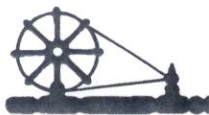
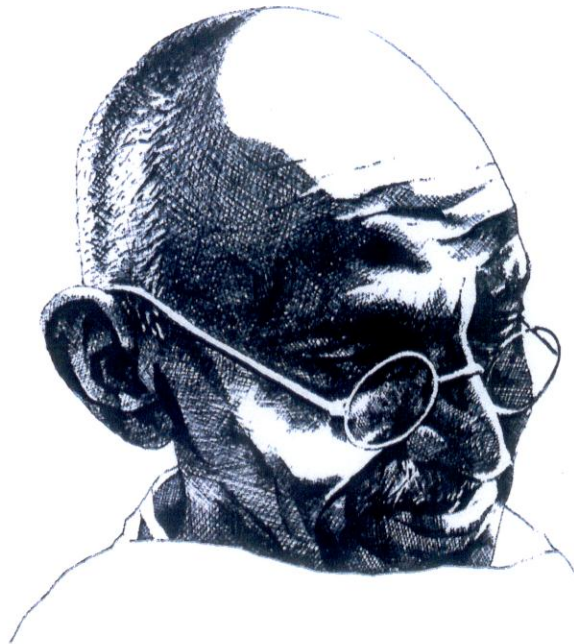


GANDHI SMRITI AND DARSHAN SAMITI

BYE-LAWS



Gandhi Smriti and Darshan Samiti

(An Autonomous Body Under Ministry of Culture)

Gandhi Smriti, 5, Tees January Marg, New Delhi 110011

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GANDHI SMRITI AND DARSHAN SAMITI

BYE – LAWS (UNDER CLAUSE 11 OF RULES & REGULATIONS)

CHAPTER-1

PRELIMINARY

1. Short Title and Commencement

- (i) These Bye-Laws may be called the Gandhi Smriti and Darshan Samiti Bye-Laws, 1987.
- (ii) They shall come into force from the date the Bye-Laws are adopted by the Executive Committee.

Provided that till the adoption of the Bye-Laws, all matters covered therein shall continue to be governed by the Bye-Laws of the erstwhile Gandhi Darshan Samiti and Gandhi Smriti Samiti and all actions taken under the latter Bye-Laws shall be valid notwithstanding any inconsistency in the corresponding provisions of these Bye-Laws.

2. Application

- (i) These Bye-Laws shall apply to all matters of Administrative and Financial management of the Samiti and to every employee of the Samiti.
- (ii) Notwithstanding anything contained in clause (i) the Gandhi Smriti and Darshan Samiti may by agreement with any employee make such special provisions regarding his conditions of service as it considers necessary and thereupon these Bye-Laws shall not apply to such employee to the extent to which the special provisions are inconsistent therewith.

3.

Definitions

In these Bye-Laws, unless the context otherwise requires:

- (a) Administrative Officer : means the Administrative Officer of the Samiti.
- (b) Appointing Authority : in relation to any post under the Samiti means the authority competent to make appointment to that post under these Bye-Laws.
- (c) Chairman : means the Chairman of the Samiti.
- (d) Competent Authority : means the Executive Committee or the Authority who may have been delegated the Power(s) of the Executive Committee.
- (e) Controlling Authority:
 - A. Administrative matters
 - i) In relation to posts in group 'C' and 'D' the Director.
 - ii) In relation to Group 'A' and 'B' posts, the Chairman , Executive Committee.
 - B. Financial Management
Chairman, Executive Committee
- (f) Director : means the Director of the Samiti.
- (g) Employee : means any person serving the Samiti in any post specified in the Schedule III, as amended from time to time.
- (h) Executive Committee: means the Executive Committee as constituted under clause 4 of the Rules and Regulations of the Gandhi Smriti & Darshan Samiti
- (i) Foreign Service : means service for which an employee receives, with the approval of the Controlling Authority, his pay from any source other than the funds of the Samiti.
- (j) Government : means the Government of India, in the Department of Culture.
- (k) Member-Secretary : means the Member-Secretary of the Samiti.
- (l) "Samiti" means "Gandhi Smriti and Darshan Samiti" as constituted under the Memorandum of Association of the Gandhi Smriti and Darshan Samiti.
- (m) Schedule : means a Schedule to these Bye-Laws.

(n) Vice-Chairman : means the Vice-Chairman of the Samiti.

(o) Years : means the Financial year.

All words and expressions used but not defined in these Bye-Laws and defined in the Rules of the Samiti shall have the meaning respectively assigned to them in the said Rules.

CHAPTER – II

BUDGET, ACCOUNTS AND AUDIT

4. Financial Year

The Financial year of the Samiti shall be from 1st April to 31st March.

5. Budget Estimates

The Director shall draw up for each succeeding year Budget Estimates and place the same before the Executive Committee for its scrutiny not later than 31st August each year.

