws" means Bye Laws of the Institute
- (g) "Chairperson" means the Chairperson of the Governing Council of the Institute.
- (h) "Central Government / Government" means the Government of India represented by the Department of Atomic Energy.
- (i) "Competent Authority" means the authority indicated for various purposes in these Rules or any other Rules applicable or in force in the Institute or any such orders of the Government/DAE issued for its Autonomous Bodies/Institutions;
- (j) "Commission" means Atomic Energy Commission (AEC).
- (k) "Co-Chairperson" means the Co-Chairperson of the Governing Council of the Institute.
- (l) "Department" means Department of Atomic Energy, Government of India hereinafter also referred as "DAE".
- (m) "Director" means the Director of the Institute.
- (n) "Dean (Admin)" means Dean (Administration) of the Institute.
- (o) "Executive Council" or "Governing Council" means Executive Council or Governing Council of the Institute.
- (p) "Finance Adviser" means the Internal Financial Adviser or Financial Adviser or Finance Officer or Joint Controller of Accounts or Head (Accounts), as the case may be.
- (q) GC means Governing Council.
- (r) "Institute" means the Institute for Plasma Research, registered under the Society's Registration Act on 28th August, 1986.
- (s) "Registrar" or "CAO" means Registrar or Chief Administrative Officer of the Institute
- (t) "State Government" means State Government where Institute/Registered Office is situated.
- (u) "DAC" means Director's Advisory Council of the Institute approved by the Governing Council.

4 Aims and Objectives

The AIMS AND OBJECTS of the Institute shall be:-

1. To promote, guide and conduct basic and applied studies in the field of plasma physics and thermonuclear fusion research with a long term goal of developing fusion as a source of energy.
2. To promote, guide and conduct basic research in other related frontier areas of science which are young, vigorous and emerging and to especially foster those areas which appear to have a potential for application in a major emerging area of technology.
3. To foster linkages between academic community of teachers and research workers at the Institute as well as transfer of technologies developed in the Institute to Industry/other Agencies.
4. To establish, maintain and manage laboratories, workshops and/or other units of the Institute to assist scientific research in above-mentioned areas to undertake the design, development and construction of Instruments for Research work under taken in the Institute in association wherever possible with the available expertise in the academic institution, National Laboratories and industrial infrastructure in the country.
5. To undertake the design, development and construction of instruments for research activities in the Institute.
6. To organise training facilities and to train the staff of the Institute and other interested institutions in ongoing areas of research, and arrange lectures, seminars and symposia in pursuance of the academic work of the Institute and for the diffusion of scientific knowledge.
7. To invite scientists from India and abroad who are actively engaged in research in areas of interest of the Institute, to deliver lectures and participate in the research activities of the Institute.
8. To acquire any patents or licenses relating to the inventions and discoveries arising out of the research work done in the Institute.
9. To institute and award fellowships, scholarships, prizes and medals.
10. To cooperate and collaborate with other national and/or foreign institutions and international organizations in the field of research work undertaken by the Institute.
11. To disseminate information on matters pertaining to the academic work in the Institute and to publish scientific papers, bulletins and journals.

5. Vesting of the Property of the Institute -

- (a) All buildings, lands, machinery equipment, plants and instruments (whether laboratory workshop or otherwise), books and journals, furniture, furnishings and fixtures belong to the Department of Atomic Energy, Government of India.
- (b) All properties, funds or assets as are gifted by any trust, by the Central Government, the State Government, or any other Government, or gifted or bequeathed by any other person, to the **Institute for Plasma Research**, shall, subject to the Rules and Bye-laws, vest in the Governing Council of the Institute.

Chapter – II
CONSTITUTION OF GOVERNING COUNCIL, ITS MEETINGS & PROCEDURE

6. Governing Council

Subject to the Rules and Bye-laws, the administration, management and direction of the affairs of the Institute shall vest in GOVERNING COUNCIL, hereinafter called "THE COUNCIL". The Department of Atomic Energy shall constitute the Governing Council.

