

## NOTIFICATION

New Delhi, the 31st July, 2017

**G.S.R. 976(E).**—In exercise of the powers conferred by section 26 read with section 27 of the Institutes of Technology Act, 1961 (59 of 1961), the Council, with the prior approval of the Visitor, hereby frames the following First Statutes of Indian Institute of Technology (Banaras Hindu University), Varanasi, namely:-

### 1. Short title and commencement

- (1) These Statutes may be called the First Statutes of Indian Institute of Technology (Banaras Hindu University), Varanasi, 2017.
- (2) They shall come into force on the date of their publication in the Official Gazette

### 2. Definitions

- (1) In these First Statutes, unless the context otherwise requires,
  - (a) 'Act' means the Institutes of Technology Act, 1961, as amended from time to time;
  - (b) 'Authorities' means the Authorities of the Institute as specified in section 10 of the Act;
  - (c) 'Building and Works Committee' means the Building and Works Committee of the Institute;
  - (d) 'Central Government' means the Government of India;
  - (e) 'Dean' means the Dean of the Institute;
  - (f) 'Department', 'School', 'Centre' and , 'Division' means, the Department, School, Centre, Division and Unit respectively, established by the Institute from time to time;
  - (g) 'Finance Committee' means the Finance Committee of the Institute;
  - (h) 'Head' means the Head of the Department, School, Centre, Division or such other Unit as the case may be;
  - (i) 'Institute' means the Indian Institute of Technology, (Banaras Hindu University), Varanasi;
  - (j) 'Officers' means the Officers of the Institute;
  - (k) 'Ordinances' means the Ordinances of the Institute as may be framed from time to time under section 28 of the Act;
  - (l) 'Faculty' means Professor, Associate Professor and Assistant Professor (Regular and

Contract);

- (m) 'Rules' means the rules framed by the Board;
  - (n) 'Student' means a student admitted to a prescribed programme of the Institute through the laid down procedure and whose name is borne on the rolls of the Institute;
  - (o) 'Warden' means the Warden of the Halls of Residence and Hostels of the Institute; and
  - (p) 'Schedule' means schedule annexed to these Statutes.
- (2) Words and expression used in these Statutes and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

### **3. Meeting of the Board**

- (1) The Board shall meet as often as may be necessary but not less than twice during a calendar year.
- (2) Meetings of the Board shall ordinarily be convened by the Chairman either on his motion or at the request of the Director or on a requisition signed by not less than three members of the Board.
- (3) Five members including one member from outside the Institute, either through personal presence or video conference or teleconference, shall form quorum for a meeting.
- (4) All the matters considered at the meetings of the Board shall be decided by a majority of the votes of the members present including Chairman. If the votes are equally divided, the Chairman shall have a second or casting vote.
- (5) A written notice of the meeting shall be sent by the Registrar to every member at least two weeks before the date of the meeting. The notice shall state the place, the date, and the time of the meeting. The notice may be delivered by post, electronic mail, or FAX at the address of each member as recorded in the Institute and if so sent, shall be deemed to have been delivered.
- (6) Notwithstanding the provisions of the immediately preceding provision, the Chairman may call a meeting of the Board at short notice to consider urgent matters.
- (7) The agenda of the meeting shall be circulated by the Registrar to the members at least ten days before the meeting.
- (8) Notices for inclusion of any item on the agenda must reach the Registrar at least ten days before the meeting. The Chairman may permit inclusion of any item for which due notice has not been received.
- (9) The ruling of the Chairman in regard to all matters relating to procedure shall be final.
- (10) The minutes of the proceedings of a meeting of the Board shall be prepared by the Registrar and circulated to all the members of the Board. The minutes, along with any amendment suggested, shall be placed for confirmation at the next meeting of the Board. After the minutes are confirmed, the minutes shall be signed by the Chairman.

### **4. Authentication of the orders and decisions of the Board**

All orders and decisions of the Board shall be authenticated by the signature of the Registrar.

### **5. Other members, power and duties etc. of Senate**

- (1) In addition to the persons provided in section 14 of the Act, the following shall be the

members of the Senate, namely :-

- (a) Deans
  - (b) Heads of the Departments or Schools as may be established by the Institute.
  - (c) One or more members of academic from each of the Departments and Schools, nominated by the Chairman of the Senate, for a period of one year, subject to a maximum of two persons from any Department or School.
  - (d) Two distinguished persons from the industry, Research & Development, Financial Institutions and any other comparable organisations, nominated by the Chairman of the Senate, for a period of two years.
  - (e) Invitees, with no voting rights, whose presence may be sought during discussion on one or more items of agenda.
  - (f) Upto five student representatives nominated by the Chairman of the Senate, as special invitees, for a period of one year whose participation shall be for the non-evaluation items of the Senate.
- (2) Subject to the provisions of the Act, the Senate shall have the following powers and duties:-
- (a) As the custodian of all academic affairs of the Institute, the Senate is empowered to sanction academic programs and courses, approve their contents and any changes thereof, and oversee their conduct.
  - (b) It shall set the criteria for the award of academic degrees and honors and approve each individual award.
  - (c) It shall set the criteria for the termination of students' programs and approve each termination with due deliberation.
  - (d) In the pursuit of its duties, the Senate is empowered to constitute permanent and other sub-committees, appoint their members and set their powers that shall not equal or exceed the powers of the Senate as a whole.
  - (e) The Senate may invest the Chairman with powers to facilitate speedy decision-making in academic matters. However, all academic decisions of the sub-committees and of the Chairman and functionaries shall be reported to the Senate for confirmation.
  - (f) All academic matters related to the selection of students or participants in academic programs and courses, and periodic information regarding their progress and completion, shall similarly be reported to the Senate for its information and approval.
  - (g) The Senate alone may approve changes in the program of study of students.
  - (h) The creation of new academic departments, schools and centers or abolition thereof or any significant changes in the profile of such entities that are already existing, shall be approved by the Senate and thereby recommended to the Board.
  - (i) Policy and infrastructural initiatives that have bearing on the research and academic profile of the Institute shall be presented to the Senate on a regular basis for its comments and advice, which shall be non-binding but must be communicated to the Board.
  - (j) The Senate shall have powers to invite such person or persons as may be deemed fit

to attend a meeting of the Senate.

- (3) (a) The Senate shall meet at least four times during a calendar year.
- (b) Meetings of the Senate shall ordinarily be convened by the Chairman either on his motion or on a requisition signed by not less than one-third members of the Senate.
- (c) The meeting of the Senate shall ordinarily be presided over by the Director, if present. In his absence, the Acting or Officiating Director shall preside over.
- (d) One third of the members shall form quorum for a meeting.
- (e) All the matters considered at the meetings of the Senate shall be decided by a majority of the votes of the members present including Chairman. If the votes are equally divided, the Chairman shall have a second or casting vote.
- (f) A written notice of the meeting shall be sent by the Registrar, to every member at least two weeks before the date of the meeting. The notice shall state the place, the date, and the time of the meeting. The notice may be delivered by post, electronic mail, or FAX at the address of each member as recorded in the Institute and if so sent, shall be deemed to have been delivered.
- (g) Notwithstanding the provisions of the immediately preceding provision, the Chairman may call a meeting of the Senate at short notice to consider urgent matters.
- (h) The agenda of the meeting shall be circulated by the Registrar to the members at least seven days before the meeting.
- (i) Notices for inclusion of any item on the agenda must reach the Registrar, at least ten days before the meeting. The Chairman may permit inclusion of any item for which due notice has not been received.
- (j) The ruling of the Chairman in regard to all matters relating to procedure shall be final.
- (k) The minutes of the proceedings of a meeting of the Senate shall be prepared by the Registrar, and circulated to all the members of the Senate. The minutes along with amendments, if any suggested, shall be placed for confirmation at the next meeting of the Senate. After the minutes are confirmed, the minutes shall be signed by the Chairman.
- (l) In emergent cases, the Director may exercise the powers of the Senate and report the decisions taken at the next meeting of the Senate.

## 6. Other authorities of the Institute

In addition to the authorities specified in section 10 of the Act, the following shall be the other authorities of the Institute, namely:-

- (i) The Finance Committee
- (ii) The Building and Works Committee

## 7. Finance Committee

- (1) The Finance Committee, hereafter referred to as 'Committee' shall comprise of the following members, namely :-
- (a) the Chairman, ex-officio;
- (b) two persons nominated by the Central Government;

- (c) two persons nominated by the Board;
  - (d) the Director; ex-officio; and
  - (e) the Registrar shall act as Secretary of the Finance Committee on ex-officio basis.
- (2) The Committee shall –
- (a) provide its views and make its recommendations to the Board either suo-moto or on the advice of the Board or of the Director on any financial matter relating to the Institute.
  - (b) provide advice and guidance relating to resource mobilization.
  - (c) perform any other functions as the Board may decide from time to time.
- (3) (a) The Committee may ordinarily meet twice during a calendar year.
- (b) Meetings of the Committee shall ordinarily be convened by the Chairman either on his motion or at the request of the Director or on a requisition signed by not less than three members of the Committee.
  - (c) Three members including one nominee-member from the Central Government shall constitute quorum for a meeting.
  - (d) All the matters considered at the meetings of the Committee shall be decided by a majority of the votes of the members present including Chairman. If the votes are equally divided, the Chairman shall have a second or casting vote.
  - (e) A written notice of the meeting shall be sent by the Registrar, to every member at least two weeks before the date of the meeting. The notice shall state the place, the date, and the time of the meeting. The notice may be delivered by registered post, speed post, courier, electronic mail, or FAX at the address of each member as recorded in the Institute and if so sent, shall be deemed to have been delivered.
  - (f) Notwithstanding the provisions of the immediately preceding provision, the Chairman may call a meeting of the Committee at short notice to consider urgent matters.
  - (g) The agenda of the meeting shall be circulated by the Registrar to the members at least seven days before the meeting.
  - (h) Notices for inclusion of any item on the agenda must reach the Registrar in this behalf, at least ten days before the meeting. The Chairman may permit inclusion of any item for which due notice could not be given.
  - (i) The ruling of the Chairman in regard to all matters relating to procedure shall be final.
  - (j) The minutes of the proceedings of a meeting of the Committee shall be prepared by the Registrar, and circulated to all the members of the Committee. The minutes along with amendment, if any suggested, shall be placed for confirmation at the next meeting of the Committee. After the minutes are confirmed, the minutes shall be signed by the Chairman.
  - (k) A copy of the minutes of meeting of Finance Committee shall be placed before the Board of Governors in a meeting.