6. Authority for Expenditure

- (i) The powers of incurring expenditure delegated to various authorities are given in Schedule I. All financial powers, not specifically delegated to any specific authority shall vest with the Executive Committee.
- (ii) No expenditure shall be incurred from the funds of the Samiti except on legitimate objects of public expenditure.
- (iii) No subordinate authority of the Samiti may incur any expenditure which involved the introduction of a new principle or practice likely to lead to increased expenditure in future unless the said expenditure has been subjected to scrutiny before its inclusion in the budget of the Samiti.
- (iv) The sanctioning authority shall exercise the powers to sanction expenditure subject to any general or special order, direction or stipulation which the authority delegating or re-delegating such power may issue or prescribe from time to time.
- (v) No expenditure from the funds of the Samiti shall be incurred unless the funds are available, sanction of the competent authority has been obtained; and the necessity

and desirability of incurring the expenditure has been duly established.

- (vi) The sanctioning authority shall see not only that the total expenditure is kept within the limits of authorized budget but also that the funds required for various items of expenditure are incurred in the interest of the Samiti and upon objects for which the money was provided.

7. **Purchase of Stores**

While making purchases of value exceeding Rs.500/- the guidelines in the matter of inviting tenders, proper scrutiny of tenders, financial status of the suppliers etc. laid down by the Govt. of India and incorporated in the General Financial Rules, shall be duly observed .

8. **Contracts**

All contracts involving financial implications, duly sanctioned by the competent authority, shall be executed on behalf of the Samiti by the Director. While finalizing the contracts, general guidelines laid down by the Govt. of India and incorporated in the General Financial Rules, shall be observed.

9. **Investment and Control of Funds**

- i) All moneys received by and in the name of the Samiti shall be credited immediately into the accounts kept in the State Bank of India. No money/moneys received by and in the name of the Samiti shall be utilized for any expenditure without prior sanction of the competent authority.

(Note: State Bank of India, changed to the Syndicate Bank vide item 5 by Executive Committee in its 16th meeting held on 13-1-92)

- ii) No funds of the Samiti in the bank shall be withdrawn on cheques except signed by two of the following:
 - a) Director or Member Secretary and
 - b) Any one of the three i.e. Administrative Officer, Accounts Officer and Office Supervisor

- iii) Surplus funds of the Samiti not required for normal recurring and non-recurring expenditure shall be invested in such a manner and in accordance with such directions as may be given by the Executive Committee from time to time.

10. Permanent Advance

There shall be a Permanent Advance of Rs. 2000/- (Rupees two thousand only) drawn from the bank and kept at the disposal of the Administrative Officer and will be recouped as and when required, for the expenditure of the Samiti.

11. Verification of Cash Balance

The balance in the Cash Book shall be physically checked by the Administrative Officer daily and a remark to that effect entered into the Cash Book by him.

12. Audit

The account of the Samiti shall be audited by the CAG. As soon as practicable, but not later than 31st May each year, after the accounts for the preceding year are closed, the Administrative Officer, under the direction of the Director,

shall cause to be compiled the annual accounts of the preceding year in such form as may be prescribed by the CAG of India . Immediately thereafter, the CAG will be requested to conduct the audit of the accounts.

13. Creation of Posts:

- (i) The posts for the office of the Samiti should be created with the prior approval of the Executive Committee subject to the provisions of clause 4(v) of the Rules and Regulations of the Samiti on such pay or such scale of pay not exceeding those applicable to the corresponding posts in the Central Govt. The Chairman, Executive Committee may in exceptional circumstances create a post in Group A,B,C and D temporarily for a period not exceeding 6 months and the case may be placed before the Executive Committee at its next meeting for ratification . The scale of pay of the post so created may be revised in the event of any revision of scale of pay by the Central Govt.
- (ii) The posts under the Samiti shall be classified as Group A, B, C, and D as indicated below :

<u>Pay scale of Posts</u>	<u>Classification</u>
Post carrying a pay or scale of pay with a maximum of not less than Rs. 4,000 /-	Group 'A'
Post carrying a pay or scale of pay with a maximum of not less than Rs. 2,900 /- but less than Rs. 4,000 /-	Group 'B'

Post carrying a pay or scale of pay
with a maximum of not less than
Rs. 1150 /- but less than Rs. 2,900 /-

Group 'C'

Post carrying a pay or scale of pay
the maximum of which is Rs. 1150 /-
or less.

Group 'D'

***Note: In accordance with VI Pay Commission
recommendations Government of India has abolished posts in
Group 'D')***

CHAPTER – III

SERVICE RULES

15. Appointing Authority

- (i) The Director shall be the Appointing Authority in respect of Group 'C' and 'D' posts.
- (ii) The Appointing Authority in respect of Group 'A' and 'B' post shall be the Chairman, Executive Committee subject to the provisions of clause 4(v) of the Rules and Regulations of the Samiti.

16. Method of Recruitment

- (i) Recruitment to a post under the Samiti may be made subject to the provisions of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959, and in accordance with such rules and orders of the Central Govt. for the reservation of vacancies for the schedule caste and schedule tribes etc. as have been or may be issued from time to time.
- (ii) A post may be filled :-
 - (a) by direct recruitment
 - (b) by promotion
 - (c) by appointment by transfer on deputation
 - (d) by re-employment of a retired employee of the Samiti or any other organization;

or

(e) On contract for a specified period in according with the Recruitment Rules framed for various posts included in Schedule II

(iii) All posts shall be filled on the recommendations of the Selection /Promotion Committee specified below:-