6.1 The Composition of the Governing Council shall be as under;

1. Chairperson: Secretary, Department of Atomic Energy or an eminent Scientist nominated by the Department of Atomic Energy, Government of India.
2. Co-Chairperson: Director of the Institute will be the ex-officio Co-Chair.
3. Representative from the State Government: Secretary of Education of Science & Technology, Government of Gujarat (Ex-Officio).
4. A Scientist nominated by the Department of Science & Technology, Government of India.
5. A Scientist nominated by the Department of Space, Government of India.
6. Two (2) Scientists and One (1) Industrialist/ Technologist to be nominated by the Department of Atomic Energy, Government of India, in consultation with the Director of the Institute.
7. Joint Secretary of the Department dealing with the Institute
8. Joint Secretary (Finance), Government of India
9. Dean (R&D) of the Institute
10. Registrar/Chief Administrative Officer shall be the Non-Member Secretary.

6.2 The Governing Council shall be a permanent body. However, the Members of the Council shall hold the office for 3 years. They are eligible for re-nomination for another term i.e., one member can be allowed maximum of two terms (except ex-officio members). The tenure of the Members (except those in Sr. NO. 4, 5, 6 of clause no. 6.1) shall be co-terminus with the service in their respective organizations.

7. Meeting of the Governing Council

7.1 The meetings of Council shall be convened not less than Twice a every year by the Director at a date and time as may be fixed by him in consultation with the Chairperson.

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 Headquarter unless the Chairperson otherwise directs.

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

8. Notice of the Meeting

- 8.1 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.
- 8.2 A notice indicating the date, time and place of every meeting, shall be sent by the Secretary of the Council in writing to the Members address provided. The Chairperson may call a special meeting of the Council at a short notice to consider urgent special issues.
- 8.3 The notices may be delivered either by hand or sent by registered post/speed post at the address of each member as recorded in the records of the office of the Council or by e-mail and if so sent, shall be deemed to be duly delivered at the time at which notice would be delivered in the ordinary course of post.
- 8.4 Agenda shall be circulated by the Secretary of the council at least 10 days before the meeting.
- 8.5 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 Chairperson may permit inclusion of any item for which due notice was not served.

9. Chairperson of the Meeting

The Chairperson of the Council shall preside over all meetings of the Council.

In the absence of the Chairperson and Co-Chairperson, the members present shall elect one from among themselves to preside over the meeting or the nominee of the Chairperson for the particular meeting shall preside over the meeting and he shall exercise all the rights and privileges of the Chairperson for that meeting.



10. Quorum and Procedure

- 10.1 Six members including the Chairperson shall constitute a quorum at any meeting of the Council.
- 10.2 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.
- 10.3 Each member of the Council, including the Chairperson, shall have one vote, and if there be a tie on any question to be determined by the Council, the Chairperson shall, in addition, have and exercise a casting vote.
- 10.4 The decision of the Chairperson shall be final with regard to all questions regarding the procedure for the conduct of the meeting.
- 10.5 If a Member of the Council (except official/representatives of DAE and 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.
- 10.6 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/ Deputy 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.

11. Adjourned Meeting

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

12. Minutes of the Meeting

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



13. 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 Governing Council should be reported at the next meeting of the Governing Council for information and ratification.

14. 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.

15. Committee 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/sub-rules.

16. 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.

17. Disqualification

A Member of the Council including the Chairperson shall be disqualified to be a Member only on the ground of;

- (a) Mental Infirmary
- (b) Convicted by a Court of Law
- (c) Insolvency
- (d) Resignation
- (e) Retirement
- (f) Death.

Chapter – III
POWERS OF THE COUNCIL & OTHER OFFICIALS

18. General Powers of the Council

Subject to various orders issued by the Government of India/Department, Administration and management of the Institute shall be under the supervision of the Council. The Council shall have the power to;-

- (i) Exercise the Financial Powers as indicated in this Bye Laws
- (ii) Make Rules/Sub-Rules specific to mandate of the Institute and decide the duties of Director and other employees of the Institute
- (iii) Frame and revise rules for the governance of the Institute.
- (iv) Approve the Annual Report and Annual Audited Statement of Accounts within six months of the end of each financial year.
- (v) Frame rules related to establishment, pay, pension, disciplinary proceedings etc. for the employees of the Institute.
- (vi) Decide the intake of the number of students/fellows commensurate with the mandate of the Institute. This power may be delegated to the Director within the total limit approved by the Council.
- (vii) Consider the recommendations of such Advisory/Expert Committees and acceptance or otherwise of such recommendations.
- (viii) Promote mandate of the Institute which include research within the Institute and decide the date of commencement and duration of the session of the Institute.
- (ix) Make recommendations to the Department about the creation/up gradation of the post as powers for creation/up gradation of the post rest with Government/Department. However, creation of posts to accommodate promotion of Scientific/Technical/Faculties or other personal promotion can be approved by the Director/Council, wherever applicable.
- (x) Frame Recruitment Rules, Promotion Policy, Pay structure and cadre structure below the level of the 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 Government/ACC.
- (xi) The Council shall be competent to conduct Cadre Review of the Administrative and Auxiliary personal of the Institute and approve the same for implementation. Any creation of posts, pay of which is equivalent or more of Joint Secretary of the Government, arising out such cadre review will be referred to the Department for approval after following necessary procedures.

