

**BYE-LAWS  
(2021)**

**ARYABHATTA RESEARCH INSTITUTE  
OF  
OBSERVATIONAL SCIENCES**

**Manora Peak, Nainital-263001  
Uttarakhand, India**

## **CONTENTS**

1. INTRODUCTION
2. CHAPTER-I - CONSTITUTION & GOVERNANCE
3. CHAPTER-II - FINANCE AND ACCOUNTS
4. CHAPTER-III - LEGAL COMPLIANCES
5. CHAPTER-IV - ACADEMIC & INSTITUTION SPECIFIC ISSUES
6. CHAPTER-V - GENERAL PROVISIONS

### **APPENDICES:**

a)	Appendix-1:	A copy of approval of bye-laws by DST.
b)	Appendix-2:	A copy of Memorandum of Association including copy of Rules and Regulations of the (NAME OF AUTONOMOUS ORGANISATION) ARIES Society
c)	Appendix-3:	Current composition of ARIES Society, Governing Body and Finance Committee and Scientific Advisory Committee of ARIES
d)	Appendix-4:	Ministry of Finance, Department of Expenditure OM No F. No 8(4)E-Coord./84 dated 15.10.1984

### **ANNEXURES:**

- i. Annexure 1: Delegation of Financial Powers to Authorities of the Institute
- ii. Annexure-II : ARIES Staff Welfare Fund Rules

## INTRODUCTION

A State Observatory at Nainital came into existence on 20<sup>th</sup> April 1954, and it was well known as Uttar Pradesh State Observatory till the formation of Uttarakhand in November 2000. The Observatory made several scientific contributions including discovery of rings of Uranus. In January 2004, the Union Cabinet approved the conversion of this fifty years old State Observatory into an Autonomous National research Institute – “Aryabhata Research Institute of Observational Sciences with acronym ARIES” under the Department of Science and Technology, Government of India. After completion of formalities for transfer of State Observatory to the Central Government, the ARIES formally came into existence on March 22, 2004.

**Mission, vision and objectives of ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL SCIENCES (ARIES):** as approved by the Union Cabinet ARIES has the following mandate:

### MISSION:

To be a centre of excellence for research in astronomy, astrophysics and atmospheric sciences.

### VISION:

Establishing and operating modern observational facilities to carry out frontline research in the areas of Astronomy, Astrophysics and Atmospheric Sciences. Establishing a synergy between the facilities at ARIES and other national and international facilities.

Establish a strong synergy between all the facilities at ARIES and other national and international ground-based facilities and space programs, to probe and understand the celestial phenomena in astrophysical terms.

Establishing and operating high-altitude aerosol and trace gases monitoring facilities and stratospheric tropospheric RADAR facility to probe the Earth's atmosphere and its impact on climate changes. To build-up a knowledge-base for studying effects of anthropogenic and natural activities on the air-quality and regional climate change over northern India and in particular Himalayan region.

Providing access to the observational facilities of ARIES to the students and researchers from all parts of India. Disseminating scientific knowledge to the public and developing scientific temper. Making the expertise and laboratory facilities accessible to other institutes and universities, engaged in similar research and development activities.

To establish visitor centres and science centre at different campuses of ARIES for public outreach.

Establishing a high-performance computing facility and data-centre to cater the growing needs of data mining and analyses.

## OBJECTIVES:

To promote, guide and carry out front-line basic research in Astronomy and Astrophysics, climate change, space physics, Atmospheric science and in particular to create a climate for research at the highest level by enabling individuals to work at the Institute on a full time, honorary or visiting basis, by establishing a state-of-the-art facility for basic research in observational and theoretical areas of activities of the Institute.

- i. To facilitate interaction with other universities and academic institutions and provide them access to facilities available at the Institute;
- ii. To conduct research programmes in climate change, space physics, Astronomy & Astrophysics and Atmospheric sciences leading to research degrees, as well as a post-doctoral work by research scholars;
- iii. To arrange advanced level schools and workshops in the above mentioned areas;
- iv. To establish, maintain and manage in-house laboratories, workshops and other units to assist scientific research in Astronomy & Astrophysics, climate change, space physics, Atmospheric sciences and related areas;
- v. To cooperate and collaborate with other national and foreign institutions, laboratories and other international organizations in the fields relevant to the objectives of the Institute;
- vi. To conduct science popularization programs to strengthen the scientific temper of students and people at large;
- vii. To sponsor expedition in and outside India for obtaining observations and information related to the field of research pursued at the Institute;
- viii. To publish scientific papers, bulletins and journals and disseminate information relating to the objectives of the Institute.

Now, In exercise of the powers conferred under *Rule 45* of the Memorandum of Association of **ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL SCIENCES (ARIES)**, the Governing Body in super-session of the earlier bye-laws of the Institute hereby frames these revised Bye-Laws, subject to approval of the Central Government.

### 1. Short Title and Commencement:

- i. These Bye-Laws shall be called the **Aryabhatta Research Institute of Observational Sciences Bye-Laws 2021**, hereinafter referred to as **ARIES Bye-Laws**'. These shall come into effect from the date of notification of the same by the Institute. These bye-laws have the approval of the Department of Science and Technology, Ministry of Science and Technology, Government of India.
- ii. A copy of the approval of the Department of Science & Technology, Ministry of Science and Technology, Government of India is placed at Appendix-1 to these Bye Laws.
- iii. These Bye-Laws may be read in conjunction with the Memorandum of Association (MoA) of ARIES Society and Rules & Regulations thereunder filed with the Registrar of Societies, Nainital, Uttarakhand, A copy of the same is enclosed as Appendix-2.

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

- i. **"Bye-laws"** means the Bye-laws framed under *Rules 45* of the Rules and Regulation of ARIES Society;
- ii. **Central Government** means the Government of India represented by the Department of Science and Technology, Ministry of Science and Technology Headquartered at New Delhi;
- iii. **Director:** shall mean the Director of the Institute.
- iv. **Chairperson** means the Chairperson of the Governing Body of the ARIES Society;
- v. **Finance Committee** means the Finance Committee of the Institute as per composition detailed at *Rule 59* of the Rules and Regulations of ARIES Society;
- vi. **"Financial Year"** means the period from 1 April of each calendar year to 31 March of subsequent calendar year or as amended by the Government of India;
- vii. **Governing Body** means the Governing Body of the Institute in terms of *Rule 24* of the Rules and Regulations of ARIES Society;
- viii. **Head of Administration:** Registrar of ARIES shall be Head of Administration for all administrative and financial matters of the Institute and assist Director of the Institute in accordance with Rules and Regulations of the Society for administrative and financial matters. In absence of Registrar, senior most officer from administration, duly authorized by the Director, would be construed as Head of Administration.
- ix. **Head of the Institute:** shall mean the Director of the Institute appointed under the Rules and Regulations of the ARIES Society.
- x. **Institute** means the Aryabhatta Research Institute of Observational Sciences (ARIES)
- xi. **Non-Member of Governing Body/Finance Committee/Scientific Advisory Committee:** shall mean any officer of the Department of Science & Technology/Institute who shall be part of such committee/Body as may be decided by the Governing Body but shall not have any voting rights in the proceedings of GB/FC/SAC. Such members shall have important advisory role and their advice shall be duly considered by GB/FC/SAC. The number of such non-members shall not be more than "TWO" in any such Body/Committee of the Institute.
- xii. **President:** shall mean the President of ARIES Society.
- xiii. **Rules and Regulation** shall mean the Rules and Regulations of ARIES Society filed with the Registrar of Societies, Nainital, Uttarakhand vide Certificate No.RENEW022020001193, dated 13<sup>th</sup> February, 2020.
- xiv. **Society** means the ARIES Society herein referred as '**(ARIES Society)**' registered under the Societies Registration Act, 1860 (Act-21) and Societies registration (Uttarakhand amendment) Act 2019.in the office of Registrar of Societies, Nainital, Uttarakhand.

*(Words imparting the singular number shall include the plural number. Words imparting the masculine gender shall include the feminine gender as per context mutatis mutandis)*

## **CHAPTER- I**

### **CONSTITUTION & GOVERNANCE**

#### **1. Constitution of ARIES Authorities:**

**1.1. Society:** shall be as per *Rule 3-8* of the Rules and Regulations of ARIES Society. A copy of Memorandum of Association and Rules & Regulations of ARIES Society is annexed as Appendix-2.

**1.2. Governing Body:** shall be as per *Rule 24* of the Rules and Regulations of ARIES Society.

**1.3. Finance Committees:** shall be as per *Rule 59* of the Rules and Regulations of ARIES Society.

**1.4. Scientific Advisory Committee:** shall be as per *Rule 60* of the Rules and Regulations of ARIES Society.

#### **2. Conduct of Business of ARIES:**

**2.1. Society:** shall be in accordance with *Rule 11- 23* of the Rules and Regulations of ARIES Society.

**2.2. Governing Body:** shall be in accordance with *Rule 24-44* of the Rules and Regulations of ARIES Society.

**2.3. Finance Committee:** shall be in accordance with *Rule 59(a) to 59(h)* of the Rules and Regulations of ARIES Society.

**2.4. Scientific Advisory Committee:** shall be in accordance with *Rule 60* of the Rules and Regulations of ARIES Society subject to restrictions imposed by Society/Governing Body/Government of India from time to time.

**2.5. Other Committees:** constituted by the Governing Body to achieve the objectives of the Society.

**2.5.1 Building Committee:** shall be constituted in accordance with *Rule 61* by the Institute with the approval of Governing Body. The term of the Building Committee shall be for a period of three years. Terms and conditions on Functioning and Rules and Regulations of the Building Committee shall be adhered to at all times. For construction for any civil work and/or change in the approved plan for building construction, concurrence of Building Committee is mandatory.

**2.6.** The current composition of Society, Governing Body, Finance Committee and Scientific Advisory Committee as approved by DST is placed as Appendix-3.

#### **3. FUNCTIONS AND POWERS OF VARIOUS AUTHORITIES:**

**3.1. President of the Society:** shall be in accordance with *Rule 11-13, Rule 15, Rule 16, Rule 19 and Rule 23* of the Rules and Regulations of ARIES Society.

#### **3.2. Governing Body:**

**3.2.1.** To recommend appointments to various posts of the Institute against the sanctioned strength to achieve the objectives of the Society in accordance with the Recruitment Rules or as recommended by Government of India.

3.2.2. The functions and powers of the Governing Body shall be in accordance with *Rule 32 to Rule 34* of the Rules and Regulations of the ARIES Society subject to the provisions of Government of India as indicated below :

3.2.2.1. Ministry of Finance, Department of Expenditure OM No F. No 8(4)E-Coord./84 dated 15.10.1984. Copy of the OM is annexed as Appendix-4.

3.2.2.2. Fundamental Rules and Supplementary Rules.

3.2.2.3. General Financial Rules, 2017.

3.2.2.4. Any other rules/instructions issued by Government of India from time to time applicable on Autonomous Institutions funded through government grants.

### **3.3. Chairperson of Governing Body:**

**3.3.1** shall be in accordance with *Rule 46-47* of the Rules and Regulations of ARIES Society subject to Clause 3.2.2 of these BYE-LAWS.

**3.3.2.** Financial powers shall be exercised in accordance with Delegation of Financial Powers annexed as **ANNEXURE-1** to these Bye-Laws.

**3.3.3.** In the event of indisposition of the Director, ARIES for a period not exceeding 90 days due to emergent/urgent/medical/personal/other reasons, Chairman, through Administrative Department shall make interim arrangement for the entire duration of indisposition of the Director, ARIES. Such in-charge Directors shall be responsible for overseeing only day to day functions of the Institute and shall not have any powers in matters of appointment/promotion/finalization of tenders or any policy decision. All important financial decisions involving expenditure *above Rs 1.0 Crores* including policy decisions shall be executed only with the prior approval of Chairperson, /Governing Body. For the period of indisposition of the Director exceeding 90 days, approval of President of the Society shall be obtained by the Chairperson, Governing Body to continue with the temporary charge arrangement through administrative department.

**3.4. Director of ARIES:** shall be in accordance with *Rule 50 to Rule 53* of Rules and Regulations of ARIES Society, Recruitment Rules of ARIES, powers delegated to him by the Governing Body subject to Clause 3.2.2 of these BYE LAWS. Financial powers shall be exercised in accordance with Delegation of Financial Powers annexed as **ANNEXURE-1** to these Bye-Laws.

**3.5. Registrar:** shall be Head of Administration and Financial matters and shall exercise such powers and discharge such functions as delegated to him by the Governing Body/Director subject to Recruitment Rules of ARIES and clause 3.2.2 of the Bye-Laws.

3.5.1. He shall directly report to Director for all non-scientific matters.

3.5.2. He shall be responsible for conduct of meetings of the Society, Governing Body, and placement of Annual Reports, before them as per schedule in accordance with Rules and Regulations of ARIES Society.

