



CENTRAL COUNCIL FOR RESEARCH IN HOMOEOPATHY

MEMORANDUM OF ASSOCIATION AND RULES, REGULATIONS & BYE-LAWS

(Authority: 20th Meeting of Governing Body Held on 1st March, 2019)

**MINISTRY OF HEALTH & FAMILY WELFARE
MINISTRY OF AYUSH
GOVERNMENT OF INDIA
NEW DELHI**



**CERTIFICATE OF REGISTRATION OF SOCIETIES
ACT.XXI OF 1860.**

No. S/9177

of.....1978.

I hereby certify that Central **Council for Research in Homoeopathy** has this day been registered under line Societies Registration Act, XXI of 1860

Given under my hand at New Delhi this.....30th.....day ofMarch, One thousand nine hundred and seventy eight. Registration Fee of Rs. 50/- paid.

SEAL

sd/
REGISTRAR OF SOCIETIES
DELHI ADMINISTRATION
NEW DELHI

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**MEMORANDUM
OF
ASSOCIATION**

MEMORANDUM OF ASSOCIATION OF CENTRAL COUNCIL FOR RESEARCH IN HOMOEOPATHY

1. NAME:

The name of the Society is the Central Council for Research in Homoeopathy hereinafter for the sake of brevity referred to as the Central Council which is one of the successors in office of the erstwhile Central Council for Research in Indian Medicine and Homoeopathy.

2. REGISTERED OFFICE:

The Registered Office of the Society shall be situated in the National Capital Territory of Delhi and presently in Jawahar Lal Nehru Bhartiya Chikitsa Avum Homoeopathic Anusandhan Bhawan, 61-65, Institutional Area, Opposite D-Block, Janakpuri, New Delhi-110058.

3. DEFINITIONS:

- 3.1 'Central Council' means the Central Council for Research in Homoeopathy.
- 3.2 'Director General' means the Director General of the Central Council.
- 3.3 'Non-official Member' means the member other than official members.
- 3.4 'President' means the President of the Central Council.
- 3.5 'Vice-President' means the Vice-President of the Central Council.
- 3.6 'Executive Committee' means Executive Committee of the Central Council.
- 3.7 'Governing Body' means the Governing Body of the Central Council.
- 3.8 'Member' means the member of Governing Body/ Executive Committee of the Council, as applicable.
- 3.9 'Member Secretary' means Member Secretary of Governing Body/Executive Committee of the Council, as applicable.

4. OBJECTS:

The objects for which the Central Council is established are:

- 4.1 To formulate aims and patterns of research on scientific lines in Homoeopathy.
- 4.2 To undertake any research or other related programmes in Homoeopathy including undergraduate, postgraduate and post-doctoral educational programmes in Homoeopathy.
- 4.3 To prosecute and assist in research, propagation of knowledge and experimental measures generally in connection with the causation, mode of spread, treatment and prevention of diseases.
- 4.4 To initiate, aid, develop and coordinate scientific research in different aspects, fundamental and applied aspects of Homoeopathy and to promote and assist institutions of research for the study of diseases, their prevention, causation, treatment and remedy.
- 4.5 To provide technical and financial support for research for the furtherance of objects of the Central Council.
- 4.6 To exchange information with other institutions, associations and societies interested in the objects similar to those of the Central Council and specially in observation and study of diseases in East Asia and in India, in particular.
- 4.7 To establish, equip and maintain laboratories, libraries, institutions and other facilities necessary to fulfil the objects of the Central Council.
- 4.8 To prepare, print, publish and exhibit any papers, posters, pamphlets, periodicals, standard treatment protocols and books for furtherance of the objects of the Central Council and to contribute to development of such literature.
- 4.9 To issue appeals and make applications for money and funds in furtherance of the objects of the Central Council and to accept for the aforesaid purpose gifts, donations and subscriptions of cash and securities and of any property whether movable or immovable.