- (xii) As per the Department of Expenditure, Ministry of Finance (MoF), GoI OM no F.No 8(4)E-Coord./84 dated 15th October 1984 duly endorsed by DAE letter no JS(F)/DAE/IV/14/25/63 dated June 2nd 2016, following restrictions shall be applicable:-

Proposal relating to employment structure, i.e., adoption of pay scales, allowances and revision and revision thereof and creation of posts would need the prior approval of the Govt. of India

In the event of disagreement between representative of the Ministry of Finance and the Chairperson of the Governing Body of the Aided Institute 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.

- (xiii) Consider all cases of promotion and grant promotion to all employees, where Governing Council is the Appointing Authority, as per the promotion policy of the Institute subject to following the relevant procedures/norms.
- (xiv) 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.
- (xv) Making such rules as might be necessary for fulfilling the objectives of the Institute and under any rule of the Institute.
- (xvi) Appointment of members to the Finance / Standing Committee.
- (xvii) Appointment of Statutory Auditors and fixing the remuneration.
- (xviii) Delegate its powers to the Director and other Administrative Heads in the Institute.

19 Service Extension

To grant extension of services to Scientific/Academic officials with proven expertise subject to the following conditions:-

The extension of service cannot be considered as a matter of routine. 25% of the Officers retiring during the period under consideration can be considered.

The cases can only be considered initially for a period of two years and after review for another term of two years.

In no case the extension of service shall be considered beyond age of 64 years after superannuation.

All the cases of extension of services shall be considered by the Peer Review Committee constituted by Director of the Institute. The Committee shall consist of at least one member from outside the Institute.



20. SESSION OF THE INSTITUTE

The Institute shall work through-out the year. No holidays shall be observed except Saturdays, Sundays and some special days fixed by the Director each year.

WORKING HOURS: The working hours of the Institute shall be fixed by the Director.

21. Appointing Authorities

- 20.1 The Council shall be the Appointing Authority in the cases of appointments to the posts at Level 13 (or equivalent) and above.
- 20.2 The Director shall be the appointing authority for the appointments of posts at the Level 6 to 12 and all posts equivalent to Group "B" posts.
- 20.3 Registrar/Chief Administrative Officer shall be the appointing authority for the posts below the level 6.
- 20.4 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.

22. Disciplinary Authority

- 21.1 The Governing Council can initiate disciplinary action against its employees for which the Council is appointing Authority. No Appeal lies against the orders of the Governing Council. Representations submitted by the concerned for reconsideration of the penalties can be considered by the Governing Council.
- 21.2 Director of the Institute shall be disciplinary authority for those employees for which he/she is the Appointing Authority. The Council shall be the Appellate, Revision and Review Authority in all such cases.
- 21.3 Registrar/Chief Administrative Officer of the Institute shall be disciplinary authority for those employees for which he/she is the Appointing Authority. The Director of the Institute shall be the Appellate Authority and Council shall be the Revisionary and Review Authority in all such cases.

23. Specific Powers of the Authorities

23.1 Chairperson

- (i) The Chairperson of the Council shall have the power to fix the initial pay (by granting a maximum of 5 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.

(ii) The Chairperson shall have the power to send Employees/ Students/ Fellows of the Institute for training or a course of instructions outside India subject to the terms and conditions as may be laid down by the Council from time to time. This power may be delegated to Director of the Institute.