3.5.3. He shall on behalf of the Institute and as authorized by the Governing Body/Director of the Institute enter into agreements, sign all such documents and authenticate records as may be delegated by Governing Body/Director and shall exercise such powers and perform such duties as may be specified by the Governing Body/Director of the Institute. He shall also be responsible for settling all the audit paras pertaining to the administrative matters of the Institute.

3.5.4. He/she shall exercise financial powers in accordance with Delegation of Financial Powers annexed as **ANNEXURE -1** to these Bye-Laws.

**3.6 Group Leaders of the Institute:**

**3.6.1** They shall be Discipline/Mission Heads of the groups

**3.6.2** Where new Departments/partnerships are developed with outside agencies (*public/private national/ international*), they shall execute their roles within the parameters of the agreement executed by the Institute with these agencies and duly approved by the Governing Body.

**4 DELEGATIONS OF FINANCIAL & ADMINISTRATIVE POWERS:** for various Authorities of the Institute shall be governed by **ANNEXURE-1** of these Bye-Laws.

\*\*\*\*\*



## **CHAPTER – II**

### **FINANCE AND ACCOUNTS**

5. **Funds:** The funds of the society shall consist of the following:
- a. Recurring and Non-recurring grants made by the Central Government.
  - b. Fees and other charges received by the society.
  - c. All money received by the society by way of grants, gifts, donations, endowments ( as per provisions of IT Act 1961) , sponsorships and/or other legally valid contributions from individuals and bodies corporate or societies.
  - d. All funds received by the society shall be paid into the society's account with Treasuries/ Sub-Treasuries like the Reserve Bank of India, Nationalized Banks and their subsidiaries.
6. **User Charges:** 'User Charges' are an important component of the non-tax revenues of the Institute and will be regulated by General Financial Rules.
- a. **Identification of User Charges:** The Institute shall identify all the areas/activities/services/products/processes/technologies etc. that have scope of IPR, patenting & commercialization and shall levy the charges at such rates so as to have a reasonable return on capital investment. These may be got duly approved by Governing Body at an early date, in any case not later than six months during which period these may be levied with the approval of the Director of the Institute.
  - b. **Review of User Charges:** There shall be periodic review of the User Charges levied by the Institute and the rates at which they are charged every year by a Committee constituted by Director, ARIES. The recommendations of the Committee shall be placed for approval of the Governing Body in the following GB meeting following which the new rates shall be applicable as duly notified by the Institute.
  - c. **Financial Sustainability of the Institute:** The Institute shall make full efforts regarding financial sustainability by way of effective levy of User Charges for the services rendered by the Institute to the extent of covering its recurring expenditure which is funded through Government Grants.
  - d. **Components of User Charges:** The current rates of user charges as well as any change in the items / activities for which user charges will be charged as decided and approved by Governing Body from time to time will be published on the website of the institute and intimated to the administrative department.
7. **Preparation of Budget Estimates:** Not later than the 1<sup>st</sup> August of each year the Director shall prepare detailed estimates of the receipts and expenditure and the anticipated opening and closing balance of the Institute for the next financial year. These estimates will be prepared in following parts:
- a. All Recurring Expenditure including Salary component which shall be prepared separately.
  - b. All Non-Recurring Expenditure which shall include Capital Costs.
  - c. All estimates of incomes including extra-murals & user charges shall be part of non-tax revenues.
  - d. Statement of Income and Expenditure.
  - e. Demand for Grants required from the Government.

Should it be proposed, during the course of a financial year, to finance any scheme approved by the Government which has not been included in the estimates for that year, the approval Governing Council shall be obtained to the method proposed for financing it, whether that be by means of a supplementary grant from Government, or by re-appropriation within the sanctioned estimates or through extra-mural grants/funding through other sources.

**8. Sanction of Budget Estimates:**

- a. In the first week of August every year, the Director shall send the Budget estimates for the next financial year before the Finance Committee for the remarks and recommendations of the Finance Committee. The budget estimates shall be submitted for approval of the Governing Body after the recommendations of the Finance Committee in such manner and at such time as decided by the Governing Body. The budget estimates for the next financial year shall thereafter be submitted to the Government of India for approval by not later than the 30<sup>th</sup> September in each year.
- b. The approval of the Governing Body or the competent authority through the Delegation of Financial & Administrative Powers, as the case may be, shall be necessary for implementation of all schemes proposed to be financed from the funds of the Institute.

**9. Appropriation:**

- a. All expenditure within the budget grant shall be approved and sanctioned by the authorities, as per **ANNEXURE-1** to these Bye Laws.
- b. The funds of the Institute shall not be appropriated for expenditure on any item/scheme which has not been approved in the budget estimates by the Governing Body.

**10.Re-Appropriation:** from one head to another head shall only be done with the prior approval of Department of Science & Technology.

**11.Sanction of Expenditure:**

- a. No expenditure from the funds of the Institute shall be incurred without the sanction of the Competent Authority as defined in the Delegation of Financial & Administrative Powers.
- b. The Director shall have full powers to sanction the expenditure on any approved scheme or head included in the budget after following the prescribed procedure.
- c. The Head of Administration of the Institute shall have powers of Head of Office (as laid down in DFPRS) to sanction an expenditure of a miscellaneous or contingent nature etc. as prescribed by the Governing Body from time to time.
- d. The Director shall maintain oversight over expenditure against all the grants. In case where inescapable expenditure necessitating an additional grant is involved, he shall take steps to get Governing Body's approval and obtain the supplementary grant before incurring the expenditure.
- e. A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-laws to cover it.
- f. The Director of the Institute shall have powers to sanction an expenditure of miscellaneous or contingent nature up to such amounts as specified by the Department of Science & Technology in Annexure-I.

- g. The exercise of the above financial powers shall be subject to the provisions of General Financial Rules and Delegation of Financial Powers Rules and as such other conditions as the Governing Body and the Central Government may like to impose from time to time.

**12. Advances:**

- a. A rolling advance of a sum to be fixed from time to time by the Governing Body may be kept by the Accounts Officer / any other Authorized Officer for cash payments against contingent expenditure approved by competent authority. Setting off expenses made under the rolling advance and replenishments shall be as per GFRs /Indian Accounting Standards.
- b. Imprests advances shall be payable to staff for meeting contingent expenditure, as approved by the Director. The grant of such approvals shall be on a case-to-case basis and the periods for holding advances and settling of accounts against drawn imprests shall be explicitly mentioned within the approval document. All running/rolling imprest shall be settled/surrendered/adjusted automatically on 31<sup>st</sup> March of each Financial Year.

**13. Execution of Contracts on behalf of the Institute:** All agreements, contract, affidavits, memoranda of understandings etc. which may be necessary for the proper conduct of business of the Institute shall be executed by the Registrar for and on behalf of Director of the Institute except for the contract agreements, affidavits, MoUs signed by

- a. Director with the Governing Body.
- b. Registrar with the Institute.
- c. Any such agreements, contract, affidavits, MoUs so decided by the Governing Body to be signed by the Director of the Institute.

The Head of Administration shall be responsible for keeping a centralized record of all the contract agreements, affidavits, MoUs signed/executed by the Institute except for the contract agreement signed by Registrar with the Institute which shall remain in the custody of the Director of the Institute.

The Government, High Court in whose Jurisdiction the Institute lies, the Governing Body and the Director of the Institute shall have full powers to call for all or any of the agreements, contract, affidavits, MoUs executed by the Institute from Head of Administration who shall promptly provide the same as and when required.

**14. Investments:**

- i. The funds of the Institute may be invested only in such manner as may be prescribed by the Government of India as per GFRs.
- ii. 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. The safe custody of receipts and other relevant documents shall remain in the charge of the Head of Administration of the Institute to be nominated by the Governing Body.

- iii. Head of Administration or Authorized Officer shall maintain a register of securities held by the Institute in which any transactions affecting the securities shall be recorded.

#### **15. Drawal of funds:**

- i. Receipts: All moneys received for or on behalf of the Institute shall be placed in savings bank account in the name of the Institute with the nationalized banks or their subsidiaries.
- ii. Payments: Payments by and on behalf of the Institute shall be made by cheques or electronic transfers. All cheques/ authorizations for electronic transfers will be signed by any two of the following with prior approval of the Director:
  - a. Registrar or Authorized Officer
  - b. Accounts Officer or Authorized Officer.
  - c. Director
- iii. All bills for payment shall bear an endorsement "Passed for Payment", and the endorsement shall be signed by the Director or by an officer to whom the power has been delegated by the Director.
- iv. All cheque books will be kept in the personal custody of the Accounts Officer or any other person as may be authorized by the Director on his behalf.
- v. The various personnel employed in the Institute will submit proposals for all new charges and for any demand of funds to the Director.
- vi. The claims for pay and allowances and travelling allowances of personnel and contingent bills will be drawn in the forms prescribed by the Institute. The contingent and miscellaneous expenditure bills will be countersigned by an officer of the Institute authorized by the Director for this purpose before these are passed by the Accounts Officer for payment. All bills will be checked in the nature of pre-audit and passed for payment by the Accounts Officer. Payment will be made by means of demand drafts or cheques or online bank transfer as the case may be.
- vii. Outstation tour
  - a. Outstation tour of the employees of the Institute shall be sanctioned by the Director for officials in Level-12 and above and for the employees of Level-11 and below the concerned Controlling Officer shall be the sanctioning authority. The TA bills shall be countersigned by the Controlling Officer for employees in Level 11 or below. No countersigning of TA bills will be required for TA claims of officers in Level-12 and above.
  - b. In the case of tour of Director of the Institute, any domestic outstation tour exceeding **05 days** in a month in single visit (*with prefixing and suffixing of gazetted holidays/Saturdays and Sundays*) permission of the Chairman, Governing Body shall be obtained. If during any such outstay, leading to indisposition of the Director for any reason (*personal/medical/otherwise*), he will immediately inform the Chairman and also the Coordinator / Nodal Officer in the Department regarding his

indisposition, subsequent to which, the Chairman shall invariably invoke the provisions of Clause 3.3.3 of the Byelaws.

viii. Foreign Tours and Air Travel: Budget under separate head for “*Foreign Travel Expenses*” shall be got approved at the beginning of the financial year from the Governing Body. Guidelines issued by the Department of Science & Technology and/or by the Ministry of Finance from time to time on foreign travel/air travel shall be strictly adhered to. Under no circumstances, expenditure in excess of the approved budget shall be incurred nor any funds shall be re-appropriated to meet expenses on foreign travel account without the prior approval of the Governing Body. The foreign tour proposals will be evaluated by an internal screening committee as formed by the Director on merit points based on internal guidelines issued with the approval of the Governing Council.

#### **16. Accounts:**

- i. The Annual Accounts of the Institute should be prepared on accrual basis by using uniform format of Accounts for Central Autonomous Bodies.
- ii. The Accounts Officer shall supervise maintenance of proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Governing Body in consultation with the Central Government. Such an officer will be responsible to the Registrar for accuracy and completeness of the accounts of the Institute.
- iii. The Accounts Officer will be responsible to the Registrar for the accuracy and completeness of the accounts of the Institute. The Accounts Officer shall also render necessary advice to the Director in all proposals involving financial implication.
- iv. A certificate of actual utilization of the grants for the purpose for which it was received shall be submitted in form GFR-12A along with annual audited statement in respect of preceding financial year. The institute shall also submit reports by internal audit parties and inspection reports to the Department.

**17. Annual Accounts, Audit and Results of Audit:** The accounts of the Institute shall be subject to the CAG audit, internal audit and annual audit by the Chartered Accountant(s) appointed according to *Rule 69-72* of Rules and Regulation of ARIES Society and any expenditure incurred in connection with such audit shall be payable by the Institute to the Chartered Accountant(s) appointed as stated above.

- a. A proper Charter of Accounts is maintained and complied with;
- b. An adequate system of internal checks, controls & oversight exists to ensure that purchase of stores and execution of works are done with due regard to broad principles of financial prudence;
- c. A proper record is maintained of assets acquired from government grants and all other sources together with the cost of acquisition shown against each item through the Fixed Asset Register (FAR);
- d. Proper stores account and maintenance of consumable stores is kept and physical verification under proper supervision is carried out at periodical intervals;

- e. A system of reporting to the Governing Body on losses of cash, stores and other assets after proper investigation is followed.
- f. All tax and legal compliance are maintained.
- g. All disclosures as required by the Registrar of Societies and the Department of Science & Technology, Ministry of Science and Technology are made on time.
  - i. The auditor shall ensure observance of the following stipulations of the CAG & ICAI:
  - ii. Proper accounts of receipts & expenditure incurred from government grants and all other sources is maintained;
  - iii. To achieve this audit task, the Chartered Accountant(s) shall have the right to demand the production of account books, connected vouchers and other documents. The designated staff of the institute is obliged to provide all records, as demanded by the auditor(s), for purpose of fulfilment of such verification as above.
  - iv. All sanctions and orders of delegations of competent authorities under the Rules and Regulation of ARIES Society or these bye-laws affecting the accounts of the Institute shall be in written, signed & dated form.
  - v. Disposal/Write off of items shall be as per GFR provisions.
  - vi. The accounts of the Institute as certified by the Chartered Accountant(s) along with the Annual Report shall be forwarded annually to the Governing Body and to the Department of Science & Technology, Ministry of Science and Technology latest by 30<sup>th</sup> September each year for placing before the Parliament as per GFRs and also to the other authorities/bodies as directed by the Body.

