

**ARYABHATTA RESEARCH INSTITUTE
OF
OBSERVATIONAL SCIENCES (ARIES)**

(An Autonomous Institute under DST, Govt. of India)

BYE-LAWS

(w.e.f. 29 August, 2006)

(Containing amendments up to 15 November, 2010)

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ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL SCIENCES (ARIES)

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(w.e.f. 29 August, 2006)

(Containing amendments up to 15 November, 2010)

These Bye-laws have been framed under Rule 17.9 of the "Rules and Regulations" of the Aryabhata Research Institute of Observational Sciences (ARIES). These Bye-laws have been approved by the Department of Science and Technology, Government of India, vide letter No. AI/Admn/ARIES/023/2005, dated: 29-08-2006.

1. Short Title and Commencement:

- 1.1 These Bye-laws shall be called the "Bye-laws of the Aryabhata Research Institute of Observational Sciences (ARIES)". These shall be deemed to have come into effect from 29th August, 2006.
- 1.2 These Bye-laws may be read in conjunction with the Rules and Regulations of the ARIES.

2. Definitions and Interpretation:

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

"**Accounts Officer**" means the Accounts Officer of the Institute appointed under the Rules;

"**Bye-laws**" means these Bye-laws framed under Rule 17.9 of the Rules and Regulations of the Institute;

"**Central Government**" means the Government of India represented by the Ministry of Science and Technology, Government of India;

"**Chairperson**" means the Chairperson of the General Body and the Council;

"**Council**" means the Governing Council of the Institute;

"**Director**" means the Director of the Institute;

"**Finance Committee**" means the Finance Committee of the Institute constituted under the Rules;

"**Finance Officer**" means the Finance and Accounts Officer of the Institute appointed under the Rules;

"**Financial Year**" means the period commencing from 1 April of any

year and ending on 31st March in the following year;

"General Body" means the General Body of the Institute as defined in Rule 8.1 of the Rules and Regulations of the Institute;

"He", "Him", "His" shall include **"She", "Her"**, respectively as per context mutatis mutandis;

"Institute" means the Aryabhata Research Institute of Observational Sciences;

"Registrar" means the Registrar/Chief Finance and Accounts Officer of the Institute appointed under the Rules;

"Rules" shall mean and include the Rules and Regulations of the Institute;

"Secretary" means the Secretary of the General Body and the Council;

"State Government" means the Government, of Uttarakhand represented by the Department of Science and Technology, Government, of Uttarakhand.

FINANCIAL MATTERS

3 Funds of the Institute :

3.1 The funds of the Institute will consist of the following :

- (i) Grants sanctioned by the Central Government for furtherance of the objectives of the Institute.
- (ii) Contributions or grants received from other sources approved by the Council.
- (iii) Income from investments.
- (iv) Receipts from other sources approved by the Council.
- (v) Corpus Funds and/or such funds as the Council may so approve, to which contributions from various donors shall be credited.

4 Preparation of Budget Estimates: Not later than the 1st August of each year, the Director shall cause to be prepared detailed estimates of the receipts and expenditures and the anticipated

opening and closing balances of the Institute for the ensuing Financial Year. These estimates will be prepared in two parts under Plan and Non-plan expenditures keeping in view the instructions issued by the Governing Council and the Central Government from time to time in this regard:

Part I : relating to capital works and other items of capital nature; and

Part II : relating to income and expenditure on revenue account.

Should it be proposed, during the course of a financial year, to finance any scheme approved by the Council which has not been included in the estimates for that year, the sanction of the Council shall be obtained to the method proposed for financing it, whether that be by means of a supplementary grant from Central Government, or by re-appropriation from within the sanctioned estimates.

- 5 **Sanction of Budget Estimates:** The budget estimates shall first be placed before the Finance Committee for consideration. The Finance Committee with its remarks and recommendations shall submit the budget estimates for the ensuing financial year before the Council and the General Body for approval in such manner and at such time as may be decided by these. The budget estimates shall thereafter be submitted to the Central Government not later than the 30th September each year for allotment of funds. The approval of the Council is necessary to all schemes proposed to be financed from the funds of the Institute.
- 6 **Appropriation:** The funds of the Institute shall normally be not appropriated for expenditure on any item which has not been approved by the competent authority under these Bye-laws.
 - 6.1 All expenditure within the budget grant shall be approved and sanctioned by the Director, or a member of the staff to whom he has delegated this power with the approval of the Council.
- 7 **Re-appropriation:** The Director shall have the powers to make re-appropriations subject to the following limitations:
 - 7.1 Re-appropriation to augment the provision under the head "Salaries, Allowances and Provident Fund/Pension Contributions" shall require the prior consent of the Council.
 - 7.2 No re-appropriation shall be made from the head of Capital Expenditure to the head of Revenue Expenditure.
 - 7.3 Re-appropriation within the heads of Capital Expenditure to cover

expenditure on a new project not included in the budget shall require the prior consent of the Council.

8. Financial & Administrative Powers:

- 8.1 The Governing Council shall have the Financial and Administrative powers as vested in the Administrative Ministry concerned of the Central Government as per guidelines contained in DST OM NO.A.I/Misc/002/98 dated 27-01-1999 as amended from time to time.
- 8.2 The Director of the Institute shall have the Financial and Administrative powers as may be delegated by the Governing Council according to the Rules and Regulations of the Institute which in any case would not be less than the corresponding powers vested in the Head of Department of a Central Government Department.

