

BYE-LAWS OF CENTRE OF BIOMEDICAL RESEARCH, LUCKNOW

CBMR Centre of BioMedical Research An Autonomous Centre of the Government of Uttar Pradesh
CENTRE OF BIOMEDICAL RESEARCH (CBMR), LUCKNOW
Made under the provisions of clause (33) of the Rules of the CBMR, Lucknow) Bye-Laws of
CBMR, Lucknow UPDATED BYE- LAWS OF CENTRE OF BIOMEDICAL RESEARCH (CBMR),
LUCKNOW Year-2025 (Society Registered under the Societies Registration Act, 1860) "Made under the
provisions of clause (33) of the Rules of Centre of BioMedical Research (CBMR), Lucknow " CBMR
Page 1 of 29 Bye-Laws of CBMR, Lucknow
CENTRE OF BIOMEDICAL RESEARCH SGPGIMS CAMPUS,
RAEBARELI ROAD, LUCKNOW - 226 014 BYE- LAWS OF CENTRE OF BIOMEDICAL
RESEARCH (CBMR), LUCKNOW. (Society Registered under the Societies Registration Act, 1860)
"Made under the provisions of clause (33) of the Rules of Centre of BioMedical Research (CBMR),
Lucknow " Short Title Definitions O Lucknow 226014 1 2 PRELIMINARY (I) These Bye—Laws shall be
called 'Bye-Laws of the Centre of BioMedical Research (CBMR), Lucknow'. (2) These Bye-Laws shall be
effective from the date of approval given by the Governing Council. (1) In these Bye-laws, unless the
context otherwise requires, the following expressions shall have the meaning assigned to them
respectively. (i) "Academic Council" means the Academic Council of the Centre. (ii) "Act" means the
Societies Registration Act, 1860 (Act No. 21 Of 1860), as amended or replaced or re-enacted from time to
time; (iii) "Authorities" mean the authorities of the Centre. (iv) "Centre" shall mean the Centre of
BioMedical Research. (v) "Chairman" shall mean the Chairman of the Governing Council of the Centre.
(vi) "Director" means the Director of the Centre. Body of the Centre" means the General Body of members
of the Centre. Page 2 of 29 President Director .oNedica/ Lucknow 226014 41S CamQ0% 3 4 (viii)
"Governing Council" means the Governing Council of the Centre. (ix) "Government" means the
Government of Uttar Pradesh. (x) "Memorandum of Association" or "Memorandum" means the
memorandum of association of the Centre, as amended and replaced from time to time; (xi) "President"
means the President of the Centre. means the Bye-Laws of Centre of Biomedical Research (CBMR),
Lucknow. (xiii) "Rules" mean the Rules of the Centre, as amended from time to time; Words importing the
singular number shall include the plural number and vice- versa. Words importing the masculine gender
shall include the feminine gender. (xiv) "SGPGIMS" means the Sanjay Gandhi Post Graduate Institute of
Medical Sciences, Lucknow OFFICERS AND FUNCTIONARIES The president shall exercise such
powers and discharge such functions as are provided in the Rules, Bye-Laws and in Schedules-I and II of
the Bye-Laws. (1) Mode of Appointment/Selection: (a) The Director of the Centre shall be a full-time
officer. The pay scale, Dearness Allowance and other allowances, except Non-Practicing Allowance
(N.P.A), of the Director of the centre shall be as admissible to the Director, SGPGIMS prescribed by the
State Government from time to time. (b) The Director of the Centre shall be entitled for furnished
accommodation as per prescribed license fee. (2) Qualification: The Director shall be an eminent person
with a Ph.D Degree in Chemistry/Bio-Chemistry/Physics/Bio-Physics from a Page 3 of 29 recognized
university or institute and having at least 25 years of teaching/research work experience in a reputed
national/international university or institute. (3) Tenure of Service: (a) The Director shall hold office for a
term of five years from the date he/she enters upon his/her office or till he/she attains the age of 65 years,
whichever is earlier. (b) In the eventuality of the post of Director falls vacant due to death, resignation or
otherwise, the senior most Professor of the Centre shall perform the duties of Director until a new Director
is appointed. (4) Powers and duties of the Director: Medical +0 Lucknow (a) (b) (c) (d) (f) The Director
shall be the Ex-Officio Chairman of Academic Board, and Finance Committee, and shall have power to
convene or cause to be convened meetings of these committees. He shall be Member Secretary of the
Governing Body. The Director shall be the appointing authority for group B, C and D employees of the
Centre. Subject to the provisions of the Rules and the Bye-Laws, the Director shall be the Head of
Department in terms of the Financial Hand Book and shall exercise the powers of Head of the office. He
shall be in-charge of the administration of the Centre and shall allocate duties of officers and employees of
the Centre and shall exercise such supervision and executive control, as may be necessary. He shall have
the power to utilize the services of faculty members, residents, students, trainees and other employees of

