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NATIONAL INSTITUTE OF BIOLOGICALS
(Ministry of Health & Family Welfare)

BYE - LAWS

MEMORANDUM OF ASSOCIATION

and

RULES & REGULATIONS

UPDATED UPTO APRIL, 2003*

^{Pay}
*Scale Pre-revised except for DD(A) post.



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MEMORANDUM OF ASSOCIATION1. Name of the Society

The name of the Society shall be National Institute of Biologicals, hereinafter referred to as "The Institute".

2. Registered Office

Which of the Society shall be remained in the Union Territory of Delhi and at present it is at the following address :

"Ministry of Health & Family Welfare, Room No 252 'A' Wing, Nirman Bhawan, New Delhi - 110 011".

3. Aims and Objects

The aims and objects for which the Society is established are as under :

3.1. To develop and validate standards for quality control testing procedures for biological and immuno biological products.

3.2. To develop linkages with other national/international institutions and keep abreast with worldwide scientific research and technological developments in production and quality control of biologicals and immunobiologicals with a view to advising on the suitability of their adoption.

3.3. To provide training facilities in quality control for personnel of related institutions including testing and manufacturing units.

3.4.

To assess from time to time the availability of qualified manpower to meet the needs of quality control and manufacture of biologicals and immunobiologicals so as to advise the Government on appropriate measures and the scope for upgrading existing testing facilities in the country.

3.5.

For realisation of its objectives the Institute will have the following functions :-

3.5.1.

to conduct systematic examination of the quality of biological products in order to facilitate the release of indigenous and imported products according to procedures prescribed under the Drugs & Cosmetics Act;

3.5.2.

to develop national reference standards and serve as a repository and a national bank for reference standards and reagents for biologicals and immunobiologicals;

3.5.3.

to develop suitable network/linkages with related institutions set up by Government of India or State Governments or within Universities so as to effectively disseminate knowledge, develop manpower and act as a resource backup for long term development of reference standards and quality control of biological and immunobiological products;

3.5.4.

to develop and advise on pharmacopoeial specifications appropriate for biologicals and immunobiological products for use in India in consultation with the Indian Pharmacopoeia Committee;

- 3.5.5. to function as an accredited testing and reference laboratory for quality control of biological and immunobiological products and evaluate and advise on the emerging technologies in these fields in terms of their specificity, sensitivity and replicability.
- 3.5.6. to train scientific and technical personnel in the procedures for development of testing standardisation and quality control methods of biologicals and immunobiologicals.
- 3.5.7. to develop technical guidelines/manuals on standards to be used by manufacturers and also for training scientific and technical manpower for standardisation and quality control.
- ✓ 3.5.8. to undertake research, establish linkages and exchange personnel with different institutions in India and abroad for the furtherance of its mandate.
- 3.5.9. to advise Government of India and State Governments and their agencies and various other institutions in the further development and implementation of testing procedures for biological and immunobiological products.
- 3.5.10. to carry out such activities with regard to the enforcement of standards for biological and immunobiological products as may be entrusted to the Institute by the Government of India.
- 3.5.11. to do ^{all} all such other lawful deeds as are conducive or incidental to the attainment of the above objectives.

- 3.5.12. to invest and deal with funds and moneys of the institute.
- 3.5.13. to issue appeals and applications for money and funds in furtherance of the said objectives and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either moveable or immovable and to grant such rights either moveable or immovable and to grant such rights and privileges to the donors, subscribers and other benefactors, as the Institute may consider proper.
- 3.5.14 to acquire purchase or otherwise own or take on lease or hire in the Union Territory of Delhi or outside, temporarily or permanently, buy any moveable or immovable property necessary or convenient for the furtherance of the objectives of the Institute.
- 3.5.15 to borrow and raise money with or without security or on the security of a mortgage, charge or on the security hypothecation or pledge of all or any of the moveable or immovable properties belonging to the Institute or in any other manner whatsoever, provided that prior approval in writing of the Government of India is obtained in that behalf.
- 3.5.16 to sell, assign, mortgage lease, exchange and otherwise transfer or dispose of all or any property, moveable or immovable, of the Institute for furtherance of the objectives of the Institute provided prior approval of the Government of India is obtained for the transfer of the immovable property.

- 3.5.17 to enter into any agreement with any government or authority, municipal, local or otherwise to obtain from such government or authority any rights, privileges, concessions, fiduciary or otherwise that the Institute may deem desirable to obtain and carry out, exercise and comply with such agreements and rights, privileges and concessions.
- 3.5.18. to draw, make, accept, endorse, discount, execute, sign, issue and otherwise deal with cheques, drafts, certificates, receipts, Government securities, bill of exchange or other instruments and securities whether negotiable or transferrable or not.
- 3.5.19. to build, construct, maintain, repair, alter, improve or develop or furnish any buildings or works necessary or convenient for the purposes of the Institute.
- 3.5.20 to undertake and accept management of any endowment or trust fund or donation to further the objectives of the Institute.
- 3.5.21. to appoint, or employ temporarily or permanently, any person or persons that may be required for purpose of the Institute and to pay them, or other persons in return for services rendered to the Institute salaries, wages etc.
- 3.5.22. to mobilise available expertise in the field of public cooperation and child development and to offer technical and consultancy services with or without payment of remuneration as necessary.

- 3.5.23. to establish a provident fund and other benefits for the employees of the Institute.
- 3.5.24. to institute, offer or grant prizes, awards, scholarships/fellowships and stipends in furtherance of objects of the Institute.
- 3.5.25. to make and enforce rules and bye-laws and, if necessary, to repeal, amend and alter the same from time to time, and.
- 3.5.26. to pay all costs, charges and expenses incurred in the promotion, formation, establishment and registration of the Institute.
- 3.5.27. all incomes, earnings, moveable, immovable properties of the Society shall be solely utilised and applied towards the promotion of its aims and objects only as set forth in the Memorandum of Association and no profit on thereof shall be paid or transferred, directly or indirectly by way of dividends, bonus, profits, or in any manner whatsoever to the present or past members of the Society or to any person claiming through any one or more of the present or the past members. No member of the society shall have any personal claim on any moveable or immovable properties of the Society or make any whatsoever by virtue of this membership.

Governing Body.

The names, addresses, occupations, designations of the present members of the Governing Body to whom the management of the Society is entrusted as required under Section 2 of the Societies Registration Act, 1860, as applicable to the U.T. of Delhi are as follows :

S. No	Name in full (Capitals)	Address	Occupation	Designation in the Society
(1)	(2)	(3)	(4)	(5)
1.	SHRI R.L.MISRA	SECRETARY(HEALTH) SERVICE MINISTRY OF HEALTH & FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.		CHAIRMAN
2.	SHRI K.K.MATHUR	SECRETARY(FAMILY) SERVICE WELFARE), MINISTRY OF HEALTH & FAMILY WELFARE, NIRMAN BHAWAN, NEW DELHI.		VICE-CHAIRMAN
3.	DR.G.K.VISHWAKARMA	DIRECTOR GENERAL OF HEALTH SERVICES, NIRMAN BHAWAN, NEW DELHI.	SERVICE	MEMBER
4.	DR.S.P.TRIPATHY	DIRECTOR GENERAL INDIAN COUNCIL OF MEDICAL RESEARCH, ANSARI NAGAR, NEW DELHI.	SERVICE	MEMBER

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| 5. | SMT.A.P.AHLUWALIA | JOINT SECRETARY & SERVICE
FINANCIAL ADVISER,
MINISTRY OF HEALTH
& FAMILY WELFARE,
NIRMAN BHAWAN,
NEW DELHI. | MEMBER |
| 6. | SHRI J.VASUDEVAN | JOINT SECRETARY, SERVICE
MINISTRY OF HEALTH
& FAMILY WELFARE,
NIRMAN BHAWAN,
NEW DELHI. | MEMBER |
| 7. | DR.P.K.GUPTA | DRUGS CONTROLLER SERVICE
(INDIA),
DIRECTORATE GENRAL
OF HEALTH SERVICES,
NIRMAN BHAWAN,
NEW DELHI. | MEMBER |
| 8. | DR.(MRS.)IRA RAY | PROJECT DIRECTOR SERVICE
NATIONAL INSTITUTE
OF BIOLOGICALS,
MINISTRY OF EHALTH
& FAMILY WELFARE
NIRMAN BHAWAN,
NEW DELHI. | MEMBER-
SECRETARY |
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5. Desirous persons :

We the undersigned are desirous of forming a Society namely "The National Institute of Biologicals" under the Societies Registration Act, 1860 as applicable to the Union Territory of Delhi in pursuance of this Memorandum of Association of the Society.

<u>S.No</u>	<u>Name & Address</u>	<u>Occupation</u>	<u>Signature</u>
1.	SHRI R.L.MISRA SECRETARY(HEALTH), MINISTRY OF HEALTH & F.W., GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW DELHI.	SERVICE	Signed
2.	SHRI K.K.MATHUR SECRETARY(FAMILY WELFARE), MINISTRY OF HEALTH & F.W., GOVERNMENT OF INDIA, NIRMAN BHAVAN, NEW DELHI.	SERVICE	----do---
3.	DR.G.K.VISHWAKARMA DIRECTOR GENERAL OF HEALTH SERVICES, GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW DELHI.	SERVICE	----do----
	DR.S.P.TRIPATHY, DIRECTOR GENERAL INDIAN COUNCIL OF MEDICAL RESEARCH, ANSARI NAGAR, NEW DELHI.	SERVICE	----do----

S.No.	Name & Address	Occupation	Signature
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5.	SMT.A.P.AHLUWALIA, JOINT SECRETARY & FINANCIAL ADVISER MINISTRY OF HEALTH & F.W., GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW DELHI.	SERVICE	Signed
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6.	SHRI J.VASUDEVAN, JOINT SECRETARY, MINISTRY OF HEALTH & F.W., GOVERNMENT OF INDIA, NEW DELHI.	SERVICE	---d---
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7.	DR.P.K.GUPTA, DRUGS CONTROLLER (INDIA), DIRECTORATE GENERAL OF HEALTH SERVICES, GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW DELHI.	SERVICE	---do---
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8.	DR.(MRS.)IRA RAY, PROJECT DIRECTOR, NATIONAL INSTITUTE OF BIOLOGICALS, MINISTRY OF HEALTH & F.W., GOVERNMENT OF INDIA, NIRMAN BHAWAN, NEW DELHI.	SERVICE	---do---
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RULES AND REGULATIONS

1. Short Title

These rules and regulations may be called the rules of the National Institute of Biologicals (NIB).