\*\*\*

### **CHAPTER –III LEGAL COMPLIANCES**

**The Director of the Institute shall ensure all statutory compliances of the Institute w.r.t law of the land; namely**

**18. Societies Registration Act, 1860 (Act No 21 of 1860) and Societies registration (Uttarakhand amendment) Act 2019 in the office of Registrar of Societies, Nainital, Uttarakhand:**

- a. All provisions of the above Act shall apply to the Society.
- b. A list of Governing Body members shall be submitted annually to the Registrar of Societies as required by the Section 04 of the above Act.
- c. Any kind of amendment in the constitution of the society shall be made and reported to the Registrar of Societies as per appropriate Sections of the above Act.

**19. Tax compliances:** The society shall comply with all direct & indirect taxation requirements as stipulated by the Department of Revenue, Ministry of Finance and applicable to the institute. These relate to Income Tax (Income Tax Act 1961), Service Tax (Chapter V of the Finance Act 1994), Customs Act 1962, Goods and Services Tax or any prevailing act relevant to tax and their respective Rules. All returns as required by the tax laws of the Indian Union shall be submitted by the institute, by the designated staff under intimation to the Governing Body.

**20. Contract law and interpretation:**

- a. All goods & services contracts entered into by the institute through its designated staff shall be for and on behalf of the Director of the Institute.
- b. All contracts entered into by the institute shall be subject to the provisions of the Indian Contract Act 1872 and Rules thereof. Representations & Warranties within the contract shall be interpreted as per provisions of the Indian Contract Act and its rules.

**21. Other legal compliances:** The Institute shall comply with and submit returns required for all laws of the Indian Union, established by the Central Government and the State Government of Uttarakhand, by designated staff under intimation to the Governing Body, related to operations of the institute and covering staff, environment and occupational issues.

**22. Legal proceedings:**

- a. The Society may sue or be sued in the name of the President of the Society, or his authorized representative, as per **Societies Registration Act, 1860 (Act No. 21 of 1860) and Societies registration (Uttarakhand amendment) Act, 2019 in the office of Registrar of Societies, Nainital, Uttarakhand.**
- b. No suit or legal proceedings shall lie against the Government or the Institute or a Member of the Society or an officer/staff of the institute in respect of anything done or purported or intended to be done in pursuance of any clauses of the Memorandum of Association or the Rules or Bye-laws made there under.

- c. The Director of the Institute shall appoint lawyers to advocate its case in courts of law, and will inform to the Governing Body or its authorized representative and in line with the Advocates Act 1961 and rules thereof.

**23. Indemnity, Surety & Guarantees:**

- a. The Institute shall be indemnified against all third-party claims arising out of its operations or the acts of its staff acting in private/unauthorized capacity, as per Section 124 of the Indian Contracts Act 1872.
- b. The Institute shall not enter into a contract of guarantee regarding its operations or that of its staff, as understood under the Indian Contracts Act 1872, until unanimously approved by the Governing Body.
- c. The Institute shall not provide any surety for the results of its operations or the performance of duties by its staff and their whole conduct intrinsic to their employment, employment terms and extrinsic to it.

**19. Arbitration:** Arbitration entered into by the institute shall be as per provisions of the Arbitration & Conciliation Act 1996 and amendments thereof.

**20. Jurisdiction:** In cases of any disputes arising between the institute and others, the jurisdiction of High Court of Uttarakhand in which the Institute is situated shall apply.

\*\*\*\*\*



## **CHAPTER IV**

### **ACADEMIC & INSTITUTIONAL SPECIFIC ISSUES**

#### **26. Scholarships, Fellowships, Grants-in-aid, Special Programs, Faculties etc.:**

- i. In order to carry out the objectives of the Institute as set forth in the Rules and Regulation of ARIES Society and Cabinet approval, the Governing Body may institute medals, prizes, scholarships and fellowships, sponsor and finance deputation within the country and abroad, establish research schemes and project subject to provisions of Clause 3.2.2 of these Bye Laws. Arrangements shall also be made for lectures, seminars and symposia at the Institute in pursuance of its academic work and for the diffusion of scientific knowledge. The Institute may award research fellowships to students or research scholars, register them for a Ph.D. degree as per ARIES mandate in any University or academic institution, which has acquired the status of a University subject to provisions of Clause 3.2.2 of these Bye Laws. These students will be registered with a Scientist of ARIES as single/joint supervisor/guide.
- ii. The terms and conditions of above activities shall be as may be decided by the Director, recommended by the Governing Body and approved by the Central Government.

#### **27. Professor of Eminence/Science Chair Professorship**

The institute may engage positions to speed up research in high priority areas or to take up new areas related to the mandate of the institute in accordance with the guidelines issued by DST vide OM No.SR/S9/Z-09/2019 dated 11.9.2020.

**28. Adjunct faculty:** The institute may engage scientists as Adjunct faculty on honorary basis, to carry out research work or teaching to fortify the Institute's capabilities or to continue the Institute's ongoing research or teaching activities. Adjunct faculty should not be more than 20% of the sanctioned positions or subject to a maximum number of 5 as recommended by the Executive Director and approved by the Governing Body. They will be entitled to shared facilities and office space depending on the nature of their contributions

**29. Visiting Scholars:** Visiting Scholars may be invited by the Director from time to time with the approval from Chairperson, Governing Body for short periods as visiting scholars for participating in the work of the Institute. Visiting scholars may be paid such honoraria and other facilities as may be decided by the Director from time to time with the approval from Chairperson, Governing Body subject to Clause 3.2.2 of these Bye-laws.

**30. Visiting Scientists:** The institute may invite reputed national/ international scientists actively engaged in R&D related to the mandate of the institute to participate in its research activities. Invited scientists may be paid honorarium and other facilities including travel and lodging facilities as per instructions of Government of India issued from time to time with the approval of Chairperson, Governing Body. If a visiting scientist is involved in research activities, sufficient lab space, manpower and other facilities will be provided by the institute. The honorarium of scientist/ scholars will be decided by the institute keeping in view of their status in host institution. The tenure of a visiting scientist/ scholar will not be less than one week and maximum up to three months in a calendar year for R&D work.

**31. Consultant :** The institute may hire consultants on contractual basis for conducting specific work for a specific period upto one year. This term can be extended further depending on the need of the consultant. In no case anyone over 65 years of age shall be hired as consultant. The number of consultant should not be more than 5 percent of total approved staff of the institution. The institute will offer suitable consolidated remuneration fee to the consultant as per Government of India norms. In case of retired Government employee, a fixed monthly amount shall be admissible arrived at by deducting the basic pension from the pay drawn at the time of retirement. The amount of remuneration so fixed shall remain unchanged for the term of the contract without any annual increment/percentage increase. Though no DA or HRA shall be admissible, an appropriate and fixed amount as transport allowance may be allowed not exceeding the rate applicable to the appointee at the time of retirement. The consultancy shall be governed by Consultancy rules.

**32. Sabbatical:** The Institute may also engage Sabbatical Faculty from the Academic/R&D organizations to work on the collaborative projects as per ARIES's mandate. The institute would not pay any remuneration/salary/fellowship/lodging facilities to the sabbatical faculty but would provide the lab facilities/infrastructure to carry out research. The terms of engagement shall be as per Central Government norms.

\*\*\*\*\*

## **CHAPTER V**

### **GENERAL PROVISIONS**

**33. Memorandum of Understanding :** The Institute shall enter into annual Memorandum of Understanding (MoU) with Department of Science & Technology, Govt. of India at the start of each financial year in terms of Rule 229 (xi) of GFR 2017 before end of 1<sup>st</sup> quarter of the financial year to realize its objective.

**34. Creation/upgradation/revival/continuation of posts :** No posts shall be created or upgraded except with the prior approval of the Department of Expenditure. Any post vacant for more than 2 years shall be considered as deemed abolished and shall require the approval of DST/Department of Expenditure for its revival. Continuation of temporary post shall be with the approval of Department of Expenditure.

**35. Recruitment and Promotion Rules:** ARIES shall frame and put in place Recruitment Rules for all sanctioned posts. The Director or authority to whom the power shall lie under the ARIES Recruitment Rules shall with the approval of the approving authority, appoint against regular sanctioned posts of the Institute such of the persons selected through due process as defined in the ARIES Recruitment Rules to achieve the objectives of the Institute.

**36. Engagement on Contract Basis:** The Director shall, on the recommendations of the duly constituted committee against advertised positions be competent to engage a person on contract basis

- i. **Project staff** whose term shall be co-terminus with the terms of project and project duration. There shall be in no case, any regularization of such project staff against regular sanctioned posts in the Institute and contract terms and conditions, remuneration of such project staff shall be clearly spelt out in the contract agreement. The project staff so engaged shall however be covered under the Code of Conduct of the Institute for Employees on Contract Basis dealt separately in these Bye Laws. Maternity benefits to female project staff shall be as per guidelines issued by Ministry of Women and Child Development. Other benefits like leave, medical, travel etc. shall be clearly spelt out in their contract agreement. Registrar shall be the authorized officer to enter into and execute the contract.
- ii. Director of the Institute shall in subsequent meeting of the Governing Body place before it, the statement of contractually engaged staff/consultants in the interim of two GB meetings for their information.

**37. Service conditions:**

- i. All employees appointed against regularly sanctioned positions of the Institute shall be governed by the provisions of the Central Civil Services (*Conduct*) Rules 1964 & Central Civil Services (Classification, Control and Appeal) Rules, 1965 in force and as amended from time to time.
- ii. Service of employees in the Institute under these Bye Laws shall not be treated as appointment to posts in connection with the affairs of the Union of India.
- iii. Contractually engaged staff shall be governed by the contract conditions.

38. As the employees of autonomous bodies not central Government employees, the benefits implemented by the Central Government in respect of Central Government employees as part of their service conditions are not directly applicable to the employees working in autonomous bodies and applicability of these benefits in respect of autonomous bodies require specific approval of the Central Government.

39. **Disciplinary and Appeal Rules:** The Institute shall at all times follow CCS (CCA) Rules 1965 and amendments thereof, in matters of violation of Conduct Rules applicable to regularly appointed employees. The delegation of authorities to initiate Disciplinary proceedings under the Rules against delinquent employees shall be as under:

- i. **Disciplinary Authority:** shall be the appointing authority or any higher controlling authority of the delinquent employee under whom the employee is working whichever is higher to the appointing authority. Appointing Authority is mentioned in Recruitment and Promotion Rules.
- ii. **Appellate Authority:** shall be the authority higher than the Disciplinary Authority.
- iii. **Reviewing Authority:** shall be the authority higher to the Appellate Authority.

40. **Residential accommodation** may be provided, subject to availability, eligibility and entitlement, to eligible scientists/staff according to Government of India (Directorate of Estate guidelines) rules in force or any other rules duly approved by the Governing Body of ARIES in line with the rules of Government of India.

41. **Estate Officer:** Registrar/ Engineer (Civil), as the case may be, shall be the Estate Officer in terms of PPE Act for the purpose of being custodian of land records and coordination with land agencies, developmental authorities, municipal authorities and state government.

42. **Leave Rules:**

- i. CCS(Leave) Rules, 1972 in force and amendments thereof from time to time shall be applicable to regular employees of the Institute
- ii. For contractual employees, contract terms and conditions shall prevail.

43. **Medical Benefits:** ARIES will follow CS (MA) rules, 1944 in accordance to the Govt. of India rules *mutatis-mutandis* in respect of regular employees.

44. **Mechanism of dealing complaints against Sexual Harassment at Work Place:** The Institute shall follow Government of India Guidelines so as to fulfill its statutory obligations in this regard. Director is authorized to constitute Complaints and Redressal Committee as per approved guidelines. The recommendations of the Committee shall be binding on the Director who shall initiate appropriate

- i. Disciplinary action in case of regularly appointed staff in terms of Conduct Rules and CCS(CCA) Rules.
- ii. Implement relevant clauses of Contract Agreement in cases of Contractual employees.

45. **Performance Management System:** All employees employed by the Institute shall be appraised annually for their performance achievement against planned outcomes of each

financial year through the system of APAR (Annual Performance Appraisal Report) by 31 October of next financial year. Format of appraisal shall be similar to the format being used in DST for Annual Performance Appraisal Report for all positions in the institute. The review and reporting of the official shall cover scientific/technical/administrative achievements, personal attributes, integrity, health, ability to shoulder higher responsibilities, awards and penalties during the period of appraisal, etc. The appraisal shall be an important document while considering employees promotion/MFCS/renewal-review of contract and other relevant decisions.

**46. Pay and Allowances:**

- i. **For regular employees:** Government of India, Department of Expenditure/Department of Science & Technology instructions, Fundamental Rules of Government of India shall prevail at all times. However, Rule 230 (12) of GFR-2017 will be the guiding factor at all times.
- ii. **For Contractual Employees:** shall be governed by contract agreement which shall not have remuneration benefits higher to those of regular employees in the scale.