- 4.10 To borrow or raise monies with or without security or on security mortgage charge, hypothecation or pledge of all or any of the immovable or movable properties belonging to the Central Council or in any other manner whatsoever.
- 4.11 To invest and deal with the funds and monies of the Central Council or entrusted to the Central Council not immediately required in such manner as may from time to time be determined by the Governing Body of the Central Council.
- 4.12 To permit the funds of the Central Council to be held by the Government of India.
- 4.13 To acquire and hold, whether temporarily or permanently any movable or immovable property necessary or convenient for the furtherance of the objects of the Central Council.
- 4.14 To sell, lease, mortgage and exchange, and otherwise transfer any of the properties movable or immovable of the Central Council provided prior approval of the Central Government is obtained for the transfer of immovable property.
- 4.15 To purchase, construct, maintain and alter any buildings, including for establishment of research laboratories, libraries or works necessary or convenient for the purpose of the Central Council.
- 4.16 To undertake and accept the management of any endowment or trust fund for donation, the undertaking or acceptance whereof may seem desirable.
- 4.17 To offer prizes and grant fellowship, scholarships, or financial assistance including travelling assistance in furtherance of the objects of the Central Council.
- 4.18 To create administrative, technical and ministerial and other posts under the Society and to make appointments thereto in accordance with the rules and regulations of the Society.
- 4.19 To engage administrative, technical, ministerial and other staff under the project on contract basis in accordance with the procedure laid down by the Executive Committee.

- 4.20 To establish a provident fund and/or pension fund for the benefit of the Central Council's employees and/or their family members.
- 4.21 To organize and participate in national and international programmes in Homoeopathy.
- 4.22 To undertake R&D Consultancy projects and transfer of patents on drugs and process to industry.
- 4.23 To undertake R&D projects sponsored by industries in Public/Private Sector.
- 4.24 To undertake International and inter-agency collaboration.
- 4.25 To utilise results of research conducted and payment of share of royalties/ consultancy fees to those who have contributed towards pursuit of such research.
- 4.26 To enter into agreement with scientific agencies of other countries for exchange of scientists, study tours, training in specialized areas, conducting joint projects etc.
- 4.27 To provide technical assistance to Govt./Private agencies in matters consistent with the activities of the Council.
- 4.28 To collaborate with, Government of India, in Research and Scientific Institutions, Academics in achieving its objectives.
- 4.29 To constitute Management Committees consisting of eminent Scientists/Physicians to monitor the R&D activities and suggest remedial measures for the improvement of activities of the Central Council as well as all Research Institutes of the Council.
- 4.30 To do all such other lawful things either alone or in conjunction with others, as the Central Council, may consider necessary or as being incidental or conducive to the attainment of the above objects.

5. MANAGEMENT OF ASSETS:

- 5.1 The property of the Central Council shall be vested in the Governing Body and in any proceedings, civil or criminal, may be described as the property of the Governing Body.

5.2 The income and properties of the Central Council howsoever, derived shall be applied towards the objects thereof as set forth in the Memorandum of Association subject to such limitations as the Government of India may from time to time impose. No portion of the income or the properties of the Central Council shall be paid or transferred directly or indirectly 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 Central Council or to any of them or to any person claiming through them or any of them provided that nothing herein contained shall prevent payment in good faith to any individuals in return for the services rendered by them to the Central Council or for travelling allowance, honoraria and other charges.

6. AUTHORITIES OF THE CENTRAL COUNCIL:

6.1 The following shall be the authorities of the Central Council:

- a. Governing Body;
- b. Executive Committee;
- c. Standing Finance Committee.

7. COMPOSITION, POWERS & FUNCTIONS AND MEETINGS OF THE GOVERNING BODY:

7.1 COMPOSITION

7.1.1 The Governing Body shall consist of the following:

President

Minister, Ministry of AYUSH

Vice-President

Secretary, Ministry of AYUSH

Official Members

1. Financial Advisor, Ministry of AYUSH
2. Joint Secretary, Ministry of AYUSH

3. Advisor (Homoeopathy), Ministry of AYUSH
4. Director, National Institute of Homoeopathy

Non-Official Members

1. 05 Experts in Homoeopathy out of which 03 should be University Professors/ eminent researchers
2. One Expert in Modern medicine
3. One Expert in Pharmacology
4. One Expert in Botany
5. One Expert in Chemistry

Member Secretary

Director General, CCRH.

