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भारत सरकार
GOVERNMENT OF INDIA

परमाणु ऊर्जा विभाग
DEPARTMENT OF ATOMIC ENERGY

अणुशक्ति भवन
छत्रपति शिवाजी महाराज मार्ग,
मुंबई - 400 001
Anushakti Bhavan
Chatrapati Shivaji Maharaj Marg,
MUMBAI - 400 001

No. 16015(2)/4/2019/R&D-II/DAE /1924

February 07, 2020

To,
Registrar
Institute of Physics (IoP),
Bhubaneswar

Subject : IoP – Approval of New Bye-Laws of Institute of Physics,
Bhubaneswar-reg.

Sir,

Reference is invited to Registrar, IoP's letter No. IOP/ADMN/2020/3156 dated 21.01.2020 on the captioned subject.

2. Bye Laws duly signed(in original) by Joint Secretary (R&D), DAE is enclosed. It is also stated that the date for implementation of the Bye Laws may be adopted from 03.02.2020.
3. Final copy of the Bye Laws may be forwarded to the Department for perusal and record.

Yours faithfully

(Bharati S. Pai)

Under Secretary (R&D-II)


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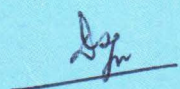


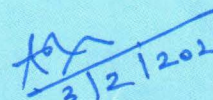
BYE – LAWS

INSTITUTE OF PHYSICS BHUBANESWAR

C Approved in 107th GC dated 19.10.2019)


रजिस्ट्रार/Registrar
भौतिकी संस्थान/Institute of Physics
भुवनेश्वर/Bhubaneswar


Principal Secretary to Govt.
S & T Department


3/2/2020
(Govt of India)
संयुक्त सचिव (अनु. एवं. वि.)
Joint Secretary (R & D)

INSTITUTE OF PHYSICS, BHUBANESWAR

(An Aided Institution under Department of Atomic Energy, Government of India)

Chapter I GENERAL

1. Short Title and Commencement:

- 1.1. These Bye Laws and statutes may be called "Bye-Laws of the Institute of Physics, Bhubaneswar (hereinafter called "Institute". These shall come into effect from 3rd day of Feb 2020, the date of approval by the Department of Atomic Energy, Government of India and Government of Odisha.
- 1.2. These Bye-Laws may be read in conjunction with the Rules and Regulations of the Institute of Physics, Bhubaneswar. These bye-laws shall, inter-alia, be applicable to all employees and activities of Institute of Physics, Bhubaneswar.

2. Name and Address of the Institute:


The name of the institute shall be "Institute of Physics, Bhubaneswar". The registered office of the Institute of Physics shall be At/ P.O.: Sainik School, Bhubaneswar – 751 005, Odisha, India.


3. Definitions and interpretation:

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

- (a) Government means Government of India
- (b) State Government means the State Government of Odisha
- (c) "Act" means the Atomic Energy Act 1962
- (d) "Administrative Department" means Department of Atomic Energy, Government of India.
- (e) "Agreement" means the agreement executed on 25.3.1985 between the Department of Atomic Energy, Government of India on one side and Government of Odisha on the other.
- (f) "Governing Council" means the Governing Council of the Institute so appointed by the DAE, Government of India, from time to time.


रजिस्ट्रार/Registrar
भौतिकी संस्थान/Institute of Physics
भुवनेश्वर/Bhubaneswar


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Principal Secretary to Govt.
S & T Department


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- (g) "Authorities, Officers and Academicians/Professors" respectively means authorities, officers and academicians/Professors of the Institute
 - (h) "Finance Committee" or "Standing Finance Committee" means the Finance Committee of the Institute.
 - (i) "Building and Works Committee" means Building and Works Committee of the Institute.
 - (j) "Bye Laws" means Bye Laws of the Institute.
 - (k) "Council" means the Governing Council of the Institute.
 - (l) "Chairman" means the Chairman of the Governing Council.
 - (m) "Director" means the Director of the Institute.
 - (n) "Registrar" means Registrar of the Institute.

4. Aims and Objectives:

The AIMS and OBJECTIVES of the institute shall be:

- (a) The Institute will devote itself to fundamental and applied research in various branches of theoretical and experimental physics and allied disciplines.
- (b) The Institute will impart quality education and training in advanced physics to its students at pre-doctoral and doctoral level.
- (c) The Institute shall keep close liaison with universities in Odisha in particular, and organize teaching and training programs in different branches of physics at post-graduate and integrated Ph.D levels

5. Vesting of the Property of the Institute:

- (a) All buildings, lands, machinery equipment, plans and instruments (whether laboratory workshop or otherwise), books and journals, furniture, furnishings and fixtures of the Institute belong to the Department of Atomic Energy.
- (b) All properties, funds or assets as are gifted by the Central Government, the State Government, or any other Government, or gifted or bequeathed by any other person, to the Institute, shall be, subject to the Rules and Bye-laws, vested in the Governing Council of the Institute.
- (c) All lands gifted or donated as aforesaid and all buildings constructed by, or constructed with the funds donated or gifted by the <name of the applicable trust if any for the institute>, shall revert to and belong to that Trust, i.e. <name of the applicable trust if any for the institute>, if such land or building ceases to be held or used by, or for the objects and purposes of the Institute aforesaid.

