

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

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

MEMORANDUM OF ASSOCIATION AND
RULES AND REGULATIONS
(w.e.f. 12 March, 2004)
(Containing amendments up to 15 November, 2010)

MEMORANDUM OF ASSOCIATION
of Aryabhata Research Institute of Observational Sciences Manora Peak,
Nainital, Uttarakhand

1. Name of the Society

The name of the Society shall be “Aryabhata Research Institute of Observational Sciences” hereinafter referred to as “Institute”.

2. Address of the Society

The registered office of the Society shall be located in the present campus of the State Observatory, Manora Peak, Nainital - 263129, Uttarakhand.

3. Jurisdiction

The Jurisdiction of the Institute shall extend to the whole of India.

4. Aims & Objectives

4.1 The aims and objectives of the Institute shall be:

- (i) to promote, guide and carry out frontline basic research in astronomy and astrophysics, climate change, space physics and in particular to create a climate for research at the highest level by enabling individuals to work at the Institute on a full time, honorary or visiting basis, by establishing a state-of-the-art facility for basic research in observational and theoretical areas of activities of the Institute;
- (ii) to facilitate interaction with other universities and academic institutions and provide them access to facilities available at the Institute;
- (iii) to conduct research programmes in climate change, space physics, astronomy and astrophysics leading to research degrees, as well as post-doctoral work by research scholars;
- (iv) to arrange advanced level schools and workshops in the above mentioned areas;
- (v) to take over the present State Observatory located at Manora Peak, Nainital together with its assets, funds and staff, as agreed between the Government, of Uttarakhand and the Department of Science & Technology under the Ministry of Science & Technology, Government of India (hereinafter referred to as Central Government) to administer, manage and develop it;
- (vi) to establish and maintain a research and standard reference library in pursuance of the objectives of the Institute;
- (vii) to establish, maintain and manage in-house laboratories, workshops and other units to assist scientific research in climate change, space physics, astronomy and astrophysics, and related areas;
- (viii) to cooperate and collaborate with other national and foreign institutions, laboratories and other international organizations in the fields relevant to the objectives of the Institute;
- (ix) to conduct science popularization programs to strengthen the scientific

- temper of students and people at large;
- (x) to take up all such programs and activities that may further the basic objective of growth and propagation of climate change, space physics, astronomy and astrophysics, and allied areas. The Institute may seek recognition by universities/institutions for the purpose of registration of students and others engaged in research at the Institute for research conferment;
 - (xi) to sponsor expeditions in and outside India for obtaining observations and information related to the fields of research pursued at the Institute;
 - (xii) to publish scientific papers, bulletins and journals and disseminate information relating to the objectives of the Institute;
 - (xiii) to draw, accept, make, endorse, discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments with the Government, of India;
 - (xiv) to acquire by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, alter, demolish or repair buildings and structures as may be considered necessary by the Governing Council;
 - (xv) to approach national and international agencies for grants required for conducting its various programs which may include substantial international participation;
 - (xvi) to maintain an account to which funds received from the Government of India and other sources shall be credited and to deposit them in nationalized banks and invest the surplus in term deposits as prescribed in the Rules and Regulations;
 - (xvii) to take all necessary steps to protect the intellectual property of the Institute;
 - (xviii) to do all other such things as may be necessary, incidental or conducive to the attainment and furtherance of all or any of the above objectives; and
 - (xix) all the objectives of the Institute shall be for charitable purpose and not for the commercial purpose.

5. Governing Council

The names, addresses, occupations and designations of the present members of the Governing Council of the Institute, to whom, by the Rules & Regulations of the Institute, the management of its affairs is entrusted, as required under Section 2 of the Societies Registration Act, 1860, are as follows:

<i>Sl. No.</i>	<i>Name and Father's name</i>	<i>Address</i>	<i>Designation in the Society</i>	<i>Occupation</i>
1.	K. Kasturirangan S/o Krishnaswamy	Member of Parliament (Rajya Sabha), Post Box No. 9433, Sanjaynagar Post Office, Bangalore-560 094	Chairperson	Scientist
2.	V.S. Ramamurthy S/o V. Subramanian	Secretary, Ministry of Science and Technology, Department of Science and Technology, Govt. of India, New Delhi - 110 016	Member (ex-Officio)	Scientist
3.	R. S. Tolia S/o D. S. Tolia	Chief Secretary, Govt. of Uttaranchal, Dehradun - 248 001	Member (Ex-Officio)	Administrator
4.	Amitabha Pande S/o A. D. Pande	Joint Secretary (Adm.), Ministry of Science and Technology, Department of Science and Technology, New Delhi - 110 016	Member (ex-Officio)	Administrator
5.	A. Sinha S/o S. D. Narain	Secretary, Govt. of Uttaranchal, Department of Science and Technology, Dehradun-248 001	Member (Ex-Officio)	Administrator
6.	A. Sharma S/o Dr. A.S. Sharma	Financial Advisor, Ministry of Science and Technology, Department of Science and Technology, Govt. of India, New Delhi - 110 016	Member (Ex-Officio)	Administrator
7.	J.V. Narlikar S/o V.V. Narlikar	Emiretus Professor, Inter University Centre for Astronomy and Astrophysics, Pune - 411 007	Member	Scientist
8.	G. Srinivasan S/o V. Ganesan	Senior Professor, Raman Research Institute, Bangalore - 560 080	Member	Scientist
9.	P.C. Agrawal S/o Chand Mal	Senior Professor, Department of Astronomy and Astrophysics, Tata Institute of Fundamental Research, Homi Bhabha Road, Mumbai - 400 005	Member	Scientist
10.	S. D. Sinvhal S/o B. D. Sinvhal	91, Vigyan Kunj, I.I.T. Roorkee, Roorkee - 247 667	Member	Scientist
11.	Ramanath Cowsik S/o R. K. Cowsik	Distinguished Professor, Indian Institute of Astrophysics, Sarjapur Road, Bangalore - 560 034	Member	Scientist
12.	Ram Sagar S/o Ram Nath	Director, State Observatory, Manora Peak, Nainital - 263129	Member Secretary (Ex-Officio)	Scientist