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

23.2 Director

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

- I. It shall be the duty of the Director to carry on the work of the Institute under the control of the Council in accordance with the Bye-Laws and Rules/Sub-rules for the administration and the management of the Institute. In case of an emergency, he may take such action as may be necessary and report it to the Council.
- II. The Director can Recruit and Promote personnel's in respect of those posts of which he/she is an Appointing authority.
- III. The Director shall have the power to fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum of the scale but not more than five increments in respect of posts of which appointment can be made by him/her. This should be as per the norms of GoI/DAE.
- IV. 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 the Government/DAE (if any) shall be followed.
- V. The Director shall have the power to depute employees of the Institute for training or for a course of instructions inside India subject to such terms and conditions as may be laid down by the Council.
- VI. The Director shall have the power to possess a building on hire or leasing out its building.
- VII. The Director shall have the power to sanction remission or reduction of rent for buildings rendered wholly or partially unsuitable.

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- VIII. The Director shall have the powers of "Estate Officer" in relation to the office and residential buildings of the Institute, which he may delegate to an Officer of the Institute with the approval of the Council.
- IX. During the absence of Registrar/Chief Administrative Officer not exceeding a period of one month, the Director shall take over or assign the responsibility, to any other employee of the Institute any functions of Registrar or Chief Administrative Officer as he/she deemed fit. Provided that if any time the temporary absence of the Registrar or Chief Administrative Officer exceeds one month, the Council may, if thinks fit' authorize the Director to take charge or assign the function of Registrar or Chief Administrative Officer as aforesaid, for a period exceeding one month.
- X. The Director may during absence from headquarters authorize one of the Deans or the Senior Officer present who shall be below the age of superannuation, to execute the current duties of the post of the Director.
- XI. 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 Academic/Scientific or Administrative staff of the Institute.
- XII. Director shall be responsible for the implementation of the Official Language policy in the Institute.
- XIII. Director shall be responsible for implementing the rules relating to reservation in service to SC/ST/OBC and Persons with Disabilities.
- XIV. Take decisions as to the implementation or otherwise of the Court judgments related to the staff.
- XV. Director can engage Legal Counsel(s)/Advocates/Lawyers to defend the cases and pay the fees.

23.3 Registrar/Chief Administrative Officer

- I. By definition Registrar/Chief Administrative Officer is the custodian of the Institute Seal and Estate.
- II. The Registrar/Chief Administrative Officer shall act as Non-Member Secretary to the Council.
- III. The Registrar/Chief Administrative Officer shall work under the general control and orders of the Director. In all matters concerning the Institute, he/she shall act under the general control and orders of the Director.
- IV. The Registrar/Chief Administrative Officer shall be in charge of correspondence relating to the Institute subject to the instructions of the Director.



- V. The Registrar/Chief Administrative Officer will be in charge of the administrative/non-academic/non-scientific/non-technical staff and the general maintenance staff of the Institute.
- VI. The Registrar/Chief Administrative Officer will look after the maintenance and upkeep of the premises.

Chapter – IV

STAFF, ITS CATEGORIES & APPOINTMENTS

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

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

(a) Academic / Scientific :- which term shall include Director, Dy. Director, Dean, Sr. Professor/Professor, Scientific/Technical Officer, Associate Professor, Fellow, Librarian and such other academic/scientific posts as may be decided by the Council. In case of any doubt as to whether a particular post is academic/scientific, the decision of the Director shall be final.

(b) Technical :- which term shall include Scientific Assistant, Technicians, Draughtsman and such other technical posts as may be decided by the Council. In case of any doubt about classification of a post as Technical, the decision of Director shall be final.

(c) Administrative and other including Auxiliary :- which term shall include Controller, Registrar, Chief Administrative Officer, Internal Financial Adviser, Administrative Officer, Accounts Officer, Purchase Officer, Stores Officer, Hindi Officer, Medical officer, Security officer, Assistant Officer (Admin/Purchase/Accounts/Stores/security), Office Assistant (Admin/Purchase/Accounts/ Stores), Hindi Translator, Stenographers, Clerks, Attendant, Driver, multitasking staff and such other administrative and other staff as may be decided by the Council. Decision of the Director will be final in case of any doubt the classification of the members of the staff.

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

Post at level 10 (or equivalent) and above are classified and equated Group "A" posts of Government of India Service.

Post at level 6 to 9, are classified and equated Group "B" posts of Government of India Service

Post below level 6, 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)



25. Appointments & Promotions

(A) All posts shall be filled as per the approved recruitment and promotion rules of the Institute. All vacancies shall normally be filled by advertisements but in exceptional cases, the Council shall have the power to decide on the recommendations of the Director that a particular post be filled by invitation or by promotion from amongst the members of the staff of the Institute.

(B) 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.