Name of the post	Composition of selection / promotion Committee
Director *	i) Chairman, Executive Committee ii) Member Secretary iii) One or more persons whom the Chairman, Executive Committee, may like to add. Chairman
All other posts in Group 'A' & 'B'	i) Member-Secretary ii) Director iii) One or more persons whom the Chairman, Executive Committee may like to add. Chairman
All other posts in Group 'C' & 'D'	i) Director ii) Admn. Officer iii) Programme Officer iv) Curator Chairman

* 1. (Note: The 37th meeting of the Executive Committee held on 28-5-2010 vide Item No.5, has added the following proviso to Bye-Law 16:

"Provided that in respect of the post of Director, the Selection/Promotion Committee mentioned under Byelaw 16(iii) shall consider the recommendations of a Special Selection Committee consisting of four Members one of whom shall be a Member of the Executive Committee of Gandhi Smriti and Darshan Samiti and the three from amongst eminent Gandhians/Academicians/Administrators/Community workers who will be nominated by the Chairperson, Executive Committee".

* 2. **The following was added by 30th meeting of the EC held on 4-5-2006:**

“i) As per Bye-laws of the Samiti the DPC for Group ‘C’ & ‘D’ posts consists of four members including the Curator. The Curator was opted as member of the Samiti perhaps for the reason that in earlier days the Curator was the all-in-all in the Samiti. Since in the changed circumstances the Curator has no administrative role to play in the Samiti, he may be replaced by a member to be nominated by the VC/Director.

Provided that the appointing authority, when it is of the view that filling of the vacancy in accordance with the Recruitment Rules is likely to take time. may fill that vacancy temporarily for a period not exceeding six months but the temporary arrangement shall be terminated as soon as possible by filling the vacancy in accordance with the relevant Recruitment Rules. Temporary arrangement beyond a period of six months may be extended for another six months with the approval of the Chairman, Executive Committee in the case of group ‘C’ and ‘D’ posts and Executive Committee in the case of Group ‘A’ and ‘B’ posts.

“Provided further that in respect of appointments and/or confirmation to any post in GSDS or against any post in GSDS, the persons being considered for appointment or confirmation will be required to make a complete disclosure of his/her relationship, if any, whether direct or indirect with any other persons working in GSDS”.

(Note: Added by 37th meeting of the EC held on 28-5-2010 vide item no.6.1)

17. Appointment on Compassionate Ground

The Chairman, Executive Committee may approve appointment on compassionate grounds of a son/daughter/ near relative of an employee who dies in harness, leaving his family in immediate need of assistance, in the event of there being no other earning member in the family. Such appointments shall be confined to Group 'C' or Group 'D' posts limited to 5% of the total number of vacancies in the respective group in a recruitment year.

18. Medical Fitness and other conditions for first appointment

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

- (i) he/she is declared medically fit by the Medical Authority to be designated by the Executive Committee.
- (ii) the Competent Authority is satisfied that he / she possesses good character and antecedents.
- (iii) he/she has signed a declaration regarding his marital status in the prescribed form; and provided that he/she:
 - a. has not entered into or contracted a marriage with a person having a spouse living, or
 - b. having a spouse living, has not entered into or contracted a marriage with any person.

CHAPTER – IV

TENURE

19. Probation

- 1) Every person appointed to a post under the Samiti whether by promotion or direct recruitment, shall be on probation for a period of one year, which may, in any individual case, be extended by the Appointing Authority.
- 2) Where a person appointed to a post under the Samiti on probation is, during his period of probation, found unsuitable for holding that post, or has not completed his period of probation satisfactorily, the Appointing Authority may:
 - i. In the case of a person appointed by promotion revert him to the post held by him immediately before such appointment.
 - ii. In the case of a person appointed by direct recruitment, terminate his services under the Samiti without notice.
- 3) Every person appointed to a permanent post under the Samiti by promotion or by direct recruitment shall, on satisfactorily completing his period of probation, be eligible for substantive appointment to that post.

20. Termination of Service

- 1) The service of a temporary employee may be terminated by the Appointing Authority without assigning any reasons:

- i. During the period of probation on the first appointment, at any time without notice; and
 - ii. After such period of probation, at any time by a notice of one month in writing given by the Appointing Authority to the employee or at any time without notice on payment of one month's pay in lieu of such notice or on payment of pay for such period as the notice falls short of one month.
- 2) Without prejudice to the provision of clause (1), the service of a temporary employee shall stand terminated:
 - i. If his appointment is made for a specified period, on the expiry of such period; or
 - ii. If his appointment is made against a temporary post, on the abolition of the post or on the expiry of the period for which the post is created.
- 3) The service of a permanent employee may be terminated by the Appointing Authority by giving a notice of three months, or on payment of pay for such period as the notice falls short of three months, or without notice on payment of three month's pay, if the post to which he is substantively appointed is abolished.
- 4) An employee who is given notice of termination of service under clause (3) may be granted during the period of notice such earned leave as may be admissible to him and where the leave so admissible and granted is more than three months, his services shall be terminated on the expiry of such leave.

21. Resignation

- 1) A temporary employee, may, by giving notice in writing of one month to the Appointing Authority or

on payment of one month's pay in lieu thereof, resign from the service of the Samiti.

- 2) A permanent employee may, by giving notice of three months in writing to the Appointing Authority or on payment of three months pay in lieu thereof, resign from service of the Samiti.

Provided that the Appointing Authority may, if it deems proper in special circumstances, waive the aforesaid condition of notice.