- (d) If institute aforesaid is wound up, the <name of the applicable trust if any for the institute> shall have the power, with the consent of the grantor or donor, to employ all immovable properties which can be clearly demarcated as having been so gifted or donated or constructed by the government or any other body or individual, whose consent is taken, to the <Name of the Institution>, for such charitable or educational purposes as the grantor or donor and the <name of the applicable trust if any for the institute> might agree to. The power in this rule would be exercisable only with the consent aforesaid.

Chapter — II

CONSTITUTION OF GOVERNING COUNCIL, ITS MEETINGS & PROCEDURE

6. Governing Council:

Subject to the Rules and Bye-laws, the administration, management and direction of the affairs of the Institute shall vest in GOVERNING COUNCIL, hereinafter called 'THE COUNCIL'. The Department of Atomic Energy shall constitute the Governing Council.

6.1. The Composition of the Governing Council shall be as under;

- i) Chairman
- ii) Co-Chairman — Director of the Institute will be the ex-officio co-Chair
- iii) Three members nominated by Government of Odisha out of which two shall be Scientists of eminence working in the field of Physics.
- iv) Experts/Academicians of repute working in the field of Physics shall be nominated by the Department of Atomic Energy.
- v) Joint Secretary of the Department dealing with the Institute
- vi) Joint Secretary (Finance)
- vii) Registrar shall be the ex-officio Non-Member secretary

6.2. Secretary, DAE shall be the Ex-Officio Chairman of the Council.

6.3. The Governing Council shall be a permanent body. However, the Members of the Council shall hold the office for 3 years. They are eligible for re-nomination for another term i.e one member can be allowed maximum of two terms (except ex-officio members). The tenure of the Members shall be co-terminus with the service in their respective organization.

7. Meeting of the Governing Council:

7.1. The meetings of the Council shall be held not less than TWO every year by the Director at a date and time, as may be fixed by him in consultation with the Chairman. For the purpose of this rule, each year shall be deemed to commence on the first day of January and terminate on the 31st day of December of the same year i.e calendar year. Meetings

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of the Council shall be held at the Institute Headquarter unless the Chairman otherwise directs.

- 7.2. A special meeting of the Council may be called at any other time by the Chairman, either on his own initiative or at the request of not less than four members of the Council.

8. **Notice of the meeting:**

- 8.1. For any meeting of the Council, at least fifteen days' notice shall be given to the members. Non-receipt of notice of any meeting of the Council by any member shall not, however, invalidate the proceedings of the meeting.
- 8.2. A notice indicating the date, time and place of every meeting, shall be sent by the Secretary of the Council writing to the Members provided, the Chairman may call a special meeting of the Council at a short notice to consider urgent special issues.
- 8.3. The notices may be delivered either by hand or sent by registered post/speed post at the address of each member as recorded in the records of the office of the Council or by e-mail and if so sent shall be deemed to be duly delivered at the time at which notice would be delivered in the ordinary course of post.
- 8.4. Agenda shall be circulated by the Secretary of the Council at least 10 days before the meeting.
- 8.5. Notices of motions for inclusion of any item on the agenda must reach Secretary of the Council at least one week before the meeting. The Chairman may permit inclusion of any item for which due notice was not served.

9. **Chairman of the Meeting:**

The Chairman of the Council shall preside all meetings of the Council. In the absence of the Chairman, the members present shall elect one from among themselves to preside the meeting or the nominee of the Chairman for the particular meeting shall preside the meeting and he shall exercise all the rights and privileges of the Chairman for that meeting.

10. **Quorum and Procedure:**

- 10.1. Six members including the Chairman, shall constitute a quorum at any meeting of the Council.
- 10.2. All matters considered at the meeting of the Council shall be decided by mutual consent of all Members. In case of difference of opinion among the members, the opinion of the majority shall prevail.
- 10.3. Each member of the Council, including the Chairman, shall have one vote, and if there be a tie on any question to be determined by the Council, the Chairman shall, in addition, have and exercise a casting vote

- 10.4. The decision of the Chairman shall be final with regard to all questions regarding the procedure for the conduct of the meeting.
- 10.5. If a Member of the Council (except official/representatives of DAE or State Government) fails to attend three consecutive meetings without leave of absence from the council, he/she shall cease to be a Member of the Council.
- 10.6. If Joint Secretary of the Department dealing with the Institute or Joint Secretary (Finance) is unable to attend the meeting, they may be represented by their representative(s)/nominee(s) who should not be below the rank of Director/ Dy. Secretary. The representative/nominee shall have full authorization and shall be treated as deemed Member for the particular Council meeting and shall be part of quorum.
- 10.7. As per the Department of Expenditure, Ministry of Finance (MoF), GOI OM no F.No 8(4)E-Cord./84 dated 15th October 1984 duly endorsed by DAE letter no JS(F)/DAE/IV/14/25/63 dated June 2nd 2016, following restrictions shall be applicable;-

- (a) Proposal relating to employment structure i.e. adoption of pay scales, allowances and revision thereof and creation of posts would need the prior approval of the Govt. of India.
- (b) In the event of disagreement between representative of the Finance and the Chairman of the Governing Body of the Aided Institution on the financial matter beyond the delegated power of the Ministry/Department of Govt. of India, the matter may be referred to the Administrative Ministry for taking a decision after following the due procedure.