9 Expenditure Sanction:

- 9.1 No expenditure from the funds of the Institute shall be incurred without the sanction of the competent authority.
- 9.2 The Director shall have full powers to sanction expenditure on any approved scheme or head included in the budget, after following the prescribed procedure.
- 9.3 The Director shall keep a watch over expenditure and the grants sanctioned by the Council. In cases where expenditure under any scheme is likely to exceed the sanctioned grant, he may make a re-appropriation not exceeding 10% of the original budget provision for that particular scheme from anticipated savings from other schemes. In cases where inescapable expenditure necessitating an additional grant is involved, he shall take steps to get Council's approval and obtain a supplementary grant before incurring the expenditure.
- 9.4 A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-laws to cover it.
- 9.5 The Governing Council of the Institute shall have full powers in the matter of sanctioning miscellaneous/contingent expenditure.
- 9.6 The Director of the Institute shall have powers to sanction an expenditure of miscellaneous or contingent nature up to such amounts as may be specified by the Council from time to time.
- 9.7 The Registrar/Heads of various Divisions/Principal Investigators of projects shall have powers to sanction an expenditure of a

miscellaneous or contingent nature up to such amounts as may be specified by the Director from time to time.

9.8 The exercise of the above financial powers shall be subject to the provisions of DFPRs and General Financial Rules and such other conditions as the Governing Council and the Central- Government may prescribe from time to time.

10. Permanent Advances: A permanent advance of a sum to be fixed from time to time by the Council may be kept by the Registrar for cash payments. The imprest amount for field stations may be fixed by the Director.

11 Drawal of funds:

11.1 **Receipts:** All monies received for or on behalf of the Institute shall be placed in current or savings bank or fixed deposit accounts in the name of the Institute with the State Bank of India and/or any of the other scheduled commercial banks.

11.2 **Payments:** Payments by and on behalf of the Institute exceeding Rs. 1,000.00 (Rs. one thousand only) shall ordinarily be made by cheque. The authority for signing cheques, bills and letters of credit shall be as outlined in Rule 12.5 of the Rules and Regulations.

All bills for payment shall bear an endorsement "Passed for Payment", and the endorsement shall be signed by the Director or by an officer to whom the power has been delegated by the Director.

11.3 All cheque books will be kept in the personal custody of the Director or of any other officer as may be authorized in writing by the Director on his behalf.

11.4 The Registrar/ Heads of various Divisions in the Institute will submit proposals for all new charges and for any demand of funds to the Director.

11.5 The claims for pay and allowances and traveling allowances of personnel and contingent bills will be drawn in the forms prescribed by the Institute. The contingent and miscellaneous expenditure bills will be countersigned by an officer of the Institute authorized by the Director for this purpose before these are passed by the Accounts Officer for payment. All bills will be checked in the nature of Pre-audit and passed for payment by the Accounts Officer. The monthly pay and allowances bills shall be submitted directly by the Accounts Officer and passed for payment by him.

Payment will be made by means of demand drafts or cheques or cash as the case may be.

- 11.6 The T.A. bills of officials/staff upto PB-2, Rs.9300-34800+GP Rs.4600 shall be countersigned by the Finance Officer. TA bills of officials in PB-3, Rs.15600-39100+GP Rs.5400, Rs.6600 & Rs.7600 to PB-4, Rs.37400-67000+GP Rs.8700 & Rs.8900 shall be countersigned by the Registrar/Administrative Officer. The officials in PB-4, Rs.37400-67000+GP Rs.10000 and above shall be their own controlling officers.

12 Investments:

- 12.1 The funds of the Institute may be invested only in such manner as may be approved by the Council. The funds from Government grants may be invested only in accordance with the instructions of the Central Government issued from time to time.

- 12.2 All investments of the funds of the Institute shall be made in the name of the Institute. All purchases, or alterations of investments as may be approved by the Council shall be effected and all contracts, transfer deeds or other documents necessary for purchasing, or altering the investments of the Institute shall be executed by the Director on behalf of the Council. The relevant documents will remain for safe custody in the personal charge of an officer of the Institute to be nominated by the Council and will be verified once in six months with the Register of Securities as prescribed in Bye-law 12.3 and a certificate of verification will be recorded by the Director on the Register.

- 12.3 The Director or any person as may be authorized by the Director shall, on his behalf, maintain a Register of Securities in which particulars of all securities held by the Institute and all transactions affecting the securities shall be recorded to indicate all relevant details.

- 13 Accounts:** The Registrar shall also be the Chief Finance & Accounts Officer (CF&AO) of the Institute who will be assisted by the Finance & Accounts Officer in his work.

- 13.1 The Chief Finance & Accounts Officer or any other officer appointed by the Director with the approval of the Council shall supervise maintenance of proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government. Such an officer will be responsible to the Director for the accuracy and completeness of the accounts of the Institute. The C.F. & A.O. shall render necessary advice to the Director in all financial matters. He

will also be responsible for scrutiny of all proposals involving financial implications.

- 13.2 The Institute shall have an Accountant on its staff who shall also be familiar with Audit and Accounts procedures whose business shall be to anticipate difficulties, assist in resolving them and help the Director to devise procedures which will enable the work of the Institute to be carried forward smoothly and effectively.

14 Annual Accounts, Audit and Results of Audit:

- 14.1 The accounts of the Institute shall be subject to audit annually as per Rule 13.2 of the Rules and Regulations.