6. We, the several persons whose names and addresses are given below, having associated ourselves for the purpose described in this Memorandum of Association do hereby, subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Societies Registration, 1860 thisday of 2004.

<i>Name</i>	<i>Address</i>	<i>Signature with date</i>
K. Kasturirangan	Member of Parliament (Rajya Sabha), Post Box No. 9433, Sanjaynagar Post Office, Bangalore - 560 094	Sd/-
V. S. Ramamurthy	Secretary, Ministry of Science and Technology, Department of Science and Technology, Govt. of India, New Delhi - 110 016	Sd/-
R. S. Tolia	Chief Secretary, Govt. of Uttaranchal, Dehradun - 248 001	Sd/-
Amitabha Pande	Joint Secretary (Adm.), Ministry of Science and Technology, Department of Science and Technology, New Delhi - 110 016	Sd/-
A. Sharma	Financial Advisor, Ministry of Science and Technology, Department of Science and Technology Govt. of India, New Delhi - 110 016	Sd/-
A. Sinha	Secretary, Govt. of Uttaranchal, Department of Science and Technology, Dehradun - 248 001	Sd/-
J. V. Narlikar	Emiretus Professor, Inter University Centre for Astronomy and Astrophysics, Pune - 411 007	Sd/-
G. Srinivasan	Senior Professor, Raman Research Institute, Banalore - 560 080	Sd/-
P.C. Agrawal	Senior Professor, Department of Astronomy and Astrophysics, Tata Institute of Fundamental Research, Homi Bhabha Road, Mumbai - 400 005	Sd/-
S. D. Sinvhal	91, Vigyan Kunj, I.I.T. Roorkee, Roorkee - 247 667	Sd/
Ramanath Cowsik	Distinguished Professor, Indian Institute of Astrophysics, Sarjapur Road, Bangalore - 560 034	Sd/-
Ram Sagar	Director, State Observatory, Manora Peak, Nainital - 263 129	Sd/-

I certify the aforesaid signatures.

Sd/- (A. J. KURIAN) DIRECTOR Dept. of Science & Technology

RULES AND REGULATIONS of
ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL
SCIENCES MANORA PEAK, NAINITAL, UTTARAKHAND

The Aryabhata Research Institute of Observational Sciences with the acronym “ARIES” shall have the following Rules and Regulations for the administration and management of the Institute being run by the Society. Subject to these Rules and Regulations, the administration and management of the Institute shall vest in the General Body and the governing Council as specified hereunder.

- 1. Name of the Society**
The name of the Society shall be “**Aryabhata Research Institute of Observational Sciences**”.
- 2. Address of the Society**
The registered office of the Society shall be located in the present campus of the State Observatory, Manora Peak, Nainital-263 129, Uttarakhand.
- 3. Jurisdiction**
The jurisdiction of the Institute shall extend to the whole of India.
- 4. Aims & Objectives**
As per Memorandum of Association of the Society/Institute.
- 4.1 Definitions**
In these Rules and Regulations, the following words and abbreviations shall have the following meanings given to them, unless the context signifies otherwise :
 - “**Authorities**” mean the authorities of the Institute as set out in Clause 7.
 - “**Central Government**” means the Government of India represented by the Department 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.

“**Financial Year**” means the period commencing on 1st April of any year and ending on 31st March of the following year.

“**Institute**” means the Aryabhata Research Institute of Observational Sciences with the acronym “ARIES”.

“**Registrar**” means the Registrar of the Institute.

“**Rules and Regulations**” means the Rules and Regulations of the Society as contained herein, as may be amended/alterd from time to time.

“**Secretary**” means the Secretary of the General Body and the Council.

“**Society**” means Aryabhata Research Institute of Observational Sciences.

“**State Government**” means the Government of Uttarakhand represented by the Department of Science and Technology, Government, of Uttarakhand.

5. Members of the Society

5.1 The Society shall consist of all the members of the General Body/Council set up under clauses 8 and 9 of these Rules and Regulations.

5.2 The Institute shall keep a roll of the members giving their names, addresses, and occupations and every member shall sign the same, which shall be open to inspection by the members. If a member changes his/her address, he/she shall notify his/her new address to the Director, who shall thereupon enter his/her new address in the roll of members. If the member fails to notify his/her new address, the address in the roll of members shall be deemed to be his address.