2. Definitions

In these rules, unless there is anything repugnant in the subject or the context :

- (a) "The Institute" means the National Institute of Biologicals.
- (b) "The Government of India" shall mean the administrative Ministry of the Government of India which in this case is the Ministry of Health & Family Welfare.
- (c) The "General Body" means the body constituted under Rule 4 of these Rules as the General Body of the Institute.
- (d) "The Governing Body" means the body constituted under Rule 13 of these rules as the Governing Body of the Institute.
- (e) "The Chairman/Vice-Chairman" means the Chairman/Vice-Chairman of the General Body/Governing Body.
- (f) "The Director" means the Director of the Institute.
- (g) "Year" means the year beginning from the 1st April and ending on the 31st March of the following year.
- (h) "Member" means a member of General Body or Governing Body whose name has been entered as a member of the Institute in the register maintained under Rule 6.

3. Membership

(a) The General Body of the Society shall consist of official as well as non-official members. Official members shall hold membership by virtue of their official position. The non-official members will be nominated by the Chairman of the Governing Body.

(b) SUBSCRIPTION

No subscription will be charged from the members of the Society.

(c) TERMINATION OF MEMBERSHIP

The General Body shall have the power to terminate the membership of a member from the Society under the following circumstances :-

(a) By no confidence motion passed by 2/3 majority of votes.

(b) On his/her death/retirement/transfer.

(c) On his/her written resignation.

(d) He/She has not attended three consecutive meetings of the General Body without any intimation.

The reason of termination from the membership shall be communicated to the member concerned.

(d) APPEALS

All appeals should be preferred to the General Body of the Society. The decision of the General Body shall be final. The reason for rejection shall be communicated to the member concerned.

(e) RE-ADMISSION

In case of member expelled by the General Body, the same can be re-admitted provided the member concerned fulfils the terms and conditions of the Society. The decision of the General Body shall be final.

(f) SOURCE OF INCOME.

Any source of Income is not required to the Society because the Institute and other activities will be run by the Society. Hence all the expenses/expenditure to fulfil the aims and objectives of the Society shall be borne and paid by the Government Machinery/ Authorities.

4. General Body

The composition of the General Body shall be as follows :

S.No.	Designation in the Society
1.	Secretary(Health), Ministry of Health & Family Welfare Nirman Bhawan, New Delhi.
	Chairman
2.	Secretary (Family Welfare), Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi.
	Vice-Chairman
	Director General of Health Services, Nirman Bhawan, New Delhi.

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| 4. | Secretary,
Department of Biotechnology,
Ministry of Science & Technology,
C.G.O. Complex,
New Delhi. | Member |
| 5. | Director General,
Indian Council of Medical Research,
Ansari Nagar,
New Delhi. | Member |
| 6. | Additional Secretary (Health),
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 7. | Joint Secretary & Financial Adviser,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 8. | Joint Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 9. | Joint Secretary,
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi. | Member |
| 10. | Drugs Controller (India),
Directorate General of Health Services,
Nirman Bhawan, New Delhi. | Member |
| 11. &
or
12. | Directors of 2 Public Sector Undertaking.
producing vaccine/Biologicals to be nominated
by the Chairman. | Member |
| 13 &
14 | Directors of 2 Private Sector firms
producing vaccine/Biologicals to be nominated
by the Chairman. | Member |
| 15 &
16 | Health Secretaries from 2 States and/or
U.Ts. not exceeding two in number to be
nominated by the Chairman by rotation. | Member |
| 17. | Director
National Institute of Biologicals. | Member-
Secretary |

4. POWERS AND FUNCTIONS OF THE GENERAL BODY

4.1. The General Body shall be the supreme policy making Governing and Appellate Body of the Institute.

4.2 Subject to the provisions of the Societies Registration Act, 1860, and with the prior approval of the Government of India, the General Body may modify, extend or abridge the Aims and Objectives for which the Institute is established as per procedure prescribed in Rule 24.

4.3 Subject to approval of the Government of India the General Body may make or alter the rules and regulations of the Institute at any time by resolution passed by the majority of not less than 3/5 of the members present and voting at any meeting of the General Body which shall be convened for the purpose after giving due notice of such resolution to the members of the General Body.

4.4 Subject to the approval of the Government of India, the General Body of the Institute will be competent to take a decision for dissolution of the Institute as per procedure prescribed in Rule 28.

4.5 The General Body may delegate any powers to the Chairman and may constitute and appoint other authorities and offices under Rule 5(f) and delegate any powers and entrust any functions to them.

AUTHORITIES OF THE INSTITUTE

(a) The General Body.

(b) The ^GGoverning Body.

6. REGISTER OF MEMBERS

The Institute shall maintain a roll of members indicating their full names addresses and occupations and every member shall sign the same. If a member of the Institute changes his address, he shall notify his new address to the Director of the Institute who shall have the entry in the roll of members changed accordingly. Where, however, a member does not notify any change of address to the Director his address as given in the roll of members shall be deemed to be his correct address.

7. DETERMINATION OF EX-OFFICIO MEMBERSHIP.

Where a person becomes a member of the Institute by virtue of his/her office or appointment which he/she holds, his/her membership of the Institute shall terminate when he/she ceases to hold that office or appointment.

8. DETERMINATION OF MEMBERSHIP OF OTHERS.

8.1 A member other than an ex-officio member of the Institute shall cease to be a member on the happening of any of the following events :

- (i) On the expiry of the period of membership for which nominated.
- (ii) Death, resignation insolvency, lunacy or conviction for a criminal offence involving moral turpitude.
- (iii) When a member himself declines to serve on the Institute or his employer refuses to grant him permission to serve on the Institute.

- (iv) When a member does not attend three consecutive meetings of the Institute without proper leave of the Presiding Officer.

8.2

Whenever a member desires to resign from the membership of the Institute, he shall forward a letter containing his resignation to the Chairman. The resignation shall take effect only on its acceptance by the Chairman.

8.3

The members holding the membership of the Institute by virtue of an office held by him ex-officio shall normally attend the meetings of the Institute in person but in exceptional circumstances shall have the right to nominate a representative to act on his behalf in a particular meeting of the Institute and the representative so nominated shall be entitled to take part in the proceedings of that meeting, but will not have the voting right.

8.4

The Chairman may at any time terminate the membership of any one or more of the members or at one and the same time terminate the membership of all the members other than the ex-officio members in the interest of the Institute. Upon such termination, the vacancies shall be filled in accordance with the relevant provisions of these rules. A member whose membership is so terminated shall be eligible for renomination.

9.

TERMS OF MEMBERSHIP

Subject to the provisions of Rule 8, a nominated member of the Institute shall hold office for a period of three years from the date of his nomination.

10. VALIDATION OF ACTS BY MEMBERS, ETC.

The Institute shall function notwithstanding any vacancy in its body and no act, direction or proceeding of the Institute shall be invalid merely by reason of such vacancy or any defect in the appointment of any of its members.

11. PRINCIPLE EXECUTIVE OFFICER

The Director of the Institute who shall be appointed by the General Body of the Institute with the approval of the Government of India, shall be the Principal Executive Officer of the Institute. He/She shall have the financial and administrative powers as may be prescribed by the Governing Body.

Provided that the Project Director, National Institute of Biologicals, appointed by the Government of India Ministry of Health and Family Welfare shall be the first Director of the Institute.

12. MEETING OF THE GENERAL BODY

12.1. The Annual General Meeting of the General Body shall be held as soon as feasible after the expiry of every year, to consider the annual report and accounts of the Institute to appoint auditors and to consider and approve programme of work generally for the ensuing year.

12.2. The Chairman may convene Special Meeting of the General Body whenever he thinks it necessary to do so, in addition to the Annual General Meeting.

12.3. After obtaining the prior approval of the Chairman the Member Secretary will issue notices under his/her hand for the General Body meeting.

12.4. Every notice calling a meeting shall state the date, time and place of which such meetings will be held and shall be served upon every member of the Society not less than 21 days before the day appointed for any general meeting and 10 days for the special meeting.

12.5. At every Annual General Body meeting, the Governing Body shall place before the members the annual report of the Institute and the accounts of the Institute relating to the proceeding year and the General Body may adopt the report and the accounts with such modifications and recommendations as it may deem fit. Copies of the annual report and accounts of the Institute adopted by the General Body, shall be supplied to the members and to the Government of India.

12.6. The Chairman shall preside at every General Body meeting. In the absence of the Chairman, the Vice-Chairman or in the absence of both, a member shall function as Presiding Officer to conduct and hold the meeting.

12.7. Quorum :
Eight members of the General Body shall constitute a quorum at any meeting of the General Body. If at any meeting of the General Body, there is no quorum, the meeting shall stand adjourned to a date to be fixed by the Chairman. If at any adjourned meeting, there is no quorum, the members present shall constitute a quorum.

12.8. Each member of the General Body shall have one vote and in case of equality of votes the chairman shall have a casting vote.

13.

GOVERNING BODY.

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The following shall constitute the Governing Body :-

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| 1. | Secretary(Health)
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi. | Chairman |
| 2. | Secretary (Family Welfare),
Ministry of Health & Family Welfare,
Nirman Bhawan, New Delhi -
(or his representative not below
Joint Secretary's level). | Vice-Chairman |
| 3. | Director General of Health Services,
Directorate General of Health Services,
Nirman Bhawan, New Delhi. | Member |
| 4. | Secretary,
Department of Bio-technology,
C.G.O. Complex, New Delhi,
(or his representative not
below Joint Secretary's level). | Member |
| 5. | Director General,
Indian Council of Medical Research,
Ansari Nagar, New Delhi. | Member |
| 6. | Additional Secretary(Health),
or Joint Secretary (Administratively
concerned), Ministry of Health & F.W. | Member |
| 7. | Joint Secretary & Financial Adviser,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member |
| 8. | Drugs Controller (India),
Directorate General of Health Services,
Nirman Bhawan,
New Delhi. | Member |
| | Director,
National Institute of Biologicals,
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi. | Member-Secretary |

Provided that the signatories of the Memorandum shall function as the first Governing Body of the Institute until the Governing Body under this rule is constituted.

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14. POWERS AND FUNCTIONS OF THE GOVERNING BODY.

- 14.1. The Governing Body shall generally pursue and carry out the objects of the Institute, as set forth in the Memorandum of Association and in doing so shall follow and implement the policy directions and guidelines laid down by the General Body.
- 14.(2) The affairs and funds of the Institute shall be managed, administered and controlled by the Governing Body subject to rules, bye-laws and orders of the Institute.
- 14.(3) In particular and without prejudice to the generality of the foregoing provisions, the Governing Body shall have the power, subject to provisions of these Rules and Bye-laws to :
- (i) consider the annual and supplementary budget placed before it by the Member-Secretary from time to time and pass them with such modifications as the Governing Body may think fit.
 - (ii) create posts and make appointments thereto subject to specific provisions in the budget, fix scales of pay applicable to similar posts under the Govt. of India and as applicable from time to time, categorise them into grades and specify their designations. In all other matters, the Governing Body shall have full powers in the matter of expenditure from the funds of the Institute subject to budget :

Provided that powers for creation of posts where the maximum of the scale exceeds Rs. 4500/- shall be exercised subject to the approval of the Govt. of India.