**47. Miscellaneous Provisions:**

**(i) Intellectual Properties:**

- a. All body of work generated by the Institute or its staff in pursuance to the Institute's objectives, comprising research, trials, experimental data, consulting and participation/ presentations/ published work in national/ international forums / journals shall be the intellectual property of the Institute and Department of Science & Technology (in cases where the cost of the project is funded by Central Government grants/schemes, fellowships, etc) and be covered under the provisions of the Intellectual Property Rights Policy 2016 of the Government of India and shall include inter-alia provisions of the Indian Copy right Amendment Act 2012, Trademarks Amendment Act 2012, Patents Amendment Act 2005 & the Patent Cooperation Treaty enjoined in 2013. This Policy may be subject to change but it can be applied consistently to arrive at a position that is as equitable as possible to all parties concerned.
- b. Intellectual property shall comprise of all such information generated within the Institute and by staff in the duration of their employment in the institute related to the objectives of the Institute. This information may be in print or electronic forms.
- c. The Director shall, from time to time, having regard to the merits of each case, decide on the filing of patents for inventions arising out of any research undertaken by the Institute, the person(s) or organization(s) in whose name(s) such patents are to be taken and propose in such manner the distribution of the profits if any accruing from such patents.
- d. The Director shall place before the Governing Body a six monthly statement of
  - i. patents filed in the period.
  - ii. amount of income generated consequent to commercial exploitation of these patents and its distribution thereof to various heads (*like Institute Income, Program Division, Govt. of India, etc*).
  - iii. the distribution of income generated out of commercial exploitation of all the patents filed by the Institute shall have specific approval of

Government of India, Department of Science & Technology in each such case of commercial exploitation of patents in the country or abroad.

**(ii) Information Protection:**

- a. All information related to the Institute and generated by the normal operations of the Institute and its employed/ contractual staff shall be covered by the provisions of the Indian IT Act 2000 and the IT Amendment Act 2008/ other amendment acts notified in the Gazette of India from time to time.
- b. The Director shall issue suitable instructions for protection of electronic information through back-ups and otherwise, as deemed necessary from time to time.

**(iii) Contribution to Scientific Periodicals:** Contributions to scientific journals resulting from work carried on at the Institute by members of the staff of the Institute shall contain the Institute's and Department of Science & Technology's name and the content/data of the contribution shall be the sole property of the Institute and Department of Science & Technology, the record of which shall be maintained by administration. A copy of every such contribution shall be got approved from the Director before it is communicated. No contribution which may relate to classified or confidential material shall be made without the specific approval of the Director.

**(iv) Extra mural lectures:** Members of the staff of the Institute may, with the prior permission of the Director, accept invitations to give lectures in their field of work to Universities or learned societies within the country, provided such lectures do not interfere with their work at the Institute.

**(v) Examiner-ships:** Members of the staff of the Institute may, if invited to do so, and with the prior intimation to the Director, accept university examiner-ships normally only for the post-graduate students preferably at doctoral level.

**(vi) Seminars, conferences, symposium, workshops and trainings:** Director or any of staff of the Institute may be deputed by the Director/Chairman, Governing Body/Government of India to attend scientific conferences, symposia, congress, brainstorming sessions, business or collaboration meetings or interactions etc. in the country. If, however, such conferences, symposia, workshops, seminars, lectures are held outside the country, then the guidelines issued by the Department/Government of India on foreign deputation, foreign travel and foreign hospitality shall be adhered to on each such occasion/event.

**48. Consulting/Royalty services of externally sponsored research projects:** The Institute may render consulting services/conduct sponsored research projects to/for other organizations related to its objectives through its institutional framework and as approved by the Director under intimation to the Governing Body. All consulting services/ sponsored research projects shall be delivered through a contract or a legally binding term-sheet with the client organization. The consulting service/ sponsored project contract / term-sheet shall be signed by the Director or his authorized representative subject to:

- i. That all consulting/ sponsored project contracts / term-sheets shall be covered under the provisions of the Contracts Act and carry provisions of indemnity, contractual

obligations, representations & warranties, other legal provisions and commercial terms.

- ii. The Director shall appoint staff to the consulting assignment(s)/ sponsored research projects as deemed appropriate by him. In case of consulting assignments/ sponsored research projects brought to the Institute through its staff, the staff member initializing the assignment shall be given priority in appointment to the assignment.
- iii. All consulting/ sponsored research assignments shall be contracted by the Institute in its own name on approval of the Director. No staff member employed by the Institute shall enter into any private consulting/ sponsored research assignments independent of the Institute and such acts will be deemed as a breach of Conduct Rules as defined by the CCS 1964 Act & rules thereof.
- iv. User charges shall apply to all consulting assignments and sponsored research within and done by the Institute or its staff. The proportion of receipts sharing between the institute and its staff in such assignments shall be normally in the ratio of 50:35:10:5 in respect of Institute: Concerned Research Team: Supporting Staff: ARIES

#### **49. Collaboration with other institutions of repute:**

- i. The Institute may, at its discretion, decide to collaborate with other national / international research institutions, in pursuance of excellence in its objectives. The collaborations shall be made by the Director under intimation to the Chairman, Governing Body and Administrative Ministry. In cases of international collaborations, prior clearances of Government (namely DST/MHA/MEA etc.) shall be taken.
- ii. The collaboration with other national / international institutions shall generally be of a technical nature, unless extra-ordinary circumstances necessitate financial collaboration or such joint-ventures. Such extra-ordinary collaborations involving financial collaborations shall be approved by the Governing Body under intimation to the Administrative Ministry and shall at all times be FCRA compliance.
- iii. All approved collaborations shall be effected through legally sound term-sheets under approval of the Chairman, Governing Body and the Administrative Ministry.
- iv. Collaborations with the Industry (private/government-national/international) shall be done only with the prior approval of the Governing Body provided for all international collaborations the prior permission of the Government shall be obtained. Knowledge-sharing with such bodies shall be effected through consulting / sponsored research projects alone.
- v. Collaborations with institutions are generally understood to be sharing of facilities (*with applicable and approved user charges*), staff, information, joint creation of intellectual property, usage of subject resources and therefore be restricted to institutions of research and of academic nature.

#### **50. Endowments:**

- i. Endowments for institution of Chairs can be instituted by donating a sum of not less than Rs. Five Crores or equivalent US Dollars as corpus fund by an individual or trust or body corporate after the approval of the Governing Body.
- ii. The Chair can be named after an institution or an individual in any specific branch of the institute's research objectives or a subject of inter-disciplinary area.

- iii. The endowment amount shall be invested in bank deposits or such other safe deposits in nationalized banks or their subsidiaries.
- iv. The expenditure on the salary and other service and research requirements of the appointee to the Chair shall be met out of the proceeds of the endowment amount; *provided also that the unspent balance, if any, in the interest accrued in any year shall be added to the corpus of the endowment;*
- v. The Director shall invite eminent academicians or jurists to occupy the chair on the basis of the recommendations of a duly appointed Selection Committee in which a representative of the funding individual/agency is there.
- vi. The institute shall organize endowment lectures in honor of the person, the donor would like the Institute to organize. For this, the donor shall make a contribution of Rupees Ten Lakhs or equivalent US Dollars to the Institute. The series of lectures delivered would be published in the form of a book for circulation.

## **51. RETIREMENT BENEFITS # :**

### **i. Only for Regular Employees:**

- a. The age of superannuation of all employees of the Institute shall be sixty (60) yrs or as notified by the Central Government from time to time in respect of autonomous bodies.
- b. Pensionary benefits shall be as per Govt. of India Instructions issued from time to time. For employees recruited on and after 01.01.2004, New Pension Scheme shall be applicable.
- c. Gratuity and leave encashment benefits shall be regulated by Government of India instructions.

**(# Institute where pension scheme is applicable)**

**52. ARIES Employees Welfare Fund:** There shall be an employees welfare fund for all the employees (regular/contractual) of the Institute so as to achieve the Institute's objective towards its corporate social responsibility.

**53. Compassionate Appointments:** All compassionate appointments shall be regulated as per Department of Personnel & Training (DoP&T) OM No. 14014/6/1994-Estt.(D) 16.01.2013 as amended from time to time. Director shall have full powers to appoint any dependent major (*not below 18 years*) family member of the bereaved family of an employee of the Institute dying while on duty or in harness subject to the following:

- i. Such appointments shall be restricted to Level 5 and below.
- ii. Such appointment is made in favour of only one of the legal heirs of the deceased provided if such appointment is made in favour of spouse of the deceased, then educational qualifications shall not be insisted upon in case of widows for appointments in Level 5 and below.
- iii. The candidate who is offered appointment on compassionate grounds (other than the widow) should at least be 10<sup>th</sup> pass.
- iv. The family of the deceased shall be allowed retention of quarters in ARIES premises (if the deceased was allotted quarters) to a maximum period of 06



months on normal license fee and on special license fee (twice the normal license fee) for a further period of 06 months after which no further retention shall be allowed and the family will have to vacate the quarters immediately if none of the legal heir is appointed on compassionate grounds by this time.

- v. Posts filled on compassionate grounds shall be exempt from reservation rules.
- vi. Cases of compassionate appointment should be preferably finalized in 8 months and application to that effect may be taken from the 1<sup>st</sup> surviving legal heir of the deceased as to who is interested in taking up the appointment and NOC from other legal heirs provided that, the widow shall have full rights to take appointment for self or any of her major wards.

**54. Custodian of Assets of the Institute:** The Registrar shall be the custodian of the assets of the Institute (includes immovable, movable, tangible and intangible) in the Institute or outside and shall maintain and keep a record of these in a manner prescribed as per GFR's. The disposal/write off of any of the asset or part thereof shall be governed by GFR's. He may authorize such officers who shall be responsible for safety, maintenance, inventory and updating records, stock registers of the assets as per GFR's created/procured from government/non-government funds.

**55. Conflict resolution:** In case of a doubt regarding the interpretation of any of the provisions of these Bye-laws, the matter shall be referred to the Governing Body for a decision. In the event of their being any inconsistency between the Rules and Regulation of ARIES Society, Bye-laws of the Institute and Government of India rules/instructions, the provisions of the Government of India shall prevail. If any question arises which is not covered by these Bye-laws, the decision of the Body or Government of India shall be the final. Governing Body of the Institute has no powers to interpret instructions issued by Government of India, which shall invariably be referred to the Department of Science & Technology for necessary clarifications.

**56. Review, Display and Notification of the Bye-laws:** There shall be compulsory review of these Bye-Laws every five years by a duly constituted committee approved by the Governing Body having compulsory representation of Government of India. The reviewed Bye-laws shall be placed for approval of the Governing Body in subsequent GB meeting which shall then be forwarded by the Director of the Institute for the approval of the Bye-Laws from the Department of Science & Technology. Approved Byelaws shall be displayed on the Institute website or noticeboard for a period of 10 days before being notified by the Institute. Only after the notification, the new Byelaws shall come into effect from the date of notification.

**57. Power to relax, amend, modify, repeal:** Notwithstanding anything contained in these Bye-Laws,

- i. the Governing Body with the approval of the Central Government reserves the right to **relax, amend, modify** any provisions of these Bye-laws with/without assigning any reasons thereof, with prospective effect.
- ii. However, The Central Government may on the recommendations of the Governing Body or *suo moto* reserve the right to **relax, amend, modify or repeal** any part thereof or whole of these Bye-laws with or without assigning any reasons thereof. In any event, the decision of Central Government shall be binding at all times in this regard.