- 3) The resignation shall be effective from the date of its acceptance by the Appointing Authority.

22. Retirement

An employee of the Samiti shall retire from service:

- 1) i. on his attaining the age of 60 years, if appointed before coming into force of these Bye-laws or on his attaining the age of 58 years, if appointed subsequent to the coming in force of these Bye-laws.
 - ii. On his being declared medically unfit for service by a Medical Board to be designated by the Appointing Authority, in this behalf; or
 - iii. On the imposition of the penalty of compulsory retirement.
- 2) No extension in service beyond the age of 58 years or 60 years as the case may be, shall be granted to any employee, but in suitable cases re-employment of an employee may be sanctioned for a period not exceeding one year at a time with the approval of the Executive

Committee subject to the condition that in no case re-employment will be allowed beyond the age of 60 or 62 years, as the case may be.

- 3) Notwithstanding anything contained in clause (1) above, the Appointing Authority, if it is of the opinion that it is in the Samiti's interest so to do, shall have the absolute right to retire any employee by giving him notice of not less than three months in writing or three months' pay and allowances in lieu of such notice, after he has attained the age of 55 years.
- 4) An employee has an option to retire voluntarily on completion of 20 years qualifying service by giving three months' notice. A weightage of up to five year will be added to the qualifying service of the official provided that...
 - a. The total qualifying service including the weightage does not exceed thirty-three years;
 - b. The period does not go beyond the date of normal superannuation of the official; and
 - c. The weightage is used only for reckoning qualifying service for pension/gratuity.

CHAPTER – V

C.P.F., GRATUITY AND LEAVE ENCASHMENT

23. The employees of the Samiti will be entitled to the following retirement benefits:-

i) **C.P.F.**

An employee, other than a borrowed employee, shall be entitled to the benefit of the Contributory Provident Fund of the Samiti under Bye-law 45.

ii) **Gratuity**

a. An employee will, on retirement or on relinquishing service under the Gandhi Smriti and Darshan Samiti, be entitled to a gratuity at the rate of 1/4th of emolument drawn at the time of retirement for each completed half yearly period of qualifying service, limited to a maximum of 16½ times and to a maximum of Rs.10.00 lakh.

b. In the case of dismissal, the payment of gratuity will depend on the discretion of the Gandhi Smriti and Darshan Samiti.

iii) **Leave Encashment**

The employees will, on retirement or on relinquishing service under the Gandhi Smriti and Darshan Samiti, be entitled to cash payment in lieu of unutilised Earned Leave subject to a maximum of 300 days.

In case an employee dies while in service, his family will be entitled to cash payment in lieu of unutilised Earned Leave specified above.

Grant of gratuity and cash payment in lieu of unutilised earned leave shall be subject to such conditions as may be prescribed by the Government of India for Central Government employees from time to time.

iv) **Encashment of half pay leave**

In case of i) Pre-mature retirement; ii) voluntary retirement; and iii) in-validation retirement on medical grounds, the employees will also be entitled to cash equivalent of half pay leave at their credit provided the period of half pay leave plus earned leave should not extend beyond their normal date of superannuation.

CHAPTER – VI

LEAVE

24. Kinds of Leave

The following kinds of leave shall be admissible to an employee:

- 1) Earned Leave
- 2) Half Pay Leave
- 3) Commuted Leave
- 4) Leave not due
- 5) Extraordinary Leave
- 6) Maternity Leave
- 7) Quarantine Leave
- 8) Study Leave
- 9) Any other kind of leave admissible to corresponding Central Government employees.

25. Regulation of Leave

Save as specifically provided herein, the admissibility and the grant of any kind of leave mentioned above and other provisions with regard to grant of leave shall be regulated in accordance with the provision of the Central Civil Services (Leave) Rules, 1972, as amended from time to time.

26. Casual Leave

An employee may be granted Casual Leave for not more than 10 days at a time and for not more than 12 days in a calendar year. Intervening Sundays and closed holidays shall not be taken into account for this purpose.

27. **Special Casual Leave**

An employee may be granted Special Casual Leave for purposes and period for which such leave is admissible to Central Government employees.

28. **Procedure for Grant of Leave**

- 1) No kind of leave can be claimed as a matter of right and the grant of leave shall be subject to the exigencies of service and circumstances of each case.
- 2) No employee shall proceed on leave unless it has been sanctioned in writing.
- 3) An employee on leave shall be liable to be recalled from leave if the exigencies of service so require.
- 4) An employee shall, before proceeding on leave, make an application in the prescribed form and shall also state in writing his address while on leave and shall keep the Samiti's Office informed of any subsequent changes in leave address.
- 5) An application for leave, other than study leave, shall be considered and disposed of by the Director. An application for leave applied for by the Director shall be considered and disposed of by the Member Secretary.
- 6) An application of study leave shall be considered and disposed of by the Chairman, Executive Committee.
- 7) Every employee, on return from leave, shall submit a joining report in such form as may be prescribed.
- 8) The Officer Incharge (Administration) shall maintain a leave account in respect of every employee.

CHAPTER – VII

PAY

29. Scale of Pay

The scales of pay for the posts under the Samiti shall be as specified in the schedule, as amended from time to time.