- (iii) enter into agreement(s) with the Government of India and other State Governments and other public or private organisations or individuals within the country for screening and accepting grant-in-aid, endowments, donations of gifts to the Institute on actually agreed terms and conditions :

Provided that such terms and conditions shall not be contrary to or inconsistent or in conflict with the objectives of the Institute :

Provided further that for any such agreements with any foreign and/or international agencies or organisations, prior approval of the Govt. of India, shall be obtained.

- (iv) take over, acquire by purchase, gifts, exchange lease or hire otherwise from Govt. of India, the State Govts. and other public or private bodies or individuals, institutions, libraries, laboratories, immovable properties, endowments or other funds together with any attendant obligations and engagements not inconsistent with the objects of the Institute provided that for any such activity involving foreign and/or international agency or organisations, prior approval of the Govt. of India, shall be obtained.

- (v) appoint committees and Sub-Committees for purposes within the objectives of the Institute and with such powers and for periods and on terms as it may deem fit and also dissolve any of them.

- (vi) delegate administrative and financial powers to the Director and other officers of the Institute as may be considered necessary and also to modify, amend and withdraw any or all powers whenever necessary without assigning any reason therefor.

(vii) to frame, amend or repeal bye-laws for the administration and management of the affairs of the Institute and in particular provide for the following matters :

- (a) preparation and sanction of budget estimates, final estimates, appropriation and re-appropriation of accounts, sanctioning of contracts, investment of the funds of the society, sale or alteration of such investments and maintenance of accounts and their audit.
- (b) procedure for recruitment of official of the Institute.
- (c) terms and tenures of appointments, emoluments allowances, rules of discipline and other conditions of service of the establishment of the Institute and revision thereof with the prior approval of the Government of India.
- (d) terms and conditions governing the grant of fellowships and grant-in-aid for research schemes and projects not inconsistent with the objects of the Institute and
- (e) such other matters as may be necessary for administration of the affairs and funds of the Institute.

15. NOTICE FOR MEETINGS AND ITS SERVICE.

15.1. All meetings of the Governing Body shall be called by notice in writing by and under the hand of the Member-Secretary.

15.2. Every such notice for calling the meeting shall state the date, time and venue of the meeting and shall be served upon every member of the Governing Body, as the case may be, not less than fifteen clear days before the day appointed for the meeting.

16. MEETINGS AND PROCEEDINGS OF THE GOVERNING BODY.

16.1. Every meeting of the Governing Body shall be presided over by the Chairman/Vice-Chairman and in his/her absence a member chosen by the members present on the occasion shall function as Chairman-cum-presiding Officer to conduct and hold the meeting.

16.2. The Governing Body shall meet at least twice a year at such time and place as the Chairman/Vice-Chairman shall decide. Other meetings of the Governing Body may be held at any time during the year as the Chairman/Vice-Chairman may decide.

16.3. Four members of the Governing Body including the Chairman/Vice-Chairman shall constitute a quorum at any meeting of the Governing Body. If at any meeting of the Governing Body there is no quorum, the meeting shall stand adjourned to any other time on the same date or to a date to be fixed by the Chairman/Vice Chairman as the case may be. if at any adjourned meeting, there is no quorum the members present shall constitute the quorum.

- 16.4. Every notice of the extraordinary meeting of the Governing Body shall state the date, time and place of the meeting and six clear days notice shall be given to each member.
- 16.5. The Chairman/Vice-Chairman may himself/herself call by a requisition in writing signed by him/her may require the Member-Secretary to call a meeting of the Governing Body at any time and on receipt of such a requisition, the Member Secretary shall forthwith call such a meeting.
- 16.6. Five members of the Governing Body may by a requisition in writing signed by them, require the Member-Secretary to call a meeting of the Governing Body at any time and on receipt of such a requisition the Member Secretary shall forthwith call such a meeting in consultation with the Chairman/Vice-Chairman.
- 16.7. Subject to Rule 16(9), each member of the Governing Body shall have one vote and if there shall be an equality of votes on any question to be decided by the Governing Body, the Chairman/Vice-Chairman shall have a casting vote.
- 16.8. Any business which may be necessary for the Governing Body to perform may be performed by a resolution in writing circulated among all its members and any such resolution so circulated and approved by a majority of the members signing shall be effectual and binding as if such resolution has been passed at a meeting of the Governing Body provided that at least six members of the Governing Body have recorded their approval to the resolution.

9. provided that if there is any disagreement between the representatives of the Ministry of Finance and the Chairman/Vice-Chairman of the Governing Body on the financial matter beyond the delegated powers of the Ministry of Health & Family Welfare, the matter would be referred to the Minister in the Ministry of Health & Family Welfare and the Finance Minister for a decision.

10.

10. the proceedings of meetings of the Governing Body shall be recorded in a minute book to be maintained by the Member Secretary for the purpose and shall be signed by the Chairman/Vice Chairman of the meetings after they are duly confirmed.

17. Functions and Powers of the Chairman.

The Chairman/Vice Chairman shall exercise such powers for the conduct of the business of the Institute as may be delegated to him/her, if any, by the General Body.

The Chairman/Vice-Chairman may in writing delegate such his/her powers as he/she may think necessary to the ⁸¹¹Director for efficient administration of the Institute.

18. Functions and Powers of the Director.

Subject to any order that may be passed by the Chairman/Vice-Chairman in exercise of the powers delegated to him/her, if any, by the Governing Body and the decisions of the Governing Body, the Director shall be responsible for the proper administration of the affairs and funds of the Institute under the direction and guidance of the Governing Body. He/She shall be vested with such executive and administrative powers of the Institute as may be necessary or incidental to the purpose subject to the Rules and

- 18.2. He/She shall subject to the provisions of these Rules and Regulations and decision of the General Body and Chairman/Vice-Chairman exercise general supervision and disciplinary control over the officers and staff of the Institute and prescribe their duties and functions.
- 18.3. He/She shall coordinate and exercise general supervision over all the activities of the Institute.
- 18.4. He/She shall forthwith comply with any direction issued in writing by the Ministry of Health & Family Welfare, Government of India and shall report such matter to the Governing Body and the General Body at the earliest opportunity thereafter.

19. COMMITTEES

The Governing Body may constitute Standing Committees such as Advisory/Scientific/Finance Committee and Ad-hoc Committees consisting of official and non-official members as may be considered necessary. The Finance Committee shall include among others a member representing Integrated Finance Division of the Ministry of Health & Family Welfare, Government of India. The non official members of any such committee shall not exceed 50% of the total number of members of the Committee.

Contd.....{P/28}

20. Funds of the Institute.

20.1. The funds of the Institute will consist of the following :

20.1.1. Grants received from the Government of India.

20.1.2. Grants received from foreign Governments.

20.1.3. All money received by the Institute by way of grants, gifts, donation or other contributions.

20.1.4. Grants received from the International Organisations or Agencies.

20.2. All funds of the Institute shall be paid into the Institute's account maintained with any of the nationalised banks and shall not be withdrawn except on cheques signed and countersigned by the Director/such officers as may be duly empowered by the Governing Body.

20.3. The income and property of the Institute, however, derived, shall be applied towards the promotion of the objects thereof as set forth in the 'Memorandum of Association' subject nevertheless in respect of the expenditure of grants made by the Government of India to such limitations as the Government of India from time to time may prescribe. No portion of the income and property of the Institute shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise, by way of profit, to the persons, who at any time are or have been members of the Institute or to any of them or to any person claiming through them or

any of them provided that nothing therein contained shall prevent the payment in good faith of remuneration of any member thereof or other person in return for any service rendered to the Institute.

21. Accounts and Audit.

The accounts of the Institute shall be audited by such qualified person or persons as may be appointed by the Governing Body. The nature of the audit to be applied and the detailed arrangements to be made in regard to the form of accounts and their maintenance and the presentation of the accounts for audit shall be prescribed by Bye-laws to be framed by the Governing Body.

22. Financial Year.

The financial year of the Society shall start from the first day of April and end on the 31st day of March of the following year.

23. Tenure

The tenure of the Governing Body shall be five years.

24. Amendment.

Any amendment in the Memorandum of Association and Rules and Regulations will be carried out in accordance with Sections 12 and 12.(A) of the Societies Registration Act of 1860, as applicable to the Union Territory of Delhi.

25. Legal Proceedings (Section 6 of the Act)

The Society may sue or be sued in the name of the Chairman as per provisions laid down under Section 6 of the Societies Registration Act, 1860, as applicable to Union Territory of Delhi.

26. Annual list of Governing Body.

Once^r in every year a list of the office bearers and members of the Governing Body shall be filed with the Registrar of Societies, Delhi, as required under Section 4 of the Societies Registration Act of 1860 as applicable to the Union Territory of Delhi.

27. Application of the Act.

All the provisions under all the Sections of the Societies Registration Act of 1860, as applicable to the Union Territory of Delhi, shall apply to this Society.

28. Dissolution.

If the Society needs to be dissolved, it shall be dissolved as per provisions laid down under sections 13 and 14 of the Societies Registration Act of 1860 as applicable to the Union Territory of Delhi.

CERTIFICATE :

"Certified that this is the correct copy of Rules and Regulations of the Society".

MEMBER-SECRETARY

Signed _____

MEMBER

Signed _____

BYE - LAWS
FOR
ADMINISTRATION AND MANAGEMENT
OF THE
NATIONAL INSTITUTE OF BIOLOGICALS
FRAMED UNDER RULE 14(3) (vii)

BYE-LAWS FOR ADMINISTRATION AND MANAGEMENT OF THE
NATIONAL INSTITUTE OF BIOLOGICALS
.....

In exercise of the powers conferred under Rule 14(3)(vii) of the Rules and Regulations of the National Institute of Biologicals, the Governing Body hereby makes the following Bye-Laws, namely :

THE NATIONAL INSTITUTE OF BIOLOGICALS BYE LAWS

PART - I GENERAL

1. SHORT TITLE

1.1 These Bye Laws shall be called the Bye Laws of the National Institute of Biologicals.

1.2 These shall be deemed to have come into force with effect from the date they are approved by the Governing Body.

2. INTERPRETATIONS

Unless there is anything contrary in the subject or context,

2.1 "Appointing Authority" in relation to any post under the Institute means the authority competent to make appointment to that post.

2.2 "Chairman/Vice-Chairman" means the Chairman/Vice-Chairman of the General Body/Governing Body of the National Institute of Biologicals.