(C) Where a post is to be filled on contract basis or by invitation, (except for Project Staff mentioned in item no.39) the Chairperson/Director may at his discretion, constitute such ad-hoc Selection Committee, as circumstances of each case may require.

(D) Where a post is to be filled by promotion amongst the members of the Institute or temporarily for a period of not exceeding 12 months, the Council shall lay down the procedure to be followed.

(E) Notwithstanding anything contained in these bye-laws, the Council shall have the power to make appointments of persons trained under "approved" programmes in such a manner as it may deem appropriate.

(F) The Council can frame rules or procedure in line with the regulations of Government for the appointment of overseas citizens of India (OCI) in the Institute.

(G) Unless otherwise provided under the bye-laws, a selection committee constituted under these laws will be eligible to exercise its functions in relation to that post until the time the appointment is made.

(H) All appointments made/promotions given for the level 13 and above shall be reported to the Council in its next meeting.

26. Appointment of the Director / Head of the Institution

26.1 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 Governing Council. The recommendation of the Search Committee shall be placed before the Governing Council for consideration and ratification.

26.2 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.

26.3 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.



14

निरंजन वैष्णव / NIRANJAN VAISHNAW
मुख्य प्रशासनिक अधिकारी / Chief Administrative Officer
प्लाज्मा अनुसंधान संस्थान / Institute for Plasma Research
इन्दिरा पुल के निकट, भट / Near Indira Bridge, Bhat
जि. गांधीनगर-382 428 / Dist. Gandhinagar-382 428

26.4 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.

27. Officiating Director / Acting Director

27.1 Notwithstanding anything contained in clause 26, the Chairperson may appoint a person to officiate as Director i.e. Officiating Director, in the absence (more than 30 days in single stretch) of the Director appointed under clause 26. It shall be reported to Council in the next meeting. He shall attend day-to-day affairs and shall not use the statutory power of the regular Director.

27.2 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.

28. Appointment of Registrar/Chief Administrative Officer/Internal Financial Adviser/Head (Accounts)

The appointment of the Registrar/ Chief Administrative Officer/Internal Financial Adviser/ Head (Accounts) irrespective of the scale shall be made by the Council on the recommendation of the Director.

Chapter – V
FINANCE & ACCOUNTS

29. Year

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

30 Budget & Funds of the Institute

30.1 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.



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 technology transfer, consultancy and other charges, and
- v. Corpus Funds

30.2 Information in respect of receipts and expenditure shall be as per the following;.

- (i) Actuals for the preceding year
- (ii) Approved budget estimates for the current year
- (iii) Revised Estimates for the current year
- (iv) Budget Estimates for the following year

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

30.4 The Head (Accounts) shall be responsible for the accounts of the Institute.

30.5 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.

30.6 A PERMANENT ADVANCE of sum to be fixed from time to time by the Director may be kept by the Head (Accounts) for cash payments.

30.7 All moneys received for or on behalf of the Institute shall be placed in the name of the Institute in current, saving or fixed deposit accounts with a nationalized bank or any other bank notified by the Ministry of Finance.

31 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.

32 Exercise of Financial Powers

The Institute shall be governed by the provisions of the General Financial Rules (GFR) of the Government of India and 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 Governing Council shall delegate its powers to the various authorities to the extent necessary.

Chapter – VI COMMITTEES

33 Finance Committee

33.1 There shall be a Finance Committee which shall consist of the following officials:-

- (i) Chairperson of the Council will be ex-officio Chairperson of the Committee or his/her nominee
- (ii) Director
- (iii) Joint Secretary, DAE dealing with the Institute
- (iv) Joint Secretary (Finance)
- (v) If necessary, one or two members nominated by the Council
- (vi) Registrar/CAO/Head (Accounts) shall be the convener of the committee.

33.2 The functions of the Finance Committee shall be as per the following:-

- (i) Examine and scrutinize the annual budget and make its recommendations to the council.
- (ii) Any issue related to the finances of the institute.
- (iii) Examine the annual financial statement of the Institutes.
- (iv) Fixing and reviewing of user charges.
- (v) The Committee shall submit its minutes to the Council for consideration and ratification.
- (vi) Exercise of Financial Powers of the Governing Council above the financial power of Director on matters relating to finalizing consultancy contracts, works and procurement contract.