30. Initial Pay

- (i) An employee shall, on his first appointment to a post on a time-scale of pay, draw pay at the lowest stage of the time-scale. The Appointing Authority may, on the recommendation of the Selection Committee, allow initial pay not exceeding five stages from the minimum of that scale to exceptionally qualified candidates.
- (ii) If he has previously served in the same post or in any other post under the Samiti on the same or identical time-scale of pay, and was drawing a pay higher than the pay admissible to him under provision (i) above he shall draw such higher pay and the period of his duty in such post on such pay shall also be counted for fixation of his pay.

31. Fixation of pay on promotion, drawal of increments, leave salary etc.

Govt. of India's rules and instructions regarding fixation of pay on promotion, drawal of salary, allowances, increments and leave salary during various kinds of leave and subsistence allowance during suspension, shall *mutatis mutandis* apply to the employees of the Samiti.

32. Special increment for family planning

Special increment in the form of personal pay may be granted to an employee of the society as an incentive for small family as per Govt. instructions issued from time to time.

33. Pay of re-employed persons

The pay of persons who are re-employed after retirement from Central or State Govt. service or service of a University or a public undertaking or Govt. aided autonomous organizations shall be fixed in accordance with the Govt. of India's orders issued from time to time.

34. Special pay, Personal pay, Honorarium and fee

The Executive Committee may, in special circumstances, sanction to an employee, such special pay, personal pay, honorarium or fee and on such conditions as it may deem fit, except in the case of Cashier, who shall be entitled to special pay for handling cash as per Govt. instructions issued from time to time.

35. Crossing of E.B. in a Time-Scale of Pay

The Appointing Authority shall be the competent authority to allow an employee to cross the efficiency bar in a time-scale of pay.

CHAPTER – VIII

36. Kind of Allowances

The following allowances shall be admissible to the employees of the Samiti at the rates and subject to terms and conditions laid down by the Govt. of India:

- (1) Dearness Allowance
- (2) City Compensatory Allowance
- (3) House Rent Allowance
- (4) Travelling and Daily Allowance
- (5) Any other allowance sanctioned by Govt. of India for its employee.

37. Allowances during suspension

An employee under suspension shall, during the period of suspension, draw such allowances, at such rates and subject to such orders under which the same are allowed to comparable Central Govt. employees.

38. Allowances during leave

House Rent Allowance, City Compensatory Allowance and Dearness Allowance and any other allowance shall be admissible to the employees of the Samiti during leave of all kinds at the rates and subject to the conditions under which such allowances are admissible to Central Govt. employees.

39. Leave Travel Concession

Leave Travel Concession shall be admissible to the employees of the Samiti at the rate at which and subject to the orders and

conditions under which the same is allowed to Central Govt. employees from time to time.

40. Children's Education Allowance and re-imburement of Tution Fees

The concessions of children's education allowance and re-imburement of tution fees shall be admissible to employee of the Samiti at the rates at which and subject to the orders under which the same are allowed to Central Govt. employees.

41. Travelling Allowance and Daily Allowance

- (i) Travelling Allowance and Daily Allowance admissible to the employees for journeys performed on duty within India shall be at the rate at which and subject to the orders under which these are allowed to Central Govt. employees.
- (ii) Travelling Allowance and Daily Allowance shall ordinarily be payable on the return of the employee to his headquarters. Provided that the Director may sanction payment in advance of such sum as he deems fit towards such allowance.
- (iii) The Director shall be the controlling officer in respect of T.A. claims of the employees of the Samiti. Member-Secretary will be the controlling officer in respect of the T.A. claims of the Director.

CHAPTER – IX

T.A./D.A TO MEMBERS OF THE SAMITI

42. T.A./D.A. to members of the Samiti or its committees/sub-committees.....

Members of the Samiti or its Committees/Sub-committees undertaking journey for any work relating to the GSDS shall be entitled to traveling allowance and daily allowance as admissible to first grade officers of the Central Govt.

Provided that a member undertaking a journey in connection with the meeting of either the Samiti or the Executive Committee or a Committee/Sub-Committee of which he is a member or for any purpose in connection with the affairs of the Samiti, if so authorized by the Vice-Chairman/Chairman may travel by air (economy class). He shall furnish with his T.A. claim a certificate stating that "The journey had been performed in the interest of the Samiti's work".

43. Controlling Officer

The Member-Secretary shall exercise the powers of controlling officer in respect of the T.A. bills of the members of the Samiti/Executive Committee and its Committees/Sub-Committees.

CHAPTER – X

MEDICAL FACILITIES

44. Re-imbusement of Medical Expenses

An employee of the Samiti who is not provided with the CGHS facilities, will be allowed to claim re-imbusement of medical expenses for himself and his family in accordance with the provisions of the CS (M.A.) Rules.

CHAPTER-XI

C.P.F. OF THE SAMITI

45. Maintenance and Administration of C.P.F.

The Samiti shall maintain and administer a separate fund to be known as 'Gandhi Smriti and Darshan Samiti Contributory Provident Fund'.

Every employee of the Samiti, except a casual worker, shall contribute to the Gandhi Smriti and Darshan Samiti Contributory Provident Fund any sum which is not less than 8.1/3% of his emoluments, (as defined in the C.P.Fund (India) Rules, 1962) and rounded off to the nearest whole rupee. The contribution shall be realizable by the Samiti before payment of each month's pay and allowances to the employee.