- 2.3 "Deputy Director" means Deputy Director (Administration) of the Institute.
- 2.4 "Director" means the Director of the Institute.
- 2.5 "Employee" means a person serving in the Institute in any post or capacity.
- 2.6 "General Body" means the Body constituted under Rule 4 of the Rules & Regulations of the Institute.
- 2.7 "Governing Body" means the Governing Body constituted in terms of Rule 13 of the Rules and Regulations of the Institute.
- 2.8 "Government" means the Central Government.
- 2.9 "Institute" means the National Institute of Biologicals.
- 2.10 "Rules" means the Rules and Regulations of the National Institute of Biologicals.
- 2.11 "Schedule" means a schedule to these Bye-Laws.
- 2.12 "Society" means the Society of the National Institute of Biologicals registered on the 27

January, 1992 under the Societies Registration Act, 1860 (Act XXI of 1860).

2.13 "Standing Committees and Adhoc Committees" means respectively Standing Committees and Adhoc Committees constituted under Rule 14.3(v) and Rule 19 of the Rules and Regulations of the Institute.

2.14 "Year" means the financial year ending 31 March.

GENERAL CLAUSE

Nothing in these Bye-Laws shall be inconsistent with the Rules and Regulations of the National Institute of Biologicals, and in case of any such inconsistency the provisions of the Rules and Regulations shall prevail.

PART-II BYE-LAWS FOR THE CONDUCT OF BUSINESS

POWERS AND FUNCTIONS OF THE CHAIRMAN/VICE-CHAIRMAN

The Chairman/Vice-Chairman shall exercise such powers and discharge such functions as are laid down in the Rules and Regulations and Schedule-I to these Bye-Laws.

POWERS AND FUNCTIONS OF THE GOVERNING BODY

The Governing Body shall exercise such powers and discharge such functions as are laid down in the Rules and in Schedule.

ALLOWANCES TO THE CHAIRMAN/VICE-CHAIRMAN AND MEMBERS OF THE GENERAL BODY, GOVERNING BODY, STANDING COMMITTEES AND ADHOC COMMITTEES

6.1 The chairman/Vice-Chairman and members of the General Body, Governing Body and the Standing Committees and Adhoc Committees shall not receive any pay, fee, remuneration, honorarium or other allowances except travelling and daily allowances for attending meetings.

6.2 The Chairman/Vice-chairman and the members of the General Body, Governing Body and the Standing Committees and Adhoc Committees if they are officers of the Central or State Governments shall

be paid T.A. and D.A. by the Institute at the rates admissible to them as Officers of the Central or the State Government.

- 6.3 In the case of Chairman and the Members of the General Body, Governing Body and of the Standing Committees and Adhoc Committees other than those mentioned in Bye-Laws 6.2, Travelling Allowance and Daily Allowance shall be paid at the rates prescribed from time to time by the Government under SR 190 and the Government decisions and orders thereunder.

7. POWERS AND DUTIES OF THE DIRECTOR

The Director Shall be the Principal Executive of the Institute and Head of Department in terms of S.R.2(10) and shall exercise the powers of Head of Department and inter-alia, discharge the duties mentioned below :

- 7.1 He shall be incharge of the administration of the Institute. He shall allocate duties to officers and employees of the Institute and shall exercise such supervision and executive control as may be necessary subject to the Rules and these Bye-Laws.

7.2 He shall also exercise the powers specified in the schedules as the powers of the Director.

7.3 He shall also have power to delegate any of his powers to the officers on the administrative, finance and technical sides subject to such limitations as may be imposed by the Governing Body or the General Body.

7.4 In case of emergency he may take such action as may be necessary and report it to the Governing Body.

7.5 All members of the staff of the Institute shall be under the administrative control of the Director.

8. COMMITTEES OF THE INSTITUTE

The management and administration of the Institute shall be facilitated by Standing Committees and Adhoc Committees constituted by the Governing Body under Rule 14(3)(v) of the Institute.

8.1 STANDING FINANCE COMMITTEE

The Standing Finance Committee shall consist of the following persons:

- (a) Additional Secretary(Health)
Ministry of Health & F.W.

Chairman

- | | | |
|-----|--|---------------------|
| (b) | J.S. & F.A., Ministry of Health & Family Welfare | Member |
| (c) | Two nominees of the Governing Body | Members |
| (d) | Director | Member
Secretary |

Three members of the Finance Committee including J.S. & F.A., Ministry of Health & F.W. shall form a quorum. The Finance Committee shall function in accordance with the Rules and Bye-laws and generally keep in view the relevant orders/guidelines issued by the Government of India from time to time. Subject to this, the functions of the Finance Committee shall be :

- 8.1.1. To consider the annual budget estimates and revised estimates of the Institute and make recommendations thereon to the Governing Body.
- 8.1.2. To consider and recommend to the Governing Body proposals for incurring of expenditure on account of major works and purchases.

- 8.1.3 To consider and recommend to the Governing Body proposals for creation of new posts in keeping with the guidelines issued by the Government of India from time to time.
- 8.1.4 To consider revision of pay scales, allowances and other terms and conditions of service of staff having financial implication and make recommendations to the Governing Body.
- 8.1.5 To review the financial position of the Institute and make recommendations from time to time to the Governing Body.
- 8.1.6 To consider annual accounts showing the receipts and expenditures of the Institute together with audit report thereon.
- 8.1.7 To consider all other financial matters as the Director may bring up before the Committee and make recommendations to the Governing Body.

8.2

ESTATE COMMITTEE

The Estate Committee shall watch the progress of major and minor works, additions and alterations to buildings belonging to the Institute or any matter relating to their maintenance and use. The composition of the committee shall be as follows:

- | | | |
|-----|--|----------------------|
| (1) | Director | Chairman |
| (2) | Deputy Secretary(IF)
Ministry of Health & FW | Member |
| (3) | Two members nominated by
& Chairman, Governing Body | Member |
| (4) | | |
| (5) | Deputy Director (Admn) | Member-
Secretary |

The Committee may take the advice/assistance of experts in the field of construction and maintenance of scientific laboratories/buildings, where required.

8.3

STANDING SCIENTIFIC ADVISORY COMMITTEE

The committee shall advise on policy, monitor progress, and give directions on technical, including research aspects of the objectives of the Institute. The Committee shall consist of :

- | | | |
|-----|---|----------|
| (1) | Director General of
Health Services | Chairman |
| (2) | Additional Secretary
(Health) Ministry of Health
& Family Welfare | Member |

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- | | | |
|-----|--|----------------------|
| (3) | Joint Secretary (F.W.)
Ministry of Health & F.W. | Member |
| (4) | Drugs Controller (India) | Member |
| (5) | 2 representatives of major
& institutions from Govt./ | |
| (6) | Private Sector to be
nominated by the Chairman,
Governing Body | Members |
| (7) | Director General, ICMR or
nominee | Member |
| (8) | Director | Member-
Secretary |

The Committee may invite scientists/experts in the field both from abroad and within the country from time to time to attend the meetings for their views on important matters under consideration of the committee, and generally on the latest developments in the field.

8.4

PURCHASE COMMITTEE

There shall be a Purchase Committee with the following composition :

- | | | |
|-----|---|----------------------|
| (1) | Director | Chairman |
| (2) | Joint Secretary & financial
Adviser, Ministry of
Health & F.W. or nominee | Member |
| (3) | Two members nominated by
& the Chairman, Governing | |
| (4) | Body | Members |
| (5) | Deputy Director (Admin)
National Instt. of
Biologicals | Member-
Secretary |

The Committee may invite two outside experts for the meeting as per needs. All matters of procurement beyond the powers of Director shall be brought up before this committee. The Director may also bring up before the committee any other matter as he may consider necessary in regard to purchase and storage of material and equipments.

8.5

OTHER COMMITTEE

In addition to the Standing Finance Committee, Estate Committee, Scientific Advisory Committee and Purchase Committee referred to in Bye-Laws 8.1 to 8.4 above and the Governing Body may constitute other standing committees in accordance with Rule 14(3)(v) of the Rules & Regulations, for specific purposes.

- | | |
|---|------------------|
| (1) Director | Chairman |
| (2) Deputy Secretary(IF)
Min. of Health & F.W. | Member |
| (3) Two members nominated
& by Chairman, Governing | Members |
| (4) Body | |
| (5) Deputy Director (Admn) | Member-Secretary |

8.6

TENURE OF STANDING COMMITTEES

The term of office of the members of a Standing Committee shall be 2 years. An outgoing member shall be eligible for renomination.

8.6.1

A casual vacancy in a Standing Committee may be filled up by the Chairman by nomination.

8.7

ADHOC COMMITTEES

8.7.1

Adhoc Committees may be constituted by the Governing Body for such purpose as it may consider necessary.

8.7.2

The Chairman and members of an Adhoc Committee shall be nominated by the Governing Body.

8.7.3

The term of office of a member of an adhoc committee shall terminate as soon as the specific function for which the committee is appointed is completed.

8.7.4

Any casual vacancy in an adhoc committee shall be filled by nomination by the Chairman of the Governing Body.

BUILDING AND LAND BELONGING TO THE INSTITUTE

- 9.1 The Institute shall use its land and building for the purposes of the Institute.
- 9.2 The allotment, assessment and recovery of rent of the buildings shall, as far as possible, be made by the Director in accordance with the provisions of FRS 45A, 45B and 45C and the Supplementary Rules framed thereunder.
- 9.3 Every employee of the Institute, if offered residential accommodation in the residential complex, owned or leased by the Institute, shall, on occupation, pay such license fee and other charges as may be fixed by the Governing Body.
- 9.4 The residential quarters will be allotted to the employees of the Institute on the basis of the allotment rules as may be adopted by the Governing Body.
- 9.5 GUEST HOUSE ACCOMMODATION
Where guest house accommodation is provided to any visitor to the Institute on official duties, he shall be charged such rent as may be fixed by the Governing Body.

10. POWERS TO AWARD PRIZES, SCHOLARSHIPS ETC.

The Institute may award such prizes, souvenirs, scholarships and stipends to its trainees as may be decided by the Governing Body from time to time.

11. POWER TO ARRANGE LECTURE

11.1 The Director may invite experts to deliver lectures in the Institute from time to time on payment of a suitable fee or honorarium and defray their travelling expenses and daily allowances at the rates suiting the status and eminence of such persons.

11.2 The rates of fee or honoraria payable to a lecturer shall be such as may be determined by the Director.

PUBLICATIONS

Publications in scientific literature resulting from work carried out in the Institute by members of the staff of the Institute shall contain the Institute's name.

13. EXTRA MURAL ACTIVITIES

The Institute may participate in extra-mural activities connected with its field of work.

PART - III SERVICE BYE-LAWS14. EMPLOYEES TO BE WHOLE TIME SERVANTS

Unless in any case it be otherwise distinctly provided, the whole time of an employee of the Institute shall be at the disposal of the Institute and he/she may be employed in any manner required by the appointing authority without claim for additional remuneration.