7.1.2 The non-official members of the Governing Body shall be nominated by the President.

7.2 TERMINATION OF MEMBERSHIP AND DURATION OF APPOINTMENT OF MEMBERS

7.2.1 The term of office of nominated members shall be three years.

- a. Notwithstanding anything contained in sub-rule (b) of this rule, when a person becomes a member of the Governing Body by reason of the office or appointment he holds, his membership to the Governing Body shall cease, when he ceases to hold that office or appointment.
- b. Unless their membership of the Governing Body is previously terminated as provided in sub-rules (a) and (c), the tenure of non-official members shall be for three years from the date of their nomination to the Governing Body. Such members after their three years tenure will be eligible for re-nomination.
- c. A non-official member of the Governing Body shall cease to be a member if he resigns, becomes of unsound mind, becomes insolvent or convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which he was holding the membership.

- d. Resignation from membership addressed to the President, Governing Body, shall be tendered to the Member Secretary and shall not take effect until it has been accepted by the President.
- e. Any vacancy in the membership of the Governing Body shall be filled in the manner provided for in the Rules and such a member shall serve on the Governing Body for the remaining period of the tenure of office of the outgoing member.
- f. Any vacancy in the membership of the Governing Body caused by death or by any of the reasons mentioned in these sub-rules shall be filled in the same manner as provided in Rule 7 of these rules.

7.2.2 Any outgoing member shall be eligible for re-nomination. For an ex officio member, the term shall continue so long as he holds the Office by virtue of which the person is a member.

7.2.3 The Central Council shall function notwithstanding any vacancy in the Governing Body and no act or proceeding of the Central Council shall be invalid merely by reasons of such vacancy or of any defect in the appointment of any of its members.

7.3 POWERS AND FUNCTIONS:

7.3.1 At the annual meeting of the Governing Body, the following business shall be brought for its consideration and approval: -

- i. A draft of the Annual Report and the yearly accounts of the Central Council;
- ii. The annual action plan and future plans;
- iii. Any other business with the assent of the President.

7.3.2 The Governing Body shall guide, supervise and oversee the overall functioning of the Central Council.

7.3.3 The Governing Body shall have full powers to frame, amend, or repeal rules and regulations and bye-laws of the Council for the administration and management of the affairs of the Central Council, to regulate the powers and functions of the Executive Committee, the Standing Finance Committee and the Director General of the Central Council.

7.4 MEETINGS OF THE GOVERNING BODY:

7.4.1 The Governing Body shall ordinarily meet once a year. The President may also convene a Special meeting of the Governing Body.

7.4.2 A Governing Body meeting shall also be called by the President whenever he deems it necessary by a notice signed by the Director General on his instructions. If the President receives a requisition for the calling of a Governing Body meeting signed by 1/3rd members of the Governing Body, the President shall call such a meeting.

7.4.3 The President shall decide the date and place of every Governing Body meeting and the agenda of the business for discussion at such meeting.

7.4.4 Every notice calling for a meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member whose names are on the register of members and to the address given in such register or to the known address of the member not less than 21 clear days before the day appointed for any Governing Body meeting and 10 clear days for special meeting. Such notice shall be under the hand of the Member-Secretary and shall be accompanied by an agenda of the business to be placed before the meeting. In the event of any urgent business the President may call the meeting of the Governing Body at 10 days' notice.