11. Adjourned Meeting:

If there is no quorum at the expiry of fifteen minutes after the time fixed for a meeting, the meeting shall be adjourned to such a date and time as the Chairman may fix. However, if a meeting is adjourned for want of quorum after fifteen minutes, it may be held on the same day after a gap of 30 minutes as the Chairman may determine. No quorum shall be necessary for a meeting adjourned for want of a quorum.

12. Minutes of the Meeting:

- 12.1. The Registrar (or any other officer designated) as the case may be, who will act as the Non-Member Secretary shall keep the minutes of the meetings of the Council and send a copy of the minutes of every such meeting to the members as early as possible.
- 12.2. The minutes along with the amendments, if any shall be placed for confirmation at the next meeting of the council. After the Minutes are confirmed and signed by the Chairman, they shall be recorded in the minutes book, which shall be kept open for inspection of the members of the Council at all times.

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13. Business by Circulation:

Any business of the Institute to be performed by the Council, except such as may be placed before the meetings of the Council, may be carried out by circulation among all its members and any resolution, so circulated and approved by a majority of the members who have signified their approval, or disapproval of such resolution, shall be as effective and binding as if such resolution had been passed at a meeting of the Council. The resolution as approved by the Governing Council should be reported at the next meeting of the Governing Council for information and ratification.

14. Vacancy:

When a vacancy occurs in the office of a member of the Council, other than Director, through death, resignation or any other reason, such vacancy shall be filled by the authority which appointed such a member. The member so nominated to fill such a casual vacancy, shall hold office for the remainder of the term of the member in whose place he has been nominated.

No action or resolution of the Council shall be invalid by reason of any vacancy in the membership of the Council or defect in the appointment of a person acting as a Member.

15. Committee of the Council:

The council may appoint committees from amongst its own members or the staff of the institute or outside or amongst these persons, and may assign to such committees such powers and duties as are in accordance with the bye laws and rules/sub-rules.

16. Authentication of Orders and decision of the Council:

All the orders and decisions of the Council shall be authenticated by the signature of the Registrar/Chief Administrative Officer or any other person authorized by the Council in its behalf.

17. Disqualification:

A Member of the Council including the Chairman shall be disqualified to be a Member only on the ground of;

- | | |
|-----|-----------------------------|
| (a) | Mental Infirmary |
| (b) | Convicted by a Court of Law |
| (c) | Insolvency |
| (d) | Resignation |
| (e) | Retirement |
| (f) | Death |

Chapter - III

POWERS OF THE COUNCIL & OTHER OFFICIALS

18. General Powers of the Council:

Subject to various orders issued by the Government of India/Department, Administration and management of the Institute shall be under the supervision of the Council. The Council shall have the power to;-

- i) Exercise the Financial Powers as indicated in the Schedule to this Bye Laws
- ii) Make Rules/Sub-Rules specific to the mandate of the Institute and decide the duties of Director and other employees of the Institute
- iii) Frame and revise rules for the governance of the Institute
- iv) Approve the Annual Report and Annual Audited Statement of Accounts within six months of the end of each financial year.
- v) Frame rules related to establishment, pay, pension, disciplinary proceedings etc. for the employees of the Institute.
- vi) Decide the intake of the number of students/fellows commensurate with the mandate of the Institute.
- vii) Consider the recommendations of such Advisory/Expert Committee and acceptance or otherwise of such recommendations.
- viii) Promote mandate of the institute which include research within the Institute and decide the date of commencement and duration of the session of the Institute.
- ix) Make recommendations to the Department about the creation/ up gradation of the post as powers for creation/up gradation of the post rest with Government/ Department. However, creation of posts to accommodate promotion of scientific/ technical/ Faculties or other personal promotion can be approved by the Council.
- x) Frame Recruitment Rules, Promotion Policy, Pay structure and cadre structure below the level of the Director of the Institute. Appointment of Director or Chief Executive Officer of the Institute shall be made by the Council with the approval of the Appointment Committee of the Cabinet (ACC) as per the guidelines issued by the Government/ACC, if the pay of the Director or Chief Executive Officer is equivalent or above of Joint Secretary of the Government of India.
- xi) The Council shall be competent to conduct Cadre Review of the Administrative and Auxiliary personnel of the Institutes and approve the same for implementation. Any creation of posts, pay of which is equivalent or more of Joint Secretary of the Government, arising out of such cadre review will be referred to the Department for approval after following necessary procedures.

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- xii) Consider all cases of promotion and grant promotion to all employees, as per the promotion policy of the Institute subject to following the relevant procedures/norms
- xiii) Execution of contracts and other instruments on behalf of the Institute, conduct and defense of legal proceedings and the manner of signing pleading. The Council may re-delegate these powers to such other officers as considered necessary.
- xiv) Making such rules as might be necessary for fulfilling the objectives of the Institute and under any rule of the Institute.
- xv) Appointment of members to the Academic Council
- xvi) Appointment of members to the Finance / Standing Committee
- xvii) Appointment of Statutory Auditors and fixing the remuneration
- xviii) Delegate its powers to the Director and other Administrative Heads in the Institute.