6. Cessation of Membership

6.1 A member of the Society shall cease to be such a member in any of the following events:

- (a) If he/she dies, resigns, becomes of unsound mind, becomes insolvent, or is convicted of a criminal offence involving moral turpitude;
- (b) Except in the case of the Director, if he/she accepts a full-time appointment in the Institute; or
- (c) If he/she fails to attend three consecutive meetings of the General Body/Council without obtaining the leave of absence from the Chairperson.

6.2 A member of the Society, other than an ex-officio member, may resign from membership by writing a letter addressed to the Chairperson; and such resignation shall take effect from the date it is accepted by the Chairperson.

7. Authorities of the Institute

The following shall be the authorities and officers of the Institute:

- (a) The General Body and
- (b) The Governing Council.

8. The General Body

8.1 The General Body will consist of the following:

- (i) An eminent expert specialising in the domain areas of ARIES or Secretary, DST, GOI (to be nominated by DST, GOI) -- Chairperson
- (ii) Secretary, DST, GOI (if not Chairperson) or his/ her nominee not below the rank of Dy. Secretary to GOI -- Member (Ex-officio)
- (iii) Chief Secretary, Govt. of Uttarakhand or his/her nominee not below the rank of Dy. Secretary to GOI -- Member (Ex-officio)
- (iv) Financial Advisor, DST, GOI or his/her nominee not below the rank of Dy. Secretary to GOI -- Member (Ex-officio)
- (v) Director, ARIES -- Member (Ex-officio)
- (vi) 5 experts specialising in domain areas of ARIES excluding the Chairperson (to be nominated by DST, GOI) - Members
- (vii) Registrar, ARIES -- Non-Member Secretary (Ex-officio)

No member of the General Body shall nominate another person, except as mentioned above, to attend meetings of the General Body on his/her behalf.

The tenure of the General Body shall ordinarily be three years, but the General Body shall continue to function till it gets reconstituted. The Chairperson may resign from his/her office by a letter addressed to the Central Government and his/her resignation shall take effect from the date it is accepted by the Central Government.

8.1.1 Registrar, ARIES, who will function as Non-Member Secretary to the General Body, shall henceforth be responsible for all the actions to be taken and matters to be dealt with in connection with the affairs of the General Body, which are hitherto being done by Director, ARIES as Member Secretary of the General Body. All relevant clauses and sub-clauses shall stand amended accordingly to this effect.

8.2 Meeting and Proceedings of the General Body

8.2.1 The General Body meeting shall be held not less than once in a Financial Year at such place, date and time as may be fixed by the Chairperson from time to time. One of its meetings will be called Annual General Body Meeting.

8.2.2 A special meeting of the General Body may be called at any other time by the Chairperson, either on his own initiative or at the request of the Director in accordance with Clause 10.2.3(d) or not less than three other members of the General Body.

8.3 Period of Notice for the General Body Meetings

8.3.1 The Secretary of the General Body shall issue notices of all meetings to the members of the General Body at least 15 days before the appointed date for such meetings. Notices may be served by either registered post or by fax and shall be deemed to have been delivered on the third day from the date of dispatch (in the case of notice sent by registered post) and on electronic confirmation of receipt of fax (in the case of notice sent by fax). Non-receipt of the notice of any meeting of the General Body by a member shall not, however, invalidate the proceedings of the meeting.

8.3.2 Meetings of the General Body shall be presided over by the Chairperson and in his/her absence by a member chosen by the majority of the members of the General Body present at the meeting.

8.4 Quorum

Two third members including the Chairperson shall constitute a quorum at any meeting of the General Body. If there is no quorum even on the expiry of fifteen minutes after the time fixed for a meeting, the meeting shall stand adjourned. The adjourned meeting may be held any time after half an hour of the adjournment. No quorum shall be necessary for an adjourned meeting. However, no items other than the agenda items will be considered in the adjourned meeting.

8.5 Functions and Powers of the General Body

- 8.5.1 To amend the Memorandum of Association, Rules & Regulations as per guidance of the Central Government.
- 8.5.2 To approve budget and Income/Expenditure statements.

9. The Governing Council

9.1 The affairs of the Institute shall be managed, directed and controlled in accordance with the Rules and Regulations, by the Governing Council consisting of following members:

- (I) Chairperson of the General Body - Chairperson
- (ii) Secretary, DST, GOI (if not Chairperson) or his/ her nominee not below the rank of Dy. Secretary to GOI - Member (Ex-officio)
- (iii) Chief Secretary, Govt. of Uttarakhand or his/her nominee not below the rank of Dy. Secretary to GOI -- Member (Exofficio)
- (iv) Financial Advisor, DST, GOI or his/her nominee not below the rank of Dy. Secretary to GOI -- Member (Ex-officio)
- (v) Director, ARIES -- Member (Ex-officio)
- (vi) 5 experts specialising in domain areas of ARIES excluding the Chairperson (to be nominated by DST, GOI) - Members
- (vii) Registrar, ARIES -- Non-Member Secretary

Whenever a person holds the membership of the Council by virtue of an office held by him/her (ex-officio), his/her membership shall terminate when he/she ceases to hold that office and the vacancy so caused shall be filled by his /her successor to that office.