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

- 7.4.6 One-third members of the Governing Body present shall constitute a quorum at any meeting of the Governing Body. In case a meeting is adjourned for want of quorum, there shall be no quorum for adjourned meeting.
- 7.4.7 All disputed questions at meetings of the Governing Body shall be determined by votes and the opinion of the majority shall prevail.
- 7.4.8 Each member of the Governing Body shall have one vote and in case of equality of votes, the President shall have a casting vote.
- 7.4.9 The President shall have the right to adjourn any meeting from time to time.
- 7.4.10 During a meeting, a decision given by the President on a point of order raised by a member shall be final.
- 7.4.11 The President shall convene a Special Meeting of the Governing Body on the written requisition of not less than one-third of the total members of the Governing Body.
- 7.4.12 Any requisition so made by the members of the Governing Body shall express the object of the meeting proposed to be called and shall be left at the address of the Member Secretary or posted to his address.
- 7.4.13 At the Special Governing Body meeting, no subjects other than those stated in the notice of requisition shall be discussed except when specially authorized by the President.
- 7.4.14 All meetings of the Governing Body shall be called by Notice under the signature of the Member Secretary or any person authorized in this behalf.
- 7.4.15 Any member desirous to moving any resolution on his behalf at a meeting of the Governing Body shall give notice thereof in writing to the Member-Secretary of not less than ten clear days before the day of such meeting.

- 7.4.16 Any business which may become necessary for the Governing Body to perform except such as may be placed before its Annual meeting may be carried out by circulation among all its members and resolution so circulated and approved by a majority of the members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least one third members of the Governing Body have recorded their views on the resolution. Further in the event of any urgent business, the President of the Central Council may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification
- 7.4.17 The President shall preside at every Governing Body meeting. In the absence of the President, Vice-President shall preside over the Governing Body meeting. In the absence of both, the members present shall choose a member to preside over that meeting.
- 7.4.18 The Director General shall maintain a register of members of the Governing Body which shall show the individual names of all members.
- 7.4.19 The Central Council shall keep a roll of members of Governing Body giving their addresses and occupations and every member shall sign the same.
- 7.4.20 All proceedings of the meetings of the Executive Committee shall be entered in a Minutes Book to be maintained by the Member Secretary for the purpose.

8. POWERS AND FUNCTIONS OF THE PRESIDENT

- 8.1 The President shall exercise such powers and discharge such functions as laid down in the Rules and Regulations and Bye-Laws of the Central Council and as may be delegated by the Governing Body.
- 8.2 Nothing shall prevent the President from exercising any or all of the powers of the Governing Body for the furtherance of

the objects of the Central Council and the action taken by the President on such occasions shall be reported to the Governing Body subsequently for ratification.

9. RESERVATION POLICY:

9.1 In the matter of appointments, promotion etc., the policy of the Government of India relating to reservation of posts for SC/ST/OBC/EWS/Physically handicapped etc. shall be followed.

10. AMENDMENTS OF THE OBJECTS OF THE CENTRAL COUNCIL

10.1 No proposition for altering or amending the objects for which the Central Council is established or for amalgamating the Central Council with any other Association or Society shall be taken into consideration as contemplated in Section 12 of Societies Registration Act XXI of 1860 without the previous approval of the Government of India.

11. POWERS OF MAKING/AMENDING RULES AND REGULATIONS AND BYE-LAWS

11.1 The power of making rules and regulations shall be vested in the Governing Body who shall, at its discretion, be entitled to amend and alter any such rules and regulations from time to time.

Provided that no such amendment or alteration shall be brought into force without the approval of the Central Government.

11.2 The power of making Bye-Laws and to regulate the duties of the Director General shall be vested in the Executive Committee who shall, at its discretion, be entitled to amend and alter any such bye-laws and the duties of Director General, from time to time.

Provided that no such amendment or alteration shall be brought into force without the approval of the Central Government.

12. POWERS OF THE CENTRAL GOVERNMENT

12.1 The Government of India shall have full powers to issue such directives as it may deem appropriate from time to time for furtherance of the objects of the Central Council.

13. DISSOLUTION OF THE CENTRAL COUNCIL AND ADJUSTMENT OF PROPERTY

- 13.1 Any number not less than three-fifths of the members of the Governing Body may determine that it shall be dissolved or at the time then agreed upon and all necessary steps shall be taken for the disposal and settlement of the property of the Central Council, its claims and liabilities according to the Rules of the Central Council applicable thereto, if any, and if not then as the Governing Body shall find expedient provided that in the event of any dispute arising among the members of said Governing Body, it shall be referred to the Central Government and the Central Government shall make such order in the matter as it shall deem requisite.