the Centre in the way that he thinks proper for the functioning of the Centre. (g) He shall represent the Centre in law suits or proceedings by or against the Centre, sign powers of attorney and Page 4 of 29 Finance Officer 5 +0Medica/ 00K Lucknow O 226014 CamQ0% verify pleadings, or depute any officer of the Centre as his representative for the purpose, and to authorize that officer to perform these duties. (h) He may continue to perform teaching and research duties, and will be eligible to avail various perquisites and facilities for academic and research work, but not limited to vacation, duty leave, participation in conferences, learning resource allowance, research grants, etc, as available to any other faculty member. (i) Subject to the directions of the Governing Body issued from time-to-time Director shall have the power to appoint examiners, experts, inspectors, moderators etc. (j) All research proposal whether to be funded by the Centre, an outside source or both will be undertaken after approval of the Director. (k) Director, CBMR can also sign academic, non-financial and non-exclusive MoUs with Private Medical College and University. (l) The Director shall also exercise such powers and performs such functions as are delegated or assigned to him from time to time by the Governing Body and the President of the Centre. (1) The Finance Officer shall be whole time officer of the Centre and shall be appointed by or with the approval of the Finance Department of the Government of U .P. (2) The Finance Officer shall work under the supervision of the Director and is accountable to the Governing Council through the Director. He would be the Ex-Officio Member Secretary of the Finance Committee. He would be an advisor to the Director for financial matters. (3) Subject to the control of the Governing Council to manage properly and investment of the Centre, he shall be responsible Page 5 of 29 Administrative officer 6 *dical Re GIMS Such other officers as may be required to run the for the preparation of annual estimates and statements of account for submission to the Finance Committee and the Governing Council. (1) Mode of Appointment: The qualification for the post of Administrative Officer shall be as per relevant government orders issued by the State Government from time to time. (2) Powers and Duties:- (a) He shall function under administrative control and supervision of the Director. (b) He shall be responsible for general administration of the Centre, such as, appointment and personnel matters, construction, maintenance, procurement etc. (c) He shall exercise and discharge such duties as may be assigned to him by the Director. (d) He shall be the immediate reporting officer of the staff directly under his supervision (Administration and Purchase) Class III and IV employees of the Centre. In case of staff of Accounts Office, he shall be the reporting officer if regular Finance Controller (FC) is not present at the Institute, if regular FC (with no extra charge) is present at the Centre then FC shall be the reporting officer for the staff of accounts office. The Governing Council with the approval of Government of Uttar Pradesh may create positions for Administrative and Financial cadres as per the need of the Centre. Centre smoothly. Responsibilities functioning 7 8 SCIENTIFIC ADVISORY COMMITTEE and (l) Subject to the directions of the Governing Body, the Scientific Advisory Committee may be entrusted with the following responsibilities; (a) Review of the research works done during the last financial year by the respective faculties. Page 6 of 29 Procedure 9 .edical Resee,, GIMS cao (b) Advise or recommend the creation of new Research units or faculty posts at the center (c) Advise on collaboration of research activities with different institutions around the country. (2) The Scientific Advisory Committee shall ordinarily meet two times during a calendar year. (3) The Chairman, if present, shall preside at every meeting of the Committee. In his absence, the members present shall elect one from amongst themselves to preside at the meeting. (4) A written notice of every meeting shall be sent by the Director to every member at least two weeks before the date of the meeting. The notice shall state the place and date and time of the meeting. (5) Agenda shall be circulated by the Director to the members at least one week before the meeting. (6) Four members shall form a quorum for a meeting of the Committee. (7) The ruling of the Chairman in regard to all questions of procedure shall be final. (8) The minutes of the proceedings of a meeting of the Committee shall be drawn up by the Director and circulated to all members of the Committee. GRIEVANCE REDRESSAL MECHANISM (1) An employee aggrieved by any decision/order of any of the functionaries of the Centre may prefer a representation to the Director, which shall be disposed of by the Director as expeditiously as possible, but not later than three months from the date of receipt of the representation. Page 7 of 29 (2) If the representation is not decided by the Director within a period of three months, the aggrieved employee may prefer an appeal to the Chairman within a period of next six months, which shall be decided by the Chairman as expeditiously as possible. (3) Whenever an employee wishes to put forth any claim, or seeks redressal of any grievance or of any wrong done to him, he must forward his case through proper channel,