19. Service Extension

To grant extension of services to faculty members with proven expertise subject to the following conditions;

- (a) The extension of service cannot be considered as a matter of routine. 25% of the officers retiring during the period under consideration can be considered.
- (b) The cases can only be considered initially for a period of two years and after review for another term of two years.
- (c) In no case the extension of service shall be considered beyond age of 64 years after superannuation.
- (d) All the cases of extension of services shall be considered by the Academic Council. The Council shall consist of at least one member from outside the sponsoring institute.

Note: While making the above regulations i.e. clause 18 and 19, it shall be ensured that provisions mentioned above in the bye-laws are not violated i.e. these supplementary rules should not be in contradiction to the provisions of Bye-Laws or Government's/Departments directives.

20. Appointing Authorities:

- 20.1. The Council also shall be the Appointing Authority to the posts in the Level-13 of the Pay Matrix (Grade Pay Rs.8,700/-) or equivalent and above.
- 20.2. The Director shall be the appointing authority for the appointment of posts equivalent Grade Pay Rs. 4,200 i.e. Level- 6 of the Pay Matrix to Rs. 7,600 i.e. Level – 12 of the Pay Matrix and all post equivalent to Group – B.
- 20.3. Registrar shall be the Appointing Authority for the Post below GP – 4,200/- i.e. below Level – 6 of the Pay Matrix.

- 20.3. The promotion to the members in a particular pay scale shall be approved by the same authority which is the appointing authority for that pay scale.

21. Disciplinary Authority:

- 21.1. The Governing Council can initiate disciplinary action against its employees for which the Council is appointing Authority. No appeal lies against the orders of the Governing Council. Representations submitted by the concerned for reconsideration of the penalties can be considered by the Governing Council.
- 21.2. Director of the Institute shall be disciplinary authority for those employees for which he is the appointing authority of the Institute. The Council shall be the Appellate, Revision and Review Authority in all such cases.
- 21.3. Registrar shall be the Disciplinary Authority for those employees for which he is the appointing authority of the Institute. The Director shall be the Appellate Authority and Council shall be the Revisionary and Review Authority in all such cases.

Specific Powers of the Authorities:

22.1 Chairman

- The Chairman of the Council shall have the power to fix the initial pay (by granting a maximum of 5 increments) of an incumbent at a stage higher than the minimum of the scale on the recommendation of the Selection Committee, in respect of posts to which appointments can be made by the Council.
- The Chairman shall have the power to send Employees/Students/Fellows of the Institute for training or a course of instructions outside India subject to the terms and conditions as may be laid down by the Council from time to time
- In emergent circumstances and in the interest of the Institute, the Chairman may exercise the power of the Council and will inform of the action taken by him/her for its approval.

22.2. Director:

The Director is Head of the Institution and can exercise the powers of the Head of the Department under FR&SRs, General Financial Rules, TA Rules, LTC Rules, Provident Fund (both Contributory and General) Rules, and Exercise of Financial Rules etc.

- It shall be the duty of the Director to carry on the work of the Institute under the control of the Council in accordance with the Bye-Laws and Rules/ Sub rules for the administration and the management of the Institute. In case of an emergency, he may take such action as may be necessary and report it to the Council.

- (ii) Recruitment and Promotion of personnel's in respect of those posts of which he is the appointing authority.
- (iii) The Director shall have the power to fix, on the recommendations of the Selection Committee, the initial pay of an incumbent at a stage higher than the minimum of the scale but not more than five increments in respect of posts of which appointment can be made by him. This should be as per the norms of GoI/DAE.
- (iv) The Director shall have the power to engage Project Staff/Project Assistants/Technicians and other manpower including consultants as and when required on need basis subject to the payment of minimum wages and such engagement shall not be more than the project completion period. The norms of the Government/ DAE (if any) shall be followed.
- (v) The Director shall have the power to depute employees of the Institutes for training or for a course of instructions inside India subject to such terms and conditions as may be laid down by the Council.
- (vi) The Director shall have the power to possess a building on hire its building.
- (vii) The Director shall have the power to sanction remission or reduction of rent for buildings rendered wholly of partially unsuitable.
- (viii) The Director shall have the powers of "Estate Officer" in relation to the office and residential buildings of the Institute.
- (ix) During the absence of Registrar not exceeding a period of one month, the Director shall take over or assign the responsibility, to any other employee of the Institute any functions of Registrar as he/she deemed fit. Provided that if any time the temporary absence of the Registrar exceeds one month, the Council may, if thinks fit authorize the Director to take charge or assign the function of Registrar as aforesaid, for a period exceeding one month.
- (x) The Director may during absence from headquarters authorize one of the senior Professors present who shall be below the age of superannuation, to execute the current duties of the post of the Director.
- (xi) The Director may, with the approval of the Council delegate any of his/her powers, responsibilities and authorities vested in him/her to one or more members of academic or administrative staff of the Institute.
- (xii) Director shall be responsible for implementing the rules relating to reservation in service to SC/ST/OBC and Persons with Disabilities.
- (xiii) Take decisions as to the implementation or otherwise of the Court judgments related to the staff.

- (xiv) Director can engage Legal Counsel(s)/Advocates/Lawyers to defend the cases and pay the fees.