The Samiti shall contribute from its own fund to the account of every employee in the Samiti's Contributory Provident Fund on the 31st March of every year an amount equal to the total amount realized during the year from the employee concerned but not

exceeding 8 1/3% of his emoluments, as defined in the aforesaid Rules.

The Samiti shall pay interest on the subscription made by the employees and contribution of the Samiti at the rates fixed by the Central Govt. from time to time.

Subject to the above provisions of Contributory Provident Fund (India) Rules, 1962 shall apply in regard to advances/withdrawals/final withdrawal of accumulation in the fund and all other matters not specifically provided for in these Bye-laws.

CHAPTER XII
CONDUCT RULES

46. Conduct

1. Every employee of the Samiti shall at all times:
 - i) maintain absolute integrity;
 - ii) maintain devotion to duty; and
 - iii) do nothing which is unbecoming of an employee of the Samiti, as a decent citizen of India.
2. Every employee shall abide by and comply with the orders and directions of his superior authorities.
3. Every employee shall extend utmost courtesy and attention to all persons with whom he has to deal in the course of his duty.
4. No employee of the Samiti shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics, nor shall he take part in, subscribe in aid of, or assist in any other manner any political movement or activity.
5.
 - i) No employee shall, except with the previous approval of competent authority specified for the purpose, acquire or dispose of any immovable property either in his own name or in the name of any member of his family.
 - ii) Where an employee enters into a transaction in respect of movable property, he shall, within one month from the date of such transaction, report the same to the Samiti or the authority prescribed in this behalf, if the value of such property exceeds Rs.2,000/- in the case of group 'A' and 'B' employees and Rs.1,000/- in the case of group 'C' and 'D' employees.

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is:-

- (i) with a person having official dealings with the Samiti; or
- (ii) otherwise than through a regular or reputed dealer.

6. (i) No employee shall enter into, or contract a marriage with a person having a spouse living; and
- (ii) No employee having a spouse living shall enter into or contract a marriage with any person.

Provided that the Samiti may permit an employee to enter into or contract any such marriage if it is satisfied that :-

- (i) there are sufficient grounds for so doing, and
- (ii) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage.

7. No employee of the Samiti shall

- (i) give or take or abet the giving or taking of dowry, or
- (ii) demand directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

8. Every employee of the Samiti is a whole-time employee. He shall not, except with the previous sanction of the Director, and in the case of Director, the Vice-chairman, engage directly or indirectly in any trade or business or negotiate for or undertake any other employment. However, an employee may, without such sanction and without detriment to his duties:

- (i) undertake honorary work of a social or charitable nature;

- (ii) undertake occasional work of literary, artistic or scientific character; or
 - (iii) participate in sports activities as amateur.
9. No employee shall bring or attempt to bring any outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Samiti.
 10. An employee of the Samiti shall strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he happens to be for the time being.
 11. Any employee of the Samiti shall so manage his private affairs as to avoid habitual indebtedness or insolvency.
 12. All employees of the Samiti shall wear Khadi, while on duty.
 13. Other provisions not specified herein but contained in the Central Civil Services (Conduct) Rules, 1964 as amended from time to time (any other Rule which may be made by the Government of India) concerning the Government Servants conduct shall mutatis mutandis apply to the employees of the Samiti
 14. Apart from compliance with the mandatory Conduct Rules laid down in these Bye-Laws, the employees are morally obliged to protect the fair name and image of the Samiti by their personal conduct while on and off duty. The Samiti expects its employees to be guided in their official and private dealings by Mahatma Gandhi's life and work, and devote their spare time to voluntary constructive activities to promote national integration and social reform.

CHAPTER – XIII

Discipline

47. Suspension

(1) The appointing authority or any authority which may be superior to the appointing authority or any other authority empowered in that behalf by the Executive Committee, by general or specific order, may place an employee of the Samiti under suspension --

- a) where a disciplinary proceeding against him is contemplated or is pending; or
- b) where, in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest of the Samiti.
- c) Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

Provided that where the order of suspension is made by an authority lower than appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

- (2) An employee shall be deemed to have been placed under suspension by an order of the appointing authority with effect from the date of his detention, if he is detained whether on a criminal charge or otherwise for a period exceeding 48 hours.
- (3) An order of suspension made or deemed to have been made under this bye-law may at any time be revoked by the authority which made or is deemed to have made it or by any superior authority.

- (4) An employee under suspension shall be entitled to a subsistence allowance at an amount equal to the leave salary which he would have drawn if he had been on leave on half pay and in addition dearness allowance based on such leave salary with other compensatory allowance, if any, of which the employee was in receipt on the date of suspension, if the Appointing Authority is satisfied that the employee continues to meet the expenditure for which they are granted.
- (5) An appeal against the order of suspension shall lie to the appellate authority as specified in Bye-law 52.

Note: No payment under this bye-law shall be made unless the employee furnishes a certificate, and the authority which made or is deemed to have made the order of suspension is satisfied, that the employee is not engaged in any other employment, business, profession or vocation.

The payment and revision of amount of subsistence allowance would be regulated in accordance with the instructions applicable to corresponding Central Govt. employees.