- 14.2 The Auditors shall ensure observance of the following stipulations of the Central Government, viz. that:

- (i) Proper accounts of expenditure incurred from Central Government grants and grants from all other sources are maintained;
- (ii) An adequate system of internal checks and controls exists to ensure that purchase of equipment, stores and execution of works are done with due regard to broad principles of financial propriety and prudence;
- (iii) A proper record is maintained of assets acquired from State and Central Government grants and from all other sources together with the cost of acquisition shown against each item;
- (iv) Proper store accounts and maintenance of consumable stores are kept and physical verification under proper supervision is carried out at periodical intervals;
- (v) A system is followed of reporting to the Council on losses of cash, stores and other assets after proper investigation.

To achieve this task the Auditors shall have the right to demand the production of account books, connected vouchers and other relevant documents.

- 14.3 The accounts of the Institute as certified by the Chartered Accountants shall be forwarded annually to the Council and, after approval by the Council, to the General Body and to the Central Government latest by 30th September each year and also to the other authorities/bodies, as directed by the Council.

- 14.4 All sanctions, orders of delegation of authority and powers by the competent authorities under the Rules and Regulations or these Bye-laws affecting the Accounts of the Institute shall be reduced to writing.

15 Execution of Contracts on Behalf of the Institute:

15.1 Contracts and Agreements:

All agreements, contracts etc. which may be necessary for the proper conduct of business of the Institute shall be executed on behalf of the Council by the Director or by an officer of the Institute authorized by the Council for the purpose.

15.2 Contractual Service:

The Director can outsource and contract out services required for infrastructural support, maintenance and other related activities for ARIES as far as possible. Due regard to provisions of General Financial Rules 2005 in respect of award of contracts shall be maintained. The contractor and/ or any person engaged by the contractor will not be considered as an employee of the Institute.

SERVICE CONDITIONS

16 Classification of Posts/Employees of the Institute:

The posts/employees of the Institute may be divided into the following categories:

- (i) Scientific and Senior Technical Staff: Which term includes Director, Scientists, Engineers and Information Scientists. These categories of staff are primarily engaged in the activities of research, development and other core activities of the Institute.
- (ii) Senior Administrative and Managerial Staff: Which term includes senior administrative officers like Registrar/Administrative Officer, Finance cum Accounts Officer etc. These officers mainly provide administrative and managerial support to the Institute.
- (iii) Supporting Staff: Which term includes Research Assistants, Scientific Assistants, Technical Assistants, Library Staff, Computer Staff, Workshop Staff, Draughtsman, Laboratory Attendants, Tradesman and other technical staff. These persons are employed for maintaining the R&D activities of the Institute. This term also includes Office Superintendents, Accountants, Personal Assistants, Stenographers, Store Keepers, Typists, Clerks and other staff performing administrative/secretarial functions, Drivers, Office Attendants, Helpers, Peons and other members of staff performing general maintenance & supporting functions. This also includes persons employed by ARIES for running and maintenance of office infrastructure. It does not include persons hired on contractual basis for whom separate Bye-law no. 15.2 is applicable.

17 Creation of posts and appointments:

- 17.1** The Council may create, abolish and upgrade scientific, administrative and other posts in the Institute in accordance with the guidelines issued by the Central Government from time to time.
- 17.2** The Council may provide guidelines regarding appointment procedures essential qualifications etc. for a post from time to time, with the prior approval of the Central Government.
- 17.2.1** The existing Director of the Institute shall continue in service till his present term expires. Appointment to the post of next Director will be made by the Council with the prior approval of the Central Government on the basis of the recommendations of a Search- Cum- Selection Committee. The Search-Cum-Selection Committee shall also be constituted by the Council with the prior approval of the Central Govt. The Secretary, DST (GoI) shall be the Chairman of the Search-Cum-Selection Committee.
- 17.2.2** Appointments to the posts with PB-3, Rs.15600-39100+GP Rs.7600 or higher shall be made by the Council. Appropriate rules and procedures for selection of candidates, including the qualifications prescribed for each post will be framed for this purpose by the Council from time to time.
- 17.2.3** Appointments to the posts with pay band and/or grade pay lower than PB-3, Rs.15600-39100+GP Rs.7600 shall be made by the Director. Appropriate rules and procedures for selection of candidates, including the qualifications prescribed for each post will be framed for the purpose by the Council from time to time.

18 Appointment and Duration of Service of the Employees of ARIES:

- 18.1 Terms and Conditions Offered to the Director:** The scale of pay of the Director of the Institute shall be HAG+, Rs.75500- 80000. The appointment, terms and conditions of the service of the Director shall be laid down, with the prior approval of the Central Government, by the Governing Council in accordance with Rule 17.8.1 of the Rules and Regulations.
- 18.2 Employment on Contract Basis:** The Governing Council shall have powers to appoint a person with exceptional qualifications and experience to any post or position in the Institute except that of Director, on contract basis. The tenure, remuneration, terms and conditions of appointment shall be determined by the Governing

Council keeping in view the merits of the case and the requirements of the Institute.

- 18.2.1 Period of service:** Members of staff of ARIES, excepting staff

appointed in the Group “A” scale of pay (Rs. 8000-275-13500 or above, pre-revised PB-3, Rs.15600-39100+GP Rs. 5400 or above, revised w.e.f.01.01.2006) shall be appointed on a two year probation period. The period of probation for Group “A” staff will be one year only. At the end of this period, probation may be extended but for not more than one year. At the end of the probation period, on the basis of an evaluation of the individual's performance during probation, the appropriate appointing authority may offer the staff member permanent appointment in ARIES till the age of superannuation. The first appointment of all members of Scientific and Academic staff of category (i) of Bye- law no. 16, shall be for a period of 5 years which include a probationary period of one year. At the end of 4th year the evaluation process of these staffs shall be initiated and if their performance is found to be satisfactory, then they may be offered continuing appointment till the age of superannuation. If a staff member having a permanent appointment at ARIES is made Director, then at the end of service as Director, he shall have the option to revert to his original post, unless he has reached the age of superannuation. Any staff member of the Institute who happens to become the Director during his service period in the Institute and then reverts to his original post shall not have any claim to age of superannuation applicable to the Director. Age of superannuation of such an employee will be in accordance with the rules as are applicable to other normal employees.