The tenure of the Governing Council shall ordinarily be 3 years, but the Governing Council shall continue to function till it gets reconstituted.

9.1A Registrar, ARIES, who will function as Non-Member Secretary to the Governing Council, shall henceforth be responsible for all the actions to be taken and matters to be dealt with in connection with the affairs of the Governing Council, which are hitherto being done by Director, ARIES as Member Secretary of the Governing Council. All relevant clauses and sub-clauses shall stand amended accordingly to this effect.

9.2 Meeting and Proceedings of the Council

- 9.2.1 Meeting of the Council shall be held not less than twice (preferably one is last week of February and other in last week of August) in a Financial Year at such place, date and time as may be fixed by the Chairperson from time to time. No member of the Council shall nominate another person to attend meetings of the Council on his/her behalf.
- 9.2.2 A special meeting of the Council may be called at any other time by the Chairperson, either on his own initiative or at the request of the Director in accordance with Clause 10.2.3(d) or not less than three other members of the Council.
- 9.2.3 Each member of the Council, including the Chairperson, shall have one vote, and if there is a tie on any question to be determined by the Council, the Chairperson shall, in addition, have and exercise a casting vote. All decisions shall be taken by majority of votes of the members present and voting.
- 9.2.4 Any business of the Institute to be performed by the Council, (except such as needs to be placed before a meeting of the Council) may be carried out by circulation among all its member and any resolution, so circulated and approved by a majority of the members who have sent their comments on the resolution, shall be as effective and binding as if such resolution had been passed at a meeting of the Council.

9.3 Period of Notice for the Council Meetings

- 9.3.1 The Secretary of the Council shall issue notices of all meetings to the members of the Council at least 15 days before the appointed date for such meeting. Notices may be served by either registered post or by fax and shall be deemed to have been delivered on the third days from the date of dispatch (in the case of notice sent by registered post) and on electronic confirmation of receipt of fax (in the case of notice sent by fax). Non-receipt of the notice of any meeting of the Council by a member shall not, however, invalidate the proceedings of the meeting.
- 9.3.2 Meetings of the Council shall be presided over by the Chairperson and in his/her absence by a member chosen by the majority of the members of the Council present at the meeting.

9.4 Quorum

Two third members including the Chairperson shall constitute a quorum at any meeting of the Council. If there is no quorum even on the expiry of fifteen minutes after the time fixed for a meeting, the meeting shall stand adjourned. The adjourned meeting may be

held any time after half an hour of the adjournment. No quorum shall be necessary for an adjourned meeting. However, no items other than the agenda items will be considered in the meeting.

9.5 Filling up of Casual Vacancies

Any casual vacancy in the Council shall be filled by nomination by the chairperson in consultation with the Director, and the member so nominated, shall hold office for the remainder of the term of the member in whose place he/she has been nominated.

9.6 Functions and Powers of the Council

- 9.6.1 The Council shall be the highest administrative and policy making body of the Institute and Society and shall be responsible for the organization, general superintendence, direction and control of the activities of the Institute and Society. The Council shall carry out and pursue the objectives of the Institute, as set forth in the Memorandum of Association. The management of all affairs and funds including movable and immovable property of the Institute, for this purpose, shall vest in the Council. The Council may appoint committees from amongst its own member or the staff of the Institute or both and may assign to such committees such powers and duties as are in accordance with Rules and Regulations.
- 9.6.2 In the discharge of its functions, the Council shall be guided by such directives on questions of policy as may be given to it by the Central Government.
- 9.6.3 The Council may appoint advisory committees consisting of its own member or of other persons or both to report to it upon any matter concerning the Institute. In particular, it may appoint periodically a high level committee of scientists, distinguished in the fields of activity of the Institute, to review the work of the Institute and submit a report.
- 9.6.4 The Council shall exercise the following powers:
- (a) Take decisions on questions of policy relating to the administration and management of the Institute;
 - (b) Consider and approve the programmes of the Institute within the scope of the objectives of the Institute and within the scope of its budget;
 - (c) Frame Rules and Regulations and bye-laws to conduct the affairs of the Institute and amplify, amend or repeal them from time to time in accordance with the guidelines / policy for autonomous scientific institutions under the Central Governments;