22.3. Registrar

- i) By definition Registrar is the custodian of the Institute Seal and Estate.
- ii) The Registrar shall act as Non-Member Secretary to the Council.
- iii) In all matters concerning the Institute he shall act under the general control and orders of the Director.
- iv) The Registrar shall be in charge of correspondence relating to the Institute subject to the Instructions of the Director.
- v) The Registrar will be in charge of the administrative/non-academic staff and the general maintenance staff of the Institute.
- vi) The Registrar will look after the maintenance and upkeep of the premises.

22.3.1. Conduct of or defense in legal proceedings:

All legal suits instituted by or on behalf of the institute shall be in the name of the Council of the Institute. For the conduct of all such suits and for the defense in all suits brought against the Institute, the Registrar shall represent the Institute, sign the pleading, receive summons, attend the court, consult lawyers and take such other steps as may be necessary in connection with the suits under the general direction of the Director.

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Chapter —IV

STAFF, ITS CATEGORIES & APPOINTMENTS

23. Classification of the Members of the Staff of the Institute

Except in the case of employees paid from contingencies and project staff, the members of the staff of the Institute shall be classified as:-

- (a) Academic: which term shall include Director, Senior Professor, Professor, Associate Professor, Reader, Assistant Professor, Research Fellows, Research Associates and other members doing academic work.
- (b) Scientific: which term shall include Librarian, Scientific Officers, Medical Officer, House Surgeon, Scientific Assistants and other qualified staff appointed to assist the academic staff in their research. In case of any doubt as to whether a particular post is scientific, the decision of the Director shall be final.
- (c) Technical: which term shall include Workshop Engineer, Foreman, Supervisor (Workshop), Mechanic, Technicians, Fire Service Personnel, Tradesman, Draughtsman and other Medical Staff, and such other technical posts. In case of any doubt about classification of a post as Technical, the decision of Director shall be final.
- (d) Administrative and other including Auxiliary: which term shall include Registrar, Senior Accounts Officers, Senior Administrative Officers, Junior Administrative Officers, Official Language Cadre, Purchase Officer, Store/Purchase Officer, Estate Officer, Stores Keeper, Purchase Assistant, Security Personnel, Drivers, Multi-Tasking Staff and such other administrative and other staff as may be decided by the Council. Decision of the Director will be final in case of any doubt the classification of the members of the staff.
- (e) In addition, the employees of the Institute shall be classified in to the following:
 - i) Post in the level 10 of the Pay Matrix and above are classified and equated Group "A" posts of Government of India Service.
 - ii) Post within Level – 6 to 9 of the Pay Matrix are classified and equated Group "B" posts of Government of India Service.
 - iii) Post below the Level – 6 of the Pay Matrix are classified and equated Group "C" posts of Government of India Service

NOTE: (The above classification shall be treated as amended as and when amended by Government of India)

24. Appointments & Promotions:

- A. All posts shall be filled as per the approved recruitment and promotion rules of the Institute. All posts shall normally be filled by advertisements. But in exceptional cases, the Council shall have the power to decide on the recommendations of the Director that a particular post be filled by invitation or by promotion from amongst the members of the staff of the Institute.
- B. While making appointments, the Institute shall make necessary provisions for the reservation of posts in favour of SC/ST/OBC and Persons with Disabilities in accordance with the as per the Government of India Instruction.
- C. Where a post is to be filled on contract basis or by invitation, the Chairman may at his discretion, constitute such ad-hoc Selection Committee, as circumstances of each case may require.
- D. Where a post is to be filled by promotion amongst the members of the Institute or temporarily for a period of not exceeding 12 months, the Council shall lay down the procedure to be followed.
- E. Notwithstanding anything contained in these bye-laws, the Council have the power to make appointments of persons trained under "approved" programmes in such a manner as it may deem appropriate.
- F. The council can frame rules or procedure in line with the regulations of Government for the appointment of overseas citizens of India (OCI) in the Institute.
- G. Unless otherwise provided under the bye-laws, a selection committee constituted under these laws will be eligible to exercise its functions in relation to that post until the time the appointment is made.
- H. All appointments made/promotions given shall be reported to the Council in its next meeting.

25. Appointment of the Director / Head of the Institution

25.1. The process of appointment shall be as per the directive of DAE. The Search Committee shall be formed by DAE on the request of the Governing Council. The recommendation of the Search Committee shall be placed before the Governing Council for consideration and ratification.

25.2 Appointment of the Director shall be normally for a period not exceeding 5 years at a time. His salary and allowances and other conditions of service shall be fixed by the Council as per the norms provided by the Department.

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25.3. He or she shall be eligible for re-employment for further term(s) of five years at the discretion of the council with the concurrence of the Department of Atomic Energy provided that no person shall hold office of the Director after he or she has attained the age of 65 years.

25.4. Appointment of the Director and extension of tenure as Director shall be approved by the Appointment Committee of Cabinet (ACC). Acceptance of resignation of Director or early relief of the Director shall be referred to the Administrative Ministry for further necessary action.

26. Officiating Director/Acting Director/ Concurrent Director:

26.1. Notwithstanding anything contained in clause 24, the Chairman may appoint person to officiate as Director i.e. Officiating Director, in the absence (more than 30 days in single stretch) of the Director appointed under clause 25. It shall be reported to Council in the next meeting. He shall attend day-to-day affairs and shall not use the statutory powers of the regular Director.

26.2 The Council may also make a temporary appointment of Director i.e. Acting Director in the vacancy of the office of the Director with the approval of ACC. Every appointment under this clause shall be for a period not exceeding one year at a time with the concurrence of the DAE.