- 18.2.2 Certificate of Physical Fitness:** Every employee shall, prior to taking up his first appointment, be medically examined and be certified fit for service by a competent medical officer or a Medical Board constituted by the Council. The standards of fitness shall be as prescribed by the Council from time to time. The fees for the medical examination shall be borne by the employee.
- 18.2.3 Agreement:** Every staff member of the Institute shall accept in writing the terms and conditions of his appointment before joining the Institute and again before taking up each subsequent appointment.
- 18.2.4 Appointing Authority:** All appointments of the staff of the Institute except that of the Director shall be made in accordance with procedure laid down in the Rule 17.8.2 of the Rules and Regulations;

- 18.2.5 Reservation:** Nothing in these Bye-laws shall affect reservation and other concessions, if any, required to be provided for the candidates belonging to the Scheduled Casts/Scheduled Tribes/Other backwards classes and other special categories of persons in accordance with the orders of the Govt. of India issued from time to time in respect of appointment made in ARIES.
- 18.2.6 Emoluments and Allowances:** The Council shall fix the scales of

pay and allowances of the staff of ARIES from time to time. These will follow the Central Government norms issued from time to time. The details of the posts and pay band etc. are given in Appendix.

18.2.7 Superannuation: The age of superannuation for all members of the staff would be as per Government, of India rules in this regard.

18.2.8 Extension Beyond Superannuation: Based on an assessment of the work of an individual Scientist/Engineer, the Governing Council may extend his service subject to the approval of Ministry in accordance with the instructions issued by the Central Government from time to time.

18.3 Carry-Over Benefits:

An employee who has joined ARIES from any of the institutions that may be so listed by the Council will carry over his accrued service & other benefits as per the prevailing rules of the Government of India.

18.4 Moving Expenses:

In special cases the Council may reimburse the actual travel and moving expenses of an employee who has joined ARIES from any of the recognized institutions that may be so listed by the Council to an extent not exceeding the expenses covered by the Government of India rules.

18.5 Children's Educational Assistance:

In the matter of education of their children, all ARIES employees will be given reimbursement of tuition fees & other educational assistance as per Government of India rules.

The assistance will be given for study upto 12th standard in recognised institutions. It can be claimed by a member for a maximum of 2 children only. Where both husband and wife are in service, only one of the two will be eligible for this assistance.

18.6 Ad hoc Bonus:

Ad hoc Bonus will be paid as per guidelines laid down by the Central Govt. from time to time.

18.7 Moving Expenses on Retirement:

An employee of at least 10 years service with ARIES shall on retirement be paid moving expenses to his next place of residence in India as per the rules fixed by the Council. These shall not exceed those allowed by the Government of India rules. In case the employee has joined ARIES from another institution where he had a similar benefit which he could not avail of, he may carry over the tenure at the previous institution for reckoning towards the 10 years requirement of service with ARIES.

18.8 Leave Travel Concession Scheme: The employees of the Institute shall be eligible for the Leave Travel Concession scheme as applicable to the Central Government employees.

18.9 Loans and Advances:

18.9.1 Interest bearing advances for house building and for purchase of conveyance, computer etc. may be granted to employees of the Institute on terms and conditions as are applicable to Central Government employees.

18.9.2 Non-interest bearing advances such as Festival Advances, leave salary advances etc. may also be granted to the employees on the same terms and conditions as are applicable to Central Government employees.

18.10 Forwarding of applications for outside jobs: All applications of employees of the Institute for outside jobs shall be routed through the Registrar, who may forward them after the approval of the Director.

19. Assessment of Work:

19.1 The work performance and conduct of every staff member shall be assessed periodically, as often as may be necessary, according to a system to be prescribed by the Governing Council.

19.2 The cases of staff belonging to the categories of Scientists and Engineers will be assessed for in situ promotion to the next higher level/grade by a Review Committee constituted for the purpose by the appointing authority under and on the analogy of flexible complementing scheme as being practised in other similar Research and Developmental institutions of DST as per G.O. NO. 2/41/97-PIC dated 9th Nov. 1998 which is applicable exclusively

to Scientists and Engineers. The recommendation of the Review Committee will be considered by the appointing authority for the grant of promotion, special pay, advance increments, or appointment as the case may be. Promotion to the next higher grade, where this is considered justified on merits, will be by upgrading of the post in the lower cadre held by the employee for so long as he holds the upgraded post. Provided that the Review Committee shall meet not more than twice in an year and its recommendations shall be given effect to from the first day of January or of July following the date of completion of the minimum residency period of service as specified in G.O. no. 2/41/97-PIC dated 9th November, 1998 except in cases where an employee on the basis of an earlier review had not been cleared for holding the upgraded post, in which case, the upgradation shall be given effect from the first day of January or of July of the year of the extended residency period with reference to which the review has been made. The process of review shall be determined by the Council from time to time. For other staff, the Council will lay down the necessary guidelines for promotions, consistent with extant instructions of the Central Government.