48. Penalties

The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed on an employee, namely –

Minor-Penalties:

- (i) Censure;
- (ii) Withholding of promotion;
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders;
- (iv) Withholding of increments of pay.

Major Penalties:

- v) Reduction to a lower stage in the time-scale of pay;
- vi) Reduction to a lower time-scale of pay, grade, post or service;
- vii) Compulsory retirement;
- viii) Removal from service;
- ix) Dismissal from service;

49. Authority competent to impose a penalty

The Appointing Authority or any other authority, which may be superior to the Appointing Authority, may impose on an employee any of the penalties specified in Bye-law 48.

50. Procedure for imposing penalties

- (1) No order imposing any penalty on an employee shall be passed except after--
 - (a) the employee is informed in writing of the proposal to take action against him and of the imputations of misconduct on which it is proposed to be taken and is given an opportunity to make any representation he may wish to make; and
 - (b) Such representation, if any, is taken into consideration by the authority imposing the penalty.
- (2) No order imposing a major penalty shall be made except after an inquiry. As far as practicable the inquiry shall be held in accordance with the guide-lines prescribed in Rules 14 and 15 of C.C.S. (CCA) Rules.

51. Special provision regarding borrowed employee

- (1) Where an order of suspension is made or a disciplinary proceeding is commenced against a borrowed employee, the lending authority shall forthwith be informed of the circumstances leading to the order of suspension or commencement of the disciplinary proceedings as the case may be.
- (2) In the light of the finding in the disciplinary proceeding taken against such employee --
 - i) If the authority imposing the penalty is of the opinion that any of the penalties specified in clauses (v) to (ix) of the Bye-law 48 should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry for such action as it deems necessary; and
 - ii) If the authority imposing the penalty is of the opinion that any other penalty should be imposed on him it may after consultation with the lending authority, pass such orders on the case as it deems necessary.

Provided that in the event of a difference of opinion between the lending authority and the authority imposing the penalty, the services of the employee shall be placed at the disposal of the lending authority.

EXPLANATION:

In this Bye-law, the expression "Lending Authority" means the authority which has placed the services of the borrowed employee at the disposal of the Samiti.

CHAPTER – XIV

Appeal and Review

52. Appellate Authorities

An appeal shall lie from any original order made –

- (1) by the Director, to the Vice-chairman
- (2) by the Vice-chairman to the Executive Committee

53. Period of limitation of Appeal

No appeal shall be entertained unless it is submitted within a period of 45 days from the date on which the order appealed against is communicated to the person concerned.

Provided that the appellate authority may entertain the appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

54. Form, content and submission of appeals

- (1) Every person submitting an appeal shall do so separately and in his own name.
- (2) The appeal shall be addressed to the appellate authority; shall contain all material statements and arguments on which the appellant relies; shall not contain any disrespectful or improper language and shall be complete in itself.
- (3) Every appeal shall be submitted to the Director of the Samiti who shall, transmit it to the appellate authority.

55. Consideration of Appeals

The appellate authority shall consider every appeal in such manner as it deems fit and pass such orders as it deems proper in the circumstances of the case;

Provided that no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation, which he may wish to make, against such enhanced penalty.

56. Review

The Executive Committee may, on its own motion or otherwise, review any order made by any authority and pass such order as it deems fit in the circumstances of the case;

Provided that no order imposing an enhanced penalty shall 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.

57. Order of Reinstatement

Where an employee, who has been dismissed or suspended, is reinstated, the authority reinstating him shall make an order specifying –

- (1) Whether the employee may draw for the period of his absence from duty any pay and allowances in addition to the pay and allowances admissible under Bye-law 47(4).
- (2) Whether such period may be treated as duty for all or any purpose.

58. In respect of any matter not specifically provided for in the Bye-laws in Chapter XIII and XIV, relating to 'Discipline' and 'Appeal and Review' respectively, the relevant provisions contained in the Central Civil Services (C.C.A.) Rules, 1965, as amended from time to time, shall apply to the employees of the Samiti.

CHAPTER - XV

SENIORITY

59. Seniority

- (i) Seniority of an employee shall be determined according to the length of continuous regular service in his grade. Provided that the inter-se Seniority of employees recruited simultaneously to the same category of post shall be fixed according to the order of merit determined by the Selection Committee. If no such merit was determined in relation to appointments made prior to the coming into force of these Bye-laws the seniority will be fixed in the light of age – the older person shall rank senior to the younger.
- (ii) An upto-date seniority list in accordance with the provisions of clause (i) above shall be prepared and maintained in respect of each category of employees by the Administrative Officer.
- (iii) The Seniority List shall be up-dated in the beginning of the calendar year and circulated among the employees and their objection, if any, shall be considered before it is finalized.
- (iv) If the relative seniority of any person or persons is in doubt the matter shall be submitted to the Vice-chairman whose decision thereon shall be final.

Chapter XVI

Miscellaneous

60. Advances

All interest free and interest bearing advances will be admissible to the employees of the Samiti in accordance with the provision contained in G.F.R.

61. Working Hours

The Director shall fix the working hours for the staff. Keeping in view the nature of duties of different categories, different working hours may be fixed for different types of staff working in office during fixed hours and for conservancy and security staff and drivers etc.

62. Holidays

Unless otherwise expressly provided, the Samiti shall observe Gazetted/ Restricted Holidays as notified by the Government of India during a year. Such Holidays may be granted to the regular employees of the Samiti.