14.1 PERMANENT AND TEMPORARY POSTS

The posts in the service of the Institute shall be either a permanent post, that is a post carrying a definite rate of pay sanctioned without any limit of time or a temporary post, that is a post carrying definite rate of pay sanctioned for a limited time.

CLASSIFICATION OF POSTS

Group 'A', Group 'B', Group 'C' and Group 'D' posts in the Institute shall correspond to the Central Civil Services Group 'A', Group 'B', Group 'C' and Group 'D' respectively.

16. APPOINTING AUTHORITIES

Appointment to the posts under the Institute shall be made:

- 16.1 By the Government in the case of Director on the recommendation of the General Body.
- 16.2 By the Governing Body in the case of appointments to Group 'A' posts.
- 16.3 By the Chairman in the case of appointments to Group 'B' Posts.
- 16.4 By the Director in the case of appointment to Group 'C' and 'D' posts.

17. METHOD OF RECRUITMENT

- 17.1 Recruitment to the posts under the Institute may be made:
 - 17.1.1 By direct recruitment ; or
 - 17.1.2 By promotion ; or
 - 17.1.3 By appointment of a person on deputation/ on foreign service ; or
 - 17.1.4 On contract basis.
- 17.2 There shall be recruitment rules for each post. These shall be approved by the Governing Body. While framing recruitment rules, the following principles may be broadly kept in view :

- 17.2.1 Age limits

- 17.2.1.1 The upper age limit for the posts in Group 'A' may be 50 years. In the case of Director, the age limit may be relaxed by the Governing Body, as may be found necessary.
- 17.2.1.2 The upper age limits for the posts in Group 'B' may be 35 years and Group 'C' & 'D' 30 years.
- 17.2.1.3 The upper age limit prescribed for direct recruits shall be relaxed upto five years for departmental candidates competing as direct recruits.
- 17.2.1.4 The upper age limit is relaxable upto five years in case of candidates otherwise exceptionally well qualified.
- 17.2.1.5 The crucial date for computing age limit shall be the closing date for the receipt of applications from candidates.

17.2.2

Educational Qualifications

The Degrees/diplomas/certificates prescribed shall be from a recognised university/board/Institution or their

equivalent declared as such by the Government for recruitment purposes.

17.2.3

Research Experiences/Publications

Experiences of Research work in an appropriate research post; original research published in National and International Journals, Research published as monograph or a technical report or equivalent publication of a Government or Autonomous Organisation, or research presented and accepted in scientific conferences at State, National or International levels shall be deemed to be experience of research for this purpose.

18.

MODE OF RECRUITMENT

18.1

Direct Recruitment.

18.1.1

Appointment to any post by direct recruitment shall be made on the basis of recommendations of a selection committee.

The selection for the post of Director shall be made by a special selection committee appointed by the General Body

and approved by the Government. The Director shall be a distinguished medical or non-medical scientist. His appointment shall be for a tenure of 5 years, not extending beyond the age of 60 years. The tenure may be extended for a further term upto the age of 62 years or terminated on 3 month's notice or pay in lieu of notice, if considered appropriate and for reasons to be recorded in writing by the General Body.

18.1.2

The Standing Selection Committee for Group 'A' Scientific and Technical posts except that of Director shall consist of:

- (1) Any eminent Scientist or Academician.
- (2) Director General of Health Services or nominee.
- (3) Two members of the Governing Body.
- &
- (4)
- (5) Two experts on the subject not
- &
- (6) belonging to Institute.
- (7) Director or nominee.

Selection Committees shall be constituted from amongst the members of the Standing Selection Committees depending upon the level of posts. The senior most member in the Selection Committee shall act as Chairman and the representative of NIB as the Member Secretary.

18.1.3 The Standing Selection Committee for other Group 'A' posts shall consist of :

- (1) Director or nominee.
- (2) Two experts on the subject not & belonging to the Institute.
- (3)
- (4) Head of the concerned Department of National Institute of Biologicals.
- (5) Deputy Director (Admin) or nominee.

18.1.4 A Panel of experts shall be prepared for the purpose of (2) & (3) above. The life of the Panel of experts will be for a period of Three Years.

18.1.5 The tenure of the Standing Selection Committee will be three years.

18.1.6 The Selection Committee for Group 'E' posts shall consist of :-

- (1) Director or Nominee

- (2) Two officers from the concerned & and/or allied and Departments
- (3) nominated by the Director.
- (4) Deputy Director (Admn) or nominee.

18.1.7 The Selection Committee for Group 'C' posts shall consist of :-

- (1) Director or Nominee
- (2) Deputy Director (Admn.)
- (3) Two officers from the concerned & and/or allied Departments nominated
- (4) by the Director.
- (5) Administrative Officer.

18.1.8 The Selection Committee for Group 'D' posts shall consist of :-

- (a) Deputy Director (Admn.) / : Chairman
Administrative Officer
- (b) Two officers nominated by : Members
the Director
- (c) Section Officer/Office : Member
Suptd. Secy.

18.2

In the matter of selection of candidates for any post to be filled by direct recruitment, the following procedures shall be followed :-

18.2.1 DIRECT RECRUITMENT

All vacancies shall be filled through advertisement in the Employment News (Rozgar Samachar in Hindi) and two other leading daily newspapers in Metropolitan Cities of India. Selection will be made in response to advertisements by interview/written test or both as prescribed in the Recruitment Rules. In exceptional cases, candidates may be considered for scientific posts on the basis of contact alongwith candidates who apply with reference to advertisements.

18.2.2 Employees of Group 'C' and 'D' posts of the institute may be considered for higher posts in the Institute as direct recruits alongwith other applicants provided they fulfill the prescribed qualifications etc. as mentioned in the R/Rules of the posts. Further, the upper age limit prescribed for the posts for direct recruitment shall not apply

in the case of Departmental candidates. Departmental Candidates will not be given any preferential treatment nor will they be interviewed separately.

18.2.3 Selection of candidates for any post in the Institute shall normally be made from amongst the candidates applying in response to advertisements by the institute. However, in respect of those posts where the response is poor and suitable candidates are not likely to apply, potential candidates may also be contacted, but they will also have to apply formally and such applications may also be considered by the Selection Committee alongwith those received in response to such advertisements.

18.3

Appointment of casual labourers to Group 'D' posts borne on regular establishment, which are required to be filled by direct recruitment, will be made subject to the following conditions :-

18.3.1 No casual labourer, not registered with the Employment Exchange, should be appointed to posts borne on the regular establishment.

18.3.2 Casual labourers appointed through Employment Exchange and possessing experience of a minimum of 206 days of service (including broken period of service during the 2 years of continuous service) as casual labourer in the Institute will be eligible for appointment to the posts in the regular establishment of the Institute without any further reference to the Employment Exchange.

RECRUITMENT BY PROMOTION

19.1 Appointment to a post in any group by promotion shall be made whether in a substantive or officiating capacity, on the recommendation of the D.P.C. from amongst employees serving in posts in the lower grade on the basis of 'merit' with due regard to 'seniority' in the case of

'selection post' and on the basis of 'seniority-cum-fitness' in the case of 'non-selection-posts'.

19.1.2 The Departmental Promotion Committee shall consist of:-

19.2.1 For promotion to a post in Group 'A' carrying the pay scale starting from Rs.4,500/- and above and other equivalent posts, except that of Director.

- | | |
|--|--------------------------|
| a) Chairman of the Governing Body | : Chairman
Ex-officio |
| b) D.G.H.S. | : Member
Ex-officio |
| c) One expert on the subject not belonging to the Instt. | : Member |
| d) Director | : Member |

19.2.2 For promotion to other Group 'A' posts :-

- | | |
|--|------------|
| a) Director | : Chairman |
| b) Head of the concerned deptt. | : Member |
| c) Head of another allied deptt. nominated by the Director | : Member |

- d) One expert on the subject not belonging to the Instt. : Member
- e) Deputy Director (Admn.) : Member

19.2.3 For promotion to Group 'B' and 'C' posts :-

- a) Director or any officer nominated by him. : Chairman
- b) Head of concerned/and or allied deptt. : Member
- c) One officer representing SC/ST : Member
- d) One outside expert not belonging to the Instt. : Member
- e) Administrative Officer : Member-Secy

19.2.4 For promotion within Group 'D' posts :-

- a) Administrative officer : Chairman
- b) Two officers to be nominated by the Director (one of whom belonging to SC/ST community) : Member
- c) Section Officer : Member Secy.

20. RESERVATION OF POSTS FOR SC/ST/BACKWARD CLASSES

While making appointments to posts in the Institute, the appointing authority shall observe Government orders regarding reservations and other concessions admissible to SC, ST and Backward Classes from time to time.

21. T.A. FOR ATTENDING INTERVIEWS

Candidates selected for interview for posts in the Institute may be paid TA as admissible under Government rules from time to time.

FITNESS

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

- 22.1 He is found medically fit by competent authority as per Government Rules; and
- 22.2 The appointing authority is satisfied that he possesses good character and antecedents.

23. GRANT OF ADVANCE INCREMENTS ON INITIAL APPOINTMENTS

The appointing authority may, on the recommendation of the Selection Committee, supported by adequate justification, grant advance increments, not exceeding five, in consideration of his qualifications, last pay drawn and experience, to a candidate on his initial appointment to a post in the Institute.

24. PERIOD OF PROBATION

- 24.1 Employees appointed/promoted to Group 'A', 'B', 'C' and 'D' posts shall be on probation for a

period of two years. During the period of probation, the employee shall be required to put in satisfactory service failing which his services shall be liable to be terminated at any time without assigning any reason. The appointing authority may, however, extend or curtail the period of probation.

24.2

Where, during the period of probation, a person appointed to a post under the Institute is found unsuitable for holding that post, or has not completed his period of probation satisfactorily, the Appointing Authority may :-

24.2.1 In case of a person appointed by promotion or by direct recruitment as a departmental candidate, revert him to the post held by him immediately before such appointment.

24.2.2 In the case of a person appointed by direct recruitment, terminate his services under the Institute without notice.

24.3 Every person regularly appointed to any post under the Institute by promotion or by direct recruitment shall on satisfactory completion of his period of probation, be eligible for substantive appointment.

24.4 There will be confirmation at only one stage in the career of an employee of the Institute.

5. TEMPORARY AND PERMANENT SERVICE

25.1 An employee shall be temporary employee of the institute unless he is appointed substantively.

25.2 An employee appointed substantively shall be permanent employee of the Institute.

25.3 The Central Civil Services (Temporary Service) Rules, 1965, as amended from time to time shall mutatis-mutandis apply to temporary employees of the Institute.

TERMINATION OF SERVICE

Services of a temporary employee may be terminated by the Appointing Authority :-

26.1 Without assigning reasons during the probation period following first appointment at any time without notice.

26.2 After such period of probation, in accordance with the provisions of the Central Civil Services (Temporary Service) Rules 1965, as amended from time to time.