- 20 Termination of Service:** Procedure for termination of services shall be determined by the Council. The following conditions apply:
- 20.1 Period of Notice:** The agreement of service of any member of the staff appointed under the Bye-laws may be terminated by either party after giving to the other party not less than three months notice in writing except during the period of probation when the period of notice shall be as specified in the letter of appointment.
- 20.2 Curtailment of period of Notice:** Notwithstanding anything contained in Bye-law 20.1:
- (a) the service of any member of the staff may be terminated by giving a shorter notice than that specified in Bye-law 20.1 on payment of a sum equivalent to the amount of pay plus allowances for the period by which such notice falls short of the period specified;
 - (b) the appointing authority, or the authority to whom the power has been delegated, may accept a shorter period notice from a member of the staff in special circumstances.
- 20.3 Leave on termination of Service:** Earned leave on full pay may be counted towards the period of notice required under Bye-laws 20.1 and for any part not so utilized, pay and allowances may be paid at the discretion of the Director.
- 21 Obedience to Rules and Regulations:** During the period of his service, every employee shall observe, obey and abide by the rules of the Institute and the Bye-laws made from time to time by the Council and all standing orders passed by the Director.
- 22 Performance of Duties:** Every employee shall at all times maintain

absolute integrity, devotion to duty and do nothing which is unbecoming of an employee of the Society. Every employee shall perform such duties as may be entrusted to him and shall to the best of his ability carry out the lawful directions of the Council, or the Director or of any other person to whose authority he may be subject according to the Rules and Bye-laws of the Institute and the standing orders of the Director. An employee shall devote his whole time to the service of the Institute and shall not take active part in politics, engage, directly or indirectly, in any trade, business or occupation or enter on any remunerative commitment.

Members of the staff shall not stand for election or accept nomination to any local body or university authority without the previous permission of the Director. In the case of the Director, previous permission of the Council must be obtained.

23 Constitution of Pension Funds:

The Governing Council shall create corpus of an appropriate size for the administration of the pension fund and other retirement scheme of employees of the Institute in accordance with the instructions of the Central Government.

23.1 Retirement benefits: Employees of the Institute including those transferred from the Uttaranchal State Government shall be entitled to the benefits of General Provident Fund (GPF) and Pension, inclusive of death-cum-retirement gratuity and family pension etc. as per rules of the Central Government in respect of its own employees. However, the provisions relating to the employees transferred from the service of Uttaranchal Government shall in no way be inferior to those applicable to them before the formation of ARIES.

23.2 Retirement on Medical grounds:

Notwithstanding anything contained in the foregoing Bye-laws, the Council may retire a member of the staff on three months notice from the service of the Institute, if he/she has been incapacitated for further service on account of permanent physical or mental disability, on the basis of findings of a medical board constituted in this behalf by the Director. The decision of the Council in this

regard shall be final and binding on the member of the staff concerned. The Council may pay such members of the staff three months pay and allowances in lieu of notice, if necessary.

23.3 Voluntary/Compulsory Retirement:

The Rules for Compulsory/VRS shall be the same as applicable to the employees of the Central Government, from time to time.

24 Medical Scheme: A suitable medical scheme for the medical treatment of the employees and those retired from the Institute and their families will be framed with the approval of the Council/DST. Till such a scheme is started, all employees including those retired from the Institute and their families will, as at present, continue to avail of the existing medical facilities as are available to the Central Government employees, under the relevant Medical Rules. For the purpose of this rule, the term 'family' shall include all persons classified as such under rules of the Central Government.

Persons who are engaged by the Institute for more than six months to assist in its activities on honorary fellowship, studentship, visiting or part-time basis but who are not considered as employees of the Institute may be allowed such medical benefits as the Director may decide having regard to the merits of the case. However, such benefits shall not exceed those available to the regular employees.

25 Working hours and holidays: The normal working hours of the Institute shall be from 09:00 am to 5:30 pm with a lunch break for half an hour on all working days from Monday through Friday. All other holidays as observed by the Central Government shall also be Institute holidays. However, considering the nature of the work at the Institute, staff may be required to take observations at night. Observing duty on a night would entitle the staff to remain off duty on the following day. The Director or a member of the staff to whom the power has been delegated by the Director, may for urgent work detain any member of the staff beyond working hours on any working days or on holidays and grant compensatory leave or such compensation as is admissible to the staff under the Central Government rules for attendance on Sundays and holidays. This also applies to staff on observational duties at night.

26 Leave Rules: Employees will be granted leave (including casual leave, earned leave, leave on medical grounds etc.) in accordance with the leave rules of the Central Government. Rules for grant of study leave, sabbatical leave, extra-ordinary leave etc. as observed in other similar Research and Developmental institutions of DST

shall be framed by the Council from time to time and modified with prior approval of the Central Govt.

26.1 Sanction and Refusal: Leave cannot be claimed as a matter of right. Where the exigencies of ARIES so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant leave.

26.2 Authority Empowered to Grant Leave: Application for leave shall be addressed to the Chairman of the Council by the Director and to the Director by other members of the staff. Leave may be sanctioned by the Director or by a member of the staff to whom the power has been delegated by the Director. The Council may sanction leave to the Director, but the Director can avail himself of admissible casual and earned leave on his own authority.

DISCIPLINARY MATTERS

27 Discipline, Suspension, Penalties and Appeals etc.:

27.1 Discipline: The authority that appoints a member of the staff of ARIES may discharge, remove, dismiss, or impose any other penalty on him e.g. censure, withholding of increments, withholding of promotion, recovery of any pecuniary loss caused to the institute by him, reduction in rank, reduction to a lower stage in the timescale of pay, compulsory retirement etc., for misconduct, or for breach of the terms and conditions of his appointment, after following the procedure prescribed in Bye - law 27.2. The Director may suspend a member of staff preparatory to disciplinary action as described above. Suspension shall not be treated as a punishment.