63. Compensatory Holiday

Where an employee is required to attend any official duty on Sunday or Public Holiday, he shall be entitled to avail of compensatory Holiday within a reasonable period, depending upon the exigency of service.

64. Authentication

All orders and decisions of the Samiti or of the Executive Committee shall be authenticated by the signature of the Director or by such other authority as may be specified by the Executive Committee in this behalf.

65. Service Book

A Service Book for each employee shall be maintained in such form as may be prescribed. The entries in the Service Book shall be authenticated by the Officer-in-charge of Administration.

66. Character Roll

A character roll for each employee containing brief service particulars and a confidential report on his work and conduct for every calendar year shall be maintained.

The annual confidential report shall be recorded by the immediate superior officer and reviewed by the next higher authority.

The character rolls of all employees shall be kept in the custody of Director.

The Director's Confidential Report shall be recorded by Member Secretary and reviewed by the Chairman, Executive Committee. The Confidential Report shall remain in the custody of Member Secretary.

67. Other Conditions of service

Any matter not specifically provided for in these Bye-laws regarding general conditions of service, pay and allowances, leave salary, joining time, foreign service and deputation in India and abroad etc., the provisions of the Fundamental Rules, the supplementary Rules and the orders and the decisions applicable to the Central Government servants shall apply mutatis mutandis to the employees of the Samiti.

68. Interpretation

- (i) If any doubt arises about the interpretation of any of the Bye-laws, the matter shall be referred to the Executive Committee for advice/decision whose decision shall be final.
- (ii) The Vice-chairman shall have residuary powers to decide all matters, not specifically provided for in these Bye-laws, in accordance with the Rules and Regulations of the Samiti and established practices in the Government Departments; subject to ratification by the Executive Committee in their subsequent meeting.

69. Powers to Relax

Where the Executive Committee is satisfied that the operation of any of the Bye-laws causes undue hardship in any particular case, it may, for reasons to be recorded in writing, dispense with or relax the requirements of that Bye-law to such an extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner.

**Schedule of Powers Delegated to the
Chairman, Executive Committee, Director and Administrative Officer of the Samiti**

Limits and Restrictions, if any

S.No.	Power	Chairman Executive Committee	Director	Admn. Officer	Remarks
1.	2.	3.	4.	5.	6.
1.	(a) To create temporary posts (for period up to six months) b) To make appointments to sanctioned posts	Full powers	-	-	
2.	To sanction leave (other than Casual Leave)	Post in groups 'A' & 'B' Director	Posts in group 'C' & 'D' Officers of group 'A', 'B' and 'C'	Employees in group 'D'	
3.	To authorize a member of the Samiti or any person to proceed on work connected with Samiti to any part of India and allow T.A./D.A. for such journeys.	Full powers, subject to the condition that the T.A. shall not exceed the scale prescribed by the Government of India for non-official members of Committee etc.	-	-	
4.	To authorize employees of the Samiti to proceed on duty to any part of India and to grant them T.A. and D.A. in accordance with the S.R. Rules of Govt. of India	For Director	For all other employees	-	
5.	To sanction advances for the purchase of conveyance in accordance with rules made by Govt. of India	- do -	- do -	-	
6.	To pay legal charges: Fees to Legal Advisers, Advocates	-	Full powers	-	

7.	To sanction Travelling Allowance Advances			Full powers	
8.	To sanction the grant or acceptance of an honorarium or fee and to sanction the undertaking of work for which an honorarium or fee is sanctioned.	Upto Rs.500/- (Recurring) and Rs.1000/- (Non-recurring) in individual cases.			
9.	To sanction expenditure of miscellaneous or contingent nature	Rs.5,00,000/- in each case	Rs.2,00,000/- in each case		* Enhanced vide item no.15 of 41 st EC's meeting
10.	To write off losses: (a) Irrecoverable losses of stores or public money (b) Loss of revenue, irrecoverable loans and advances (c) Deficiencies and depreciation in the value of stores included in the stock and other accounts	Rs.10,000/- -do- -do-	Rs.5,000/- -do- -do-		
11.	To sanction medical attendance fee and cost of medicines for the employees of the Samiti.	Full powers in respect of claims of Director	Full powers for other employees		
12.	To order sale by auction or otherwise of unserviceable stores or perishable articles		Full powers		
13.	To sanction additional funds for approved schemes	Up to Rs.25,000/- when the cost of the approved scheme exceeds Rs.1 Lakh, and Rs.10,000/- when the cost of the scheme is Rs.50,000/- or less, provided that in			

		all cases the additional expenditure is not inconsistent with the nature and object of the scheme.			
14.	To sanction advances to the employees of the Samiti out of C.P.F. Grant of over time allowance to staff		Full powers as per Rules		
15.			Full powers subject to the guidelines issued by the Govt. of India from time to time.		

Note: 1. The Chairman, Executive Committee may delegate any power vested in him vide Col. 2 of this schedule to Member Secretary by a specific order.

2. The Director may redelegate any specific power delegated to Admn. Officer, to any other officer of equivalent rank.

3. The sanctioning authority shall always keep in view the general or specific guide-lines relating to economy measures laid down by the Govt. of India in regard to creation and filling of posts and administrative expenditure.