## 8. Building and works committee, its powers and duties

- (1) The Building and Works Committee, hereafter referred to as 'Committee', consisting of not less than five and not more than seven members as may be appointed by the Board, including Director as an ex-officio member. The committee shall also be an authority

within the meaning of section 10 of the Act. The Director shall be the Chairman of the Committee.

- (2) The following are the powers and duties of the committee:-
- (a) It shall be responsible under the direction of the Board for construction of all major capital works after securing from the Board the necessary administrative approval and expenditure sanction.
  - (b) It shall have the power to give the necessary administrative approval and expenditure sanction for minor works and works pertaining to maintenance and repairs, within the grant placed at the disposal of the Institute for the purpose.
  - (c) It shall cause to be prepared estimates of cost of buildings and other capital works, minor works, repairs, maintenance and the like.
  - (d) It shall be responsible for making technical scrutiny as may be considered necessary by it.
  - (e) It shall be responsible for enlistment of suitable contractors and acceptance of tenders and shall have the power to give directions for departmental works where necessary.
  - (f) It shall have the power to settle rates not covered by tender and settle claims and disputes with contractors.
- (3) The Committee shall perform such other functions in the matter of construction of buildings and development of land for the Institute as the Board may entrust to it from time to time.
- (4) In emergent cases the Chairman of the Committee may exercise the powers of the Committee. Such cases shall be reported by him to the Committee and the Board at the next meeting of the Committee and of the Board.
- (5) The Committee shall meet as often necessary but at least twice a year.
- (6) Three members shall form a quorum for a meeting of the Committee.
- (7) The provisions in these statutes regarding notices of meeting, inclusion of items in the agenda and confirmation of the minutes applicable to the meetings of the Board, shall so far as may be, be followed in connection with meeting of the Committee.
- (8) A copy of the minutes of every meeting of the Committee shall be sent to the Board.

## 9. Officers of the Institute

The following shall be the Officers of the Institute:-

- (i) The Director.
- (ii) The Deputy Director.
- (iii) The Deans.
- (iv) The Heads of Departments.
- (v) The Registrar.

## 10. Powers and duties of Chairman

- (1) The Chairman of the Board, nominated by the Visitor under clause (a) of section 11 of the Act, shall have the following powers and duties:-

- (a) To fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at stage(s) higher than the prescribed minimum in respect of posts to which appointments can be made by the Board under the provisions of section 25 of the Act.

Notwithstanding anything contained above, he shall have full powers to accord protection of pay in all cases where Board is the appointing authority.

- (b) To approve the proposal of the Director to travel abroad for official purposes, subject to guidelines issued, if any, by the Central Government.
- (c) The Chairman shall execute the contract of service between the Institute and the Director subject to the condition that the Chairman shall not be personally liable in respect of anything under such contract.
- (d) In emergent cases, the Chairman shall exercise the powers of the Board and inform the Board of the action for ratification.

### 11. Travelling Allowances for the Chairman and the members

The Chairman and the Members of the Board and other Authorities and members of the Committees constituted under the Act or these First Statutes or appointed by the Board or other Authorities shall be entitled to travelling allowances and daily allowance, as laid down by the Board from time to time, for attending the meetings of the Authorities and Committees.

### 12. Director and its powers and functions

- (1) Notwithstanding anything contained in these First Statutes, the Council may appoint an eminent person as Director on contract for a period not exceeding five years, with a provision for renewal for further periods. The contract of service of the Director shall be as stipulated in Schedule A:

Provided that every such appointment and terms thereof shall be subject to the prior approval of the Visitor.

- (2) The following are the powers and functions of the Director:-
- (i) 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 involving more than five increments in respect of posts to which appointment can be made by him under the powers vested in him by the provisions of the Act.
- (ii) He shall have the powers to permit members of academic, technical and administrative staff for research, training or for a course of instruction or for any other purpose considered fit by him, within India or abroad, subject to such terms and conditions as may be deemed fit and proper.
- (iii) He shall have the powers to employ all necessary staff, except casual labour, paid from contingencies and project funds or such other fund available at his disposal.
- (iv) In exceptional cases, subject to availability of funds, the Director shall have the power to create temporary posts with the approval of the Chairman, of not more than two years' duration on approved scales of pay under report to the Board provided that no such post, of which Director is not the appointing authority, shall be so created.

- (v) He shall be the 'Competent Authority' for all the employees, as further elaborated in the Conduct Rules in the Schedule C.
- (vi) He shall submit the annual reports, annual budget proposals, annual accounts and annual audit reports to the Board.
- (vii) Subject to the budget provisions and further subject to the powers delegated by the Board of Governors from time to time, the Director shall have powers to (i) incur expenditure for running the Institute, (ii) re-appropriate funds with respect to different items constituting the recurring budget up to fixed limits without involving any recurring liability, (iii) waive the recovery of excess payment, if any, subject to the condition that such excess payment is not a result of misrepresentation of the employee, (iv) write off the irrecoverable losses.
- (viii) He shall have the powers to approve remission or reduction of licence fee for building(s) rendered wholly or partially unsuitable.
- (ix) He shall have all the powers of a head of department for the purposes of rules in the account code, the fundamental and supplementary rules and other rules of the Government in so far as they are applicable or may be made applicable to the conduct of the activities of the Institute.
- (x) He shall have powers to approve and sanction expenditures relating to purchases, services contracts such as housekeeping, security, outsourced manpower, and also advance payment to suppliers or other parties.
- (xi) If for any reason, the Registrar is temporarily absent, for a period not exceeding one month, the Director shall take over or assign to any member of staff of the Institute, any of the functions of the Registrar as he or she deems fit.
- (xii) All contracts for and on behalf of the Institute, except the one between the Institute and the Director, shall, when authorised by a resolution of the Board passed in that behalf, be in writing and be expressed to be made in the name of the Institute and every such contract shall be executed on behalf of the Institute by the Director, but the Director shall not be personally liable in respect of anything under such contract.
- (xiii) The Director may, during his absence from headquarters, authorise the Deputy Director or one of the Deans or a senior Professor present to sanction advances for travelling allowance, contingencies and medical treatment of the staff and sign and countersign bills on his behalf and authorise him for assuming such powers of Director as may be specifically delegated to the Deputy Director or one of the Deans or a senior Professor present by him in writing.
- (xiv) The Director may, at his discretion, constitute such Committees as may be considered appropriate.
- (xv) In the event of the occurrence of any vacancy in the office of the Chairman of Board of Governors by reason of death, resignation or otherwise or in the event of the Chairman being unable to discharge his functions owing to absence, illness or any other cause, the Director may discharge any or all the functions assigned to the Chairman under Statute 10.
- (xvi) The Director may, with the approval of the Board delegate any of the powers, vested in him by the Act and Statutes to one or more members of the academic or administrative staff of the Institute.



**13. Deputy Director**

- (1) The Board, in the interest of smooth functioning of the Institute, shall have the power to create one or more posts of Deputy Director.
- (2) The appointment of the Deputy Director, from among the faculty members of the Institute, shall be made by the Board on the recommendation of the Director.
- (3) The Deputy Director shall assist the Director in such academic and-administrative work as may be considered necessary from time to time.
- (4) The Deputy Director shall be paid such Allowances and provided such facilities as may be approved by the Board from time to time.

**14. Deans**

- (1) The Board shall appoint Dean(s), from among the faculty members of the Institute, for performing such duties and functions and on such terms and conditions as the Board may decide from time to time.
- (2) The Deans shall be paid such allowances and provided such facilities as may be approved by the Board from time to time.

**15. Registrar**

- (1) The Registrar shall be appointed by the Board on the recommendations of the Selection Committee constituted under clause (d) of sub-statute (5) of Statute 17 on such terms and conditions as the Central Government may specify from time to time.
- (2) In addition to the role provided in section 19 of the Act, it shall be the duty of the Registrar –
  - (a) to take action, as may be directed by the Director, to fill up the vacancies including casual vacancies of the Authorities of the Institute.
  - (b) to perform such other duties as may be assigned by the Director.

**16. Classification of members of staff:**

- (1) The Members of staff of the Institute shall be classified as follows-
  - (i) Academic staff shall include Director, Deputy Director, Professor, Associate Professor, Assistant Professor and such other academic post or may be decided by the Board.
  - (ii) Technical staff shall include Medical Officers, Engineers, Managers in various areas such as Telephone Exchange, Printing Press, Foreman, Supervisor (Workshop), Mechanic, Horticultural Assistant, Technical Assistant, Physical Training Instructor and such other technical posts as may be decided by the Board from time to time.
  - (iii) Administrative staff shall include Registrar, Deputy Registrar, Assistant Registrar, Accounts Officer, Internal Auditor, Manager (Facilities), Security Officer, Private Secretaries, Executive Assistants, and such other administrative posts as may be decided by the Board from time to time.