27.2 Order of Discharge, Removal or Dismissal: No order of discharge, removal or dismissal or imposing any of penalties mentioned in Rule 27.1 shall be passed unless the specific charges, on which such order is to be passed, are framed against the person concerned in writing, and given to the said person, so that he shall have reasonable opportunity of defending himself provided that the requirements of this condition may be waived off if the facts on the basis of which action is to be taken, have been established in a Court of Law, or where he has absconded, or where it is impracticable to communicate with him for any other reason. In every such case where all or any of the requirements of this condition of communicating the charges are waived, the reasons for so doing shall be recorded in writing.

27.3 Appeals: An employee who has been discharged, removed or dismissed or awarded any other penalty mentioned in Rule 27.1 shall have a right of appeal against any order passed by the appointing authority to an authority to whom the appointing authority is immediately subordinate, hereinafter referred to as "appellate authority". Every appeal shall comply with the following

requirements:

- (a) It shall be couched in concise, polite and respectful language, and be free from irrelevant matter.
- (b) It shall contain all material statements and arguments relied on and shall be complete in itself.
- (c) It shall specify the relief desired.
- (d) It shall be submitted to the authority who made the order appealed against, within a period of three months from the date on which the appellant receives a copy of the order appealed against provided further that a copy of the appeal may be submitted directly to the appellate authority. It shall not be addressed to any other authority or person connected with ARIES.

Non-observance of any of the above, may result in the Appeal being summarily rejected.

27.4 Consideration of Appeals: In the case of an appeal against an order of discharge, removal or dismissal etc., the appellate authority shall consider:

- (a) whether the procedure prescribed in the preceding Service Condition has been complied with and, if not, whether such noncompliance has resulted in a miscarriage of justice;
- (b) whether the findings are justified;
- (c) whether the penalty imposed is excessive, adequate or inadequate and shall pass orders,
 - (i) setting aside, reducing, confirming or enhancing the penalty, or
 - (ii) remitting the case to the appointing authority or to any other authority with such direction as it may deem fit in the circumstances of the case provided that the appellate authority shall not impose any enhanced penalty unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty within 60 days from the date he has been given the said opportunity.

27.5 Implementation of Orders in Appeal: The authority, that made the order appealed against, shall give immediate effect to the orders passed by the appellate authority.

- 27.6 Orders Passed by the Governing Council not Appealable:** Notwithstanding anything contained in these Service Conditions, no appeal shall lie against any order made by the Council.
- 27.7 Governing Council's Power to Review:** Notwithstanding anything contained in Bye-laws 27.2 to 27.5, the Council may on its own motion or otherwise, after calling for the records of the case, review any order which is made or is appealable under these Service Conditions, 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 appointing authority that made the order or to any other authority directing such further action or enquiry as it considers proper in the circumstances of the case, or
 - (d) pass such other orders as it deems fit, provided that an order imposing or enhancing the penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty within 60 days from the date he has been given the said opportunity.
- 27.8 Review of Orders in Disciplinary Cases:** The authority before which an appeal against an order imposing any of the penalties specified in Bye-law 27.1 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 employee had preferred an appeal against such an order provided that no action under this Service Condition shall be initiated six months after the date of the order to be reviewed.
- 27.9 Pay and Allowances on Acquittal:** If a member of the staff of ARIES who has been discharged, removed or dismissed or compulsorily retired or awarded any other penalty has been reinstated/acquitted/absolved as a result of appeal, review or due to a court decision favorable to the employee, or the charges are not proved against him, the competent authority may grant to him for the period of absence from duty,
- (a) if he is fully exonerated, the full pay to which he would have been entitled if he had not been suspended, discharged, removed or dismissed or compulsorily retired and by an order to be separately recorded, any allowance of which he was in receipt prior to his discharge, removal or dismissal,

- (b) if not fully exonerated, proportion of such pay and allowances as the competent authority may decide. The period of absence from duty will be treated as period spent on duty in case (a). It will not be treated as period spent on duty in case (b) unless the appellate authority directs to the contrary.

DUTIES AND FUNCTIONS OF OFFICERS AND STAFF OF ARIES

28. Duties of the Director:

- 28.1 The Director shall be the Chief Executive of the Institute and shall be responsible for the day to day management of its academic activities and overall administration of the Institute. He shall discharge the responsibilities in accordance with the Rules and Bye-laws of the Institute and any instructions issued by the Council from time to time.
- 28.2 **Control of the staff:** All members of the staff of the institute shall be under the general control of the Director who may issue standing orders from time to time.
- 28.3 **Supervision of work:** The Director shall exercise general supervision over the programme of work and the research projects of the Institute and of the Academic staff.
- 28.4 **Co-ordination of work:** The Director may call for the general plan of work of each division, section or group or individual as the case may be at the beginning of each year or at any other time he may consider necessary and coordinate the work of the various divisions or sections of the Institute.
- 28.5 **Annual Reports:** The Director shall submit the Annual Report of the Institute along with the audited statement of accounts to the Council and the General Body within 6 months of the end of the preceding financial year. After due consideration, the Council/General Body shall cause the same to be forwarded to the Central Government.
- 28.6 The Director will in consultation with the Chairperson nominate an officer to carry out the current duties of the Director when he is away on tour or on deputation or is absent on leave of any kind or otherwise.