27. SERVICE CONDITIONS OF THE EMPLOYEES

In regard to all matters concerning the service conditions of employees of the Institute, the F.Rs. and S.Rs. framed by the Government of India and such other rules and orders issued by the Government of India from time to time shall mutatis mutandis apply to the employees of the Institute.

28. SENIORITY

The seniority of employees of the Institute in each category shall be determined by the order of merit in which they were selected for appointment to the grade in question, those selected on an earlier occasion being ranked senior to those selected later.

LEAVE

The employees of the Institute shall be entitled to such leave and leave salary as are admissible to the corresponding categories of Central Government Servants under the Central Civil Services (Leave) Rules 1972, as amended from time to time, provided that incumbents on deputation to posts in the Institute on foreign service shall be governed by leave rules as may be stipulated in the conditions of their deputation.

GENERAL PROVIDENT FUND/CONTRIBUTORY PROVIDENT FUND

30.1 The employees of the Institute shall subscribe to the National Institute of Biologicals General Provident Fund Account to be maintained by the Institute. For this purpose, the Government of India G.P.F. (C.S.), Rules as amended from time to time shall mutatis mutandis apply.

30.2 Superannuated and retired officers re-employed in the Institute may be permitted to contribute to the C.P.F. provided that where the terms of re-employment are initially for a year or less but is later extended so as to exceed one year, the Institute's contributions with interest will be

credited to their account only after the completion of one year of service on re-employment. The Institute's contribution with interest aforesaid, shall be payable for the entire period for which the re-employed officer is allowed to contribute to the C.P.F. if such period exceeds one year. Detailed account of contribution, accumulation, interest etc. accrued in the fund as well as payments will be maintained in the Institute itself.

31. ABSENCE FROM DUTY

Unless the Governing Body in view of the exceptional circumstances of the case otherwise determines, no employee of the Institute shall be granted leave of any kind for a continuous period exceeding five years.

ile

SUPERANNUATION

The rules governing the retirement of the employees of the Government as amended from time to time, shall apply to the employees of the Institute. However, the age of Superannuation of Scientific/technical personnel belonging to Group 'A' posts shall be sixty years. In exceptional cases, they may be retained in service upto the age of 62 years, by

the Governing Body subject to the persons concerned being physically fit and suitable in all respects in the interest of the work of the Institute, Provided that no such extension shall be given to incumbents of administrative posts.

RE-EMPLOYMENT OF SUPERANNUATED PERSONS

Superannuated persons may be re-employed on contract basis in exceptional cases and with the approval of the Governing Body subject to the terms and conditions specified therein. The appointment may be made for a period not exceeding two years. On re-employment the pay and allowances will be regulated in accordance with Central Govt. orders on the subject.

34.

APPOINTMENTS ON CONTRACT

Notwithstanding anything contained in these Bye-Laws, the Institute may, in special circumstances, appoint a person on contract basis for a period not exceeding 5 years with a provision of ^{ENT} renewal for a further period.

SCALES OF PAY OF POSTS

The scales of pay for various posts in the National Institute of Biologicals shall be similar to those with corresponding duties under the Government provided,

however, that the governing body of the Institute may prescribe, in certain cases, a different scale of pay for certain post/posts, having regard to the duties and responsibilities attached to them and after taking into account the Government of India orders issued from time to time on the subject.

36. MEDICAL FACILITIES FOR EMPLOYEES

The employees of the Institute and members of their families shall be entitled to such medical aid as admissible to Central Govt. servants of similar categories under Central Services (Medical Attendance) Rules or the CGHS, as the case may be.

HOUSE RENT ALLOWANCE

Such of the employees of the Institute as are not provided accomodation by the Institute accommodation shall be entitled to House Rent Allowance at such rates as may be approved by Government of India.

37. CONDUCT, DISCIPLINE AND PENALTIES

The Central Civil Services (Classification, Control and Appeal) Rules, 1965 and Central Civil Services (Conduct) Rule, 1964 as amended from time to time shall mutatis

mutandis apply to the employees to the Institute provided that for this purpose the appointing authority, the Disciplinary Authority for the penalties that may be imposed and the Appellate Authority for the various posts in the Institute shall be as prescribed in Schedule II.

- 38.1 Except where specifically provided otherwise, the Governing Body shall exercise the same powers in respect of its employees as are exercisable by the President of the Union of India in respect of Central Government Employees. Powers of the Disciplinary Authority shall be exercised by the appointing authority and the powers of the Appellate Authority shall be exercised by the next higher authority/Governing Body.

9. ADHOC APPOINTMENTS

Staff may be recruited on adhoc basis by the Director on the basis of his personal assessment against a sanctioned post carrying a scale of pay upto Rs.3000-4500 for a period not exceeding one year. The candidates's suitability for continuance of the appointment shall be confirmed by the Selection Committee constituted in accordance with these rules for the respective post.

0. APPOINTMENT OF EMERITUS SCIENTISTS, VISITING SCIENTISTS, TEMPORARY MEMBERS AND CONSULTANTS.

- 40.1 The Governing Body on its own or on the recommendation of the Director may designate a Scientist who has retired from Institute as Scientist Emeritus. He shall enjoy such privileges as may be decided by the Governing Body from time to time.
- 40.2 Visiting Scientists may be invited/appointed by the Director as temporary members for participating in the work of the Institute. Temporary members may be paid such honorarium as may be decided by the Director provided in all cases where honorarium exceeds Rs.5,000/- p.m. the decision shall be made with the concurrence of Chairman of the Governing Body.
- 40.3 Director may appoint person(s) as consultants for specific assignments requiring special expertise. The compensation/Consultancy fee upto a maximum of Rs.10,000/- per mensem may be payable. The consultant may be initially appointed for a period not exceeding 12 months. Extension of the term may be granted by the Director after review. In

case a retired pensioner is appointed as Consultant, his consultancy fee shall be fixed in accordance with the rules of Central Govt. on the subject. The limit of Rs.10,000/- mentioned above may be reviewed by the Governing Body from time to time. The number of Consultants appointed should be reported to the Governing Body at periodical intervals.

41. PENSION AND DEATH CUM RETIREMENT GRATUITY

The regular employees of the Institute will be governed by the provisions of the Central Civil Services (Pension) Rules, 1972, as amended from time to time including DCRG (Death-cum-Retirement Gratuity) and Family Pension benefits. The employees will be governed by the National Institute of Biologicals General Provident Fund Rules (to be based on the G.P.F. (C.S.) Rules as amended from time to time).

GROUP INSURANCE SCHEME

The Institute shall formulate, in consultation with Life Insurance Corporation of India, a Group Insurance Scheme for its employees based on C.G.E.G.I.S. (Central Govt. Employees Group Insurance Scheme) pattern.

43. FORWARDING OF APPLICATION

43.1 The employee of the Institute would be given a maximum of four opportunities in a year to apply for appointment elsewhere through proper channel. The Director can withhold any such application in the interest of the Institute. No application shall be forwarded during an employee's probation period.

43.2 Applications of employees in response to UPSC or Staff Selection Commission advertisements for competitive examinations or for other selection shall not be counted against the four opportunities referred to above.

43.3 Applications of the employees who are under suspension or against whom departmental proceedings are pending or are contemplated or on whom the penalty of withholding of increment or reduction to a lower stage in the time scale of pay or to a lower time scale or to a lower grade or post has been imposed shall not be forwarded.

43.4 The period of notice required for relief in respect of a temporary employee will be one month

and in respect of a permanent employee it will be three months.

43.5 At the time of submitting such application the employee should furnish the declaration as under :

Declaration

I hereby declare that in the event of my selection for the post applied for, I will resign from my present post of _____ after giving due notice.

Signature

Name

Designation

Name of Office/
Section

CONFIDENTIAL REPORTS

The work and conduct of each employee of the Institute will be assessed annually in a Confidential Report form as per the existing Central Government Rules on the subject and the same will form the basis for confirmation, promotion, crossing of Efficiency Bar, advance increments, etc.

45. CONSULTANCY SERVICES

The Institute may provide consultancy services to private/public institutions or Organisations only on terms and conditions to be approved by the Governing Body.

ATTENDING CONFERENCES & SYMPOSIA.

The Institute will support participation of scientific staff in recognized professional meetings, workshops, symposia and conferences. While in the case of Director, the Chairman and in the case of other employees, the Director, shall be the approving authority. Where expenditure for deputation abroad for any such purpose in part or in full is to be borne by the Institute, clearance of the Chairman shall be obtained. Necessary guidelines may be framed by the Institute in due course.

FOREIGN SERVICE/DEPUTATION

The employees of the Institute may be transferred or sent on deputation, whether within or outside India as per Rules and Orders of Government of India in force from time to time.

ADHOC BONUS

The employees of the Institute shall be entitled to adhoc bonus on similar terms and conditions as admissible to

Central Government. Employees not covered under Productivity Linked Bonus Scheme.

LOANS AND ADVANCES

Subject to Budget Provision the employees of the Institute shall be entitled to loans and advances on the same terms and conditions as are applicable to Central Government employees of corresponding status.

OTHER CONDITIONS OF SERVICE

In respect of matters not provided for in these Bye-Laws, the rules as applicable to Central Government servants regarding general conditions of service, pay, allowances, including Travelling and Daily allowances, Leave Salary, Joining time, Foreign Service Terms etc. orders and the decisions issued in this regard by the Central Govt. from time to time, shall apply mutatis-mutandis, to the employees of the Institute.

PART IV - FINANCIAL BYE-LAWSBUDGET OF THE INSTITUTE

51.1 The Institute shall prepare in such form and at such time every year as may be prescribed by rules, budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure of the Institute for approval of the Governing Body, and shall also show under various heads;

- (A) The actual expenditure of the preceding year;
- (B) The revised estimates for the current year indicating separately the actual expenditure upto the end of August in the Current Year and the anticipated expenditure for the remaining period of the Financial Year; and
- (C) the Budget estimate for the ensuing year.

51.2 The annual plan shall be prepared by the 30th September so that the same could be examined by the Standing Finance Committee for approval of the Governing Body. After approval of the Governing Body, the Annual Plan will be forwarded to the Government of India.

51.3 No provision may be included in the Budget Estimate for any scheme which has not been duly approved by the competent authority under these Bye-Laws.

51.4 If, it is proposed during the course of a financial year, to finance any scheme which has not been included in the estimate for that year, the sanction of the Governing Body shall be obtained through Standing Finance Committee indicating the method proposed for financing it such as supplementary grant from the Government or by reappropriation within the sanctioned estimates.

51.5 The Director shall maintain a Register showing the grants received from the Government of India and money received from other sources.