**17. Appointments and procedures for appointment**

- (1) All posts at the Institute shall normally be filled by advertisement, but the Board 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.
- (2) If the post is to be filled by advertisement, the terms and conditions of the post shall be advertised by the Registrar and all applications received within the date specified in the advertisement shall be considered for screening and short-listing by the Screening Committee and further process by the Selection Committee.
- (3) Notwithstanding anything containing in sub-statute (1), if the Board considers it appropriate, there shall be a running advertisement on the web site of the Institute for various posts and applications received from time to time may be considered by the appropriate Departmental Committees and their recommendations shall be sent to the Director for taking appropriate action in accordance with the procedure for selection laid down by the Board from time to time.
- (4) While making appointments, for various reserved categories, the Board shall follow the orders and instructions issued by the Central Government from time to time in this regard.
- (5) All the appointments to various posts shall be made by the Board on the recommendations of the Selection Committees constituted as follows, namely :-

**(a) Deputy Director (from amongst existing Professors)**

- (i) Chairman – Director
- (ii) Member - One expert nominated by the Visitor.
- (iii) Members – Three from the Panel of Experts approved by the Board of Governors.

**(b) Professor:**

- (i) Chairman – Director
- (ii) Member - One expert nominated by the Visitor.
- (iii) Members – Three from the Panel of Experts approved by the Board of Governors.

**(c) Associate Professor Assistant Professor, and equivalent positions:**

- (i) Chairman – Director
- (ii) Members - Three from the Panel of Experts approved by the Board.
- (iii) Member – Head of the Department concerned if the post for which selection is being made is lower in status than that held by the Head of the Department.

**(d) Registrar:**

- (i) Chairman - Director.
- (ii) Member - Deputy Director or One of the Deans or a Professor.
- (iii) Members - Two nominees of the Board, one being an expert but other than a Member of the Board.

**(e) In-charge, Knowledge Resources and Management:**

- (i) Chairman - Director.
- (ii) Members - Three from the Panel of Experts approved by the Board of Governors.

- (f) **Technical and Other Positions at levels higher than (g) categories:**
- (i) Chairman – Director.
  - (ii) Member - Deputy Director or one of the Deans or a Professor nominated by the Director
  - (iii) Members – Two from the Panel of Experts approved by the Board of Governors.
  - (iv) Member - Head of the Dept. concerned or the Registrar, as the case may be.
- (g) **Deputy Registrar, Assistant Registrar, Accounts Officer, Internal Auditor, Stores Officer, Engineers, Medical Officers and all other Administrative and Technical posts of Group A category**
- (i) Chairman - Director or his nominee.
  - (ii) Member - Deputy Director or one of the Deans or Professor nominated by the Director.
  - (iii) Members - Two nominees of the Board.
  - (iv) Member – Registrar.
- (h) **In the case of other posts not covered by categories listed under (a), (b), (c), (d), (e) and (f) and for which the Director is the Appointing Authority, the Selection Committee shall consist of:**
- (i) Chairman - Director or his nominee.
  - (ii) Member - A nominee of the Board.
  - (iii) Member - Head of the Department concerned or the Registrar, as the case may be.
  - (iv) Member - An expert from the staff of the Institute nominated by the Director.
- (i) In the case of all other posts, the Director may, at his discretion, constitute such Selection Committees as may be considered appropriate by him or her.
- (6) All the Selection Committee for appointments to the posts reserved for Scheduled Caste or Scheduled Tribe or Other Backward Class candidates shall include one Scheduled Caste or Scheduled Tribe member or one Other Backward Class member from a panel approved by the Director.
  - (7) The Chairman of the Selection Committee may invite an additional expert from approved panels to assist the Selection Committee who shall not participate in the final recommendation of the Committee.
  - (8) The qualifications and the relevant terms and conditions of service for the various posts except those posts for which the Central Government lays down qualifications, service conditions, etc. shall be specified by the Board from time to time.
  - (9) In the absence of the Director, the Deputy Director, or any member of the faculty of the Institute who is appointed to perform the current duties of the Director, shall be the Chairman of the Selection Committees.
  - (10) Where a post is to be filled on contract basis or by invitation, the Chairman of the Board of Governors may, at his or her discretion, constitute such ad-hoc Selection Committees, as the circumstances of each case may require. The appointment thus made shall be

approved by the Board.

- (11) Where a post is to be filled by promotion from amongst the members of staff of the Institute or when to be filled temporarily for a period not exceeding twelve months, the Board shall lay down the procedure to be followed.
- (12) When a post is to be filled by advertisement, the terms and conditions of the appointment shall be advertised by the Registrar and all applications received within the date specified in the advertisement shall be considered by the Selection Committee.
- (13) No act or proceeding of any Selection Committee shall be called in question on the ground of the absence of any member or members of the Selection Committee.
- (14) Candidates selected for interview for a post under the Institute may be paid such travelling allowances as may be determined by the Board from time to time in this behalf.
- (15) All appointments shall be reported to the Board at its next meeting.

**18. (1) Chair Professors, Joint Faculty, Adjunct Faculty, Distinguished Faculty, Honorary Professor, and Visiting Faculty appointments** - The Institute may create Chair Professorship(s) which may be funded partially or fully from the institute's own resources or from the funds received from donations.

- (2) The Institute may make joint appointments of faculty who could share his or her time along with another Institution within or outside the country either for research or for teaching or both, on such terms and conditions as the Board may in each case decide. In the case of a foreign faculty member, the terms and conditions of appointment shall be subject to the guidelines of the Government of India.
- (3) The Institute may from time to time appoint honorary, distinguished, adjunct faculty and visiting faculty at different levels keeping in view the needs of the Institute and the availability of such persons as are considered necessary. The Board shall frame guidelines relating to these appointments from time to time.

**19. Terms and Conditions of Service of the Employees and Determining their Seniority**

- (1) There shall be the following categories of employees of the Institute –
  - (a) Permanent Employees
  - (b) Temporary Employees
  - (c) Employees on Contract

The terms and conditions of service for each of the above categories shall be as provided in the Schedule B.

- (2) For determining the inter-se seniority of employees of different categories for specific purposes such as for the membership of authorities and bodies, residential accommodation etc, the Board may approve the norms and guidelines from time to time.
- (3) The employees shall be governed by the Conduct Rules as detailed in the Schedule C.

**20. Benefits and Facilities for the Employees**

- (1) The various benefits and facilities shall be available to the eligible employees as may be mentioned in the letter of appointments and the nature of such appointments held by them, as provided in Schedule D.

- (2) The vacation and leave: The employees of the institute shall be entitled to the vacation and leave as laid down in Schedule E.

**21. Authentication of Orders and Decisions of the Authorities and Legal Proceedings**

- (1) All Orders and decisions of the Authorities shall be authenticated by the signature of the Registrar or any other person authorised by the Board in this behalf.
- (2) The Registrar may sue and be sued in the name of the Institute. In the absence of the Registrar or when authorised by the Director in this behalf, the Deputy Registrar or the Assistant Registrar shall represent the Institute in legal proceedings; shall sign pleadings and other documents and accept processes on behalf of the Institute in such legal proceedings.

**22. Departments, Schools, Centres Divisions, & other Units**

The Board may from time to time create, continue, combine or close down any academic units such as departments, schools, research or other centres including service centres, divisions on the recommendation of the Senate.

**23. Head of Department, School, Centre, Division**

- (1) Each Department or School and Centre or Division or similar unit shall be placed in the charge of a Head or Professor-in-Charge who shall be selected and appointed by the Director from among the academic staff of the Institute:

Provided that when in the opinion of the Director, the situation so demands, the Director may himself or herself take temporary charge of the Head or place it under the charge of the Deputy Director or an academic staff from another department for such period as the Director may decide in each case from time to time.

- (2) The Head shall be responsible for the activities under his or her charge subject to the direction and general control of the Director.
- (3) It shall be the duty of the Head to see that the teaching, research and development, administrative and other activities and the decisions of the Authorities of the Institute and of Director are faithfully carried out. He or She shall perform such other duties as may be assigned to him or her by the Director.

**24. Institution of Fellowships, Scholarships, Assistantships, Medals and Prizes**

- (1) The Board may institute from time to time Fellowships, Scholarships, Assistantships, Medals and Prizes for awarding them to its students at undergraduate, postgraduate, research and post-doctoral and other levels.
- (2) The Institute shall decide the value, number and conditions of award for each of them from time to time.
- (3) In addition to the funds of the Institute for the above mentioned purposes, funds received from donations may also be utilised.

**25. Fees and Other Charges payable by the Students**

- (1) The students admitted to the various programmes shall pay tuition fees at the time of first admission and thereafter every academic year for pursuing the programme to which he or she is admitted, as may be prescribed by the Board as per the policy decided by the Council from time to time.
- (2) The Director shall decide in consultation with the Senate, the eligibility and guidelines for administering the Merit-Cum-Means assistance to the meritorious students.