Provided that the Central Council shall not be dissolved without the previous approval of the Central Government.

- 13.2 Upon the dissolution of the Central Council registered under the Societies Registration Act, there shall remain after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Governing Body but shall be reverted to the Central Government for such purposes as it may deem appropriate.

14. MISCELLANEOUS PROVISIONS

- 14.1 In any proceedings, the Central Council may sue or be sued in the name of the Director General or such other member as shall in reference to the matter concerned be appointed by the Executive Committee.
- 14.2 For the purposes of the Rules and Regulations, a year shall be taken to mean the twelve months commencing on the 1st April and ending on the 31st March.
- 14.3 The existing employees of the CCRH shall be deemed to be the employees of the Council under these rules on the same terms and conditions.
- 14.4 A notice may be served upon any member of the Central Council either personally or by sending it through the post in an envelope addressed to such members at his address entered in the roll of membership or sending the same electronically.

- 14.5 The Central Council, the Governing Body and the Executive Committee shall function notwithstanding that there may be no authority entitled to nominate a person on the Governing Body/ Executive Committee or other vacancy in the said Bodies due to any reason and no act or proceedings of such Council/Body shall be invalidated merely by reason of the happening of any of the above events or of any defects in the appointment of any members.
- 14.6 Once in every year on or before the annual meeting of the Central Council, a list shall be filed with the Registrar of Societies of the names, addresses and occupations of the members of the Governing Body.
- 14.7 For the purposes of these Rules and Regulations, a member of a Society shall be a person who having been admitted therein according to the rules and regulations and have signed the roll or list of members thereof and shall not have resigned in accordance with such rules and regulations.
- 14.8 All the provisions of the Societies Registration Act, 1860 (Act XXI of 1860) will apply to the Central Council.

**RULES AND REGULATIONS OF THE
CENTRAL COUNCIL FOR RESEARCH IN HOMOEOPATHY**

These Rules and Regulations may be called the Central Council for Research in Homoeopathy Rules.

1. EXECUTIVE COMMITTEE

- 1.1 The composition of the Executive Committee of the Central Council shall be as under:\

Chairperson

Secretary, Ministry of AYUSH

Official Members

- 1) Financial Advisor, Ministry of AYUSH.
- 2) Joint Secretary, Ministry of AYUSH.
- 3) Advisor (Homoeopathy), Ministry of AYUSH.
- 4) Director, National Institute of Homoeopathy.

Non-official Members

- 5) Five non-official expert members of Governing Body, three from Homoeopathy and two other experts, to be nominated by the Chairperson of the Executive Committee.
- 6) Any special invitees at the discretion of the Chairperson.

Member Secretary

Director General, CCRH

2. DURATION OF APPOINTMENT AND TERMINATION OF MEMBERSHIP

- 2.1 The term of office of nominated members shall be three years.
- 2.1.1 The nominations to the Executive Committee will be made by the Chairperson, that is, Secretary, Ministry of AYUSH, Government of India.
 - 2.1.2 The Central Council shall maintain a roll of members of the Executive Committee indicating their addresses and occupations and every member shall sign the same.

- 2.1.3 (i) Not with standing anything contained in sub-rule (iii) whenever a person holds the membership of the Executive Committee by virtue of an Office or appointment held by him/her *ex officio*, the membership shall terminate, when he/she ceases to hold that office or appointment and vacancy so caused shall be filled by his/ her successor to that Office.
- (ii) Unless his/ her membership of the Executive Committee is previously terminated as in sub-rule (iii), the term of office of a non-official member of the Executive Committee shall be three years from the date of nomination except that when a person has been appointed member of the Executive Committee by reason of the office or appointment, he/ she holds. An out-going member shall be eligible for re-nomination.
- (iii) Any member of the Executive Committee shall cease to be a member if (a) he/she resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude (b) his/ her employer refuses to grant him permission to serve on the Executive Committee, (c) he/she goes abroad for a continuous period exceeding one year, (d) he/ she does not attend three consecutive meetings of the Executive Committee or (e) the Executive Committee by a majority vote is of the opinion that a member has acted or is acting against the interests of the Central Council.
- (iv) Resignation of membership addressed to Chairman, Executive Committee shall be tendered to the Member Secretary in person and shall not take effect until it has been accepted by the Chairman.
- (v) Any vacancy in the membership of the Executive Committee shall be filled in the manner provided for in the Rules and such a member shall serve on the Executive Committee for the remaining period of the tenure of office of the outgoing member.