29. Duties of Scientific and Senior Technical staff:

- 29.1 Scientific and Senior Technical staff shall participate in and supervise work in their respective divisions, schemes/projects as per the guidelines issued by the Council from time to time. Each

officer shall submit periodical reports on the work of his division etc. to the Director. There shall be at least one report in the course of a year.

- 29.2 **Research Programmes:** Every Scientific and Senior Technical staff shall submit to the Director from time to time or when called upon to

do so his own research programme(s) and that of the members of the staff and students working with him.

29.3 Sanction of Work: All new schemes of research to be conducted at the Institute, which may involve any expenditure shall be submitted to the Director for getting the sanction of the competent authority.

30 Duties of the Librarian:

30.1 Library Rules: The rules for the management of the Library shall be framed from time to time as may be found necessary by the Library Committee appointed by the Director to be responsible for the proper functioning of the Library. The Library Committee shall be constituted by the Director at the beginning of each year.

30.2 Responsibility for custody of the Library: The Librarian shall be responsible for the custody of books, manuscripts, periodicals, equipments etc. belonging to the Library, and shall maintain a complete register and index. The librarian would be the overall-in-charge of the library and shall ensure its proper functioning. The purchase of books and journals for the library will be recommended by the Library Committee for approval by the Director.

30.3 Purchase of Books: The Librarian shall be responsible for purchase of books approved by the Library Committee or the Director.

30.4 Stock Taking: The Librarian shall take stock every year of all books in the Library and submit a report thereon. The Library Committee may assign personnel to check the report. The report will be put up before the Director, through the Head of the Library Committee.

31 Duties of the Registrar:

31.1 Work under general control of the Director: In all matters concerning the Institute he shall act under the general control and orders of the Director. The Registrar shall also be the Chief Finance and Accounts Officer for the Institute.

31.2 Secretarial Work: The Registrar shall assist the Director in all work connected with meetings of the Council and General Body.

- 31.3 Correspondence:** The Registrar shall be in-charge of correspondence relating to administration and finances of the Institute, subject to the instructions of the Director.
- 31.4 Office Management:** The Registrar will be in charge of the administrative and Secretarial staff and of the general maintenance staff of the Institute.
- 31.5 Maintenance of the Premises:** The Registrar will look after the maintenance and upkeep of the premises and the property of the Institute.
- 31.6 Annual Budget Estimates:** The Registrar shall prepare the draft of the Budget estimates of the Institute for submission to the Finance Committee.
- 31.7** Director may also assign any other duties/responsibilities connected with the management of the Institute to the Registrar if required.
- 32 Duties of other Staff Members:** The duties of other Staff Members shall be as prescribed by the Director. They will work under the control of the Director in accordance with standing instructions issued by him from time to time.
- 32.1 Contribution to Scientific periodicals:** Contributions to Scientific journals resulting from work carried on at the Institute by members of the staff of the institute shall contain the Institute's name. A copy of every such contribution shall be sent to the Library after it is accepted for publication. No contribution which may relate to classified or confidential material shall be made without the prior approval of the Director.
- 33 Extra-mural Lectures:** Members of the staff of the Institute may, with the prior permission of the Director accept invitations to give lectures in their field of work to universities or learned societies provided such lectures do not interfere with their work at the Institute.
- 34 Examinerships and other Academic Commitments:** Members of the staff of the Institute may, if invited to do so and with the prior approval of the Director, accept Consultancy, offers of Book Writing or University examiner ships, the last one normally only for post-graduate degrees or an examination of equivalent status.
- 35. Defaults:** Non-observance of any of the provisions of Bye-laws 28 to 34 by a staff to whom the provisions apply shall be treated as misconduct.

**OTHER MATTERS CONCERNING THE ADMINISTRATION AND
MANAGEMENT OF THE INSTITUTE**

- 36 Scholarships, Fellowships, Grants-in-aid, Special Programmes, Faculties etc.:**
- 36.1** In order to carry out the objectives of the Institute as set forth in the Memorandum of Association, the Council may institute medals, prizes, scholarships and fellowships, sponsor and finance deputation within the country and abroad, give grants-in-aid, establish research schemes and projects. Arrangements shall also be made for lectures seminars and symposia at the Institute in pursuance of its academic work and for the diffusion of scientific knowledge. The Institute may award research fellowships to Ph.D. students registered for a degree in other academic institution. These students will be registered with a faculty member of ARIES as cosupervisor.
- 36.2** The Director may invite scientists actively engaged in research in a field of interest to the Institute to deliver lectures and participate in its activities.
- 36.3** The Director may appoint consultants for specific purposes and for specified periods, and report the same to the Council.
- 36.4** The terms and conditions governing activities mentioned in Bye- laws 36.1, 36.2 and 36.3 shall be as may be laid down by the Council.
- 36.5** In order to assist the Director on all matters concerning the Institute, Faculties, Deans and Faculty Board may be constituted as per the guide lines laid down by the Council from time to time.
- 37 Honorary Fellows and Visiting Scientists:**
- 37.1 Honorary Fellows:** The Council may, on the recommendation of the Director, appoint Honorary Fellows. Honorary Fellowships may be conferred by the Council on eminent scholars in recognition of their distinguished contribution to knowledge in subjects in which the Institute is interested or on persons who have rendered eminent service to the Institute or on persons who have made a noteworthy and lasting contributions to the cause of fundamental research. Honorary Fellows shall enjoy such privileges as may be decided by the Council from time to time.
- 37.2 Visiting Scientists:** Scholars may be invited or admitted to the Institute for short periods as visiting Scientists for participating in

the work of the Institute. Visiting Scientists may be paid such honoraria and other facilities as may be decided by the Director from time to time. A report of visiting scientists invited to the Institute with details of honoraria paid in individual cases will be reported by the Director to the Council at its next meeting.