**26. Hostels, Halls of Residence and Wardens**

- (1) All the students, namely, under-graduate, post-graduate and research scholars shall reside in the Halls of Residence and Hostels built, managed, recognised or otherwise by the Institute:  
Provided that in exceptional cases, the Director may permit a student, scholar or fellow to reside outside the campus of the Institute on such condition as may be laid down from time to time for this purpose.
- (2) Every resident in the Halls and Hostels shall abide by the rules laid down by the wardens with approval of Director for the purpose.
- (3) For each Hall and Hostel, there shall be a warden and such number of associate wardens and other staff as may be determined by the Director from time to time.
- (4) The offices of warden and associate warden shall be held by the members of the faculty of the Institute. The appointments shall be made by the Director for such period as he or she may decide.
- (5) wardens and associate wardens shall be paid such allowances and provided such facilities as may be approved by the Board from time to time.
- (6) The Board may decide to create such coordinating facility for the Hostels and Halls of Residence as may be necessary.
- (7) The conditions of residence of students, levying of fees for residence and of other charges as also the management of the Halls of Residence and Hostels shall be in accordance with the rules approved by the Director.

**27. Conferment of Honorary Degrees**

- (1) All the proposals for the conferment of honorary degrees shall be made by the Senate and shall require the assent of the Board before submission to the Visitor for confirmation.
- (2) Whenever it is necessary, the Chairman of the Board may submit, on behalf on the Board, such proposal to the Visitor.

**28. Withdrawal of Degrees**

- (1) The Senate may by a special resolution passed by a majority of not less than two-thirds of the members present and voting, recommend to the Board, the withdrawal of any degree or academic distinction conferred on or any certificate or diploma granted, to any person by the Institute for good and sufficient reason :  
Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such resolution should not be passed and until his objection, if any, and any evidence he may produce in support of them, have been considered by the Senate.
- (2) The Board shall consider the recommendation of the Senate and pass final orders relating to the withdrawal or otherwise of the degrees, diplomas, certificate or the academic distinction as the case may be.

**29. Promotion of Entrepreneurial Initiative**

- (1) The Institute may promote faculty and students' participation in Entrepreneurial and similar activities.
- (2) The Board may frame suitable rules providing flexibility for such promotional activities.

**30. Knowledge, Resources and Management**

- (1) The Institute may provide for creation of suitable facilities for Knowledge, Resources and Management purposes to cater to the needs of the academic staff, students, researchers and others engaged in academic, management and administrative pursuits including the process of Technology Enhanced Learning Programmes, through contemporary means and methods in electronic and print form.
- (2) The Institute while providing suitable facilities and structure may also lay down the norms and necessary guidelines for this purpose.

**31. Resource Mobilization-and Corpus or Endowment Fund**

- (1) The Institute may raise its own resources from different sources such as Consultation, Donations, Continuing Education, Distance Education, etc. so that some of its additional needs may be met from such funds.
- (2) The Institute may create its own Corpus Fund or Endowment to credit donations, wherever necessary to do so, savings from different funds and sources, and manage the funds through a structured system.
- (3) The Board may create such suitable structures for the aforesaid purpose as it may deem appropriate with due accountability.

**32. Continuing Education Programmes**

The Senate may create suitable structures and procedures to offer Continuing Education Programmes by the Institute. It may lay down suitable norms and guidelines in this regard.

**33. Technology Enhanced Learning Programmes**

The Board may create suitable structures and procedures to promote Technology Enhanced Learning Programme and also the Board may lay down necessary norms and guidelines in this regard.

**34. Creation of Entities to Promote Academic and Research Excellence**

The Board may lay down suitable norms and guidelines for establishing entities such as Special Purpose Vehicle (SPV), under section 8 of the Companies Act, 2013 and Societies Registration Act, 1860 (21 of 1860) to promote Academic and Research Excellence.

**35. Interpretation of the Statutes**

The decision of the Board on all questions relating to the interpretation of these First Statutes and the provisions therein shall be final.

**SCHEDULE A****[See Statute 12(1)]****CONTRACT OF SERVICE OF THE DIRECTOR**

An AGREEMENT for service made this.....1..... date of  
 .....Two Thousand and ..... between .....

(herein after called the appointee) of the one part and the Indian Institute of Technology, (Banaras Hindu University), Varanasi, incorporated under the institutes of Technology Act, 1961 (Act 59 of 1961) as amended from time to time (hereinafter called the Institute).

"WHEREAS in terms of section 17 (1) of the Institutes of Technology Act, 1961 (hereinafter called the Act) and sub-statute (1) of statute 12 of First Statutes of Indian Institute of Technology (Banaras Hindu University), Varanasi, 2017 (hereinafter called Statutes), the Council of the Institutes of Technology referred to in the Act (hereinafter called the Council) with the approval of the Visitor, has been pleased to approve the appointment of the appointee as the Director of the Institute on contract for ..... years and the appointee has accepted such appointment upon the terms and conditions hereinafter appearing.

NOW THESE PRESENTS WITNESSETH and the parties hereto respectively agree as follows:-

- [1] This agreement of service shall be deemed to have been entered into subject at all times to the provisions of the Act and Statutes covering the Institute as in force from time to time as applicable to permanent confirmed employees.
- [2] The appointee shall be on service under the Agreement for a period of ..... years with effect from ..... that is date of joining the post. Provided that if the appointee on conclusion of the period of service mentioned above is below 70 years of age, his or her service shall continue till the last date of the academic year in which the appointee concludes the said period of service or till he attains the age of 70, whichever is earlier.
- [3] The appointee shall be the Principal academic and Executive Officer of the Institute and serve the Institute as the whole time Director of the Institute with powers and duties provided in the said Act and Statutes.
- [4] The appointee shall devote his whole time to the service of the Institute and will be subject to the Conduct Rules and other provisions of the said Act and the Statutes. Any information obtained by appointee during or in connection with his service and the work upon which he is engaged shall be treated as secret and confidential and appointee shall abide himself or herself accordingly.
- [5] During the period of his service except in respect of any period of suspension and also of any period of leave without pay. the appointee shall be entitled subject to the Indian Income Tax to an initial pay of Rs..... provided that if any time the appointee proceeds on deputation out of India his pay and allowances during the period of his deputation will be such as may be decided by the Board of Governors. In addition, the appointee shall draw allowances like Dearness Allowance, City Compensatory Allowance etc. as maybe admissible from time to time as per rules of the Institute.
- [6] During his or her service under these presents the appointee, if on deputation from another Institution; be governed by the terms and conditions of the parent institution of the appointee. In all other cases, the appointee shall be governed by the New Pension Scheme (NPS) of the Government of India, as applicable to the employees of the Institute.



- [7] Notwithstanding anything hereinbefore contained, the appointee shall, unless otherwise decided by the Institute, be entitled to receive the whole or in part as may be determined by the Institute, the benefits of any improvements in the revision of pay and in retirement benefits that may be effected by the Institute. He or She will also be eligible for any improvements in any other conditions of the service of members of the staff of Institute.
- [8] The appointee shall be entitled to leave as admissible to permanent non-vacation employees of the Institute under the Rules framed or as may be framed by the Board.
- [9] The appointee shall be entitled to furnished free of licence fee accommodation in the campus of the Institute as may be sanctioned by the Board of Governors of the Institute. In case, the appointee is required to stay outside the campus, the Board shall decide the arrangement or payments for the accommodation befitting the position of the Director, outside the campus.
- [10] The appointee shall be eligible for privilege in relation to medical attendance and treatment as provided for by the Rules framed or may be framed by the Board for the employees of the Institute.
- [11] The appointee shall be paid travelling expenses for joining the Institute as admissible to an officer of the Central Government of equivalent rank under the Transfer Travelling Allowances. Rules of the Central Government deeming the appointment of the appointee as on transfer in the public interest. If the appointee is required to travel in the interest of Institute work, he shall be entitled to travelling allowance on the scale provided for in the Travelling Allowances Rules of the institute in force from time to time.
- Similarly, the appointee shall be entitled to leave travel concession for visiting his hometown as per the Rules of the Institute.
- [12] Any amount received by the appointee from books and articles published by him at his cost shall be left to him as an encouragement for continuing his work in that line. He would also be allowed to do consultancy and retain benefits of the same as per rules laid down by the Board from time to time.
- [13] The service of appointee may during the period of contract, be terminated by the Institute at any time by three calendar months notice in writing given at any time during service under this contract without any cause assigned. Provided always the Institute may in lieu of the notice herein provided to give the appointee a sum equivalent to the amount of his basic pay for three months.
- The appointee may terminate his service by giving to the Institute three calendar months notice in writing.
- [14] The appointee will be allowed the status of Professor of ....., to take part in teaching and research in the Department of ..... of the Institute.
- [15] In respect of any matter for which no provision has been made in this agreement, the appointee shall be governed by the said Institutes of Technology Act 1961 as amended from time to time and the Statutes made thereunder for time being in force.

IN WITNESS WHEREOF on the day and the year first above written, the Chairman of the Board of Governors of the Institute and hereinto set his hand and the appointee has hereinto set his hand.

Signed and delivered for the  
Indian Institute of Technology

Chairman, Board of Governors,  
Indian Institute of Technology,  
(Banaras Hindu University), Varanasi

In the presence of Signature of  
Witnesses with addresses.

Signed and delivered by the  
said appointee

Director, IIT  
(Banaras Hindu University), Varanasi.

In the presence of Signature of  
witnesses with addresses

.....

.....