(v) Any vacancy in the membership of the Executive Committee caused by death or by any of the reasons mentioned in these sub-rules shall be filled in the same manner as provided in Rule 1.

2.1.4 Any outgoing member shall be eligible for re-nomination. For an *ex officio* member, the term shall continue so long as he holds the Office by virtue of which the person is a member.

2.1.5 The Central Council shall function notwithstanding any vacancy in the Executive Committee and no act or proceeding of the Central Council shall be invalid merely by reasons of such vacancy or of any defect in the appointment of any of its members.

3. POWERS AND FUNCTIONS OF EXECUTIVE COMMITTEE

3.1 The Executive Committee shall have general control of the affairs of the Council and shall have authority to exercise and perform all the powers, acts and deeds for the planning, establishment and running of the Central Council, and its branches whether within or outside India consistent with the objects of the Central Council, as set forth in the Memorandum of Association and a report shall be presented to the Governing Body at its annual meeting.

3.2 The Executive Committee shall have full powers for the regulation of the business of the Central Council and in particular with reference to: -

3.2.1 The keeping of accounts;

3.2.2 The preparation and sanction of budget estimates;

3.2.3 The sanctioning of expenditure;

3.2.4 Entering into contracts;

3.2.5 The determination of the service conditions of staff consistent with service conditions of Central Government employees;

3.2.6 Recommendation for creation and abolition of posts provided that the relevant instructions, guidelines etc.,

issued by the Government of India in the matter are complied with;

- 3.2.7 Proposals relating to revision of emoluments structure, that is, adoption of pay scales and allowances provided prior approval of the Central Government (including Ministry of Finance) has been obtained.
 - 3.2.8 Any other purpose that may be necessary.
- 3.3 The Executive Committee shall have full powers in the following matters:
- 3.3.1 To delegate by resolution such administrative and financial powers as they may think proper to any Committee, the Chairperson, the Director General and such officers of the Central Council as may be considered necessary.
 - 3.3.2 To amalgamate, coordinate, take over or accept the management and administration of any endowment or trust fund or any subscription or donations, gifts, provided that the same is unaccompanied by any condition inconsistent or in conflict with the objects for which the Central Council is established.
 - 3.3.3 To institute, conduct, defend, compound, compromise or abandon any legal proceedings by or against the Central Council or otherwise relating to the affairs of the Central Council.
 - 3.3.4 To appoint Committees or Sub-Committees for such purposes and with such powers as may be specified by it.
 - 3.3.5 To review the progress and performance of committees constituted by it and constituent units established under different disciplines and give such policy directives as it may deem fit to the concerned committees and constituent units of the Central Council.
 - 3.3.6 To pay the charges and expenses, preliminary and incidental to the establishment and registration of the Society.

- 3.3.7 To purchase or otherwise acquire for the Central Council any property at such price and generally on such terms and conditions as they think fit.
- 3.3.8 To invest and deal with the funds and monies of the Central Council in such manner as it may think fit and from time to time to vary and realize such investments. Provided that the relevant instructions, guidelines etc., issued by the Government of India in the matter are complied with.
- 3.3.9 To raise money with or without security and to mortgage its properties with the prior concurrence of the Central Government and to execute necessary documents including deeds of mortgage charge and hypothecation deeds as may be required.
- 3.3.10 To enter into all such negotiations and contracts and rescind and vary all such contracts and execute and do all such acts, deeds and things in the name and on behalf of the Governing Body as they may consider expedient for or in relation to any of the matters aforesaid or otherwise for the purposes of Central Council.
- 3.3.11 To approve all proposals for new schemes prior to submission to the Government.
- 3.3.12 To approve all proposals for framing / amending recruitment rules in respect of the Scientific / Technical / Administration & Finance / Other cadres of Central Council.
- 3.3.13 To consider the different plans of the Central Council prior to its submission to the Government.
- 3.3.14 To grant relaxation to a tune of 50% in the qualifying service to fill up the backlog vacancies reserved for the category of Scheduled Castes and Scheduled Tribes by the method of "Promotion".
- 3.3.15 To take such other actions and exercise such other powers as may be necessary or expedient for furtherance of the objects of the Central Council.