51.6 The Institute shall establish a Development Fund to which shall be credited all receipts from Institute's consultancy activities. Appropriation from this fund shall be made with the approval of the Standing Finance Committee.

52. APPROPRIATION

52.1 The funds of the Institute shall not be appropriated for expenditure on any item which has not been approved by competent authority under these Bye-Laws.

52.2 The funds provided in the sanctioned estimates shall be deemed to be at the disposal of Director who will have full powers to appropriate sums therefrom to meet expenditure on each item which has been approved by competent authority.

52.3 For purpose of financial control, the allotment under a main head of expenditure shall be divided into subheads known as units of appropriation. Any change proposed or sanctioned for any new primary/secondary unit will require the approval of the Director.

RE-APPROPRIATION AND INCURRING OF EXPENDITURE NOT PROVIDED FOR.

53.1 Expenditure of emergent and essential character not provided for in the budget, shall be incurred only, after the proposal has been examined by the

Standing Finance Committee and approved by the Governing Body.

- 53.2 The Director shall have full powers to reappropriate funds from one primary unit of appropriation to another or from one secondary unit of appropriation to another within a primary unit.

EXPENDITURE SANCTION

- 54.1 No expenditure from the funds of the Institute shall be incurred without the sanction of competent authority.

- 54.2 The Director shall have the full powers to sanction expenditure on any item included in the Budget.

- 54.3 A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-Laws to cover it.

- 54.4 The Director shall keep a watch over expenditure against the grants sanctioned by the Governing

Body and in case where expenditure has been exceeded or is likely to exceed the sanctioned grant, take steps to obtain additional grant or make reappropriation from anticipated savings under other units of appropriation.

55. CONTRACTS

The Director shall sign and execute on behalf of the Governing Body and the Institute all agreements, contracts, etc. which may be necessary for the proper conduct of the business of the Institute.

DISPOSAL OF PROPERTY

The Director shall have power to dispose of the non-expendable and other articles and to write off all the unserviceable^{ra} and condemned articles, as per orders issued by the Government^a from time to time.

57. INVESTMENTS

57.1 The funds of the Institute may be invested only in the following manner :

- (A) In fixed deposits with any Nationalised Bank;
- (B) In such other manner as the Governing Body may authorise.

- 57.2 All investments of the funds of the Institute shall be made in the name of the Institute. All purchases, sales, or alterations of such investments shall be effected and all contracts, transfer deeds or other documents necessary for purchasing, selling or altering the investments of the Institute shall be executed by the Director on behalf of the Governing Body.

BANK ACCOUNT

- 58.1 The funds of the Institute shall be lodged and transacted through a current account with a Nationalised Bank. However, part of such balance in the Bank as may not be required for expenditure for sometime may be kept in any interest - bearing account by investing the funds in short-term fixed deposits or by keeping in saving funds of the bank as reserve funds as ^{per} rules of the bank. As soon as the balance kept in interest bearing account is required for expenditure, the same may be re-transferred to the current account.

58.2

The Budget & Finance Officer of the Institute will be the Drawing and Disbursing Officer of the

Institute. In his absence any other Officer nominated by the Director shall function as Drawing & Disbursing Officer.

58.3 All cheques on the bank shall be signed and all bills, notes and other negotiable instruments shall be drawn, accepted and made on behalf of the Institute in the manner provided below :-

- (A) Cheques : Under the Joint signatures of the Director and the Budget & Finance Officer. In the absence of either, any other officer nominated by the Director.
- (B) Bills & Claims : Under the signature of Budget & Finance Officer who will also be the Drawing and Disbursing Officer of the Institute.
- (C) Notes & Negotiable Instruments : Under the signature of Director or any other Officer nominated by the Director.

58.4 All Cheques, bills, notes and other negotiable instruments payable to the Institute may be endorsed on behalf of the Institute by the Drawing and Disbursing Officer i.e. Budget & Finance Officer.

- 58.5 All loans, advances or borrowings on behalf of the Institute may be negotiated by the Director with the approval of the Governing Body.

59. DRAWAL OF FUNDS AND MAINTENANCE OF ACCOUNTS

- 59.1 Funds shall be drawn from the bank by means of cheques in the manner laid down in the Bye-Laws. Cheque book will remain in the personal custody of the Budget and Finance Officer and in his absence any other person as may be authorised by the Director.
- 59.2 The claims for Pay and Allowances and Travelling Allowances of Officers and Contingent Bill will be drawn in the prescribed forms and submitted to the Drawing and Disbursing Officer. All bills and claims will be checked and passed for payment by the Budget & Finance Officer. The contingent and T.A. bills will be counter-signed by the Director or any other Officer authorised by the Director on his/her behalf, before these are passed for payment by the Budget & Finance Officer. Payments will be made by means of demand drafts or cheques or cash as may be decided by the Director.

59.3 The Director shall maintain regular accounts of all money and properties in respect of the affairs of the Institute and shall prepare annual statement of accounts including the Balance Sheet in such form as may be prescribed by the Institute in consultation with the Auditor of the Institute. The Budget & Finance Officer of the Institute will advise the Director on all matters concerning Audit and Accounts. He will be responsible to the Director for the accuracy and completeness of the Accounts of the Institute in accordance with the Bye-laws of the Institute.

59.4 The primary accounts of the Institute will be maintained in the following form :

- (i) Cash Book and Petty Cash Book
- (ii) Receipt Book and its Stock Register.
- (iii) Ledgers.
- (iv) Stock Register of Cheque Forms.
- (v) Register of Advances.
- (vi) Contingent Charges Register.
- (vii) Bills Register.
- (viii) Expenditure Control Register.
- (ix) Permanent Asset Register.

- (x) Stock Register for Expendable articles.
- (xi) Stock Register for non-expendable articles.
- (xii) Other relevant records.

60. ACCOUNTS & AUDIT

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

60.2 The Accounts of the Institute will be audited annually by a firm of Chartered Accountants i.e. Statutory Auditors as defined in Chartered Accountants Act 1949 (Act XXXVIII of 1949) appointed by the Governing Body, and any expenditure incurred in connection with such audit shall be payable by the Institute to the Auditors. The accounts of the Institute may also be subject to audit by the Comptroller & Auditor General of India as per provisions of the General Financial Rules.

60.3 The results of the audit shall be communicated by the Auditor to the Institute which shall submit a copy of the Audit Report alongwith its

observations to the Government of India.

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

- (i) Income and expenditure Account.
- (ii) Receipts and Payments Account, and
- (iii) Balance Sheet.

60.5 The accounts of the Institute as certified by the Chartered Accountant/Comptroller and Auditor General of India or any other person appointed by Comptroller and Auditor General of India in this behalf together with the audit report thereon shall be forwarded annually to the Government of India after getting the approval of the Governing Body of the Institute.

ANNUAL REPORT

The Institute shall prepare every year a report on its activities during that year and submit the report to the Central Govt. in such form and on or before such date as may be prescribed by rules.

62. AMENDMENT OF BYE-LAWS.

Any alteration in the Bye-Laws shall require the prior approval of the Governing Body.

(See Bye-Laws 4, 5 & 7)

1. Re-delegation of Powers to sub-ordinate authorities (Rule 13(2) of DFPR's).

To re-delegate to sub-ordinate authorities the powers upto the limit of those vested in Director in all matters except the following.

- i) Creation of posts.
- ii) Write-off of losses.
- iii) Re-appropriation.

2. Powers to incur Capital expenditure.

(GOLD(3) below Rule 13 in DFPRs.

3. Declaring a Gr.A. Officer as Head of Office.

Sanctioning Capital	Upto Rs. 20 Lakhs	Full Powers
Expenditure upto <u>Rs. 10 Lakhs</u> subject to budget provisions.	10 Excess -	Use GR (accretion) making all 14, 8, 99.
Full Powers		Very strict agenda with promising 1500

estivation) making all 14, 8.99.
strong silver argentia with prominent black

Nature of Powers		Director	Chairman		Governing Body	Extra
(1)	(2)	(3)	(4)	(5)	(6)	
4.	Appropriation and reappropriation. (Schedule IV Rule 10 & 13). DFPRs	Full powers subject to the provisions of DFPRs.	-	-	-	
5.	Creation of temporary posts (Rules 11 & 13 (Schedule III) of DFPRs).	-	-	-	Full Powers	
6.	Conversion of temporary posts into permanent posts DFPRs. (Rules 11 & 13).	Full powers in respect of posts carrying a pay scale with a maximum of R.3500/- or less.	-	-	Full powers in all other cases.	
7.	Contingent expenditure	Full Powers	-	-	-	
8.	Miscellaneous expenditure	Full Powers.	-	-	-	
9.	Sanction of permanent advance GFR-90.	Full Powers.	-	-	-	
10.	Execution of work, petty works and repairs. GFRs 136 & 137.	R.25,000/-	-	-	-	

Nature of Powers	Director	Chairman	Governing Body	Power
(1)	(2)	(3)	(4)	(5)
11. To write off irrecoverable losses of stores :				
a) Not due to theft, fraud or negligence.	Full Powers upto R. 1 lakh.	Full Powers upto R. 5 lakhs	Full Powers	
b) Other cases Schedule VII Rule 13 of DFPRs.	Upto R.25,000/-	Upto R.50,000/-	Full Powers	
12. To write off loss of revenue or irrecoverable loans & advances (Schedule VII Rule 13 of DFPR's).	Upto R.10,000/-	Upto R.20,000/-	Full Powers	
13. Sanctioning expenditure on schemes (Rule 18 of DFPR's read with Rule 13).	Upto R.50 lakhs	Upto R. 1 crore	Upto R.5 crores	
4. Sanctioning grants-in-aid for the provision of amenities or recreational or welfare facilities of the staff in the Instt. Offices /Residential Complex.	Full Powers			

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S.No.	Nature of Powers		Extent of Powers		
	(1)	(2)	(3)	(4)	(5)
			Director	Chairman	Governing Body
15.	Loans & Advances including House Building Advance to the staff of the Instt.	Full Powers except - in the case of Director.	Full powers in the case of Director.		
16.	Contingent Expenditure	Full Powers			
88	a) Purchase of stores including office furniture/ office equipment, apparatus, glassware, chemicals, laboratory fitting etc.	Rs. 5 crores.	Full Powers		
	b) Rent				
	i) Where the accommodation is entirely, utilised for the Office.	Rs.25,000/- P.M. in Metropolitan cities.	Full Powers		
	ii) Where the accommodation is utilised for Guest House for the Institute.	Rs.15,000/- P.M. in Metropolitan Cities	Full Powers		
	iii) For residential or other purposes.	Rs.5,000/- P.M. in Metropolitan Cities.	Full Powers		

S.No.

Nature of Powers

Director

Chairman of Powers

(1)

(2)

(3)

(4)

(5)

(6)

17.