and shall not forward such advance copies of his application to any higher authority, unless the lower authority has rejected the claim, or refused relief, or the disposal of the matter is delayed by more than three months. (4) No employee shall be signatory to any joint representation addressed to the authorities for redressal of any grievance or for any other matter. (5) The decision of the Chairman in all such matters would be final and binding on the aggrieved employee. RECORDS TO BE KEPT BY THE CENTRE Records like proceedings register, stock register- Cash book, ledger etc., shall be committed by the director to the appropriate officers of the centre. Details of Records IO Accounts and Audit *edical Re uucknt GIMS cao 11 (1) (2) (3) ACCOUNTS AND AUDIT The accounts of the Centre shall be kept in such forms and manner as may be laid down by the Governing Council or the Finance committee, and shall conform to the rules, if any, prescribed by the Govt. The accounts of the Centre will be open for examination by the Comptroller and Auditor General of India and also for concerned authority of the Government. The accounts of the Centre shall be audited by an auditor, who is the chartered accountant or by a firm of chartered Page 8 of 29 accountants. The Charter accountant shall guide in book keeping, auditing the balance sheet, preparation of Income & Expenditure Account, Receipt and Payments accounts, Issuing of annual Utilization Certificates etc. (4) The books of accounts of the Centre shall be audited on yearly basis and final/annual audit should be conducted at the end of financial year. The duly audited financial statements of the Centre shall be placed before the Finance Committee and thereafter before Governing Council for final adoption of books of accounts. CLASSIFICATION OF POSTS AND APPOINTMENTS General 12 Qualification *Odical Re See Lucknow 8 2260iA GIMS cao (1) (2) (3) (4) (5) The staff of the Centre are classified into Groups A (class I), B (class 11), C (Class III) and D (class IV) depending on their pay scales, as classified in KarmikAnubhag- I Memorandum number 15/140/84-ka-I/03 dt. October 07, 2003 and as may be classified from time to time by the Government. The Governing Body may, from time to time, create new or additional posts, either permanent or temporary, as it considers proper with prior approval of the Government of Uttar Pradesh, however parity will be maintained with SGPGIMS, Lucknow; The Governing Body may revise qualifications and experience for existing posts, and prescribe these in respect of any new posts that may be created with the approval of State Government. The eligible candidates must possess the prescribed qualifications by the last date fixed for receipt of applications or the date specified for this last purpose in the advertisement. Reservation Policy of the State Government shall be applicable. Page 9 of 29 Age Citizenship Character Marital status Physical fitness o Lucknow 226014 O AG/Ms C/ Probation 6) A candidate for direct recruitment must fulfil the age requirements for a post, as prescribed in the Bye-Laws; Provided that the upper age limit in the case of candidates belonging to the Scheduled Caste, Scheduled Tribes and such other categories as may be notified by the Government from time to time shall be greater by such number of years as may be specified: (7) A Candidate for direct recruitment to a post in the Centre must be a citizen of India, or should belong to a category as notified by the Government from time to time to be eligible for appointment in the Government services. (8) A candidate selected for direct recruitment to a post in the Institute shall submit certificates of good character and conduct from two gazetted officers. The appointing authority shall also verify the character of the candidate throw the Government machinery. (9) A male candidate who has more than one wife living or a female candidate who has married a man already having a wife living shall not be eligible for appointment to a post in the Centre. (10) (11) (12) (13) No candidate shall be appointed to a post in the Centre unless he is in good mental and bodily health, and free from any physical defect likely to interfere with efficient discharge of his duties. Before a candidate is approved for appointment in the Institute he shall be required to undergo a medical examination by a Medical Board to be constituted by the Director. A person on substantive appointment to a post against a permanent vacancy by direct recruitment shall be placed on probation for a period of two years; The appointing authority may, for reasons to be recorded in writing extend the period of probation in individual Page 10 of 29 Confirmation Service Book Appointing Authority Reservation *edical Resee Lucknow 226014 GIMS caoQ (14) (15) (16) (17) (18) (19) (20) cases specifying the date up to which the extension is mad, provided that the total period of extension shall, in no circumstance, exceed one year. An order extending the period of probation shall be issued before the expiry of the original period of probation; if such an order is not issued before the expiry of original period of probation, the individual will be deemed to have successfully completed the period of probation. A probationer who is reverted or whose services are dispensed with shall not be entitled for any compensation. A probationer shall complete his period of

probation successfully if; (a) his work and conduct are found to be satisfactory; (b) his integrity is certified; and (c) the appointing authority is satisfied that he has otherwise successfully and satisfactorily completed his period of probation. A probationer shall be confirmed on the post at the end of period of probation or at the end of extended period of probation. A service-book will be maintained in respect of every employee of the Centre with details and particulars as may be prescribed by the Director. The President shall be the appointing authority in respect of Professors, Additional Professors, Assistant Professors, and all Group A posts. The Director shall be the appointing authority in respect of Groups B, C and D posts. Reservation for candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes and other categories shall be in accordance with the provisions of the Rules and orders of the Government, applicable at the time of recruitment. Page 11 of 29