- (d) Consider, approve and authorise operation of the funds of the Institute and Society;
- (e) Consider and pass resolutions on the annual report, the annual accounts and budget estimates of the Institute and submit them to the Central Government;
- (f) Draw up development plans of the Institute for consideration of the Central Government;
- (g) Approve the participation of the Director and other staff of the Institute in international conferences / workshops, meetings, etc.;
- (h) Appoint Committees for the disposal of any of its business or for obtaining advice on any matter pertaining to the Institute;
- (i) Institute and award fellowships, scholarships, prizes and medals, adopt patron/patrons as and when considered necessary;
- (j) Create, abolish and upgrade scientific, technical, administrative and other posts under the Institute as per the bye-laws and subject to instructions issued by the Central Government from time to time;
- (k) Constitute such Selection Committee as may be provided in the Bye-laws and make promotion and appointments to various posts at the Institute except posts for which the Director is the appointing authority. Provided that no appointment shall be made at a salary exceeding the maximum pay scale of the Director except with the prior written approval of the Central Government;
- (l) Approve the cooperation and collaboration of the Institute with other national and / or foreign institutions and international organizations in fields related to the areas of interest of the Institute;
- (m) Acquire for the Institute, by gift, purchase, exchange, lease, hire or otherwise any property, movable or immovable, and to construct, improve, alter, demolish or repair buildings, works and constructions, as may be necessary or convenient for carrying on the activities of the Institute provided that the previous approval of the Central Government has been obtained in the following cases:
 - (i) to undertake any capital expenditure for purchase, acquisition or construction of any immovable property other than scientific instruments for a sum exceeding Rs. 50 lakhs;
 - (ii) to enter into a lease of any immovable property for a period exceeding five years; or
 - (iii) to accept gifts from foreign agencies of value exceeding Rs. 5 lakhs;

- (n) Negotiate, enter into and make contracts and deeds for the Institute;
- (o) Delegate its powers to the Director and through him, or directly to other members of staff of the Institute or to any committee appointed

by it;

- (p) Receive grants, gifts, donations or other contributions from the State and Central Governments or from any other sources provided that no benefaction shall be accepted by the Institute which, in its opinion, involves conditions or obligations contrary to the objectives of the Institute;
- (q) Do all such acts and things as are incidental or conducive to the discharge of its functions and attainment of any of the objectives specified in the Memorandum of Association; and
- (r) Delegation of Powers : For facilitating smooth running of the Institute, the Council may delegate such powers vested in it, as may be necessary, to the Chairperson or Director, and through them, to other members of the staff of the Institute or to Committees appointed by it.

9.7 Tenure of the Council

The tenure of the nominated members of the Council shall ordinarily be for three years from the date of nomination. Retiring members are eligible for re-nomination. Each nominated member of the Council shall be deemed to have relinquished his/her membership on the expiry of three years from the date on which he/she was nominated to the membership unless his/her membership to the Council has been terminated earlier by the nominating authorities.

Provided, however, that when the Authorities responsible for appointing members to the Council consider it appropriate or necessary, such Authorities may approve the extension of tenure of the nominated members of the Council by a period not exceeding one year over and above the three year tenure mentioned above.

10. Functions & Powers of the Authorities of the Council

10.1 Functions & Powers of the Chairperson

- 10.1.1 The Chairperson shall preside over all the meetings of the General Body and the Council;
- 10.1.2 In emergent circumstances, the Chairperson may exercise any of the powers of the Council. All decisions taken by the Chairperson under this clause shall be subject to ratification by the Council at the

earliest opportunity failing which such decision shall be inoperative after the next meeting of the Council;

- 10.1.3 The Chairperson, in addition to presiding over the meetings of the General Body and the Council, shall perform such functions and have such powers as the Council may decide. The Chairperson, with the approval of Council, may delegate such of his/her powers as may be considered necessary, to the Director.

10.2 Functions and powers of the Secretary / Director

- 10.2.1 The Director shall be the chief executive, administrator and academic head of the Institute and shall be responsible for the day to day management of its activities and overall administration. He shall be the custodian of all documents and the funds of the Institute and discharge these responsibilities in accordance with the Rules and Regulations and bye-laws of the Institute. In case of an emergency, he/she may take such action as may be necessary and report it immediately to the Chairperson of the Council.
- 10.2.2 It shall be the responsibility of the Director to see that all moneys are expended on the purposes for which they are granted or allocated.
- 10.2.3 Subject to the provisions of these Rules and Regulations and the bye-laws made thereunder, the Director shall exercise the following functions and powers:
- (a) All expenditure within the budget 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. The Director shall have the power to make re-appropriations of funds subject to the following limitations:
 - (i) Re-appropriation to augment the provisions under the head “Salaries, Allowances and Provident Fund/Pension Contributions” shall require the prior consent of the Council;
 - (ii) No re-appropriation shall be made from the head of capital expenditure to the head of revenue expenditure; and
 - (iii) Re-appropriations within the heads of capital expenditure to cover expenditures on a new project not included in the budget shall require the prior consent of the Council;
 - (b) Submit the accounts, the budget estimates and other proposals of the Institute to the General Body and the Council for their consideration and approval;

- (c) Conduct all official correspondence on behalf of the Institute, General Body and the Council;
- (d) Convene meetings of the General Body and the Council in consultation with the chairperson;
- (e) Keep, or cause to be kept, proper records and minutes of the proceedings of the Council meetings, and be responsible for implementation of the resolutions passed by the General Body and the Council;
- (f) Appoint Selection Committee as provided in the Bye-laws for the selection of Candidates for various posts and based on the

Committee recommendations make appointments on the posts under the Institute for which he/she is the appointing authority under these Rules and Regulations;

- (g) Assign tasks to the staff members of the Institute, manage such tasks and exercise overall control including disciplinary control;
- (h) Appoint committees of members of the staff of the Institute to manage such activities as library, workshop, stores etc.;
- (i) Participate in national conferences etc. and, with the approval of the Chairperson in international conferences/workshops/meetings etc.;
- (j) Depute members of the staff of the Institute for training or participation in national conferences/workshops/meetings etc., and with the approval of the Chairperson for international conferences/workshops/meetings etc.;
- (k) Execute all contracts, deeds and assurances of property made on behalf of the Institute after the same have been approved by the Council if so necessary under the Rules and Regulations;
- (l) Draw, make, accept and/or endorse cheques, notes or other negotiable instruments for the purposes of the Institute;
- (m) Delegate any of his powers to any of his subordinates with the approval of the Council, if necessary; and
- (n) Exercise such other powers as may be assigned to him by these Rules and Regulations and bye-laws framed there under.