**SCHEDULE B****[See Statute 19(1)]****The Terms and Conditions of Service of the Employees****1. Permanent Employees**

- (1) Every appointment shall be subject to the condition that the appointee is certified as being in sound health and physically fit for the service, by a medical authority nominated by the Board : Provided that the Board may for sufficient reasons relax the medical requirements in any particular case or cases or dispense with such medical examination in any case or class of cases subject to such conditions, if any, as may be laid down by the Board.
- (2) The age of superannuation of the employees shall be regulated and prescribed in accordance of the orders of the Government of India in this behalf from time to time and as adopted by the Board.
- (3) Subject to the provisions of the Act and the Statutes, all the appointments to permanent positions under the Institute shall ordinarily be made on probation for a period of one year after which period, the appointee, if confirmed, shall continue to hold office subject to the provisions of the Act and the Statutes, till the end of the month in which attains the age of superannuation, as may be prescribed from time to time.
- (4) The appointing authority shall have the power to extend the period of probation of any appointee for such periods as may be found necessary but not exceeding two years, provided that if, after the extended period of probation, the appointee is neither confirmed nor his services terminated, he shall be deemed to have continued on temporary basis, and then his services may then be terminated on a month's notice or on a payment of a month's salary thereof.
- (5) The Appointing Authority shall have the power to terminate the services of any member of the staff without notice and without any cause assigned during the period of probation.
- (6) Where the Board considers that in the interests of students and for the purposes of teaching and guiding the research scholars, any member of the academic staff should be re-employed after superannuation, it may re-employ such a member till the end of the semester or academic session as considered appropriate in the circumstances of each case. Provided that in no circumstances such member shall be re-employed for any purposes other than those of teaching and research.
- (7) Where it becomes necessary to re-employ any such member beyond the end of the

academic session, the Board may, with the previous approval of the Visitor, re-employ any such member for a period upto three years in the first instance and up to two years thereafter and in no case exceeding the end of the academic session in which attains the age of 70 years. Provided that in no circumstances such member shall be re-employed for any purposes other than those of teaching and research.

- (8) A permanent employee of the Institute may resign or retire from services by giving to the Appointing Authority three months notice provided that the appointing authority may for sufficient reasons either reduce this period or call upon the employee concerned to continue till the end of the academic year or semester in which the notice is received. Retirement or other benefits shall be in accordance with the provisions of Government of India as applicable from time to time.

## **2. Temporary Employees**

- (1) The service of a temporary employee shall be liable to termination at any time by notice in writing given either by the employee to the Appointing Authority or by the Appointing Authority to the employee. The period of such notice shall be one month, unless otherwise agreed to by the Institute and the employee.
- (2) The other terms and conditions of service of such employees shall be such as may be specified by the Appointing Authority in the letter of appointment

## **3. Appointments on Contracts**

- (1) Notwithstanding anything contained in these schedule, the Board may in special circumstances, appoint an eminent person on contract for period not exceeding 5 years, with a provision of renewal for further period, provided that every such appointment and terms thereof subject to the prior approval of the Visitor.
- (2) Subject to the provisions contained in the Act, the Board may appoint any person on contract in the specified Scales of Pay and on terms and conditions applicable to the relevant post for a period not exceeding five years with a provision of renewal for further period. For making such appointments, the Chairman of the Board may, at his or her discretion, constitute such ad hoc Selection Committees as deemed fit and proper.
- (3) Notwithstanding anything contained in these schedule, the Council may appoint an eminent person as the Director on contract for a period not exceeding five years, with a provision for renewal for further periods, provided that every such appointment and terms thereof shall be subject to the prior approval of the Visitor.

**SCHEDULE-C****[See Statute 19 (3)]****Conduct Rules for the Employees****Application**

The provisions contained in this Schedule shall apply to all the employees of the Institute.

**Definitions**

2. In this Schedule unless the context otherwise requires-

(a) "Competent authority" means:-

(i) "The Board of Governors" in the case of the Director.

(ii) "The Director" in the case of all other employees.

(b) "Members of the family" in relation to an employee includes-

(i) the spouse, child or step-child of such employee residing with and dependent, and such other dependants as may be permitted under the Central Government Rules or directive in this regard.

(c) "Service" means service under the Institute.

**General**

3. An employee of the Institute shall devote whole time to the service of the Institute and shall not engage directly or indirectly in any trade or business or any other work which may interfere with the proper discharge of duties, but the prohibition herein contained shall not apply to academic work and Consultative Practice or any Entrepreneurial or any similar activity undertaken with the prior permission of the Institute, which may be given subject to such conditions as regards the acceptance of remuneration and conditions as may be laid down by the Board from time to time.

4. (a) Every employee shall at all times maintain absolute integrity, devotion to duty, and do nothing that is unbecoming of an employee of Indian Institute of Technology (Banaras Hindu University), Varanasi, and also be strictly honest and impartial in his official dealings.

(b) An employee should at all times be courteous in his dealings with other members of the staff, students and members of the public.

(c) Unless otherwise stated specifically in the terms of appointment, every employee is a whole-time employee of the Institute, and may be called upon to perform such duties, as may be assigned by competent authority, beyond scheduled working hours and on closed holidays and Sundays. These duties shall inter-alia include attendance at meetings of committees to which appointed or required by the Institute.

(d) An employee shall be required to observe the scheduled hours of work, during which must be present at the place of his duty, unless required to be elsewhere on duty.

(e) Except for valid reasons or unforeseen contingencies, no employee shall be absent from duty without prior permission.

(f) No employee shall leave station except with the previous permission of proper authority, even during leave or vacation

**Taking Part in Politics and Election**

5 (i) No employee shall take part in politics or be associated with any party or organisation which takes

part in political activity, nor shall subscribe in aid or assist in any manner any political movement or activity.

- (ii) No employee shall canvass or otherwise interfere or use influence in connection with or take part in any election to legislative body or local authority: Provided that an employee of the Institute qualified to vote at such election may exercise right to vote but where so does, shall give no indication of the manner in which proposes to vote or has voted.

#### **6. Connection with Media**

- (1) No employee shall, except with the previous sanction of the competent authority, own wholly or in part, or conduct or participate in the editing or managing of any newspaper or other periodical publications.
- (2) No employee shall, except with the previous sanction of the competent authority or any other authority empowered by it in this behalf, or in the bona fide discharge of duties, participate in any media activity or contribute any article or write any letter either anonymously or in own name or in the name of any other person to any newspaper or periodical :

Provided that no such sanction shall be required if such media participation or when such contribution is of a purely literary, artistic or scientific character.

**Note:** Subject to the restrictions noted below, members of the staff are at liberty, without any sanction as contemplated above, to publish their original scientific, literary or artistic works.

#### **7. Criticism of the Institute**

No employee shall, in any media activity or in any document published anonymously or in own name or in the name of any other person or in any communication to the media or in any public utterance, make any statement of fact or opinion-

- (i) which has the effect of an adverse criticism of any current or recent policy or action of the Institute; or
- (ii) which is capable of embarrassing the relations between the Institute and of the Central Government or any State Government or any other institute or organisation or members of the public.

Provided that nothing in this paragraph shall apply to any statements made or views expressed by an employee in official capacity or in the due performance of the duties assigned.

#### **8. Evidence before Committee or any other Authority**

- (1) Save as provided in sub-paragraph (3) below, no employee shall, except with the previous sanction of the competent authority, give evidence in connection with any inquiry conducted by any person, committee or authority.
- (2) Where any sanction has been accorded under sub-paragraph (1), no employee giving such evidence shall criticise the policy or any action of the Institute or the Central Government or any State Government.
- (3) Nothing in this paragraph shall apply to-
- (a) evidence given at any inquiry before any authority appointed by the Institute, by Parliament or by a State Legislature; or
- (b) evidence given in any judicial inquiry; or
- (c) evidence given in any departmental inquiry ordered by the Institute authorities.

**9. Unauthorised Communication of Information**

No employee shall except in accordance with any general or special order of the competent authority or in the performance in good faith of the duties assigned, communicate, directly or indirectly, any official document or information to any person.

**10. Gifts**

No employee shall, except with the previous sanction of the competent authority, accept or permit spouse or any other member of family to accept from any person other than relations any gift of more than 'trifling value.' The interpretation of the term 'trifling value' shall be the same as laid down in Central Civil Services (Conduct) Rules 1964 as amended from time to time.

**11. Private Trade or Employment**

No employee shall, except with the previous permission of the competent authority, engage directly or indirectly in any trade or business or any private tuition or undertake any employment outside official assignments. Provided that the above restrictions shall not apply to academic and other related activities mentioned in clause 3 undertaken with the prior permission of the competent authority which may be given subject to guidelines framed by the Board.

**12. Vindication of Acts and Character of Employees**

No employee shall, except with the previous sanction of the competent authority, have recourse to any Court of law or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character: Provided nothing in this rule shall be deemed to prohibit an employee from vindicating private character or any act done in private capacity.

**13. Marriage**

No employee who has wife living shall contract another marriage without first obtaining the permission of the Board of Governors notwithstanding that a subsequent marriage is permissible under the personal and religious law for the time being applicable.

**14. Representations**

- (a) Whenever an employee wishes to put forth any claim, or seeks redressal of any grievance or of any wrong done, must forward case through proper channel, and shall not forward any advance copies of request or application to any higher authority, unless the lower authority has rejected the claim, or refused relief, or the disposal of the matter is delayed by more than three months.
- (b) No employee shall be signatory to any joint representation addressed to the authorities for redress of any grievance or for any other matter.

**15. Punishment, Appeals, etc.**

An employee shall be governed by the provisions of the relevant rules regarding imposition of penalties for breach of any of these rules and preference of appeals against any such action taken.

**16. Disciplinary action:**

**Suspension:** The Director may place a member of the staff appointed at the Institute under suspension:

- (a) where a disciplinary proceeding against him contemplated or is pending; or
- (b) where a case in respect of any criminal offence is under investigation or trial.