APPOINTMENT OF FACULTY MEMBERS

Establishment of Department/Discipline 13 Appointment Nomination of experts to Selection Committee Assessment Promotion General 14 Appointment by direct recruitment Lucknow 226014 CAO (I) The Scientific Advisory Committee, on the advice of the Academic Board, establish new departments or other specialties/discipline from time to time or may reconstitute any department/discipline. (2) Recruitment to the posts of Professors, Additional Professors and Associate Professors shall be made by assessment promotion or by direct recruitment on merit or by deputation. (3) Minimum two experts, having S.S Bhatnagar award or if they are fellow of one of the National Science Academies, may be nominated on panel of experts by the Director. If no such experts are available, a panel of experts in each department shall be prepared by the Scientific Advisory Committee and approved by the President, CBMR. (4) Assessment Promotion Scheme for faculty members prevalent at the Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow shall mutatis mutandis apply.

APPOINTMENT TO NON-FACULTY POSTS (1) Recruitment to Group A posts shall be by direct recruitment or on deputation. (2) Recruitment to Group B and C posts shall be either by direct recruitment or by promotion from amongst the employees of the Centre or by limited departmental competition. (3) Recruitment to Group D posts shall be by direct recruitment. (4) Selection for recruitment under these Bye-Laws shall be made as and when necessary. (5) A candidate who does not possess the minimum qualifications and experience for a post as specified and recognized by State or Central Government, or which are determined from time to time by the Governing Body of the Page 12 of 29 Centre, whether existing at the commencement of these Bye-Laws or to be created in future, shall not be eligible for promotion to any such post, nor he shall be eligible for appointment by direct recruitment or by limited departmental competition or in any manner to any such post after the commencement of these Bye-Laws without possessing the prescribed qualifications and experience required for the post. (6) For the purpose of direct recruitment to Group A non- faculty posts, there shall be constituted a Selection Committee comprising: (a) (b) (c) (d) The Director, who shall be the Chairman of the Committee; Head of the concerned Department/Section; Two experts to be nominated by the President; Two officers, who shall be of higher rank than the rank for which selection is being made, nominated by the appointing authority one of whom shall belong to scheduled castes/ scheduled tribes and the other backward classes. *Odical Re Lucknow 226014 GIMS CAO (7) For nomination of experts, the Director shall send five names of experts to the President, who may add to or amend the list before nominating the names of experts. (8) For the purpose of direct recruitment to Group B, C, and D non-faculty post, the Director shall constitute the Selection Committees that shall include two experts in the field to be nominated by the Director, and Head of the concerned department/section and Administrative Officer. (9) The list prepared by the Selection Committee shall remain valid for one year from the date of recommendation. (10) The appointment by promotion will be done as per procedures laid down in CCS Rules as applicable at Page 13 of 29 SGPGIMS, Lucknow. (I I) The eligibility of candidate being considered for promotion will be such as may be determined by the president and must be fulfilled as on 1st July of the concerned year. (a) (b) The Director shall constitute such Departmental Promotion Committees in respect of Group B, C and D non-faculty posts, which shall include two experts in the field and Head of the concerned department/section In above departmental promotion committee there shall be one member each of the scheduled caste and other backward class. Sealed Cover Procedure G, OGIMS (1) In the case of an employee; (a) against whom disciplinary proceedings are pending in the sense that charge sheet has already been served on him; or (b) against whom criminal proceeding have commenced, that is, the charge sheet has been filed before the Criminal Court; will be considered for promotion by the Departmental Promotional Committee concerned