27. Appointment of Registrar:

The appointment of the Registrar irrespective of the scale shall be made by the Council on the recommendation of the Director.

Chapter — V

FINANCE & ACCOUNTS

28. Year:

The Financial Year of the Institute shall be from the 1st April to the 31st March in the succeeding calendar year.

29. Budget & Funds of the Institute:

29.1. The Director shall be in-charge of preparation of the annual budget estimates of the institute and shall obtain the approval of the council on the same. The estimates shall be given under various heads of accounts in accordance with the prescribed proforma of Ministry of Finance/Department of Atomic Energy.

29.2. Information in respect of receipts and expenditure shall be as per the following;

- a) Actuals for the preceding year
- b) Approved budget estimates for the current year
- c) Revised Estimates for the current year
- d) Budget Estimates for the following year

29.3. The funds of the Institute shall consist of :-

- (i) Grants from governments, governmental bodies, universities, Institutes or corporations, institutions or societies;
- (ii) Income and benefits received or accruing from properties, assets and investments of the Institute, the sale of the publications of the Institute, fees levied from time to time, user charges etc.
- (iii) Contributions or grants received from other sources approved by the Council.
- (iv) Income from consultancy and other charges.
- (v) Corpus Funds.

29.4. The accounts shall be maintained as per the Accounting Standards and in the prescribed format as required by the law.

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- 29.5. The Registrar shall be responsible for the accounts of the Institute.
- 29.6. All bills for payment shall bear an endorsement "PASSED FOR PAYMENT" and shall be signed by the Director or by an Officer of the Institute to whom the power has been delegated.
- 29.7. A PERMANENT ADVANCE of sum to be fixed from time to time by the Director may be kept by the Registrar for cash payments.
- 29.8. All moneys received for or on behalf of the Institute shall be placed in the name of the Institute in current, savings or fixed deposit accounts with a nationalized bank or any other bank notified by the Ministry of Finance.

30. Audit:

The accounts of the Institute shall be audited every year by qualified Chartered Accountant or Accountants (Statutory Auditors) as prescribed by law and shall be appointed by the Director with the approval of Council from time to time for the purpose. The Statutory Auditors should be selected from the empanelled list with the Comptroller & Auditor General. The term of the auditors shall normally be for three years.

31. Exercise of Financial Powers:

The Institute shall be governed by the orders issued by the Department of Atomic Energy from time to time on matters relating to Delegation of Financial powers in respect of Purchases, works contract, consultancy contract etc. The Governing Council shall delegate its powers to the various authorities to the extent necessary.

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Chapter — VI

COMMITTEES

32. Finance Committee:

32.1. There shall be a Finance Committee which shall consist of the following officials;

- (a) Director will be ex-officio Chairman of the Committee
- (b) Joint Secretary, DAE dealing with the Institute
- (c) Joint Secretary (Finance)

(If unable to attend the meeting, they may be represented by their representative(s)/nominee(s) who should not be below the rank of Director/ Dy. Secretary)

- (d) If necessary, one or two members nominated by the Council
- (e) Registrar
- (f) Jr/Sr.Accounts Officer

32.2. The functions of the Finance Committee shall be as per the following:

- i. Examine and scrutinize the annual budget and make its recommendations to the council.
- ii. Any issue related to the finances of the institute.
- iii. Examine the annual financial statement of the Institute.
- iv. Fixing and reviewing of user charges.
- v. The Committee shall submit its minutes to the Council for consideration and ratification.
- vi. Exercise of Financial Powers of the Governing Council on matters relating to finalizing consultancy contracts, works and procurement contract.

32.3. The committee shall meet at least two weeks prior to the GC Meeting or Council/Chairman desires to do so for any specific task.

32.4. The Committee shall submit its minutes to the Council for consideration and ratification.

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33. **Building and Works Committee (BWC):**

There shall be a Building and Works Committee (BWC) of the Institute constituted by the council. The Committee may consist of 5-7 members under the chairmanship of Director of the Institute as may be nominated / constituted by the Council. The representative from the Administrative and Finance in DAE shall be included in Committee. The Committee shall function under the direction of the Council and within the frame work of DAE / CPWD Works procedure.

34. **Academic Council:**

The Academic Council shall be a subcommittee of the Governing Council setup by the Council, constituting the members of the Council who are directly involved in academic activities. The Director shall be the Chairman of the Academic Council. The Academic Council may induct experts from the Institute or other institutes/Universities depending on the nature and field of the specific functions it has at hand. The terms of reference and the functions of the Committee will be as laid down by the Council which may be as per the following;

- A) It will advise/make recommendations to the Council on all matters pertaining to the teaching activities of the Institute and award of degrees.
- B) It will formulate its own rules and procedures for possible implementation of these recommendations.
- C) It shall be responsible for making recommendation to the Council for promotion and appointment of the academic staff of the Institute.