**17.** During the period of suspension, the member of the staff shall be entitled to the payments as per the rules in Government of India in this regard.

**18. Disciplinary proceedings:** All disciplinary proceedings shall be conducted following the Rules and Orders of the Government of India.

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

- (i) Censure;
- (ii) Withholding of increment(s) or promotion;
- (iii) Recovery from the whole or part of any pecuniary loss caused to the Institute by negligence or breach of orders,
- (iv) Reduction to lower service, grade or post or to a lower time-scale, or to a lower stage in a time - scale;
- (v) Compulsory retirement;
- (vi) Removal from service which shall not be a disqualification for future employment under the Institute;
- (vii) Dismissal from service which shall ordinarily be a disqualification for future employment under the Institute.

**20. Imposition of penalty:**

- (a) An order imposing on any member of the staff any of the penalties specified at paragraph 19 (i) to (iii) above shall be passed by the Appointing Authority after the member of the staff concerned has been given an opportunity to make a representation to the Appointing Authority.
- (b) An order imposing on any member of the staff any of the penalties specified at paragraph 19 (iv) to (vii) above shall be passed by the appointing authority after an enquiry has been held and the member of the staff has been given reasonable opportunity of showing cause against the action proposed to be taken.

**21.** Notwithstanding the above provisions, it shall not be necessary to follow the procedure mentioned above in the following cases :-

- (a) where an employee is dismissed or removed or reduced in rank on the ground of conduct which has led to his or her conviction on a criminal charge;
- (b) where the appointing authority is satisfied that for some reason to be recorded by that authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause; or
- (c) where the Visitor is satisfied that in the interests of the security of the State, it is not expedient to give to that person such an opportunity.



**22. Appeal**

A member of the staff aggrieved by any order imposing penalty passed by the Director shall be entitled to prefer an Appeal to the Board against the order. A member of the staff aggrieved by any order passed by the Board against him inflicting a penalty on him shall be entitled to prefer an Appeal to the Visitor against the order.

**23. Time limit for filing appeal**

No such appeal shall be entertained unless it is submitted within a period of three months from the date on which appellant receives a copy of the order appealed against:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant has sufficient cause for not submitting the appeal in time.

**24.** The authority with whom an appeal against an order imposing penalty lies may, of its own motion or otherwise call for the records of the case in a disciplinary proceeding, review any order passed in such a case and pass such orders as it deems fit as if the member of the staff concerned had preferred an appeal against such order :

Provided that no action shall be initiated more than six months after the date of the order to be reviewed.

**25.** Notwithstanding anything contained in this Schedule, the Visitor may, on own motion or otherwise after calling for the records of the case, review any order which is made under this Statute or is appealable thereunder, and-

- (a) confirm, modify or set aside the order,
- (b) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order,
- (c) remit the case to the authority which made the order or to any other authority directing such further action or enquiry as considered proper in the circumstances of the case, or
- (d) pass such other order(s) as deemed fit.

Provided that:

- (i) an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation against such enhanced penalty;
- (ii) If the Visitor proposes to impose any of the penalties specified in clause (iv) to (vii) of paragraph 19 in a case where proper enquiry has not been held and thereafter on consideration of the proceedings of such enquiry and after giving the member of the staff concerned an opportunity of making against such penalty, may pass such order(s) as may be deemed fit.

**26.** The decision of the Appellate Authority under paragraph 22 or 24 shall, subject to the provisions of paragraph 25, be final.

**27. (1)** When a member of the staff of the Institute who has been dismissed, removed or suspended is reinstated, the appointing authority or the appellate authority that directed reinstatement shall consider and make a specific order -

- (a) regarding the pay and allowances to be paid to the member of the staff of the Institute for the period of absence from duty; and
- (b) whether or not the said period shall be treated as a period spent on duty.

- (i) Where such authority holds that the member of the staff of the Institute has been fully exonerated or in the case of suspension, that it was wholly unjustified, the member of the staff of the Institute shall be entitled to full pay and allowances to which he or she would have been entitled had he or she not been dismissed, removed or suspended, as the case may be, and the period of absence from duty shall be treated as a period spent on duty for all purposes :
- (ii) Provided that in case an employee had been placed under suspension due to pendency of disciplinary proceedings and has been imposed any of the penalties specified in clause (i) to (iii) of paragraph 19, the entire period of suspension shall be treated as wholly unjustified and shall be entitled to full pay and allowances and the entire period of suspension shall be treated as duty for all purposes.
- (iii) In other cases, the member of the staff of the Institute shall be given such proportion of such pay and allowances as the authority may prescribe : Provided that the payment of allowances under clause (i) or clause (ii) shall be subject to all other conditions under which such allowances are admissible.

In cases falling under clause (iii), the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose.

### **Interpretation**

**28.** The decision of the Board on all questions relating to the interpretation of these provisions of the schedule shall be final.

**29.** Wherever the Conduct Rules are silent, the relevant Government of India Rules shall be followed.

## **SCHEDULE-D**

### **[Statute 20 (1)]**

#### **Benefits and Facilities for the Employees of the Institute**

##### **1. New Pension Scheme (NPS)**

- (1) All the eligible employees shall be under the New Pension Scheme (NPS) of the Central Government introduced throughout the country with effect from the 1<sup>st</sup> January, 2004 for its employees.
- (2) The details of the Scheme shall be as notified by the Central Government from time to time.
- (3) In case Central Government decides to introduce any other scheme of retirement or death benefits that provides for pension, family pension, retirement or death gratuity, and other benefits, the benefits of liberal provisions may be extended to the employees of the Institute.

##### **2. Insurance Facility**

The employees of the Institute shall be covered under such Insurance Policy as the Board may decide from time to time.

##### **3. Medical Facility**

The Board has to lay down its own norms for medical benefits.

#### 4. Leave Travel Concession (LTC)

The employees of the Institute shall be extended such Leave Travel Concessions as the Central Government may decide for its employees from time to time.

#### 5. Vacation and Leave

The Board may frame Rules relating to the Vacation and Leave in respect of the employees of the Institute. In case norms notified by Government of India are more liberal, the benefits of liberal provisions may be extended to the employees of the Institute.

#### 6. Travelling and Daily Allowances

The employees when they undertake travel for official purposes shall be eligible to the travelling and daily allowances as may be decided by the Board.

#### 7. Residential Accommodation

- (1) Subject to availability, an employee of the Institute, eligible for residential accommodation in the campus may be allotted house or apartment for residential use subject to such conditions as may be laid down by the Board.
- (2) The allotments of accommodation shall be in accordance with the Rules that the Board may frame from time to time.
- (3) (a) An employee of the Institute who has been allotted house or apartment, shall be charged license fee at the rate approved by the Board including such other charges as may be decided by it from time to time.  
(b) In addition to the license fee, charges for water, electricity and any other service rendered shall be recovered from the employee at such rates as may be determined by the Board from time to time.
- (4) The Board may allot furnished or unfurnished accommodation without levying any license fee or levying such fee at concessional rates to any category of staff, if it considers it necessary to do so in the interest of the Institute.

**Explanation:** - For the purpose of this Statute, the expression "allot" means to grant a license to an employee of the Institute to occupy a house or a portion thereof, owned or leased by the Institute, for use as residence

### SCHEDULE - E

[See Statute 20 (2)]

#### LEAVE PROVISIONS

##### 1. Applicability

The provisions contained in this Schedule shall apply to all employees of the Institute.

##### 2. Definitions

In this Schedule unless the context otherwise require –

- (a) 'Commuted Leave' means leave as provided under paragraph 18.
- (b) 'Completed years of service' means continuous service of the specified duration under the Institute and includes periods spent on duty as well as on deputation and extraordinary leave.
- (c) 'Earned leave' means leave earned in respect of periods spent on duty.
- (d) 'Half-pay Leave' means earned in respect of completed years of service calculated according to

the provisions hereinafter contained.

- (e) 'Leave' includes earned leave, half-pay leave, commuted leave, leave not due and extraordinary leave.
- (f) 'Sabbatical Leave' means leave granted to any member of the Teaching Staff or Faculty members referred to in Clause (a) of Statue 16 for any of the objects mentioned in paragraph 27.

### **3. Right of Leave**

Leave cannot be claimed as of right and when the exigencies so demand, leave of any description may be refused or revoked by the authority empowered to sanction the leave.

### **4. Authority empowered to sanction leave**

- (1) Applications for leave shall be addressed to the Board by the Director and to the Director or to a member of the staff designated by the Director by the other members of the staff.
- (2) Leave may be sanctioned by the Director or by a member of the staff to whom the power has been delegated by the Director.
- (3) The Board may sanction leave to the Director, but the Director can avail himself of casual leave on his own authority.

### **5. Commencement and termination of leave**

- (1) Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day preceding the one on which duty is resumed.
- (2) Saturdays, Sundays and other holidays or the vacation may be prefixed as well as suffixed to leave subject to any limit of absence on leave prescribed under each category of leave.

### **6. Combination of leave**

Except as otherwise provided in this Schedule, any kind of leave under these provisions may be granted in combination with or in continuation of any other kind of leave, subject to any limit on the aggregated period of absence, as may be prescribed in such cases.

### **7. Grant of leave beyond the date of retirement and in the event of resignation**

- (1) No leave shall be granted beyond the date on which a member of the staff must compulsorily retire.