\*\*\*\*

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

**Memorandum of Association  
and  
Rules and Regulations**

## OBJECTIVES

1	Name of the Society	<b>Aryabhata Research Institute of Observational Sciences</b> (Hereinafter refereed with acronym “ARIES)
2	Location of the Office	<b>Manora Peak, Nainital-263001, Uttarakhand, India</b>
3	The Mission, Vision and objectives for which this Society is established:	<p><b>3.1 Mission:</b> To be a center of excellence for research in astronomy, astrophysics and atmospheric sciences.</p> <p><b>3.2 Vision:</b> Establishing and operating modern observational facilities to carry out frontline research in the areas of Astronomy, Astrophysics and Atmospheric Sciences. Establishing a synergy between the facilities at ARIES and other national and international facilities.</p> <p>Establish a strong synergy between all the facilities at ARIES and other national and international ground-based facilities and space programs, to probe and understand the celestial phenomena in astrophysical terms.</p> <p>Establishing and operating high-altitude aerosol and trace gases monitoring facilities and stratospheric tropospheric RADAR facility to probe the Earth’s atmosphere and its impact on climate changes. To build-up a knowledge-base for studying effects of anthropogenic and natural activities on the air-quality and regional climate change over northern India and in particular Himalayan region.</p> <p>Providing access to the observational facilities of ARIES to the students and researchers from all parts of India. Disseminating scientific knowledge to the public and developing scientific temper. Making the expertise and laboratory facilities accessible to other institutes and universities, engaged in similar research and development activities. To establish visitor centers and science centers at different campuses of ARIES for public outreach.</p> <p>Establishing a high-performance computing facility and data-center to cater the growing needs of data mining and analysis.</p> <p><b>3.3 Objectives:</b></p>

		<ul style="list-style-type: none"> <li>i. To promote, guide and carry out frontline basic research in Astronomy and Astrophysics, climate change, space physics, Atmospheric science and in particular to create a climate for research at the highest level by enabling individuals to work at the Institute on a full time, honorary or visiting basis, by establishing a state-of-the-art facility for basic research in observational and theoretical areas of activities of the Institute;</li> <li>ii. To facilitate interaction with other universities and academic institutions and provide them access to facilities available at the Institute;</li> <li>iii. To conduct research programmes in climate change, space physics, Astronomy &amp; Astrophysics and Atmospheric sciences leading to research degrees, as well as post-doctoral work by research scholars;</li> <li>iv. To arrange advanced level schools and workshops in the above-mentioned areas;</li> <li>v. To establish, maintain and manage in-house laboratories, workshops and other units to assist scientific research in Astronomy &amp; Astrophysics, climate change, space physics, Atmospheric sciences and related areas;</li> <li>vi. To cooperate and collaborate with other national and foreign institutions, laboratories and other international organizations in the fields relevant to the objectives of the Institute;</li> <li>vii. To conduct science popularization programs to strengthen the scientific temper of students and people at large;</li> <li>viii. To sponsor expeditions in and outside India for obtaining observations and information related to the fields of research pursued at the Institute;</li> <li>ix. To publish scientific papers, bulletins and journals and disseminate information relating to the objectives of the Institute;</li> </ul>
--	--	--

1. "Certified that the Association is formed with no profit motive"
2. "Certified that the Bearers are not paid from the Association"
3. "Certified that the Association would not engage in agitation to ventilate their grievance"
4. "Certified that the office Bearers signatures are genuine".

## **RULES AND REGULATIONS**

- 1. NAME OF THE SOCIETY : ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL SCIENCES (ARIES)**
- 2. LOCATION OF THE OFFICE: Manora Peak, Nainital-263001, Uttarakhand, India**

### **INTERPRETATION**

3. In these rules, the following words and abbreviations shall have the meanings given to them, unless there is anything contrary in the subject or context:
  - a. The “Institute” shall mean the ARYABHATTA RESEARCH INSTITUTE OF OBSERVATIONAL SCIENCES (herein referred with acronym “ARIES”).
  - b. The “Society” shall mean the ARIES.
  - c. The “Central Government” shall mean the administrative Ministry of the Government of India i.e. Ministry of Science & Technology, Department of Science and Technology (DST).
  - d. The “Governing Body” shall mean the Governing Body of the Institute.
  - e. The “President” shall mean the President of the Society.
  - f. The “Chairman” shall mean the Chairman of the Governing Body of the Institute.
  - g. The “Director” shall mean the Director of the Institute appointed under the rules of the Institute.
  - h. The “Secretary” shall mean the Secretary of the Society appointed in accordance with the Bye-laws of the Society.
  - i. The “year” shall mean the period of 12 calendar months commencing from the first day of April and ending on the 31<sup>st</sup> day of March of the subsequent year.
  - j. The “DST” shall mean Department of Science and Technology, Ministry of Science and Technology, GOI, New Delhi.
  - k. The “employee” shall mean a person employed at ARIES.

Words importing the singular number shall include the plural number and vice-versa. Words importing the masculine gender shall include the feminine gender.

### **MEMBERS OF THE INSTITUTE**

4. The “INSTITUTE” shall consist of all members of the Governing Body set up under Rule 24 of the Rules and Regulations and such other persons who may be nominated by the Government of India.
5. The “INSTITUTE” shall keep a roll of members, giving their addresses and occupations and every member shall sign the same.
6. The “INSTITUTE” shall function notwithstanding any vacancy in its body and no act or proceedings of the INSTITUTE shall be invalid merely by reasons of such vacancy or of any defect in the appointment of any of its members.

### **AUTHORITIES AND OFFICERS OF THE INSTITUTE**

7. The following shall be the authorities of the INSTITUTE:
- a. The Institute Governing Body
  - b. The Institute Director, and
  - c. The Group Leaders of different Divisions in the Institute
  - d. Such other authorities and officers as may be appointed by the Governing Body.
8. The Chairman of the Governing Body shall be appointed by Govt. of India.
9. The Director of the Institute, who shall be a distinguished scientist, and the Deans/ Group Leaders shall be appointed by the Governing Body, following the procedure laid down and with due approval of the Central Government and relevant Bye-laws of the Institute. The Director shall be the Principal / Chief Executive Officer of the Institute.
10. The Society shall have and maintain its own office, laboratories and workshops. Appointment to various posts under the Institute shall be made in accordance with the Bye-laws framed for the purpose by the Governing Body.

#### **PROCEEDINGS OF THE SOCIETY**

11. An Annual General Meetings of the Society shall be held at such time, date & place as may be determined by the President giving not less than fifteen days' clear notice. At such Annual General Meeting, the Secretary shall submit the Annual Report and the Audited Accounts of the society, together with the Auditor's Report thereon. The Annual Report duly passed and adopted by the Society shall be submitted to the Government for placing the same before the Parliament. The quorum of the meeting shall be 50% of the society members.
12. The President may convene a Special General Meeting of the Society, whenever he/she thinks fit.
13. The President shall convene a Special General Meeting of the Society on the written requisition of not less than seven members of the Society.
14. Any requisition so made by the members of the Society shall express the objectives of the meeting proposed to be called and shall be left at the address of the Secretary or posted to his address.
15. At all the Special General Meetings on subjects other than that stated in the notice or requisition, as the case may be, shall be discussed except when specially authorized by the President.
16. Excepting as otherwise provided in these rules, all meetings of the Society shall be called by notice under the signature of the Secretary or the President.
17. Every notice calling a meeting of the Society shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Society not less than fifteen clear days before the day appointed for the meeting.

**18.** The accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings of the meeting.

**19.** The President of the Society shall preside at all meetings of the Society and if he is not present at any meeting or in his absence, the Chairman of the Governing Body shall preside at that meeting. In case the Chairman of the Governing Body is also not present, in his absence, then a member shall be elected from amongst those present to preside over that meeting.

**20.** No business shall be discussed at a meeting of the Society, whilst the chair is vacant except the election of a Chairman.

**21.** At least 50% of the Society members present in person shall form a quorum at every meeting of the Society.

**22.** All disputed questions at meetings of the Society shall be determined by a majority of votes of the members present and voting.

**23.** Each member of the Society shall have one vote. In case of a tie of votes, the President, Chairman or member presiding over the meeting, as the case may be, shall have the casting vote.

## **THE GOVERNING BODY**

**24.** The affairs of the Society shall be managed, administered, directed and controlled, subject to rules, Bye-laws and orders of the Governing Body. The Governing Body of the Society will be chaired by the Chairman. The composition of the Governing Body will be as follows:

- a. An eminent expert specializing in the domain areas of ARIES - Chairman
- b. Secretary, DST or his nominee - Member
- c. Chief Secretary, Govt. of Uttarakhand or his/her nominee not below the rank of Dy. Secretary to GoI - Member
- d. Financial Advisor, DST or his nominee - Member
- e. Person with specialization in domain areas of ARIES - Member
- f. Person with specialization in domain areas of ARIES - Member
- g. Person with specialization in domain areas of ARIES - Member
- h. Person with specialization in domain areas of ARIES - Member
- i. Person with specialization in domain areas of ARIES - Member
- j. Director of the Institute - Member Secretary

The nominations of the expert members and other representatives to the Governing body shall ordinarily be nominated by the DST in accordance with the guidelines framed for this purpose in the ARIES byelaws.

**25.** Unless his membership of the Governing Body is terminated as provided in Rule 26 and subject to the provisions of Rule 26, each nominated member of the Governing Body shall relinquish his membership on the expiry of three years from the date on which he becomes a member of the Governing Body, but he shall be eligible for re-appointment. In

case of a casual vacancy, the person appointed to fill the vacancy shall hold office for the unexpired portion of the term of the out-going member.

**26.** A member of the Governing Body shall cease to be a member on the happening of any of the following events:

**a.** If he resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offense involving moral turpitude, or his employer refuses to grant him permission to serve on the Governing Body or he goes abroad for a continuous period exceeding one year.

**b.** If he does not attend three consecutive meetings of the Governing Body.

**27.** Whenever a member desires to resign from the membership of the Governing Body, he shall forward a letter containing his resignation addressed to the Member Secretary and his resignation shall take effect only on its acceptance by the Chairman.

**28.** Whenever a person holds the membership of the Governing Body by virtue of an office held by him (ex-officio), his membership shall stand terminated when he ceases to hold that office and the vacancy so caused shall be filled by his successor to that office.

**29.** The members of the Governing Body shall not be entitled to any remuneration from the Society except the full time Director and Deans/ Group Leaders of the Institute. The members of the Governing Body or any Committee appointed by it may be paid by the Society such traveling and daily allowances and honorarium as may be provided for in the bye-laws.

**30.** A person holding the membership of the Governing Body by virtue of an office held by him (ex-officio) shall normally attend the Governing Body meetings. In exceptional circumstances, he may nominate a representative on his behalf. However, the nominee will not have any voting right.

**31.** The Secretary shall attest the signatures of all the members of newly elected Governing Body and will ensure that the said signature of the Governing Body tally with the annual list as filed with the Registrar of Societies before 15 days of the succeeding month in which elections were held.

## **FUNCTIONS AND POWERS OF THE GOVERNING BODY**

**32.** The Governing Body shall generally carry out and pursue the objectives of the Society, as set forth in the Memorandum of its Association. The management of all the affairs and funds of the Society shall, for this purpose, vest in the Governing Body.

**33.** The Governing Body shall exercise all the powers of the Society, subject, nevertheless, to such limitations as the Government of India may from time to time, impose in respect of the expenditure from the funds of the Society and of grants made by the Government of India.



**34.** In particular and without prejudice to the generality of the foregoing provisions, the Governing Body shall have the power, subject to the provision of these rules and the bye-laws to:

- i. Consider the annual and supplementary budgets placed before it by the Director from time to time, and pass them with such modifications as the Governing Body may think fit.
- ii. To recommend to create and abolish posts in accordance with the relevant Bye-laws of the Institute & with due approval of the Central Government.
- iii. Appoint various scientific, technical, administrative and other officers and staff of the Society, fix their remuneration and define their duties and terms of employment - in accordance with the extant instructions issued by the Central Government from time to time.
- iv. Enter into arrangements with the Government of India and with the State Government and other public or private organizations or individuals within the country for securing and accepting grants-in-aid, endowments, donations or gifts to the Society, on mutually agreed terms and conditions; provided that such terms and conditions, if any, shall not be contrary to, inconsistent or in conflict with the objectives of the Society; provided, for any such arrangement with foreign and/ or international agencies or organizations the prior approval of the Government of India has been obtained.
- v. Takeover, acquire by purchase, gifts, exchange, lease or hire or otherwise from Government of India, the State Governments 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 objectives of the Society; provided for any such activity involving a foreign and/ or international agency or organization, the prior approval of the Government of India has been obtained.
- vi. Appoint Committees and Sub-Committees for such purposes and with such powers and for such periods and on such terms as it may deem fit, and dissolve any of them.
- vii. Delegate such administrative and financial powers as it may think proper, to the Chairman, the Director, Group Leaders and such other officers of the Society as may be considered necessary; however, within the limits and in consonance with the instructions of the Central Government; and
- viii. To frame, amend or repeal Bye-laws, for the administration and management of the affairs of the Society and in particular to provide for the following matters:-
  - a. Preparation and sanction of budget estimates, sanctioning of expenditure, entering into and execution 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 scientists and officers in the service of the Society;
  - c. Terms and tenures of appointments, emoluments, allowances, rules of discipline and other conditions of service of the establishments of the Society;
  - d. Terms and conditions governing the grant of scholarships, fellowships, awards and grants-in-aid for research schemes and projects.
  - e. Such other matters as may be necessary for the administration of the affairs and funds of the society.