In the discharge of his functions in relation to the General Body and the Council, the Director shall be assisted by the Registrar and such others from among the staff may be so assigned by the Director.

10.3 Functions and Powers of other authorities & officers

The powers and duties of authorities and officers other than those mentioned in these Rules and Regulations shall be as specified by the Council or in the bye-laws framed for the purpose.

11. Amendment or Alteration or Extension or Abridgement of the Rules and Regulations, Aims & Objectives of the Institute

11.1 Subject to the approval of the General Body and the Central government, the Council may initiate and effect addition alteration, modification or deletion in these Rules and Regulations at any time by a Resolution passed by a majority of three-fourths of the members present and voting at any meeting of the Council, which meeting shall have been duly convened for the purpose.

11.2 the Council may alter, extend or abridge any of the aims & objectives for which the Society and Institute is established, in the following manner:

- (a) The Chairperson shall call a special meeting for amendment of the objectives of the Society, by sending a notice containing the proposed amendments to the aims & objectives of the Society, to every member of the Society at least 15 days prior to the date of the special meeting;
- (b) For such amendment to take effect, the proposed amendments would require votes of three-fifths of the members present at the special meeting, or by way of proxy; and
- (c) Further, confirmation by three fourths of the members present at a second special meeting convened by the Council, at an interval of one month after the first special meeting shall be required.

12. Funds of the Institute

12.1 The source of funding will primarily be from the Central Government.

12.2 The Institute shall maintain a fund to which the following shall be credited:

- (i) All moneys provided by the Central Government.
- (ii) All fees and other charges received by the Institute.
- (iii) All moneys received by the Institute by way of grants, donations or other contributions approved by the Council wherever necessary.

12.3 All moneys credited to the fund shall be deposited in such

nationalised banks and accounted for in such manner as the Council may decide.

12.4 The fund shall be applied towards meeting the expenses relating to the Institute.

12.5 The Institute shall have a bank account in its name and such account shall be jointly operated by the Secretary / Director; or a person nominated by him and any one of the following in the order given below:

- (a) the Registrar;
- (b) the Accounts Officer of the Institute; or
- (c) a senior scientist as may be designated by the Director.

12.6 The income and property of the Institute, howsoever derived, shall be applied towards promotion of the objects set forth in the Memorandum of Association, subject nevertheless in respect of the expenditure of grants made by the Government, to such conditions or limitations as the Government may from time to time impose. No portion of the income and property of the Institute shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever by way of profit, to persons who at any time are or have been members of the Institute or to any of them or to any persons claiming through them or any of them, provided that nothing herein shall prevent the payment in good faith of remuneration to any member or other persons in return for services rendered to the Institute including travelling allowance and other similar items.

13. Accounts and Audit

13.1 The accounts of the Institute shall be maintained in such form as may be prescribed by the Government of India.

13.2 The accounts of the Institute will be audited annually by a firm of chartered accounts, i.e., statutory auditors as defined in the Chartered Accountants Act, 1949 (Act XXXVII of 1949) appointed by the Governing Council, and any expenditure incurred in connection with such audit shall be payable by the Institute to the Auditors. The accounts of the Institute may also be subject to audit by the Comptroller & Audit-General of India.

13.3 The results of the audit shall be communicated by the Auditor to the Institute which shall submit a copy of the Audit Report, along with the audited Annual accounts to the Governing Council of the Institute.

13.4 As soon as possible after accounts for a given financial year are closed, but not later than following September, the Director will cause to compile the Annual Accounts for the year, of the funds of the Institute showing:

- (i) Income and Expenditure Accounts;
- (ii) Receipt and Payment Accounts;
- (iii) Balance Sheet.

14. Suits by and against the Society and the Institute

The Society or the Institute may sue or be sued in the name of the Director, as the case may be, or as determined by the Rules and Regulations of the Society or in the name of such person as shall be appointed by the Council as per provision laid down under Section 6 of the Societies Registration Act, 1860. All legal matters will be dealt by the appropriate courts in the State of Uttarakhand only.

15. Records of the Institute

The institute shall keep and maintain proper records, registers, etc. of the proceedings and members of the Society, stocks, cash-book, etc. of the institute and action taken report, etc. for its proper functioning.

16. Dissolution and Adjustment of Affairs

The society may be dissolved if three-fifths of its members desire such dissolution and vote for such dissolution, in person or by proxy, at a special meeting convened for the purpose of such dissolution. Provided however that the approval of the Central Government, shall be required for such dissolution.