Chapter — VII

SERVICE CONDITIONS

35. Disciplinary Rules:

- 35.1. The authority who appoints a member of the staff of the Institute may suspend, discharge, dismiss, or otherwise punish him/her for the misconduct or for breach of the terms and conditions of his/her appointment.
- 35.2. In the matters of conduct and disciplinary rules, the employees shall be governed by Central Civil Service (Conduct) Rules, 1964 and Central Civil Service (Control, Classification and Appeal), 1965.
- 35.3. The Institute shall follow the service rules such as Fundamental Rules, Supplementary Rules, General Financial Rule (GFR) Travelling Allowance Rules, Leave Rules, Leave Travel Concession Rules, Pension Rules, etc. as per the rules of the Government of India as amended from time to time.

36. Leave Rules:

- 36.1. Employees will be granted leave (including casual leave, earned leave, leave on medical grounds etc.) in accordance with the CCS (Leave) Rules, 1972 as amended from time to time of the Central Government. Rules for the study leave, sabbatical leave, extraordinary leave etc. shall be as per the guidelines of DAE/GC.
- 36.2. Leave cannot be claimed as a matter of right. Where the exigencies of office so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant leave.

37. Recruitment and Promotion of Staff:

Recruitment and promotion, including assessment and merit promotion in respect of all categories of staff of the institute shall be regulated in accordance with the detailed scheme formulated by Governing Council.

The Institute shall have a proper system of Review of its employees as per the provisions of FR-56(j).

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The Institute shall introduce Annual Performance Appraisal Reports (APAR) for its employees. The APAR shall be in line with the system as approved by the Trombay Council for their Faculty, Scientific and Technical staff. As regards to the Administrative and Auxiliary personnel, the Institute should follow the system as per the guidelines followed in the Administrative Ministry.

38. **Scheduled Castes/ Scheduled Tribes/ OBCs/ PWDs:**

The Government of India Rules / Orders issued from time to time regarding reservation of posts for SC/ST/OBCs and Persons with disability shall apply to the extent applicable in regard to appointments to posts to be made in the Institute.

39. **Contractual Services:**

The Director will outsource and contract out infrastructural, support, maintenance and other related services for the Institute as far as possible. Any person engaged by the contractor shall not be considered as an employee of the Institute.

Chapter - VIII

MISCELLANEOUS

40. Execution of Contracts on behalf of the Institute

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

41. Perpetual Succession:

The Institute shall have a perpetual succession and shall be capable of suing or being sued in its name through its Registrar.

42. Amendments of the Bye-Laws:

The Council shall have the power to alter, add or modify the provisions of these Rules by a three-fourth of its member present in the meeting called for the purpose. The Bye Laws can be amended with the concurrence of Department after following due procedure enumerated in the respective statute by which the Institutes are registered.

43. Residuary Power:

Powers not vested in the Bye-Laws can be exercised by the Council in consultation with the Administrative Ministry.

44. Interpretation of Bye-Laws:

In the matter of interpretation of the bye laws or any provisions of the rules of governance, the decision of the Council is final and binding all.

45. Power to Relax:

The Council is competent to relax any or all provisions of the Bye-Laws in the larger Public interest.

46. Annual Report:

The Council shall submit an annual report on the working of the Institute to the Government of India, which shall include the Audited Statement of Accounts pertaining to the concerned financial year.

47. **Right to Information Act:**

The Institute shall take all necessary steps for the implementation of the RTI Act 2005 by appointing appropriate Public Information Officers, Appellate Authorities and Transparency Officer. The Institute shall also monitor the Section 4 of RTI Act 2005 and ensure that proactive disclosures are properly updated and updated periodically.

48. **Establishment of Grievances Redressal Mechanism:**

There should be a proper mechanism for the redressal of staff as well as public. The Institute shall appoint a Public Grievance Officer for settling the grievance petitions in a time bound manner.

49. **Implementation of Sexual Harassment Act:**

The Institute shall ensure that "The Sexual Harassment of Woman at Work Place (Prevention, Prohibition and Redressal) Act is implemented in the institute in true spirit and form.

50. **Immovable Property Return:**

Every employee of the Institute shall be required to furnish a return of Immovable Property at the end of every calendar year.

51. **Rules and Regulations:**

The Institutes shall follow the above bye-laws and in addition, to the above, additional Rules & Regulations may be framed for its activities ensuring that provisions mentioned above in the bye-laws are not violated i.e should not be in contradiction to the provisions of above Bye-Laws or Government's/Department's directives. In the event of their being any inconsistency between Rules & Regulations and these Bye- laws, the provisions of Bye-laws shall prevail.

Note: While making the above regulations, it shall be ensured that provisions mentioned above in the bye-laws are not violated i.e. these supplementary rules should not be in contradiction to the provisions of above Bye-Laws or Government's/Department's directives. There should be a proper mechanism to ensure compliance of various provisions under RTI Act 2005, Redressing complaints of Sexual harassment of women in work place, reservation to the SC/ST/OBC/PWD and grievance redressal mechanism. The Institute should make its own system of compliance of the

above.

52. Duties of Faculty Members:

Senior Professors, Professors, Associate Professors, Readers and Assistant Professors shall themselves take up research work and shall supervise and guide the work of doctoral fellows. They will also carry out such teaching work as assigned to them by the faculty Council and perform such administrative work as may be assigned by the Director.

(a) Seminars, Conferences, and Lectures:

All faculty members shall actively take part in colloquia and seminars at the Institute. They may also deliver lectures to popularize science whenever possible in addition to participating in conferences, symposia and workshops etc.

(b) Publication:

Every faculty member and also every research scholar should strive hard and pursue their research work and publish their findings in journals of international standards.