## **PROCEEDINGS OF THE GOVERNING BODY**

- 35.** Every meeting of the Governing Body shall be presided over by the Chairman and in his absence, a member chosen from amongst the members present.
- 36.** At least 50% members of the Governing Body present in person shall constitute a quorum at any meeting of the Governing Body.
- 37.** Not less than fifteen days' clear notice of every meeting of the Governing Body shall be given to each member of the Governing Body. The accidental omission to give notice to or the non-receipt of notice by any member shall not invalidate the proceedings at the meeting.
- 38.** Normally one meeting of the Governing body shall be held at least once in each half of the year or more frequently, if need arises in the opinion of the Chairman.
- 39.** The decision of the Governing Body shall be taken by consensus of the members present or the majority of the members present and voting.
- 40.** The Chairman may himself call, or by a requisition in writing signed by him, may ask the Secretary to call a meeting of the Governing Body at any time and on receipt of such a requisition, the Secretary shall forthwith call such a meeting.
- 41.** Seven members of the Governing Body may, by a requisition in writing signed by them; request the Secretary to call a meeting of the Governing Body and on receipt of such a requisition, the Secretary shall call such a meeting within a period of one month in consultation with the Chairman.
- 42.** Each member of the Governing Body shall have one vote, except as provided in Rule 30 and, if there shall be an equality of votes on any question to be decided by the Governing Body, the Chairman or the member presiding over the meeting shall have a casting vote.
- 43.** 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 by signing, shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body.
- 44.** The Chairman may, irrespective of the opinion of the members of the Governing Body, refer any question, which in his opinion is of sufficient importance, for decision to the Government of India. In such an eventuality the decision of the Government of India shall be binding on the Society and its Governing Body.

## **BYE-LAWS**

- 45.** The Governing Body may with the approval of the Central Government, make Bye-laws and from time to time add to, amend or repeal such Bye-laws. Subject to the provisions of the Memorandum of Association and these Rules, the Bye-laws may provide for the

promotion of mission of the organization, furtherance and coordination of the scientific, technical and collaborative activities of the Institute as detailed in the Objectives in the Memorandum of Association of the Institute. In particular, the Bye-laws may provide for all or any of the following matters:

- a. Conduct of business by the Governing Body and the committees constituted by it, the powers and functions of such committees and the terms of office of their membership;
- b. Travel and daily allowances payable to the Chairman and members of the Governing Body for journeys undertaken by them for attending the meetings of the Body, or of the committees set up by the Body or in connection with any business of the Institute;
- c. Courses of study and research;
- d. Fees to be charged for courses of research or other academic programmes of the Institute;
- e. Terms and conditions of the award of honorary appointments, fellowships, scholarships, medals and prizes;
- f. To recommend creation, abolition and up-gradation of scientific, technical, administrative and other posts; in terms of instructions issued by Department of Personnel & Training (DoPT) and Ministry of Finance, Government of India.
- g. Term and tenure of appointments, leave, vacation and deputation, and such other matters as travelling allowances, disciplinary rules and appeals, term and conditions of service, including probationary period, termination from service, etc.; broadly based on the service rules & other conditions of service in Government of India.
- h. Constitution of provident fund and other retirement benefit schemes and medical and group insurance schemes for the benefit of the employees of the Institute;
- i. Delegation of powers, duties and functions of employees of the Institute;
- j. Finance and Accounts including maintenance of accounts and audit;
- k. Making and execution of agreements, contracts and other instruments;
- l. Conduct and defense of legal proceedings and the manner of signing pleadings;
- m. Procedure for the operation of bank accounts; and
- n. Such other matters as may be necessary for the administration of the affairs of the Institute.

## **FUNCTIONS AND POWERS OF THE CHAIRMAN**

**46.** The Chairman shall exercise such powers for the conduct of the business of the Society as may be delegated to him by the Governing Body.

**47.** The Chairman may, in writing, delegate such of his powers as he may think necessary to the Director.

## **48.DIRECTOR:**

**a.** The appointment of the Director shall be made by the Governing Body on the recommendation of a Search-cum-Selection Committee constituted by the Central Government and with due approval of the competent authority following the procedure laid down by the Central Government, extant recruitment rules for the post of Director and relevant Bye-laws of the Institute. The Director of the Institute shall be an eminent scientist or an eminent Senior Professor.

**b.** The tenure of appointment of the Director shall be five years at a time, provided that a Director whose term of appointment is over may be asked by the Central

Government to continue to hold office till a new Director is appointed and assumes charge of his office. On completion of the term, a Director may continue as an Eminent Scientist according to the rules of service and retirement, on approval of Governing Body, in consultation with Department of Science and Technology.

**c.** The Director shall be the executive head as well as the academic head of the Institute and shall be in administrative charge of the Institute and its employees.

**d.** It shall be the duty of the Director to see that the provisions of the Memorandum of Association, the Rules and Regulations and the Bye-laws are duly observed and he shall have all the powers necessary for that purpose.

**e.** The Director shall exercise general control over the affairs of the Institute and shall give effect to the decisions of the Governing Body and the Scientific Advisory Committee.

**f.** The Director may delegate powers, functions and duties to any other member(s) of the staff of the Institute with the approval of the Governing Body as deemed necessary for the efficient administration of the Institute and for a proper and effective control over the staff. The powers delegated to the Director by the Governing Body may also be delegated by the Director to others but only with the approval of the Governing Body.

**g.** The Director may constitute committees with such functions as may be assigned to them to assist him.

**h.** All powers relating to the proper maintenance of discipline in the Institute shall be vested in the Director.

**i.** The Director shall have the authority to incur expenditure to such extent and in such a manner as may be prescribed by the Governing Body from time to time.

**j.** Subject to the rules, the Director shall have the power on behalf of the Institute to sanction all expenditure within the approved budget and to make re-appropriations, subject to the conditions prescribed in Rule 67-68.

**k.** The Director shall have the power on behalf of the Institute to negotiate and authorize contracts being entered into in the name of the Institute.

**l.** Subject to the provisions of these Rules and Regulations and the Bye-laws, the Director shall also discharge such functions and exercise such powers as may be delegated to him by the Governing Body.

**m.** If in his opinion an exigency has arisen which requires immediate action to be taken in the interest of the Institute, the Director shall, in consultation with the Chairman, take such action as deemed necessary and shall report the same at the next meeting of the body, if any, which would in the ordinary course have dealt with the matter.

#### **OFFICIATING OF PRO TERM DIRECTOR:**

**49.** Notwithstanding anything contained in Rule 48, the Governing Body may appoint a person to officiate as Director in the absence of the Director appointed under Rule 48. An officiating Director or a pro term Director shall discharge only such of the duties and functions vested in the Director under these Rules or as may be assigned to him from time to time by the Governing Body, and the Governing Body may impose conditions and restrictions as to the discharge of any such duty or function by the officiating or the pro term Director. The emoluments and other terms and conditions of the officiating or the pro term Director shall be as fixed by the Governing Body.

## **FUNCTIONS AND POWERS OF THE DIRECTOR**

**50.** Subject to any order that may be passed by the Chairman in exercise of the powers delegated to him by the Governing Body, the Director shall be responsible for the proper administration of the affairs and funds of the Society under the direction and guidance of the Governing Body. He shall be vested with such executive and administrative powers of the Society as may be necessary or incidental for the purpose, subject to these rules and Bye-laws.

**51.** The Director shall, subject to the provisions of these rules and Bye-laws and decisions of the Governing Body and Chairman, exercise general supervision and disciplinary control over the officers and the staff of the Society, and prescribe their duties and functions through the respective Group Leaders of the institute.

**52.** The Director of the Institute shall be the Secretary of the Society. For the purposes of the Societies Registration Act, the Secretary shall be considered the Principal Secretary of the Society and the Society may sue or be sued in the name of the Secretary of the Society.

**53.** The Director shall be responsible for designing and maintaining the unified integrity of perspective for ARIES, and ensuring that any other centres of the Institute that are established function co-ordinately in the framework of this perspective. Further, the Director will conduct the administration and financial business of the society and the institute through the 'Apex Committee' (AC) chaired by him and with all the Group Leaders of the institute as members. The AC will prepare the institute budget which shall be submitted to Department of Science and Technology, Govt. of India or other funding sources by the Director. The other major responsibilities of the AC include the constitution of the Technical Advisory Committees and Management committees of the various departments, allocation of budgets to various departments and the general administration of the institute and to develop an ecosystem for creativity and innovation. The broad approach would be one of nurturing and employing collective wisdom in governance and also in identifying new initiatives. Where the departments are developed in partnership with outside agencies, the terms of agreement for governance shall be adhered to, within the overall spirit of collaborative management.

## **FUNCTIONS AND POWERS OF GROUP LEADERS**

**54.** The ARIES will have divisions related to research and development activities of the Institute. The Group Leaders will be the heads of the divisions. They will have administrative and financial powers for the day-to-day functioning of their areas within the allocated budget, in consultation with the Apex Committee. The administrative and financial powers of the Group Leader will be as determined by the Governing Body. The Group Leaders will primarily lead their respective domains, nurture scientists in the group and their scientific endeavours, facilitate collaboration with other domains and help develop lateral linkages. The endeavour would be to evolve a non-silo approach to R&D and Management.

## **ADJUNCT FACULTY:**

### **Eminent, National and International Scientists:**

**55.** Scientists in Science and Technology and experts in allied fields working in other organizations, including eminent national and international scientists, may be invited to be associated with the Institute as Adjunct Faculty to participate in its academic or other work. They may lead collaborating groups in their own organizations or lead or be part of a team within the Institute for a short period of a few months to longer periods.

## **CLASSIFICATION OF STAFF:**

**56.** The members of the staff of the Institute other than the Director shall be classified as follows:

- a. **Scientific/Engineer Staff:** Members of the staff engaged in research work/ academic work, who shall include the Director, Group Leaders and scientists/engineers with different designations and classifications (such as Scientist/engineers-B,C,D,E,F and G), Visiting Professors/ Visiting scientists, Visiting Fellows, etc., and such other staff as may be included by the Governing Body from time to time in this category;
- b. **Technical Staff:** Under this category shall be engineering/scientific associates and assistants, technical officer/ Assistants, Business Development Officer, System Administrators, Library staff, and other members of supporting staff doing technical work and generally with degrees/ diplomas/training in engineering, science, medicine or allied areas, or technical areas including library science;
- c. **Administrative Staff:** Members of staff engaged in the administration of the Institute such as Registrar, Deputy Registrar, Assistant Registrar, Administrative Officer, Finance/ Accounts Officer, Purchase Officer, Stores Officer, Management Assistants, Clerical and such other staff doing administrative work.
- d. **Auxiliary Staff:** Staff appointed for Guest House. Canteen, Hostel, Security & Reception, maintenance, etc. and such staff generally assisting or helping in various auxiliary activities of the Institute.

## **57 APPOINTMENTS:**

**a.** There shall be Selection Committees for making recommendations to the Governing Body for appointment to the posts of Scientists/Engineers in the Institute and to such other posts as may be prescribed under the Bye-laws, in accordance to Government norms. All selection committees shall be approved by the Chairman, Governing Body. The Governing Body shall have the discretion to invite eminent scientists to serve as faculty members in the Institute without recourse to selection committees for a defined period of time on a contractual/visiting basis. The selection committees for this purpose shall be presided over by a committee appointed by the Director. Offers of appointment up to the level of Scientist/Engineer-D can be made by the Director and reported to the Governing Body. Offers of appointments at the level of Scientist/Engineer-E and above will be made by the Director after approval by the Chairman, Governing Body and as per Government norms.

**b.** Subject to these provisions, the composition of the selection committees shall be as laid down in the Bye-laws.

**d.** For appointment of scientist up to the level of Scientist-G, the appointing authority shall have the flexibility to (i) select candidates on a 'direct offer' basis without the usual recruitment process to an extent not exceeding 10% of the sanctioned manpower for recruiting exceptional overseas candidates or to compensate for sudden loss of leadership in challenging technical areas and (ii) to recommend to the Governing Body to offer one scale higher than a level of an available post of a candidate of exceptional merit. Such appointments will be made in consultation with Department of Science and Technology.

**f.** Any employee of the Institute may resign office by a letter addressed to the Director provided that such resignation shall take effect only from the date on which the same is accepted by the authority competent to make appointment for the time being; provided further that in the case of the Director, the resignation letter shall be addressed to the Chair of the Governing Body. The period of notice, if any, to be given by either side may be provided for in the Bye-laws.

**THE FINANCE COMMITTEE, THE SCIENTIFIC ADVISORY COMMITTEE AND BUILDING COMMITTEE:**

## FINANCE COMMITTEE

a. Director of the Institute - Chairman

- |  |          |
|--|----------|
| b. Financial Adviser, DST or his nominee | -Member  |
| c. Experts (2)                           | - Member |
| d. 3 nominees of GB of ARIES             | - Member |

The Finance Committee will consider important financial matters and make its recommendations to the Governing Body. It should meet at least twice a year or as often as necessary.

**The functions of the Finance committee shall be:**

- a. to consider the annual budget estimates and the revised estimates of the Institute and to make recommendations to the Governing Body;
- b. To consider proposals for new expenditure before they are considered by the Governing Body and to make recommendations to the Governing Body;
- c. To consider the re-appropriation statement and to make recommendations to the Governing Body;
- d. To review the finance of the Centre from time to time and to make recommendations to the Governing Body;
- e. To consider the annual statements of accounts and the audit report thereon and make recommendations to the Governing Body;
- f. To consider and review the investments of the Centre periodically and make recommendations to the Governing Body;
- g. To approve financial allocation for intramural or collaborative programmes;
- h. To tender advice and make recommendations to the Governing Body on any other finance matter affecting the Centre, either on its own initiative or on the initiative of the Director or of the Governing Body.