If on winding up or dissolution of the Institute, there remains, any property whatsoever after satisfaction of all its debts and liabilities, the same shall not be paid to or distributed among the members of the Institute or any of them, but shall be dealt with in such manner as the Central Government may decide.

17. Miscellaneous

17.1 Interpretation

- (a) Words imparting the singular shall include the plural and vice- versa.
- (b) Any reference to a clause is a reference to a clause of these Rules and Regulations.

17.2 Society and Institute to be a juristic person

The Society and the Institute shall be a juristic person and shall have perpetual succession as also a common seal, and will be capable of suing and be sued as provided in Clause 14 ante.

17.3 Members of the Staff of Institute

Subject to the provisions of these Rules and Regulations, the staff of

the Institute will consist of (i) Director, (ii) professors, (iii) other members of the scientific/technical staff including visiting scientists, (iv) Registrar and (v) such other staff as may be considered necessary for the administration and management of the Institute.

17.4 Finance Committee and its function

17.4.1 The Finance Committee of the Institute shall be constituted by the Council and will consist of the following members:

- (a) The Director of the Institute (Chairperson);
- (b) Financial Advisor and Joint Secretary, Ministry of Science and Technology, Government of India or his/her nominee not below the rank of Deputy Secretary;
- (c) One senior scientist/engineer of the Institute, nominated by the Director;
- (d) A member nominated by the Chairperson from outside the Institute; and
- (e) The Registrar of the Institute as Member Secretary. In the absence of the Registrar the Finance & Accounts Officer shall act as the member Secretary of the Committee.

17.4.2 The Finance Committee will meet at least once a year. The duties of the Finance Committee shall be to make recommendations to the Council on the following:

- (a) Examine and scrutinize the budget of the Institute proposed by the Director;
- (b) Consider all proposals for new expenditure which are referred to the Finance Committee for opinion before they are considered by the Council;
- (c) Consider re-appropriation statements and the Annual Audit Report and prepare reply on them;
- (d) Review the finances of the Institute from time to time; and

- (e) Give advice to the Council on any other financial question affecting the Institute either on its own initiative or on the initiative of the Council or of the Director.

17.5 Annual Report

Within six months of the close of every Financial Year, the Institute shall submit to the General Body and the Central Government, an annual report on its working during the previous year together with an audited statement of accounts showing the receipts and expenditure for the previous year. The annual report should be duly published.

17.6 Budget

The annual budget of the Institute shall be drawn up in a format indicated by the Central Government. It shall normally be considered by the General Body and the Council and then submitted to the Central Government for approval.

17.7 Pension and Provident fund

The Institute shall constitute for the benefit of its staff, including the Director, in such manner and subject to such conditions as may be prescribed by the bye-laws, such pension, insurance, gratuity and/or provident fund schemes as it may deem fit within the frame of instructions issued by the Central Government from time to time.

17.8 Appointments

17.8.1 Appointment of Director

The Director shall be appointed on invitation by the Chairperson of the Council on the recommendation of a search committee with the prior approval of the Central Government. Provided that the first Director of the Institute shall be the present Director of the State Observatory of Nainital with effect from the formation of the Institute, in the event he opts to join the Institute.

The composition of the search committee shall be as under:

(a)	Secretary of the administrative Department	Convener
(b) & (c)	Two nominees of the Governing Council	Members
(d) & (e)	Two experts nominated by the administrative Department	Members

The Director shall normally hold office for five years and the term can be renewed for a further period of five years at a time or till the Director attains the age of superannuation whichever is earlier.

The director shall be an eminent scientist who has distinguished himself in organization and research. The remuneration, terms and conditions of the appointment of the Director shall be fixed by the Council. The Director will also work as a Professor in the Institute. He may continue as a Professor till he attains the age of superannuation in the eventuality of his term as Director not being extended.

In the event of the post of Director remaining vacant for any reason, it shall be open to the Council to authorize any officer or officers of the Institute as officiating Director to exercise such powers, functions and duties of the Director, as the Council may deem fit for a period not exceeding one year at a time or till a Director is appointed whichever is earlier. An officiating Director shall discharge only such of the duties and functions vested in Director as may from time to time be sanctioned by the Council and the Council may impose conditions and restrictions as to the discharge of any such duty or function by the officiating Director.

- 17.8.2 All appointments on the staff of the Institute except that of the Director shall be made in accordance with the procedure laid down in the bye-laws by:
- (a) The Council, on the recommendation of the Director, if the appointment is made either in PB-3, Rs.15600-39100+GP Rs. 7600 of the Central Government or higher grades;
 - (b) The Director, in other cases (including for visiting scientists, research fellows and post-doctoral fellows).

17.9 Bye-laws

- 17.9.1 The Council shall frame, amend or repeal bye-laws within the framework of these Rules and Regulations for the administration and management of the affairs of the Institute and in particular to provide for the following matters:
- (a) The preparation of budget estimates, the sanctioning of expenditure, making and execution of contracts maintenance of accounts and audit;
 - (b) The allowances to be paid to the Chairperson and members of the General Body and the Council, and to the members of the committees appointed by the Council;
 - (c) The classification and procedure for appointment of staff under the Institute;
 - (d) The terms and tenure of appointment, rules of discipline and other condition of service of the staff of the Institute;
 - (e) The Terms and Conditions governing deputation of staff;

- (f) Conduct of business by the committees constituted by the General Body and the Council, the powers and functions of such committees and the terms of office of their membership;
- (g) The constitution of pension, insurance, gratuity and provident fund schemes for the benefit of the employees of the Institute;
- (h) Fixation of fees to be charged for services rendered by the Institute;
- (i) The terms and conditions governing fellowships, scholarships, medals and prizes; and
- (j) Such other matters as may be necessary for the administration of the affairs of the Institute including those which by these Rules and Regulations are to be or may be prescribed by the bye-laws.