33.3 The committee shall meet as often as necessary or Council/Chairperson desires to do so for any specific task.

33.4 The Committee shall submit its minutes of the meeting to the Council for consideration and ratification.

34. Procurement , Building and Works Committee (PBWC)

There shall be a Procurement, Building and Works Committee (PBWC) of the Institute constituted by the Council. This committee will look the procurement, building and works beyond the power of the Council and will recommend to the Department for approval. The Committee may consist of 5-7 members under the Chairpersonship 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 /DPS norms.

35. Director's Advisory Council (DAC)

The Director with about 15 senior staff members will constitute the Director's Advisory Council for better coordination of all scientific programmes of the Institute, as well as administrative/financial matters.

36. Constitutions of Recruitment/Promotion Committees

I. Committee constituted by Director

Director will constitute Committees for appointments and promotions for the level-12 and below.

II. Committee constituted by Council

Council will constitute Special Committees for appointments and promotions for the level-13 and above.

**Chapter – VII SERVICE
CONDITIONS**

37 Disciplinary Rules

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

37.2 In the matters of conduct and disciplinary rules, the employees of the Institute shall be governed by its own conduct and disciplinary rules adopted in the lines of Central Civil Service (Conduct) Rules, 1964 and Central Civil Service (Control Classification and Appeal), 1965 as amended from time to time.

In the matters of Services Rules such as Fundamental Rules, Supplementary Rules, Traveling Allowance Rules, Leave Travel Concession Rules, Pension Rules, etc. the employees shall be governed as per the rules of the Government of India.

38 Leaves Rules

38.1 Employees will be granted leave (including casual leave, earned leave, leave on medical grounds, extra-ordinary leave etc.) in accordance with the CCS Leave

Rules, as amended from time to time, of the Central Government. Rules for the study leave, sabbatical leave, extraordinary leave etc. shall be as per the guidelines of DAE.

38.2 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.

39 Recruitment and Promotion of Staff

Recruitment and promotion, including assessment and merit promotion in respect of all categories of staff of the Institute shall be regulated in accordance with the detailed scheme formulated by Governing Council. The Institute has adopted Recruitment and promotion guidelines of DAE for its Scientific / Technical staff members after the approval of the Governing Council w. e. f. April 2013. Screening norms for promotion of Scientific and Technical staff approved by Trombay Council, amended from time to time, will be followed.

The Institute has adopted Annual Performance Appraisal Reports (APAR) for its employees. The APAR evaluates the qualities and work output of Academic/Scientific/Technical staff in a manner similar to that approved by the Trombay Council. As regards to the Administrative and Auxiliary personnel also, the Institute shall follow the system as per the guidelines followed in the Administrative Ministry.

40 Reservations for Scheduled Castes / Scheduled Tribes/ Other Backward Classes/ Persons with Disabilities

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

41 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.

42 Project Appointment

The Director may frame conditions for appointment of Project staff on purely temporary basis as per requirement of specific Project(s) for short tenure not exceeding 3 years. These appointments are not to be considered staff as defined under Chapter-IV of these bye-laws.

The Director shall have the authority to frame and amend conditions of service of Project Appointees on the recommendation of the Director's Advisory Council (DAC).

43 CONTRIBUTORY HEALTH SERVICE SCHEME (CHSS) :

The existing medical scheme known as "Contributory Health Service Scheme" (CHSS) of the Institute for Plasma Research (IPR) will continue. The definition of beneficiaries will be followed as per DAE.

44 CONTRIBUTORY PROVIDENT FUND RULES:

The existing "Contributory Provident Fund Rules" of the Institute for Plasma Research, Bhat, Gandhinagar, will continue.

45 PURCHASE & STORES PROCEDURES:

Institute has adopted the DPS Purchase Manual released by DAE in October 2009 and its amendments from time to time.

Chapter – VIII

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/Chief Administrative Officer.

48 Amendments of the Bye-Laws

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

49 Residuary Power

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

50 Interpretation of Bye-Laws

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

51 Power to Relax

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

52 Annual Report

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

53 Right to Information Act, 2005

The Institute shall take all necessary steps for the implementation of the Right to Information 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 periodically.

54 Establishment of Grievances Redressal Mechanism

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

55 Implementation of Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act

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

56 Rules and Regulations

The Institutes 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 there being any inconsistency between Rules & Regulations and these Bye-laws, the provisions of Bye-laws shall prevail.

57 Matters not Covered Herein

57.1 **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 Governing Council for a decision.

57.2 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.

58 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.