Provided that the authority empowered to grant leave may allow any member of the staff who had been denied earned leave in whole or in part on account of exigencies of service, the whole or any portion of the earned leave so denied even though it extends to a date beyond the date on which such member of the staff must compulsorily retire :

Provided further that a member of the staff whose service has been extended in the interest of public service beyond the date of his compulsory retirement, may be granted earned leave as under:-

- (i) During the period of extension any earned leave due in respect of the period of such extension, and to the extent necessary, the earned leave which would have been granted to him under the preceding proviso had he retired on the date of compulsory retirement ;
- (ii) After the expiry of the period of extension :
  - (a) The earned leave which could have been granted to him under the preceding proviso, had he retired on the date of compulsory retirement, diminished by the amount of such

leave as availed of during the period of extension; and

- (b) Any leave earned during the period of extension as has been formally applied for as preparatory to final cessation of his duties in sufficient time during the period of extension and refused to him on account of exigencies of public service;
- (iii) In determination the amount of earned leave due, during the period of extension, the earned leave, if any, admissible under the preceding proviso shall be taken into account.

**Note:** For the purpose of this paragraph, a member of the staff may be deemed to have been denied leave only if a sufficient time before the date on which he must compulsorily retire or the date on which his duties finally cease he has either formally applied for leave and been refused it on the ground of exigencies of service or has ascertained in writing from the sanctioning authority that leave if applied for would not be granted on the aforesaid ground.

- (2) If any employee of the Institute resigns, he shall not be granted either prior or subsequent to his resignation, any leave due to his credit. Provided that the Director, may, in any case, grant leave to an employee prior to his resignation if in the opinion of the Director, the circumstances of the case justify such grant of leave.

#### **8. Conversion of one kind of leave into another leave**

- (1) At the request of a member of the staff the sanctioning authority may convert any kind of leave including extra ordinary leave, retrospectively into a leave of different kind which may be admissible as on the day on which the member of staff proceeded on leave, but the member of the staff cannot claim such conversion as a matter of right.
- (2) If one kind of leave is converted into another the amount of leave salary and allowances admissible shall be recalculated and the arrears of leave salary and allowances paid or amounts overdrawn recovered, as the case may be.

#### **9. Rejoining of duty on return from leave on medical grounds**

A member of the staff who has been granted leave on medical certificate shall be required to produce a medical certificate of fitness before resuming duty.

#### **10. Rejoining of duty before the expiry of leave**

Except with the permission of the authority which granted the leave, no member of the staff on leave may return to duty before the expiry of the period of leave granted to him.

#### **11. Absence after expiry of leave**

- (1) Unless the authority competent to grant leave extends the leave, a member of staff who remains absent after the end of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave, to the extent such leave is due, the period in excess of such leave due being treated as extraordinary leave.
- (2) Wilful absence from duty after the expiry of leave renders a member of staff liable to disciplinary action.

#### **12. General**

- (1) Leave should always be applied for and sanctioned before it is taken except in cases of emergency and for satisfactory reasons.
- (2) Continuous temporary service followed by permanent service without any break shall be included in permanent service for the purpose of computation of leave.

**13. Kinds of leave**

The following kinds of leave shall be admissible to members of the staff:

- (a) Casual Leave
- (b) Special Casual Leave
- (c) Special Leave
- (d) Half-pay Leave
- (e) Commuted Leave
- (f) Earned Leave
- (g) Extra-ordinary Leave
- (h) Maternity Leave
- (i) Paternity Leave
- (j) Leave to a female member of staff on adoption of a child
- (k) Hospital Leave
- (l) Quarantine Leave
- (m) Leave-not-due
- (n) Sabbatical Leave
- (o) Study Leave
- (p) Child Care Leave (CCL)

**14. Casual Leave**

- (1) Casual Leave is not earned by duty. A member of the staff on casual leave is not treated as absent from duty and his pay is not intermitted. Casual leave cannot be claimed as of right and its grant is always subject to the exigencies of service and subject to a maximum of eight in the aggregate in a Calendar year.
- (2) Casual Leave may be granted at the discretion of the sanctioning authority, as and when occasion arises, provided that the total period of absence including Saturdays, Sundays and other holidays intervening, prefixed or suffixed shall not ordinarily exceed eight days at a time. Saturdays, Sundays and holidays, whether intervening, prefixed or suffixed shall not be counted as casual leave.
- (3) Casual leave cannot be combined with any other kind of leave.

**15. Special Casual Leave**

- (1) Special Casual leave, not counting towards ordinary Casual Leave, may be granted to a member of the staff when he is
  - (i) Summoned to serve as Juror or Assessor or to give evidence before a court of law as a witness in a civil or a criminal case in which his private interests are not at issue;
  - (ii) deputed to attend a reference Library of other Institute or Conferences and scientific gatherings of learned and professional societies in the interest of the Institution;
  - (iii) required to be absent for any other purposes approved by the Board of Governors for

categories of staff.

- (2) The period of such leave admissible in a year shall ordinarily not exceed fifteen days but should, however, be sufficient to cover the period of absence necessary. The conditions under which such leave will be granted, if necessary, be laid down by the Board.

#### 16. Special Leave

Members of the staff deputed for practical training in or out of country shall be entitled to special leave as may be determined by the Board in each case :

Provided that Sabbatical Leave shall be admissible to a Teaching Staff or Faculty Member –

- (i) After completion of six years' continuous service or more with the Institute,
- (ii) Where he avails of special leave, after the completion of six years' service or more with the Institute after his return from such special leave; but in any case such leave shall not exceed three times (inclusive of special leave in case such leave has been granted) during the entire service of such member.

#### 17. Half-Pay Leave

- (1) The half-pay leave admissible to a member of the staff in respect of each completed year of service shall be 20 days and credited in advance at the rate of 10 days on 1<sup>st</sup> January and 10 days on 1<sup>st</sup> July.

The credit for the half-year in which an employee is appointed will be at the rate of 5/3 days for each completed calendar month of service he is likely to render in the half-year in which he is appointed.

- (2) Half-pay leave may be granted to a member of the staff on medical certificate or on private affairs. No half-pay leave may be granted to a member of the staff in temporary appointment except on medical certificate:

Provided that in case of a temporary member of staff, no half-pay leave will be granted unless the authority competent to sanction leave is ready to believe that the staff will return to duty on the expiry of the leave, except in the case of a staff who has been declared completely and permanently incapacitated for further service by medical authorities.

#### 18. Commuted Leave

- (1) Commuted leave not exceeding half the amount of the half-pay leave may be granted on medical certificate to a member of the staff subject to the following conditions.
- (a) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave account.
- (b) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days provided that no commuted leave may be granted under this provision unless the authority competent to sanction leave has reason to believe that the staff will return to duty on its expiry.
- (2) Half-pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service where such leave is utilised for an approved course of study such as a course which is certified to be in public interest by the leave sanctioning authority.

**19. Earned Leave**

- (1) Earned leave admissible to members of vacation staff:
- (i) During the period of one academic year, the period of vacation for an employee entitled to it will be 60 days.
- (ii) In case such a member of staff is required to remain on duty during the whole or any part of the vacation he shall be eligible to the following amount of earned leave on full pay :

<b>Duration of duty during Vacation</b>	<b>Eligibility to Earned Leave on Full Pay</b>
Entire Vacation	30 days
Part of Vacation	$\frac{\text{Number of days of vacation not availed of 30} \times \text{-----}}{\text{Number of days of the entire vacation}}$

- (2) Earned Leave admissible to members of the non-vacation staff
- (i) The earned leave admissible to a member of the staff, other than vacation staff, shall be 30 days in a Calendar year.
- (ii) Leave account of every said employee shall be credited with earned leave in advance in two instalments of 15 days each on the first January and first July every year.
- (iii) The leave at the credit of an employee at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit as laid down government from time to time.
- (3) Limits of accumulation and grant (applicable to all members of the staff)
- (i) Earned leave can be accumulated up to days as specified by Government of India from time to time.
- (ii) The maximum amount of earned leave that can be granted to a member of the staff at a time shall be 180 days. Earned leave may be granted for a period exceeding 180 days if the entire leave so granted or any portion thereof is spent outside India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan, provided that when earned leave exceeding 180 days is so granted the period of such leave spent within India, Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan, shall not in the aggregate exceed 180 days.
- (iii) Accumulated earned leave may be availed at a time up to number of days as prescribed by Government of India from time to time in the case of leave preparatory to retirement.

**20. Extraordinary Leave:**

- (1) Extraordinary leave shall always be without leave salary and may be granted when no other kind of leave is admissible or when other leave being admissible, the member of staff concerned specifically applied in writing for the grant of extraordinary leave.
- (2) The period of extra-ordinary leave shall not count for increment except when such leave is granted due to sickness on medical certificate or for pursuing higher studies, provided that in case



of any doubt whether the extraordinary leave taken was for pursuing higher studies or not, the decision of the Board shall be final.

- (3) (a) Except in the case of a permanent employee, the duration of extra-ordinary leave on any one occasion shall not exceed the following limits :
- (i) three months
  - (ii) six months, in cases of employee who has completed one year's continuous service on the date of expiry of the leave admissible to him under the rules, and his request for such leave is supported by a medical certificate.
  - (iii) Eighteen months where the employee is suffering from tuberculosis, leprosy or cancer and undergoing treatment in a recognised clinic or under a specialist.
- (b) Where an employee, other than a permanent employee, fails to resume duty on expiry of the maximum amount of extra-ordinary leave granted to him, or where such an employee who was granted a lesser amount of extra-ordinary leave than the maximum amount admissible to him, remains absent from duty for any period which, together with the period of extraordinary leave granted to him exceeds the limit up to which he could have been granted extra-ordinary leave under sub-rule (a), he shall, unless the Board in view of the exceptional circumstances of the case otherwise determine, be deemed to have resigned his appointment and shall cease to be in institute employ.
- (4) The authority empowered to grant leave may commute retrospectively period of absence without leave into extraordinary leave.