37.3 Emeritus Scientists: The Council may, on the recommendations of the Director, designate a Scientist who has retired from the Institute after a long and distinguished service, as Emeritus Scientist who shall enjoy such privileges as may be decided by the Council from time to time.

38.1 Travelling & Daily Allowance: In regard to Traveling Allowance and Daily Allowance for travel in connection with the business of the Institute, the Fundamental and Supplementary rules framed by the Central Government and such other Rules and Orders issued by the Central Government from time to time shall apply mutatis- mutandis to the members of the General Body, Council and the members of the Committees appointed by the Council and /or the staff of the Institute.

38.2 Sitting Fee: The Governing Council shall fix from time to time an appropriate sitting fee to be paid to the external members, in addition to TA/DA for attending the official meeting of the General Body/Governing Council/Finance Committee/Sub Committee of the Governing Council. No sitting fee will be admissible in the case of ex-officio members. The ex-officio members will also not be paid TA/DA by the Institute if they prefer to draw TA/DA from their respective department/organisation.

38.3 The Secretary of the Council shall be the Controlling Officer for T.A. and D.A. bills of Members of the General Body/Governing Council/Sub-Committees of the Council.

39 Scientific and Industrial Consultancy:

The Director shall, from time to time, regulate the work relating to scientific and industrial consultancy as per the norms fixed by the Council.

40 Industrial Research and Patent Rights:

The Director shall, from time to time, having regard to the merits of each case, decide on the filing of patents for inventions arising out of any investigation undertaken by the Institute, the person(s) or organisation(s) in whose name(s) such patents are to be taken and the distribution of the profits if any accruing from such patents. Details of all such cases when patents are filed and details of profit showing will be reported by the Director to the Council at next meeting.

41 Procedure for conduct of business of Committees: The procedure prescribed in the Rules and Regulations for the conduct of meetings/business of the General Body and Governing Council shall

also apply, mutatis mutandis, to the various committees constituted by the General Body and the Council. The powers and functions of such Committees and the terms of the office of their membership shall also be laid down by General Body/Governing Council from time to time.

42 Acts of Committees, etc. not invalidated by vacancies, etc.:

Notwithstanding anything contained in these Bye-laws, no act of any of the authorities/bodies or committees appointed by any of the authorities/bodies or constituted under the provisions of these Bye-laws shall be invalid merely by reason of (a) any vacancy therein or defect in the constitution thereof, or (b) any defect in the nomination or appointment of a person as a member thereof, or (c) any irregularity in its procedure not affecting the merits of the case.

43 Matters not covered herein:

43.1 **Removal of doubts:** Where a doubt arises as to the interpretation of any of the provisions of these Bye-laws, the matter shall be referred to the Council for a decision. In the event of their being any inconsistency between Rules & Regulations and these Bye-laws, the provisions of Rules & Regulations shall prevail.

43.2 If any question arises which is not covered by these Bye-laws, the decision of the Council shall be final. In regard to the regulation of any matter not covered hereinabove, recourse shall be taken to Central Government rules/orders etc. on the subject.

43.3 Any alteration in the Bye-laws shall be carried out with the approval of the Governing Council, General Body and Central Government.

Appendix

The details of the posts and pay band etc. for employees of ARIES are given below:

Sl. No.	Designation/Post	Revised Pay Since 01-01-2006			No. of Posts/Cadre Strength
		Pay Band		Grade Pay	
1	2	3	4	5	6
	Scientific, Engineerina and Sr. Administrative Staff:				
1	Director	HAG+	75500-80000	-	01
2	Scientist 'G'/Engineer 'G'	PB-4	37400-67000	10000	03
3	Scientist 'F'/Engineer 'F'	PB-4	37400-67000	8900	06
4	Scientist 'E'/Engineer 'E'	PB-4	37400-67000	8700	08
5	Scientist 'D'/Engineer 'D'/Registrar	PB-3	15600-39100	7600	12
6	Scientist 'C'/Engineer 'C'/Deputy Registrar	PB-3	15600-39100	6600	18
7	Scientist 'BY Engineer 'B'/Assistant Registrar/ /Information Scientist	PB-3	15600-39100	5400	15
		Sub-Total			63
	SuDDortina Staff:				
8	Senior Scientific Associate/Senior Engineering Associate/ PS to Director/ Assistant Administrative Officer	PB-2	9300-34800	4600	10
9	Senior Scientific Assistant /Senior Engineering Assistant/ Personal Assistant/Junior officer / Stenographer/ Office Superintendent	PB-2	9300-34800	4200	18
10	Scientific Assistant /Engineering Assistant/ Accounts Assistant/Administrative Assistant 'A'	PB-1	5200-20200	2800	15
11	Junior Scientific Assistant / Junior Engineering Assistant /Upper Division Clerk/Driver 'C'	PB-1	5200-20200	2400	16
12	Lab. Assistant 'B'/Driver "B"VLower Division Clerk	PB-1	5200-20200	1900	08
13	Fitter/Lab. Attendant "C"VAttendant 'C'	PB-1	5200-20200	1800	10
		Sub-Total			77
		Total Sanctioned Strength of Post			140

Note: The posts which are not bold, are covered under FCS/Merit based in situ promotion scheme, hence their numbers are floating.