(c) Sanction of work:

All new schemes of research to be conducted at the Institute, which may involve any expenditure shall be submitted to the Director for sanction.

53. Library:

The Librarian shall be responsible for the custody and maintenance of books, manuscripts, periodicals etc. belonging to the library and shall maintain complete register and index.

(a) Library Committee:

The Director shall form a Library Committee to be headed by a faculty member to formulate and recommend general policies for the proper organization and functioning of the library. The Librarian shall act as the secretary to this committee.

(b) Purchase of Books and Journals:

Purchase of books, journals and magazines etc. for the library shall be approved by the Director, preferably on the advice of the Library Committee. The Librarian shall be responsible for purchase of books and journals etc. Approved by the Director and also for the realization of any dues remaining outstanding against any supplier.

(c) Library Rules:

Rules for management of the library shall be framed from time to time as may be found necessary by the Library Committee. Such rules shall have to be approved by the Director.

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(d) The librarian shall take stock every year of all the books and journals in the library. The Library Committee shall assign personnel with the approval of the Director to check the report.

(e) **Power to write-off:**

The director shall submit any write-off proposals to the Council for approval.

54. Duties of Scientific Staff:

The primary duty of the Scientific Officers and Scientific Assistants is to assist the academic staff in their research. In case of those associated with laboratories, they should perform their duties under the directions given by the Faculty-In-Charge of the laboratory. They will be responsible for the up-keeping and maintenance of the laboratory facilities and shall not undertake any independent research activities without the prior permission of the Faculty-In-Charge and the Director. Those Scientific Officers attached to general service sections shall work under the directions given by the Registrar.

55. Duties of Technical Staff:

The Technical staff shall work under the supervision of various Scientific Officers/Scientific Assistants in laboratories and other general facilities. Their duty is to help the Scientific and Academic staff in performing experiments, up-keeping and maintenance of facilities.

56. Duties of Administrative and Auxiliary staff:

The administrative and Auxiliary staff shall work under the supervision of the heads of Administrative and Accounts sections or those whom the responsibilities of various sections assigned by the Registrar. All staff in this category shall work under the directions of the Registrar.

57. Honorary Fellows:

The Council may on the recommendation of the Director appoint Honorary Fellows. The Director may get the views of Faculty Council while making the recommendation. Honorary fellowship may be conferred on eminent scholars in recognition of their distinguished contribution to the knowledge in subjects in which the Institute is interested or on persons who have rendered outstanding service to the Institute or on persons who have made a noteworthy and lasting contribution to the cause of fundamental research in India. Honorary fellows shall enjoy such privileges as may be decided by the Council from time to time.

58. Visiting Scientist:

Scholars may be invited to the Institute for participating in the research works of the Institute.

59. **Admission:**

Admissions to the Pre-Doctoral course or any other course shall follow the procedure decided by the Academic Council from time to time. Further, institute shall adhere to the rules and regulations of Homi Bhabha National Institute (HBNI) and Joint Entrance Screening Test on issues relevant. A student can be admitted only after the approval of his candidature by the Director on the recommendation of the Faculty Council.

60. **Discipline and Conduct:**

A scholar after admission either to Pre-Doctoral or any other research program shall devote himself entirely to studies and research works and shall abide by the rules, bye-laws and standing orders of the Director and shall conduct himself most politely and in an orderly manner during his stay in the Institute. The Director may, on the advice of the Faculty Council stop the fellowship of a scholar or in extreme case debar him from pursuing his research work in the Institute if the scholar is found to be pursuing his research activities diligently or if he conducts himself in a disorderly manner.

61. **Scholarship:**

The scholars shall be paid fellowships at a rate that will be fixed by the Governing Council /DAE from time to time.

62. **Faculty Council:**

The Faculty Council shall consist of all the Senior Professors, Professors, Associate Professors, Readers and Assistant Professors. The members of the Faculty Council shall co-operate with one another so as to further the objective of the Institute as a whole.

63. **Duties of the Faculty Council:**

It shall be the duty of the Faculty Council to advise Director on all academic matters. In particular it will advise the Director with regard to appointment of Pre-Doctoral, Doctoral and Post-Doctoral fellows. The Director shall nominate a member of the Faculty Council as Secretary to the Faculty Council for carrying out, under his control, orderly transaction of business pertaining to the Faculty Council. Faculty may have Committees with regard to facilities such as library, computer center, guest house, workshop etc.

64. **Meeting of the Faculty Council:**

Members of the Faculty Council shall meet at any time and place fixed by the Secretary in consultation with the Director. It shall formulate its own rules and procedure for conducting meetings and business.

65. Matters not Covered Herein:

65.1. Removal of Doubt:


Where a doubt arises as to the interpretation of any of the provisions of these Bye-Laws, the matter shall be referred to the Governing Council for a decision.


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

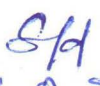
66. Saving Clause:

Any directives by the Government or Department shall be the binding on the Institute and shall have the overriding effect on any provision of bye-laws, statues or rules of the Institute.

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रजिस्ट्रार/Registrar
भौतिकी संस्थान/Institute of Physics
भुवनेश्वर/Bhubaneswar


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(Gout. of Odisha)
Principal Secretary to Govt.
S & T Department


(Gout. of India)