## 21. Maternity Leave

- (1) (a) Maternity leave may be granted to a woman member of the staff with less than two surviving children on full pay for a period of 180 days from the date of its commencement.
- (b) Maternity leave not exceeding 45 days may also be granted to a woman member of the staff (irrespective of the number of surviving children) on full pay during her entire service in cases of miscarriage including abortion on production of medical certificate.
- (2) Maternity leave shall not be debited to the leave account. Maternity leave may be combined with leave of other kind except casual leave but any leave applied for in continuation of maternity leave may be granted only if the application is supported by a medical certificate.

## 22. Paternity leave

- (1) A male staff member with less than two surviving children may be granted Paternity Leave for a period of 15 days, during the confinement of his wife for childbirth, that is, up to 15 days before, or up to six months from the date of delivery of the child.
- (2) The Paternity leave may be combined with leave of any other kind except Casual Leave.
- (3) Paternity leave shall not be debited to the leave account.

## 23. Leave to a female member of staff on adoption of a child

A female staff member on adoption of a child, may be granted leave of the kind due and admissible (including Leave Not Due and Commuted Leave not exceeding 60 days without production of medical certificate) for a period up to one year or till such time the child is one year old, whichever is earlier. However this facility will not be admissible in case she is already having two surviving children at the time of adoption.

**24. Hospital leave**

- (1) Hospital leave may be granted to a member of the staff under medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of his official duty. This concession will be available to such members of the staff, the nature of whose duties expose them to such illness or injury and whose appointing authority is the Director.
- (2) Hospital Leave may be granted on leave salary, either average or half average as the authority granting it may consider necessary.
- (3) Members of staff eligible for Hospital leave will be entitled to such leave without any restriction on the quantum of leave and the leave can be granted for such period as it considered necessary by the authority competent to grant it.
- (4) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible, provided that the total period of leave after such combination shall not exceed 28 months.

**25. Quarantine Leave**

- (1) Quarantine Leave is granted when a member of staff is precluded under orders of the competent medical authority from attending office in consequence of an infectious disease in his family or household. Such leave can be granted only on the certificate of a medical or public health officer. Maximum duration of Quarantine leave is ordinarily twenty one days and may be extended up to thirty days in exceptional circumstances. Any absence beyond these limits has to be treated as regular leave. A member of staff on Quarantine leave is not treated as absent from duty and his pay is not interrupted.
- (2) Quarantine leave is not admissible if the member of staff himself is suffering from an infectious disease.
- (3) Cholera, Small pox, Plague, Diphtheria, Typhus fever and Cerebrospinal Meningitis can be treated as infectious diseases for the grant of Quarantine leave. In the case of Chicken pox, however, no Quarantine leave can be granted unless the Health Officer considers that in view of some doubt about the nature of the disease there is reason for grant of such leave.

**26. Leave-not-due**

- (1) Leave-not-due is admissible when no other kind of leave is due and admissible.
- (2) Save as in the case of leave preparatory to retirement, leave-not-due may be granted to a permanent member of staff both on medical certificate and on private affairs for a period not exceeding 360 days during his entire service out of which not more than 180 days in all can be on private affairs.
- (3) Leave-not-due shall be granted to a member of staff only if the sanctioning authority is satisfied that there is reasonable chance of the member of staff returning to duty on expiry of leave and shall be limited to half-pay leave which he is likely to earn thereafter.
- (4) A member of staff while on Leave-not-due is entitled to the same leave salary as during half-pay leave.

**27. Sabbatical Leave**

- (1) Sabbatical leave shall be admissible to a member of Teaching Staff or Faculty Member
  - (i) After completion of six years or more of continuous service with the Institute;
  - (ii) Where he availed of special leave or deputation for a period of one year or more, after

completion of six years or more of service with the Institute after his return from such special leave.

- (2) In no case Sabbatical leave shall exceed three times during the entire service of the Teaching Staff or Faculty Member.
- (3) Sabbatical leave may be granted for one or more of the following objects, namely :
  - (a) To conduct research or advanced studies in India or abroad,
  - (b) To write text books, standard works and other literature,
  - (c) To visit or work in Industrial concerns and technical departments of Government to gain practical experience in their respective fields,
  - (d) To visit or work in a University, Industry or Government research laboratories in India and abroad, and
  - (e) Any other purposes for the academic development of the Teaching Staff/Faculty Member, as approved by the Board of Governors.
- (4) The grant of sabbatical leave shall be subject to the following conditions, namely :
  - (a) The period of sabbatical leave shall not exceed one year at a time including vacations, if any but the Board may grant in addition any other leave up to a maximum of 120 days which the member might have earned during the service at the Institute ;
  - (b) A member of the Teaching Staff or Faculty Member shall during the period of sabbatical leave, be paid full salary and allowances as admissible under the normal rules but he shall not be entitled to any travelling allowance or any extra allowances in India or abroad ;
  - (c) No substitute shall be appointed in the vacancy and his work shall be shared by the other members of the faculty;
  - (d) A member of the Teaching Staff or Faculty Member shall not undertake during the period of sabbatical leave, any regular appointment under any other organisation in India or abroad; he shall, however, be free to receive a scholarship or fellowship or bursary or any other 'ad hoc' honorarium other than his regular employment.
  - (e) A member of the Teaching Staff or Faculty Member availing sabbatical leave shall furnish a bond in the prescribed form to serve the Institute for a minimum period of three years on return to duty.

## 28. Study Leave

- (1) Study Leave is granted to a staff member with not less than five years of continuous regular service for undergoing a special course consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his or her duties or being capable of widening his or her mind in a manner likely to improve his ability.
- (2) Course should be certified to be of definite advantage to the Institute from the point of view of public interest.
- (3) The competent authority to grant leave should approve the particular study or study tour.
- (4) The staff member on his or her return should submit a full report on the work done during study leave.

- (5) Study leave is not admissible
  - (a) for studies outside of India if facilities for such studies exist in India;
  - (b) to an official due to retire within three years on return from the study leave;
  - (c) to same official with such frequency as to remove him from contact with his regular work or cause cadre difficulties owing to his absence on leave.
- (6) Maximum period of study leave which may be granted shall be
  - (a) 24 months in the entire service period; and
  - (b) ordinarily twelve months at any one time.
- (7) Study leave shall not be debited to the leave account.
- (8) Study leave may be combined with any other leave due, but maximum period of continuous absence, including vacation, if any but excluding extraordinary leave, should not exceed 28 months generally, and 36 months for study leading to Ph.D. degree.
- (9) Requisite Bonds in the prescribed forms are required to be executed by the staff member before proceeding on study leave. The bond amount will be decided by the Board.
- (10) If the course falls short of the study leave, the official should resume duty on conclusion of the course; or the excess period may be treated as ordinary leave with the leave sanctioning authority's prior approval.
- (11) **Leave Salary:**
  - (a) Outside India: Pay last drawn plus Dearness Allowance, House Rent Allowances, and in addition, Study Allowance admissible;
  - (b) In India: Leave salary will be equal to pay last drawn plus Dearness Allowance, House Rent Allowances. No study allowance admissible.
  - (c) Stipend, scholarship or remuneration for any part-time employment during the period of study leave should be adjusted against the leave salary subject to the conditions that the leave salary will not be less than that admissible during half pay leave.

**29. Child Care Leave (CCL)**

Admissible to women employees as per Government of India rules

**30. Salary during vacation and leave salary**

- (1) An employee of the Institute entitled to vacation shall be eligible for pay and allowances at full rates during the period of vacation.
- (2) A member of the staff who proceeds on earned leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.
- (3) A member of staff on half pay leave or leave-not-due is entitled to leave salary equal to the half amount specified in sub-paragraph (2).
- (4) A member of the staff on commuted leave is entitled to leave salary equal to sub-paragraph (2).
- (5) A member of the staff on extraordinary leave is not entitled to any leave salary.

**31. Limit of total Absence**

A member of staff ceases to be in service of the Institute if he is continuously absent from duty for five years, whether with or without leave, unless the Visitor, in view of the exceptional circumstances of the case otherwise determines.

**32. Cash payment equivalent of leave salary in case of death in service**

In case an employee dies while he is in service, the cash equivalent of the leave salary that the deceased employee would have got had he gone on admissible earned leave on the date of death, shall be given to his family subject to a maximum of leave salary for 300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service).

**33. Cash payment in lieu of unutilized earned leave on the date of retirement.**

An employee may be paid cash equivalent of leave salary admissible in respect of the period of earned leave at his credit at the time of retirement on superannuation in one lump sum as a onetime settlement subject to a maximum of 300 days (including the number of days for which encashment has been allowed along with Leave Travel Concession while in service) and further subject to other conditions laid down by the government from time to time.

**34. Leave preparatory to retirement**

A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half pay leave due, subject to the condition that such leave extends up to and includes the date of retirement.

**35. Persons re-employed after retirement**

In the case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered Institute service for the first time on the date of his re-employment.

**36. Power to relax**

Where the Board is satisfied that the operation of any of these rules causes undue hardship in any particular case, the Board may, for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the concurrence of the Visitor.

**37. Interpretation**

Wherever any conflict or doubt arises as to the interpretation of these Schedule, the Board's decision in such cases shall be considered as final and binding on all concerned.

[F. No. 24-8/2017(Sectt.)/T.S.-1]

R. SUBRAHMANYAM, Addl. Secy. (TE)