3.4 The Executive Committee will also perform such duties and exercise such powers as may be laid down in the Bye-laws, Rules & regulations, resolutions or otherwise delegated by the Governing Body. However, in emergent situations, it may exercise any power of the Governing Body without prejudice to the general powers of the latter, provided that exercise of such powers shall be reported to the next meeting of the Governing Body.

4. POWERS AND FUNCTIONS OF THE CHAIRPERSON OF THE EXECUTIVE COMMITTEE

4.1 The Chairperson shall exercise such powers and discharge such functions as laid down in these Rules and Regulations and Bye-Laws of the Central Council and as may be delegated by the Executive Committee.

4.2 Nothing in these rules shall prevent the Chairperson from exercising any or all of the powers of the Executive Committee for the furtherance of the objects of the Central Council and the action taken by the Chairperson on such occasions shall be reported to the Executive Committee subsequently for ratification.

5. MEETINGS OF THE EXECUTIVE COMMITTEE

5.1 The Executive Committee shall meet as often as may be considered necessary by the Chairperson for the transaction of the business of the Central Council but shall meet at least twice a year. The Chairperson shall decide the date, time and place of every meeting and the agenda of the business for discussion at such meeting.

5.2 Any extraordinary meeting of the Executive Committee may be held at any time during the year as the Chairperson may decide.

5.3 An extraordinary meeting of the Executive Committee may be called on a written requisition indicating the purpose of the meeting by at least one-third members of the Executive Committee and on receipt of such a requisition, the Member Secretary shall call such a meeting after giving notice as required under Rule 68 and at such time and place as the

Chairperson may decide. At such a meeting, no subject other than those stated in the requisition shall be discussed except when specially authorized by the Chairperson.

- 5.4 Every notice calling a meeting of the Executive Committee shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Executive Committee not less than 14 clear days in case of ordinary meeting and not less than 7 clear days in the case of extraordinary meeting. The agenda shall also be sent along with the notice of the meeting and where it is not possible, the agenda shall be sent at least 7 days before the ordinary meeting and 5 days before the extraordinary meeting. The accidental omission to give notice or the non-receipt of the notice by any member shall, however, not invalidate the proceedings of the meeting.
- 5.5 The Chairperson shall preside over the meetings of the Executive Committee. In the absence of the Chairperson, the members present shall choose one from amongst themselves to preside over the meeting.
- 5.6 One-third of the members of the Executive Committee present in person shall constitute a quorum at any meeting of the Executive Committee. In case a meeting is adjourned for want of quorum, there shall be no quorum for the adjourned meeting.
- 5.7 On all disputed questions at meetings of the Executive Committee, each member shall have one vote and in case of equality of votes, the Chairperson shall have a casting vote.
- 5.8 Any member desirous of moving any resolution at any ordinary meeting of the Executive Committee shall give notice thereof in writing to the Member Secretary not less than seven days before the day of such meeting.
- 5.9 Any business which it may be necessary for the Executive Committee to perform may be approved by way of a resolution in writing circulated amongst all its members and any such resolution so circulated and approved by a majority of members entitled to vote at a meeting of Executive Committee shall be

as effectual and binding as a resolution passed in a meeting of the Executive Committee.

5.10 Chairperson shall have the right to adjourn any meeting from time to time.

5.11 A decision given by the Chairperson of the meeting on a point of order raised by a member shall be final.

5.12 The Director General shall maintain a register of members of the Executive Committee which shall show the individual names of all members.