Meetings of the Finance Committee shall ordinarily be held before every meeting of the Governing Body and on such date and time and at such place as may be fixed by the Chairman of the Committee. The Chairman may, however, convene additional meetings of the Committee to consider any urgent financial matters.

In the absence of the Chairman of the Finance Committee at any meeting of the Committee, a chairman for the meeting shall be elected by the members of the Finance Committee present.

**Quorum-** Four members shall form a quorum.

As far as possible it shall be the endeavour of the Finance Committee to decide all matters by a consensus. However, in case of any difference of opinion on any matter, the same shall be decided by a majority of votes of the members present at a meeting of the Finance Committee. In the case of an equality of votes, the Chairman shall have a casting vote.

The minutes of the meeting of the Finance Committee shall be placed before the Governing Body for ratification.

**SCIENTIFIC ADVISORY COMMITTEE**

**60.** The Scientific Advisory Committee (SAC) will be constituted by the Governing Body for formulating scientific programmes of the institute, monitoring of the programmes and



advising on policy matters relating to research & translational service. The institute will be externally evaluated by a panel set up by the Governing Body, once in 3 years. The composition of SAC will be as follows:

- |   |                    |          |
|---|--------------------|----------|
| a. Eminent Scientist  | - Chairman         |          |
| b. Upto 5 International and national Experts with research excellence |                    | -Member  |
| c. A scientist nominated by the Government                            | - Member           |          |
| d. Upto 2 Senior Academic Staff/ Head of Div of the Institute         |                    | - Member |
| e. Financial Advisor, DST   | - Member           |          |
| f. Director of the Institute  | - Member Secretary |          |

The Scientific Advisory Committee shall evolve the scientific and technical programs of the Institute, review them periodically and shall take further course of action as would be deemed fit for furthering the scientific and technological research and other functions of the Institute. The recommendations of the Committee would be submitted to the Governing Body for approval. It should meet at least once a year. The tenure of the Committee shall ordinarily be for a period of 3 years, which can be extended or reconstituted by the Governing Body after 3 years.

## **BUILDING COMMITTEE**

**61.** A Building Committee will be constituted by the Governing Body to advise on construction/infrastructure development work, maintenance work and also provide policy directions in such matters.

The Finance, Scientific Advisory, and Building Committees will be advisory bodies to the Governing Body.

## **REMOVAL OF THE MEMBERS OF THE VARIOUS BODIES OF THE CENTER:**

**62.** Any member of the Governing Body, the Scientific Advisory Committee or any other body may be removed by a resolution of the Society by a majority of not less than two-thirds of the members present and voting, on the ground that (a) the member has become incapable of performing his duties; and/or (b) the member has been convicted by a court of law of an offence which, in the opinion of the Society, involves moral turpitude and/or acts of omission or commission found to be detrimental to the interest of the Institute.

## **FUNDS OF THE SOCIETY**

**63.** The funds of the Society will consist of the following:

- i) Lump sum, recurring, and non-recurring grant made by the Govt. of India.
- ii) Funds for research projects undertaken from other project funding agencies and industry.
- iii) All money received by the Society by way of grants, gifts, donations or other contributions.

**64.** All funds of the Society shall be paid into the Society's account with either in a Government Treasury/ Sub Treasury or Reserve Bank of India, branches of the State Bank of India and its subsidiaries or in a scheduled/ nationalized bank and shall not be withdrawn

except on cheques signed and countersigned by such officers as may be duly empowered on this behalf by the Governing Body.

**65.** The income and property of the Society, however derived, shall be applied towards the promotion of the objectives thereof as set forth in this Memorandum of Association subject nevertheless in respect of the expenditure grants made by the Government of India to such limitations as the Government of India may from time to time impose. No portion of the income and property of the Society shall be paid or transferred directly or indirectly to any of the members through any means either by way of dividends, bonus, or otherwise howsoever by way of profit, to the persons who at any time are or have been members of the Society or to any of them or to any persons claiming through them or any of them provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other person in return for any service rendered to the Society and payments in lieu of intellectual property as per guidelines by the Governing Body.

## **BUDGET ESTIMATES**

**66.** The annual budget of the institute shall be drawn up in a form approved by the Governing Body. It shall be prepared and placed before the Governing Body for approval by such date as may be prescribed by the Governing Body.

## **APPROPRIATION**

**67.** The funds of the institutes shall normally be appropriated for expenditure only on items which have been approved by the Governing Body. However, the funds provided in the sanctioned estimates shall be deemed to be at the disposal of the Governing Body, which shall have full powers to appropriate sums there from to meet the expenditure of the institute.

## **RE-APPROPRIATION**

**68.** The Director shall have the power to make re-appropriations subject to the following conditions:

- (a) Re-appropriations to augment the provisions under the heads Salaries, Establishment, Provident fund contribution/ Retirement benefit and Allowances shall require a prior consent of the Governing Body;
- (b) No re-appropriations shall be made from a head of Non-Recurring head expenditure to the head of Recurring head expenditure;
- (c) Re-appropriations within the heads of Non-Recurring expenditure to cover expenditure on a new project not included in the budget shall require a prior consent of the Governing Body; and
- (d) All re-appropriations made shall be reported to the Governing Body at its subsequent meetings for ratification.

## **ACCOUNTS AND AUDIT**

**69.** The nature of audit to be applied should be based on financial norms which take into account the intellectual component of research resulting in tangible and intangible benefits and costs thereto.

**70.** The accounts of the Institute shall be maintained on an up-to-date basis, following established audit norms. The Governing Body may from time to time issue guidelines on the maintenance of funds, management of expenditures and operation and maintenance of accounts. The accounts of the Institute shall be made up to the 31<sup>st</sup> day of March of each year.

**71.** The accounts of the Institute shall be audited annually by a C&AG empanelled Chartered Accountant or a firm of Chartered Accountants.

**72.** The Comptroller and Auditor General of India shall have the right to demand production of books of accounts, connected vouchers and other documents papers and to inspect the office of the Institute.

## **ANNUAL REPORT**

**73.** An Annual Report of the proceedings of the Society and of all work undertaken during the year shall be prepared by the Director of the Institute under the supervision of Governing Body for the information of the Government of India and the members of the Society. This report and the audited accounts of the Society along with the auditor's reports thereon shall be placed before the Society at the Annual General Meeting.

## **ALTERATION OF RULES/OBJECTIVES**

**74.** The Rules of the Society may be altered at any time on the recommendation of the Governing Body by a resolution passed by a majority (2/3<sup>rd</sup>) of the members of the Society present at any meeting of the Society.

**75.** All provisions contained in the Societies Registration Act, 1860 and Societies registration (Uttarakhand amendment) Act 2019 as applicable to Uttarakhand, shall apply to this Society.

**76.** Upon a resolution passed by a majority of the members of the Society, not less than 3/4th of the total members of the Society can determine that the Society shall be dissolved forthwith or on such date as may be agreed upon and confirmed by 3/4th of the members present at a second special meeting with at least 30 days notice in writing.

**77.** None of the Objects of the Society shall be amended without the prior approval of the Director of Income Tax (Exemption), Nainital.

## **WINDING UP**

**78.** The Society shall at the same meeting and at the time of passing a resolution dissolving the Society, determine the method to be followed for disposal and settlement of its property and debts. In the event of dissolution, the property and funds of the Society that remain after the satisfaction of all its debts and liability shall not be paid to or distributed among the

members of the Society or any of them but shall be given to some other Society with similar aims and objectives which has been recognized by the Income Tax authorities under the provisions of Income Tax Act, provided that such other Society shall be determined by the votes not less than 3/4<sup>th</sup> of the members present personally at the time of the dissolution or in default thereof by the Principal court of original civil jurisdiction of the district in which the registered office of the Society is situated.

**BENEFITS OPEN TO ALL:**

**79.** The benefits of the Society shall be open to all irrespective of caste, creed or religion.

**ESSENTIAL CERTIFICATE:**

**80.** “Certified that this is the correct copy of the rules and Regulations of the Society”

\*\*\*\*

## Appendix 3 /A

### Aryabhata Research Institute of Observational Sciences

#### ARIES SOCIETY

<b>Prof. P.C. Agrawal,</b> <b>Senior Professor (Retd.),</b> <b>Dept. Of Astronomy and Astrophysics,</b> <b>Tata Institute of Fundamental Research,</b> <b>Mumbai-400005</b>	President
<b>Secretary, DST, New Delhi</b> or his/her nominee not below the rank of Dy. Secretary to GoI	Member
<b>Chief Secretary</b> <b>Govt. of Uttarakhand or his/her nominee not below the rank of Dy. Secretary to GoI</b>	
Financial Advisor, DST, New Delhi or his/her nominee not below the rank of Dy. Secretary to GoI	Member
Prof. Ashok Kumar Gwal Vice Chancellor, Rabindranath Tagore University, Bhopal, Madhya Pradesh	Member
Prof. Anil Bhardwaj, Director, PRL, Ahmedabad	Member
Prof. S. Ananthakrishnan, NCRA-TIFR, Pune University Campus, Pune	Member
Prof. Jayant Murthy, Senior Professor, IIA, Bengaluru	Member
Prof. S. Roychoudhary, Director, IUCAA, Pune	Member
Director, AI	Member Secretary

## Appendix 3 /B

### Aryabhata Research Institute of Observational Sciences

#### GOVERNING BODY

<b>Prof. P.C. Agrawal,</b> <b>Senior Professor (Retd.),</b> <b>Dept. Of Astronomy and Astrophysics,</b> <b>Tata Institute of Fundamental Research,</b> <b>Mumbai-400005</b>	Chairperson
<b>Secretary, DST, New Delhi</b> or his/her nominee not below the rank of Dy. Secretary to GoI	Member
<b>Chief Secretary</b> <b>Govt. of Uttarakhand or his/her nominee not below the rank of Dy. Secretary to GoI</b>	Member
Financial Advisor, DST, New Delhi or his/her nominee not below the rank of Dy. Secretary to GoI	Member
Prof. Ashok Kumar Gwal Vice Chancellor, Rabindranath Tagore University, Bhopal, Madhya Pradesh	Member
Prof. Anil Bhardwaj, Director, PRL, Ahmedabad	Member
Prof. S. Ananthakrishnan, NCRA-TIFR, Pune University Campus, Pune	Member
Prof. Jayant Murthy, Senior Professor, IIA, Bengaluru	Member
Prof. S. Roychoudhary, Director, IUCAA, Pune	Member
Director, ARIES	Member Secretary

## Appendix 3 /C

### Finance Committee Members list

S. No	Name	
1	Director of the Institute	Chairman
2	Financial Adviser, Dept. of Science & Technology, Ministry of Science & Technology, Government of India or his/her nominee not below the rank of Deputy Secretary	Member
3	One senior scientist/engineer of the Institute, nominated by Director	Member
4	A member nominated by the Director from outside the Institute	Member
7	Registrar of the Institute. In absence of Registrar, the Finance and Accounts Officer shall act as member-secretary of the Committee	Member Secretary

## Appendix 3 /D

### SCIENTIFIC ADVISORY COMMITTEE LIST

S. No	Name	
1	Eminent Scientist	Chairman
2	Upto 5 International and national Experts with research excellence	Member
3	A scientist nominated by the Government	Member
4	Upto 2 Senior Academic Staff/Head of Division of the Institute	Member
7	Director of the Institute	Member Secretary



**ARIES STAFF WELFARE FUND RULES**

1. **These Rules shall be called as ARIES Staff Welfare Fund Rules.**
2. **Members:** All regularly appointed/contractually engaged employees shall be members of the ARIES Staff Welfare Fund.
3. **Managing Body:** The ARIES Staff welfare Fund shall be managed by a body of not more than 06 members as under
  - a. **Chairman: Director** (*ex officio*) of the Institute
  - b. **Secretary:** Head of Administration (*ex officio*) of the Institute
  - c. **Treasurer:** Manager (Accounts & Finance) (*ex officio*) of the Institute
  - d. **Other Members:** one each from Scientific, Administrative and Technical cadres to be nominated by the Chairman.
  - e. **At least** one third members of the managing body shall be female members.
4. **Credits to the ARIES Staff Welfare Fund: shall comprise of all such amounts as detailed under:**
  - a. 0.5% of total non- tax revenue of the Institute.
  - b. 5% of the total revenue earned by way of USER Charges through consulting assignments in terms of Clause 42 (iv) of these Byelaws.
  - c. 10% of any award money won by the Institute or Group of Employees of the Institute.
  - d. Member Contribution on monthly basis: shall be as under:
    - i. Regular Employees
      - a. In Level 14 and above: Rs 200/-
      - b. In Level 10 and above: Rs 150/-
      - c. In Level 6 and above: Rs 75/-
      - d. In Level 5 and below: Rs 50/-
5. **Debits to the Fund:** shall comprise as under:
  - a. **Financial assistance to bereaved family members of deceased employee in service: Rs 7500/-** (may be decided by Chairman/SWF as per prevailing circumstances to be valid for single financial year). To be made available within 10 days of bereavement.
  - b. **Funeral Grant:** Rs 1500/- per death. To be made available immediately
  - c. **Medical Assistance:** Rs 5000/- per case of emergency life situations. Chairman/SWF to decide increase or decrease in the amount which shall remain valid for single financial year. To be made available immediately.
  - d. **Damage to property due to natural/man made disasters like earthquake, floods, fires, etc :** To be decided by the Chairman/SWF taking into account the number of affected families and the finances of the fund. To be made available within 48 hrs of the disaster.
  - e. **Recreation/Sports Events/Employee Camps for employees:** the amount of debit shall not exceed Rs 5.0 Lakhs in a financial year with employees contributing 50% of the cost of the camp/recreation and 50% of the cost is borne from SWF subject to annual ceiling limits.
  - f. **Staff farewell upon superannuation/voluntary retirement:** Rs 1500/- for Gift to the superannuating/voluntary retiring employee and Rs 50/- per head for refreshments.
  - g. **Honorarium:** to staff engaged in managing the affairs of the fund who are in non gazetted level: to be decided by the Chairman with the opinion

of at least 30% of the members of the SWF. Not more than 03 staff to be employed to initiate to affairs/proceedings of the fund.