17.9.2 The bye-laws made under these Rules and Regulations will be subject to confirmation by the General Body and the Central Government.

17.10 Seal

The Council shall provide a seal and also provide for its safe custody. The seal shall not be used except when duly authorised in writing by the Council. One member of the Council shall sign every instrument to which such seal is affixed, and every such instrument shall be countersigned by the Director or by some other person appointed by the Council.

17.11 Acts and proceedings not to be invalidated by vacancies etc.

No act of the Council or any other body set up under these Rules and Regulations or the bye-laws framed thereunder shall be invalid merely by reason of:

- (a) any vacancy therein or defect in the constitution thereof, or any defect in the election, nomination or appointment of a person acting as a member thereof; or
- (b) any irregularity in its procedure not affecting the merits of the case.

17.12 Transitional provisions

Notwithstanding anything contained in these Rules and Regulations:

- 17.12.1 Until appropriate rules of procedures and bye-laws are drawn up under these Rules and Regulations, the rules and regulations and procedures prescribed by the State Government, as are in force immediately before the registration of the Memorandum of Association of the Society, shall continue to apply to the Institute.
- 17.12.2 Every employee of the State Observatory, Nainital and its field stations, if any, immediately before the registration of the Memorandum of Association will be given an option to choose the services of the autonomous Institute of the Central Government, by a fixed date. The option once exercised shall be final and no change therein shall be admissible thereafter. Those who opt for the services of the Institute shall hold his/her office in the Institute for the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he/she would have previously held under the Uttarakhand Government service rules and shall continue to do so unless his/her employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by Bye- laws of the new Institute. The pay-scale of the employees opting to join the Institute shall be that to which he/she was entitled to in the State Government, if such corresponding pay scale exists in the list of pay-scales of the Central Government. Otherwise, the nearest higher pay-scale of the Central government will apply. Those who fail to exercise their option by the fixed date will be deemed to have not opted to join the autonomous Institute of the Central Government.

17.13 Working hours and Holidays of the Institute

The working hours of the Institute shall be fixed by the Director in accordance with bye-laws. Sunday and special days as may be determined by the Director shall be observed as holidays for the Institute. All such special days will be termed Institute holidays and notified at the beginning of each calendar year.

17.14 Interchangeability of staff

Without prejudice to what is stated in Rule 17.12, for the transitional period, the Institute may take on its establishment staff on deputation from other institutions, organisations or require any of its members of staff to work at other institutions with similar objectives under terms and conditions that may be prescribed for the purpose.

17.15 Review by the Central Government

On direction by the Central government through the Council, the

work and progress of the Institute shall be reviewed and enquiries held into its affairs and a report thereon submitted to the Central government by a body to be specifically appointed/constituted for the purpose by the Central Government. The Central Government may take such action on the report and issue such directives to the Council as it may consider necessary in respect of any of the matters dealt with in the report, and the Institute shall be bound to comply with such directives.

17.16 General

- 17.16.1 The Central Government may from time to time appoint committees to review the work and progress of the Institute and to hold enquiries into the affairs thereof and to report thereon in such manner as the Central Government may stipulate. Upon receipt of such reports, the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report and the Institute, shall be bound to comply with such directions.
- 17.16.2 The Central Government may issue such directives to the Institute through the Governing Council as it may consider necessary for the furtherance of the objects of the Institute and for ensuring their proper and effective functioning.
- 17.16.3 The income and property of the Institute, however derived, shall be applied towards the promotion of the objects thereof as set forth in the Memorandum of Association, subject to such conditions or limitations as the Central Government may from time to time impose. No part of the income and property of the Institute shall be paid or transferred, directly or indirectly, by way of dividends, bonus or otherwise howsoever by way of profit to the persons who are or at any time have been members of the Institute or the Governing Council or to any of them or too any persons claiming through them or any of them provided that nothing hereinafter contained shall prevent the payment in good faith of remuneration to any member thereof or other person to return for any services rendered to the Institute or for traveling allowance, halting or other similar charges.
- 17.16.4 All property of the Institute, movable and immovable, shall vest in the Governing Council.
- 17.16.5 All matters not specifically provided for in these Rules and Regulations, the provisions of the Societies Registration Act, 1860 will apply.

Certified that this is a correct copy of the Rules and Regulations of the Aryabhata Research Institute of Observational Sciences.

Dated :

Signature, Name & Address of Witness :

1. _____ Sd/-
(S. D. Sinvhal) Member

1. _____ Sd/-
(Amitabha Pande) Member

1. _____ Sd/-
(Ram Sagar) Member

Aryabhata Research Institute of Observational Sciences, Nainital.