at the appropriate time, but the findings of the Committee shall be kept in a sealed cover to be opened after the conclusion of the disciplinary/ court proceedings. (2) If on conclusion of the departmental/court proceedings, the employee is exonerated, and no penalty of any kind, including censure, is imposed on him, and where he is under suspension, it is also held that suspension was unjustified, the sealed cover will be opened and the recommendations of the Departmental Promotion Committee will be acted upon, and he will be given notional promotion from the date he would have been promoted as determined by the Departmental Promotion Committee. (3) The sealed cover procedure shall be in accordance with the Page 14 of 29 Assured Career Progression Scheme Employment of Dependents of Deceased Employees General Research SGPGIMS Karmik Anubhag-I, Office Memorandum no.- 13/21/89-Ka- 1-1997 dt. May 29, 1997. (4) If any penalty, including censure, is imposed on the employee as a result of the disciplinary proceedings or if he is found guilty in the court proceedings against him, the findings in the sealed cover/covers shall not be acted upon. The employee's case for promotion will then be considered in usual manner by the next Departmental Promotion Committee which meets in the normal course after the conclusion of the disciplinary/court proceedings. That Committee shall take into consideration the whole record including the sealed cover and the penalty imposed on the employee as a result of the disciplinary/criminal proceedings and shall formulate its recommendations. The recommendations of the Departmental Promotion Committee shall be placed before the appointing authority who may either accept the same or in case of disagreement shall follow the procedure laid down in these Bye-Laws. (5) In case of acute stagnation either in a cadre or in an isolated post of any group, benefits may be given, as per Assured Career Progression Scheme as applicable at Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow from time to time. (6) The relevant rules and regulations of Uttar Pradesh Government will be applicable in respect of the employment of dependants of deceased employees of the Centre. PAY FIXATION AND ALLOWANCES Subject to the provisions of these bye-laws, pay scales, dearness and all other allowances shall be admissible to all employees of the Centre as are admissible from time to time at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow subject to the declaration by the State Government. Page 15 of 29 Allotment 16 Research (1) (2) (3) (4) (5) (6) ACCOMMODATIONS Faculty members and other employees may be provided with unfurnished residential accommodation in the Campus of the Centre on payment of license fees, if such accommodation is available. If such accommodation is not available, the faculty member or employee will be entitled for House Rent Allowance as per Central Civil Service rules applicable at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. For any period of leave including extraordinary leave, licence fees for the house shall be chargeable from a faculty member or employee, who has been allotted a residence and who continues to occupy it during such leave, at the same rate as payable had he not proceeded on leave. The Centre shall provide the employees and their family members wholly dependent on them, medical treatment benefits as are available from time to time to similar categories at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. The employees, after retirement, shall also be entitled to similar benefits of medical treatment, as are available to the retired employees of similar categories at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. When a particular treatment is not available in the hospital of the Centre, reimbursement of expenses on medical attendance and treatment shall be provided, as per rules applicable to employees of Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. An employee who was working in Central Government or State Government or their undertakings, institutions or universities in substantive or officiating capacity, on joining Page 16 of 29 the Centre shall be entitled to pay protection as per central service rules applicable at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. (7) On deputation to State Government or semi government organization, an employee of the Centre shall be allowed to draw pay as admissible under Central Service Rules applicable at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. The term of deputation shall be limited to maximum of five years. (8) Pay fixation of retired civil or military pension on their re- employment in the Centre will be based on orders issued in similar cases from time to time by the State Government, whichever is applicable to the employee, as decided by Governing Body. (9) Dearness Allowance, House Rent Allowance and other facilities to re-employed pensioners will be admissible as per central civil service rules applicable at Sanjay Gandhi Postgraduate Institute of Medical Sciences (SGPGIMS), Lucknow. ANNUAL PERFORMANCE APPRAISAL REPORT Resee

SGPGIMSCP (1) (2) Open Annual Performance Appraisal of each faculty and non-faculty member shall be maintained by the Centre on the prescribed performa of CSIR, adopted at CBMR. Performance Mapping Report for faculty members and Open Annual Performance Appraisal Report (O-APAR) for administrative cadre including stenographic and isolated posts shall be followed as applicable at CSIR.

FELLOWSHIP Eligibility 17 A faculty member would ordinarily be permitted to avail fellowship as per terms and conditions as are applicable to the faculty members at Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow subject to the decision of the Governing Body of the Centre from time to time

Page 17 of 29

General 18 LIEN (1) Subject to the provisions of the Rules and these Bye-Laws the Centre shall with the approval of Governing Body permit an employee of the Centre to hold lien as provided in the Central Civil Service rules applicable at Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow. (2) During the period of his lien in the Centre, the employee concerned shall have to deposit in the Centre: (a) General Provident Fund: (b) Leave salary contribution; and (c) Pensionary contribution (3) If an employee who was permitted to take employment elsewhere joins the Institute before the termination of his lien and he has paid General Provident Fund, leave salary contribution and pensionary contribution for the period he was serving elsewhere, the said period shall count towards: (a) his annual increments; (b) pensionary benefits; and (c) leave entitlement: Provided that the employee concerned shall have to submit a certificate from his employer about his leave account during the period he was engaged elsewhere.

CONDUCT & DISCIPLINARY PROCEEDINGS AND PUNISHMENT 19 Reseer GPGIMS cø (1) (2) For disciplinary proceedings and award of punishment the relevant procedure laid down in the Uttar Pradesh Government Servant (Disciplinary and Appeal) Rules, 1999, as amended from time to time, shall be applicable. Subject to the provisions of this chapter, all matters relating to the conduct and behaviour of all employees of the Centre including the Faculty and other employees' of the Centre shall be regulated mutatis mutandis by the Uttar

Page 18 of 29

General 20 Reseep "GPGIMS CO (3) (1) (2) (3) (4) (5) (6) Pradesh Government Servant Conduct Rules, 1956 as amended from time to time. For the purposes of the enquiries and penalties, the provisions of the Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999 as amended from time to time, shall be applicable.