- h. **Any other Head:** subject to approval of all the members of the fund in its Annual meeting.
- i. **Periodic review of Debits:** There shall be annual review of the rates debited under each Head which shall be effective from the next financial year taking into account the financial health of the fund.
- j. **No unauthorized or unapproved Debit:** No debit shall be made from the fund unless the same is sanctioned by the Chairman for items detailed at Clause (a-h).

**6. Meetings :**

- a. **General Meetings:** All the members shall meet at least once during the financial year preferably by 30 September, wherein the details of expenditure incurred and future expenditure to be incurred shall be laid for information and approval of the members. 40% of the members present shall comprise the quorum for the meeting to be held and deliberated upon.
- b. **Special meeting:** shall be convened by the Chairman on the behest of at least 50% of the members requesting and 50% of these present during the meeting. The special meeting may be convened to seek approval for incurring expenditure not classified under any head and the extent to which the same is required to be concurred. Decision of the Chairman/SWF shall be final.
- c. **The Managing Body:** shall meet once in a quarter the date of which shall be fixed by the Chairman. Secretary/SWF to initiate file in this regard.

**7. Maintenance of Bank Account:**

- a. ARIES SWF will explore the feasibility of managing its credits and debits through a saving account in a nationalized bank.
- b. **Drawal of Amount:** The account shall be jointly held in the name of Secretary/SWF and Treasurer/SWF.
- c. **Auditing of account:** Secretary/SWF shall get the annual accounts audited by the Finance Officer of CIAB which shall be duly certified by the Institute's Chartered Accountant before the same is displayed on the Institute Noticeboard for at least 07 days by 15<sup>th</sup> April of the Next Financial Year.

- 8. **Powers to amend, relax, modify any of the provisions:** shall rest with the ARIES-SWF with at least 51% of the members present in the meeting voting in favour of the motion for amendment.

\*\*\*\*\*

New Delhi, the 23<sup>rd</sup> March 2021

**OFFICE MEMORANDUM**

**Sub: Delegation of financial powers to the Autonomous Institutions (AIs) under the Department of Science & Technology**

The matter regarding delegation of financial powers to the Autonomous Institutions under the administrative control of the Department of Science & Technology have been considered in the Department. With a view to bring flexibility and autonomy of the Institutes in balance with the extant Government of India instructions, it has been decided with the approval of competent authority of the Ministry of Science & Technology to delegate financial powers as per the limits indicated below to the 21 AIs categorised into 3 groups:

**I. Category of the 21 AIs :**

**Group -I :**

- i. North East Centre for Technology Application and Reach (NECTAR), Shillong
- ii. Centre for Nano and Soft Matter Sciences (CeNS), Bengaluru
- iii. Nation Innovation Foundation (NIF), Ahmadabad
- iv. Vigyan Prasar (VP), Noida

**Group II :**

- i. Agharkar Research Institute (ARI), Pune
- ii. Aryabhatta Research Institute for Observational Sciences (ARIES), Nainital
- iii. Indian Institute of Geomagnetism (IIG), Mumbai
- iv. Institute of Advanced Study in Science & Technology (IASST), Guwahati
- v. S.N. Bose National Centre for Basic Sciences (SNBNCBS), Kolkata
- vi. Wadia Institute of Himalayan Geology (WHIG), Dehradun
- vii. Technology Information, Forecasting & Assessment Council (TIFAC), New Delhi

**Group III:**

- i. Bose Institute (BI), Kolkata
- ii. Birbal Sahni Institute of Palaeosciences (BSIP), Lucknow
- iii. Indian Association for The Cultivation of Science (IACS), Kolkata
- iv. Indian Institute of Astrophysics (IIA), Bengaluru
- v. Institute of Nano Science and Technology (INST), Mohali
- vi. International Advanced Research Centre for Powder Metallurgy and New Materials (ARCI), Hyderabad
- vii. Jawaharlal Nehru Centre for Advanced Scientific Research (JNCASR), Bengaluru
- viii. Raman Research Institute (RRI), Bengaluru
- ix. Science and Engineering Research Board (SERB), New Delhi
- x. Sree Chitra Tirunal Institute for Medical Sciences And Technology (SCTIMST), Thiruvananthapuram

## II. Financial power limits:

S. No.	Item of Expenditure	Authority	Financial power limit		
			Group-I	Group-II	Group-III
1.	New Research Projects	Governing Body/Council	Rs. 2.0 Crore	Rs.5.0 crore	Rs.10.0 crore
		Chief Executives*	No power	No power	No power
		Registrar	No power	No power	No power
2.	Capital expenditure/equipment within the approved/sanctioned scheme/project	Governing Body/Council	Rs. 2.0 Crore	Rs.5.0 crore	Rs.10.0 crore
		Chief Executives *	Rs.1.0 Crore	Rs. 2.0 Crore	Rs.5.0 crore
		Registrar	No power	No power	Rs.5.0 lakh
3.	Contingent/ Miscellaneous Expenditure	Governing Body/Council	Full powers	Full powers	Full powers
		Chief Executives *	Rs.1.0 Crore	Rs. 2.0 Crore	Rs.5.0 crore
		Registrar	Rs.1.0 lakh	Rs.5.0 lakh	Rs.5.0 lakh

\* Chief Executives means Secretary i.r.o SERB, Director General i.r.o NECTAR, Executive Director i.r.o TIFAC and President i.r.o. JNCASR and Director i.r.o the remaining AIs.

2. The exercise of the above proposed financial powers shall be subject to the following :

- i. For sanction of new projects/schemes including that of infrastructure, the proposal shall be referred to DST for consideration under the extant instructions of the Central Government.
- ii. The delegation of power to incur miscellaneous expenditure would be subject to fiscal codes, procedures and availability of fund.
- iii. The Institutes are not delegated any powers relating to (a) creation of posts (b) Write-off of losses and (c) Re-appropriation of the allocated funds.
- iv. There shall be no further re-delegation of the above financial powers.
- v. Power to sanction new research projects by GB/GC is subject to recommendation of RAC and appraisal by FC.
- vi. Expenditure on capital, miscellaneous and contingent expenditures to be incurred should be with the concurrence of the Finance Officer or equivalent of the Institute concerned.
- vii. The items of expenditure shall not be split up for the purpose of bringing into delegated financial powers of sanction of a particular authority.
- viii. Procurement of equipments and capital expenditure should be in adherence of relevant provisions of GFR, 2017. GeM platform should be used for such procurement and any relaxation in this regard vests with the appropriate higher authority with justifications duly recorded.
- ix. The exercise of the above financial powers shall be subject to budgetary provisions and availability of funds in the approved budget.
- x. The exercise of the above financial powers will be subject to provisions of General Financial Rules, restrictions in Delegation of Financial Powers Rules(DFPRs), other instructions in force now and/or to be amended/issued by Central Government from time to time.



3. This issues with the concurrence of IFD vide Dy. No.6075 dated 23<sup>rd</sup> March 2021 and approval of the Hon'ble Minister of Science & Technology.

  
23/3/21

(Thingom Lalitkumar Singh)

Under Secretary to the Government of India

Tel: 26590267

To

The Director/Executive Director/President of the 21 Autonomous Institutes  
(as per list attached)

Copy to : PS to Hon'ble Minister of Science & Technology  
PPS to Secretary, DST  
AS&FA/JS(AI)

## LIST OF ADDRESSES

1. The Director General, North East Centre for Technology Application and Reach (NECTAR), Shillong
2. The Director, Centre for Nano and Soft Matter Sciences (CeNS), Bengaluru
3. The Director, Nation Innovation Foundation (NIF), Ahmadabad
4. The Director, Vigyan Prasar (VP), Noida
5. The Director, Agharkar Research Institute (ARI), Pune
6. The Director, Aryabhata Research Institute for Observational Sciences (ARIES), Nainital
7. The Director, Indian Institute of Geomagnetism (IIG), Mumbai
8. The Director, Institute of Advanced Study in Science & Technology (IASST), Guwahati
9. The Director, S.N. Bose National Centre for Basic Sciences (SNBNCBS), Kolkata
10. The Director, Wadia Institute of Himalayan Geology (WHIG), Dehradun
11. The Executive Director, Technology Information, Forecasting & Assessment Council (TIFAC), New Delhi
12. The Director, Bose Institute (BI), Kolkata
13. The Director, Birbal Sahni Institute of Palaeosciences (BSIP), Lucknow
14. The Director, Indian Association for The Cultivation of Science (IACS), Kolkata
15. The Director, Indian Institute of Astrophysics (IIA), Bengaluru
16. The Director, Institute of Nano Science and Technology (INST), Mohali
17. The Director, International Advanced Research Centre for Powder Metallurgy and New Materials (ARCI), Hyderabad
18. The President, Jawaharlal Nehru Centre for Advanced Scientific Research (JNCASR), Bengaluru
19. The Director, Raman Research Institute (RRI), Bengaluru
20. The Secretary, Science and Engineering Research Board (SERB), New Delhi
21. The Director, Sree Chitra Tirunal Institute for Medical Sciences And Technology (SCTIMST), Thiruvananthapuram

\*\*\*\*

## APPENDIX - 4

**Govt of India orders regarding financial powers of autonomous bodies funded by Govt of India**

**F No 8(4)E-Coord./84  
Government of India  
Ministry of Finance  
Department of Expenditure**

New Delhi, the 15<sup>th</sup> October 1984

**OFFICE MEMORANDUM**

**Subject: Financial powers of autonomous bodies-restrictions regarding**

The Rules and Bye-laws of autonomous bodies which are fully or partly funded by the Government of Indian should invariably incorporate restrictive clauses relating to the Powers of the Governing Bodies of such organizations in matters of creation of post, revision of pay and allowances of their staff and similar establishment expenditure and provide for prior approval of the Central Government in specific cases. It has come to the notice that this has not been done in a number of cases resulting the Governing Bodies of some Autonomous Organizations taking decisions on the above matters, which do not conform, to the general pattern of the Central Government.

2. With a view to ensuring that the provisions relating to the powers of the Governing Bodies in such matters having financial implications are properly exercised, Ministries/Departments are requested to take following action:-

- (i) A clause may be incorporated in the relevant Rules/Bye-laws/Regulations of the autonomous bodies that proposals relating to employment structure i.e. adoption of pay scales, allowances and revision thereof and creation of posts above a specified pay level would need the prior approval of the Govt. of India in consultation with the Ministry of Finance, Department of Expenditure;
- (ii) In the case of larger autonomous bodies a suitable clause may be incorporated in the relevant Rules Bye-laws/Regulations that a representative of the Ministry of Finance/Integrated Finance Division of the Ministry concerned should be nominated to the Executive Council of the Autonomous Organization. The choice of the nominee would be made in consultation with the Ministry of Finance; and
- (iii) In the autonomous organizations referred to in (ii) above, a provision would also be made if the Rules/Bye-laws/Regulations that in the event of disagreement between representative of the Ministry of Finance and the Chairman of the Governing body of the

*agom*

Autonomous Organization on the financial matter beyond the delegated powers of the Ministry/Department of the Govt. of India the matter may be referred to the Minister of the administrative Ministry concerned and the Finance Minister for a decision.

3. Ministries/Departments are requested to take immediate action to incorporate the necessary amendments suggested in the preceding para in the Rules/Bye-laws/Regulations of the Autonomous Organizations under their administrative control under intimation to this Ministry. They are also requested to ensure that before a new autonomous body is formed, the Rules/Bye-laws/Regulations concerning financial matters are finalized in consultation with this Ministry.

Hindi version will follow.

Sd/-  
(S.C. MAHALIK)  
Jt. Secretary to the Govt. of India.

To

All Ministers/Departments  
(By name to any officer of the rank of Jt. Secretary)

Copy to all Financial Advisers.

Implementation of this O.M. may please be watched by them carefully and reported to this Ministry from time to time.

Sd/-  
(S.C. MAHALIK)  
Jt. Secretary to the Govt. of Indian.