Under Fundamental & Supplementary Rules.

Full Powers

Treating a period of training or instruction in India of an employee of the Institute as on "duty" (GID (6) below FR 9(6).

18.

Treating as "duty" a period of enforced halt occurring enroute on a journey connected with a tour, transfer or training (GID(10) Below FR-9(6).

Full Powers

19.

Declaration as to relative degrees of responsibility of two posts (GID(1) below FR-22.)

Full Powers

20.

i) Suspending a lien (FR.14)
ii) Transferring a lien (FR.14 B)

Full Powers provided he is authorised to make appointments to the post in question.

Full Powers

21.

Granting of Special Pay, Honorarium, Fee & Subsistence Allowance to Institute employees

Full powers subject to consistency with Central Government rule and

Full Powers

Sl.No.	Nature of Powers	Director	Extent of Powers	
			Chairman	Governing Body
(1)	(2)	(3)	(4)	(5)
22.	Granting Special Casual Leave to an employee of the Instt. on account of sports or cultural activities etc. including Appen-2, CCS(L) Rules 1972.	Full Powers		
23.	Sanctioning study leave to an employee of the Institute CCS(L) R-50.	Full Powers		
24.	Permitting the calculation of joining time by a route other than that which travellers ordinarily use.	Full Powers		
25.	Extending the joining time admissible under the rules beyond the maximum of 30 days or Extending joining time on certain conditions within a maximum of 30 days.	Full Powers		
26.	Sanctioning transfer to foreign service in India. FR.110(b).	Full Powers		

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Nature of Powers		Director	Chairman	Governing Body	Residual
(1)	(2)	(3)	(4)	(5)	(6)
27.	Declaring the grade in which part time or fee paid employee of the Institute shall rank (SR.20)	Full Powers			
28.	Granting of Motor Car/Conveyance allowances (S.R. 25 and GI orders below SR.25)	Full Powers			
29.	Sanctioning cycle allowance GID(5) below SR-25.	Full Powers			
30.	Allowing mileage allowance to be calculated by a route other than the shortest or cheapest. (S.R.31.)	Full Powers			
31.	To permit an employee of the Institute accompanying foreign delegation/VIP as Liaison Officer to avail of the same mode of travel and/or the same arrangement at outstations for boarding/lodging as provided to the delegation/VIP. GID (3) below SR-35.	Full Powers except in the case of Director	Full Powers in the case of Director.		

Exercise of Powers

(1)

(2)

(3)

(4)

(5)

Director

Chairman

Governing Body

Board

32. Declaring an Officer as controlling Officer for travelling allowance purposes.

Full Powers

92

33. Allowing an employee of the Institute to travel by a higher class than the one in which he is entitled (S.R.35)

Full Powers

34. Permitting an employee of the Institute who is not ordinarily entitled to travel by air (SR.48(B) GID (11) thereunder).

Full Powers

35. Reimbursement of actual cost of travel by Special means of conveyance in lieu of payment of daily allowance or mileage allowance (SR.57).

Full Powers

36. Sanctioning Daily Allowance for a Sunday or Holiday when an employee is forced to stay while on tour at a place other than the place of duty.

Full Powers

(11)

(2)

Director

(3)

Chairman

(4)

Governing Body

(5)

Page

(6)

37. Deciding the rates of T.A. Full Power
admissible to an employee of the
Institute deputed to undergo a
course of training (S.R.164).

93 38. To allow expenses for carriage Full Powers.
to personal effects by road
between stations connected by
rail. (SR 116 (a) (i) (iv)).

9. Powers to countersign his own Full Power
T.A. Bills.

0. Sanctioning provisional payment Full Powers to sanction
of pay to a Gr. B, C or D
Officer, pending receipt of his
last pay certificate (GID(2)
below C/R 276).
provisional payment of
substantive pay for a
period of 6 months.

Powers to order destruction of Full Power
records.

(1)

(2)

(3)

(4)

(5)

(6)

Chairman

Governing Body

Member

42. To order sale by auction or otherwise in the interest of the Institute of unserviceable stores or perishable articles.

Full Powers

94
43. Powers to employ outsiders is an officiating capacity in vacancies caused by the grant of leave to incumbents of Grade B, C & D posts for which there is no leave reserve.

Full Powers

44. Powers to insure vehicles of the Institute. DFPR - Rule-15.

Full Powers

5. Sanctioning advances in connection with leave travel concession (GFR-235) (1) & (2).

Full Powers

5. Powers to fix hire charges for use of Staff Car/Vehicle of the Institute for private purposes.

Full Powers
as per Staff Car
Rules of Govt. of
India.

Controlling Office
for travelling
allowances purposes
can sanction such
advance. Those
who are their own
controlling Office
can sanction
advance to
themselves.

(See Bye-Law 38)

SCHEDULE

The Appointing, Disciplinary and Appellate Authority for the various posts in the Institute.

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S.No.	Description of Posts	Appointing Authority	Authority component to impose penalties and penalties which it may impose with reference to rule 11 of the Central Civil Services (Classification, Control and Appeal) Rule, 1965.	Appellate Authority
(1)	(2)	(3)	(4)	(5)
1.	<u>GROUP 'A' POSTS</u>			6)

i) Director

Government

Government

Disciplinary Authority

Penalties under rule 11 of Central Civil Service (Classification, Control and Appeal) Rules 1965

Government

ii) Other Posts

Governing Body

(a) Governing Body
(b) Chairman

All subject to the condition that penalties (v) to (ix) shall not be imposed without the prior approval of the Central Government.

General Body

GROUP 'B' POSTS

Chairman

(a) Chairman

All Penalties

Governing Body

GROUP 'C' POSTS

Director

(a) Director

Penalties (i) to (iv)

Governing Body
Chairman

GROUP 'D' POSTS

Director

(a) Director

All Penalties

Chairman

(b) Dy. Director

Penalties (i) to (iv)

Chairman
Director

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NATIONAL INSTITUTE OF BIOLOGICALS
RECRUITMENT RULES, 1994

NATIONAL INSTITUTE OF BIOLOGICALSRECRUITMENT RULES, 19941. SHORT TITLE & COMMENCEMENT

- (i) These Rules may be called the National Institute of Biologicals Recruitment Rules, 1994.
- (ii) These rules come into force with effect from 22-4-94, on which these were approved by the Governing Body.

2. DEFINITIONS

In these rules unless the context otherwise requires, the following terms shall connote as under :-

- (a) "Institute" means the National Institute of Biologicals (NIB).
- (b) "Appointing Authority" means the authority empowered to make appointments to various posts as per Byelaw 16 of the Bye Laws of the Institute.
- (c) "Candidate" means the person/Officer who is eligible for consideration for any of the positions specified in Annexure I to these rules.
- (d) "Age" means upper limit specified in clause 5 of these rules and Annexure I.

INITIAL CONSTITUTION

- (i) All core staff working in the institute on the date of commencement of these rules shall be deemed to have been appointed to the posts corresponding to those which they were holding on regular basis on the date at the initial constitution.
- (ii) The inter-se-seniority of officers in each grade shall be determined as per the date of regular appointment to the respective grades.

Contd.....[2].

4. QUALIFICATION AND EXPERIENCES, PAY SCALES & DUTIES

- (i) The minimum educational qualifications and experiences, pay scales and duties in respect of various posts shall be as laid down in Annexure I.
- (ii) The exact nature of experience wherever required in the specific field of discipline shall be indicated in the advertisement for the relevant posts.
- (iii) A list of posts with pay scales for which these Rules shall apply is in Annexure II.

5. AGE

- (1) The upper age limit for direct recruitment in each category of posts shall be as specified against each post in Annexure I.
- (2) In the case of direct recruitment to Group A posts, upper age limit for Government servants and Institute's employees shall be relaxable upto five years in accordance with the orders issued by the Government in this regard.
- (3) In the case of direct recruitments, age limit, qualifications and other requirements for any post may be relaxed by the appointing authority in respect of candidates otherwise will qualified.
- (4) The crucial date for determining age limit shall be the closing date for receipt of applications from candidates in India (other than those residing in Andaman and Nicobar and Lakshadeep islands).

MODE OF SELECTIONS

- (1) Recruitment shall be made by direct recruitment, promotion, transfer on deputation, transfer, search-cum-selection short term contract or re-employment etc. as mentioned in Annexure I.

Contd..... [3] .

Wherever the posts are to be filled by direct recruitment, the posts shall be advertised in the Newspapers or by such appropriate methods as the appointing authority deems fit. The appointing authority may determine the procedure to be followed for assessing the suitability of the candidates in making selections which may include holding of personal interviews, written test, practical test etc. It may also consider candidates in absentia in respect of candidates residing abroad temporarily. The composition of recruitment/selection committee for different groups shall be as provided in the Bye Law 18.

- (2) Persons may also be recruited on short term contract basis for a period not exceeding five years with a provision of renewal for further period.

7. RECRUITMENT THROUGH SEARCH-CUM-SELECTION COMMITTEE

This mode of recruitment will be restricted to posts in the scale of pay of Rs.7300-7600 and above for a term period of 5 years.

8. DEPUTATION

Subject to the candidate having minimum qualification and experience as specified in Annexure I to these rules, candidates from Government/Semi Government organisations, Universities, Autonomous Bodies and Public Sector Undertakings can be taken on deputation basis subject to the recommendation of appropriate selection committee and on the basis of the orders and instructions of the Central Government regarding transfer on deputation of Government staff to other Departments/Organisations as amended from time to time.

9. RE-EMPLOYMENT

Candidates who have retired on superannuation or on voluntary basis from Central Government or State Government services and having minimum educational qualifications and experience as specified in the Annexure I to these rules can be re-employed subject to recommendation of the appropriate

Contd.....[4].

selection committee and as per general or specific orders/instructions issued by the Central Government from time to time.

10. PROBATION PERIOD

The probation period in respect of appointments to various posts shall be as specified against each post in Annexure I, which can be curtailed or extended at the discretion of the appointing authority.

11. LIABILITY OF OFFICERS TO SERVE ANYWHERE IN INDIA OR/AND OUTSIDE

Officers appointed shall be liable to serve anywhere in India and outside.

12. POWER TO RELAX

Where the Governing Body is of the opinion that it is necessary or expedient to do so, it may for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

13. BENEFIT OF ADDED YEARS OF SERVICE

The benefit of added years of service admissible under Rule 30 of the Central Civil Services (Pension) Rules, 1972, as amended from time to time shall be applicable to posts eligible for the same.

14. SAVING

(i) Reservations, Relaxation of age limit and other concessions shall be provided to candidates belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes (OBCs), Ex-servicemen and other categories of persons under the orders issued by the Central Government from time to time in this regard.

(ii) All employees of the Institute shall be governed by the Bye-laws of the Institute, as approved by the Governing Body as amended from time to time.