LEAVE Subject to provisions of the Rules and these Bye-Laws, employees, officers and faculty members of the Institute shall be entitled for such leaves as are permissible to employees, officers and faculty members of the Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow. Leave is earned only by duty. It cannot be claimed as matter of right. When the exigencies of service so require, leave of any kind may be refused or revoked by the authority competent to grant it, but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the employee. If the recall to duty is optional, the employee shall not be entitled to any concession, but if the recall is compulsory, he shall be treated on duty from the time he started his return journey and shall be paid travelling allowance for the return journey. Except as otherwise provided in these Bye-Laws, any kind of leave under these Bye-Laws may be granted in combination with or in continuation of any other kind of leave. However, casual leave shall not be combined with any other kind of leave admissible under these Bye-Laws. Compensatory leave shall also not be accumulated beyond three days or combined with any other kind of leave. No employee shall except in cases of sudden illness or

Page 19 of 29

(7) (8) (9) extreme emergency, proceed on leave, either casual or regular, without prior sanction. Every application for leave must invariably bear the address of the applicant at which he can be contacted in case of need. Absence without leave is infringement of discipline, which unless explained satisfactorily shall be treated as misconduct. No employee shall leave station without prior permission of the authority competent to grant leave. The period of leave without pay shall be a period not on duty for purposes of entitlement of leave due. (IO) Leave shall not be granted to any employee to whom a competent authority has decided to dismiss, remove or compulsorily retire from the service of the Centre or to an employee who is under suspension. (I I) Competent authority to sanction different kinds of leave shall be that authority or officer as decided by the Governing Council from time to time.

SUPERANNUATION, COMPULSORY AND VOLUNTARY RETIREMENT General 21 scal Reseep GPGIMS C. (1) (2) RESIGNATION Age of superannuation of faculty members and employees of the Centre shall be as prevalent at Sanjay Gandhi Post Graduate Institute of Medical Science (SGPGIMS), Lucknow, from time to time subject to approval of the State Government. Notwithstanding anything contained in these Bye-Laws, the appointing authority shall have the right to retire on the recommendation of screening committee to be constituted by

Governing Body any faculty member or any other officer or employee of the Centre after he has attained fifty years of age and has completed a qualifying service of twenty years, in public interest, by giving him notice of not less than three months in writing or pay in lieu thereof. Page 20 of 29 (3) (4) (a) If the period of notice falls short of three months, the pay for the period falling short of three months will be paid. (a) A faculty member, officer or employee may seek voluntary retirement by giving notice of three months to the appointing authority after attaining the age of fifty years or after completing a qualifying service of twenty years; Provided that the appointing authority may refuse such request for voluntary retirement 'within the period of notice' if disciplinary proceeding is pending or in process against the employee. (b) It shall be open to the appointing authority to allow a faculty member, officer or employee to retire by a shorter notice without requiring him to pay any penalty or amount in lieu of that period of notice which is short of the period of three months. (a) In special circumstances, a Professor may be given extension of service by the Governing Body with the prior approval of the State Government up to a maximum of one year at a time but the total period of extension of service shall not exceed three years after the age of superannuation, if: (i) (ii) (b) A suitable substitute is not available; and Teaching and research work is likely to suffer if the post remains vacant. Provided that: - Such extension shall be given to those who have shown excellence in teaching and research; and - The person will not hold an administrative position such as Dean, Head of the Department, etc. - He is physically fit. The period of extension shall be treated, as Page 21 of 29 Resear SC p GIMS (5) (6) (7) continuation of employment and the date on which such extension ends will be the day of superannuation If the Centre requires the services of any faculty member or any other non-faculty officer or employee after retirement on superannuation, such a person may be re- employed if: (a) He was engaged at the time of superannuation on a scientific or technical job which cannot be entrusted to another employee without detriment to work: or (b) He was engaged in a specific activity which is likely to suffer if the person is not re-employed, or (c) His re-employment is in the interest of the Centre for reasons to be recorded in writing; and (d) He is physically fit: Provided that no person shall be retained in service on re-employment beyond three years after the age of superannuation. Provided further that in each case of reemployment prior approval of the Governing Body shall be obtained by the appointing authority. During the period of re-employment, a person shall be treated as a temporary employee and shall not be entitled to the following benefits:- (a) General Provident Fund, (b) Encashment of leave, (c) Loan or advance from the Centre, (d) Any leave travel concession/home travel concession. (e) Travelling allowance for family and for transportation of luggage to the place of his settling, and (f) Reward or honorarium. (a) The services of a temporary employee shall be liable to Page 22 of 29 determined at any time by notice in writing given either by the employee to the appointing authority, or by the appointing authority to the employee. (b) The period of such notice on either side shall be one month. Provided that in the case of notice by appointing authority, it may substitute for the whole or part of the period of notice, pay in lieu thereof; and Provided further that it shall be open to the appointing authority to relieve an employee without any notice or accept notice for a shorter period, without requiring the employee to pay any amount in lieu of notice. Explanation:- for the purpose of this Bye-Laws, temporary service means officiating service on a temporary or permanent post of the Centre, and other appointments which are specified in these Bye-Laws to be temporary appointments (c) Nothing in this Bye-Laws shall apply to; ii. iii. iv. Employees engaged on contract; Employees not in whole time employment of the Centre. on work charged Persons employed establishments; and Persons paid out of contingencies. (8) &cal Reseer o COO (a) Notwithstanding anything to the contrary contained in these Bye-Laws, a permanent employee of the Centre including a faculty member, may resign after giving three months' notice in writing to the appointing authority or paying to the Centre three months' pay in lieu thereof; (b) such resignation shall not be effective unless it is accepted by the appointing authority; (c) The appointing authority may refuse to accept the resignation if a disciplinary proceeding is pending Page 23 of 29 General 22 (9) (10) 1. or in process against the employee. Notwithstanding anything to the contrary contained in these Bye-Laws, the appointing authority may terminate the service of a permanent faculty member, other officer or employee of the Centre by giving him three months' notice in writing or by paying him three months' pay when his services are no longer required due to abolition of post. The Distinguished and Honorary Professorship should be awarded to outstanding scientist for a period of no more than 05 years after the age of 60 years but should not exceed 70 years of age at any point. These position should only be given to Scientist working in the area pertaining to the mandate of the Institute.

SENIORITY Subject to the provisions of Rules and Bye-Laws made hereunder, the provisions of the UTTAR PRADESH GOVERNMENT SERVANT SENIORITY RULES, 1991, as amended from time to time shall be applicable. Administrative Officer shall prepare and maintain, in respect of each category of faculty members of the Centre, a complete and up-to-date seniority list in accordance with the provisions of the UTTAR PRADESH GOVERNMENT SERVANT SENIORITY RULES, 1991.

Preparation of seniority list (2) (a) Administrative Officer shall prepare and maintain, in respect of each category of non-faculty employees of the Centre, a complete and up-to-date seniority list in accordance with the provisions of the UTTAR PRADESH GOVERNMENT SERVANT SENIORITY RULES, 1991, as amended from time to time. The appointing authority shall get prepared a tentative seniority list of the persons appointed substantively to the Page 24 of 29 (3) (4) service, soon after appointments are made to a service, in accordance with the provisions of these Bye-Laws. The tentative seniority list shall be circulated amongst the persons concerned inviting objections, by the notice of reasonable period, which shall not be less than seven days from the date of circulation of the tentative seniority list. The appointing authority shall, after disposing of the objections by a reasonable order, issue a final seniority list.

General General General 23 24 24 **NEW PENSION SCHEME (NPS)** Subject to the direction and control of the Government, the employees of the Centre shall be entitled to subscribe the New Pension Scheme (NPS).

HOUSE BUILDING AND OTHER ADVANCES Subject to the provisions of the Rules made their under and these Bye-Laws the relevant provisions of the Financial Hand Book (Part 5, Volume-I) shall apply.

DIRECTOR'S BENEVOLENT FUND (1) (2) (3) (4) For the benefit of all regular employees of the Centre, the Centre shall constitute a fund to be called the Director's Benevolent Fund. Each employee of the Centre shall be a member of the fund. The fund shall Endeavour to provide assistance to members of the fund and to their families in case of death or permanent disability of 50% of the employee of the Institute. For the purposes of this Bye-Laws, family includes only the husband/wife, as the case may be, sons including step and adopted sons, and unmarried and widowed daughters. The amount of assistance in the case of an employee to whom provisions of this Bye-Laws apply shall be Rs. in case of death and Rs. 50,000/- in case of permanent disability. The benevolent fund shall be constituted from: Page 25 of 29 dical Res GAGIMS (5) (6) (7) (8) (a) contributions from the Centre, which shall amount to Rs. 25,000/- each year or as amended by the Governing Body from time to time; (b) one time contribution of one day salary from the members; (c) income from investments; and (d) receipts from any endowments, donations or other contributions or augmentation to the fund, or by holding specific activities as may be decided by the Managing Committee of the benevolent fund with the approval of the Governing Body. The fund will be collected and managed exclusively by Centre and no subsidy or grant will be provided by State Government. The Benevolent Fund shall be maintained and administered by a Managing Committee consisting of the Director as the Chairman, the Finance Officer as the Member Secretary and three other members to be nominated by the Director for administration of the Benevolent Fund. The Director is empowered to release the financial assistance as and when required on receipt of information of death/permanent disability of a member of the fund. The amount of the Benevolent Fund shall be deposited in fixed deposit in any Scheduled Bank or shall be invested in such manner as the Managing Committee of the Benevolent Fund may decide. The account of the Benevolent Fund shall be duly maintained and shall be got audited each year by the Auditors of the Centre.

General 25 **HONORARIA AND REWARDS** (1) For the purposes of these Bye-Laws, honorarium means a payment granted to an employee of the Centre as Page 26 of 29 ecal Rese G 'OGIMS COO (2) (3) (4) (5) (6) (7) remuneration for his special work of an occasional character. This Bye-Laws will apply to employees other than the faculty and research employees. The Director shall be the sanctioning authority in respect of grant of honorarium to an employee. Sanction of honorarium shall be subject to the following conditions: (a) in a department, honorarium will not be sanctioned to more than ten percent of the employees category-wise; (b) an individual will not be entitled to honorarium more than once during a financial year; and (c) Honorarium will not be given to an employee whose work and conduct has not been satisfactory or against whom a departmental proceeding or a criminal case is pending. A reward, in the form of each, merit certificate or both, may be given to an employee of the Centre if he: (a) has shown exemplary devotion to duty and has made outstanding contribution in his work, or in a particular matter; or (b) has suggested some substantial innovation or change in the working of the Centre resulting in greater efficiency in work or substantial saving in expenditure; or (c) has saved the Centre from financial or material loss by his

foresight or prompt action. The Governing Body will be the sanctioning authority in respect of rewards under these Bye-Laws. The Governing Body may lay down the amounts of honoraria and cash awards, including any upper limits thereof. Page 27 of 29 GRANTING OF DEGREES, DIPLOMAS, ACADEMIC DISTINCTION AND TITLES General General 26 27 scal Resear (1) (2) The Centre may award various degrees, diplomas and other academic distinctions and titles through affiliating Universities/Institutions, as prescribed by the Governing Body from time to time, after considering the recommendations of the Scientific Advisory Committee. The Governing Body may lay down essential requirements, and the procedure for selection and admission to various courses at the Centre, after considering recommendations of the Scientific Advisory Committee. MANAGEMENT OF PROPERTIES (1) (2) (3) (4) (5) (6) The Governing Body shall designate an officer of the Institute to function as the Estate Officer. He will be the custodian of the movable and immovable properties of the Centre, and shall work under supervision of the Director. Residential accommodation in the campus of the Centre shall be allotted in accordance with the rules of allotment approved by the Governing Body from time to time. The Governing Body shall also lay down procedure for payment of rent and other charges for the residential accommodation. Shops in the Centre campus shall be leased out as per guidelines laid down by the Governing Body for the purpose. Rent at such rate as may be decided by the Governing Body shall be charged. The rent may be reviewed from time to time, as may be determined by the Governing Body. The Centre may enter into an annual contract with any firm in respect of operation and maintenance of equipment, machinery or services at the Centre. The rates, terms and conditions for such contracts will be finalized by the Page 28 of 29 'W Researc,5 (7) (8) (9) (10) (11) (12) Director on recommendations of Committees constituted for this purpose. The Governing Body may accept gifts, endowments or donations of money or property, whether movable or immovable. The gifts or the proceeds thereof, as the case may be, shall be utilized with due regard to the conditions, if any, which the donor or endower may desire. Such money or property as aforesaid shall be managed in accordance with the specific directions of the Governing Body, if any, relating to such gift, grant or donation. Subject to the provisions of directions of the Governing Body, if any, gifts, endowments or donations of money or other property made to the Centre shall be utilized for the following purposes:- (a) (b) (c) (d) for purchase/repair of small equipments/disposables prosthesis; construction/sanitation purposes; research/training of doctors; and any other purpose seceded as proper by a Committee to be set up for this purpose. The Governing Body may set up a Committee to decide on investments of all donations, endowments and gifts. A separate annual account of income, expenditure and of unspent balances shall be maintained and reported to the Governing Body. All movable property of the Centre shall be managed and checked periodically in such manner as may be mentioned in orders issued by the Governing Body in this behalf and the report of such checking shall be laid before the Governing Body in its meeting. The Estate Officer shall prepare an annual report on the immovable property of the Institute for consideration of the Governing Body. Page 29 of 29