6. STANDING FINANCE COMMITTEE

6.1 The Standing Finance Committee of the Council shall be as under:

Chairman

Joint Secretary, Ministry of AYUSH.

Members

1. Director/Deputy Secretary, Integrated Finance Division, Ministry of AYUSH.
2. Advisor (Homoeopathy), Ministry of AYUSH.
3. Two non-official members of the Executive Committee to be nominated by the Chairperson of the Standing Finance Committee.

Member-Secretary

Director General, CCRH

7. TERM OF OFFICE

7.1 The term of office of nominated members shall be three years.

8. POWERS AND FUNCTIONS OF THE STANDING FINANCE COMMITTEE:

8.1 The following matters shall be referred to the Standing Finance Committee which shall consider them and make its recommendation thereon to the Executive Committee, namely; -

- a) Annual accounts showing the receipts and expenditure of the Central Council together with audit report thereon;
- b) Budget estimates showing the estimated receipts and expenditure of the Central Council;
- c) All proposals for creation/ abolition of posts;
- d) All financial matters pertaining to the Central Council including new proposals, re-appropriation of funds etc, beyond the delegated powers of Director General;
- e) All matters relating to the invitation and acceptance of tenders beyond the delegated powers of Director General of the Council.
- f) To give advice and make recommendations to the Executive Committee on any other financial matter affecting the affairs of the Council.
- g) All proceedings of the meetings of the Executive Committee shall be entered in a Minutes Book to be maintained by the Member Secretary for the purpose.

Note: The provisions contained in the General Financial Rules issued by the Ministry of Finance shall be deemed to be applicable to the Central Council.

9. MEETINGS OF THE STANDING FINANCE COMMITTEE:

9.1 The Standing Finance Committee shall meet at least twice in a year.

10. POWERS AND FUNCTIONS OF THE DIRECTOR GENERAL

10.1 The Director General shall be the Chief Executive of the Central Council and shall be responsible for the coordination of policies, planning and execution of various programmes under the Central Council. Without prejudice to the generalities of the foregoing provisions, the Director General shall exercise such powers and discharge such functions as specified in Schedule I to the Bye-Laws and also those laid down below:

- 10.1.1 He shall do all such acts as may be required for the proper conduct of the ordinary current administrative and business duties and affairs of the Central Council.

- 10.1.2 He shall allocate duties to officers and employees of the Central Council and shall exercise such supervising and executive control as may be necessary subject to the rules and regulations.
- 10.1.3 All the correspondences shall be under his signature or of an officer(s) authorized by him on his behalf.
- 10.1.4 He shall also be a Member (*ex-officio*) of all the committees appointed by Governing Body/ Executive Committee and shall attend at his discretion all or any meetings of such Committees.
- 10.1.5 He shall exercise such of the financial and administrative powers as may be delegated by the Governing Body or by the President.
- 10.1.6 The Director General shall sign and execute on behalf of the Governing Body all agreements, contracts etc. which may be necessary for the proper conduct of the business of the Council. The drafts of all contracts involving consideration exceeding Rs. 5,00,000/- (five lakhs) shall be submitted to the Solicitor to the Government of India and such other officer dealing with the matter in the Ministry of Law for his advice as to its correctness of their forms.
- 10.1.7 He shall sign and verify complaints, written documents, statements, affidavits, petitions and tabular statements and institute or defend suits, actions and other legal proceedings on behalf of the Central Council.
- 10.1.8 He shall have power to compromise, settle or refer to arbitration any dispute relating to the Central Council after taking competent legal advice.
- 10.1.9 The Director General may, subject to such restrictions as he may think fit to impose, authorize an officer declared as Head of Office / Assistant Director (Administration) /Accounts officer/Drawing and Disbursing Officer as the case may be, to exercise, up to the extent indicated in the Schedule II & III

respectively of powers conferred upon him under the Bye-Laws.

- 10.1.10 The Director General may, subject to such restrictions as he may think fit, authorize the Heads of the Projects to exercise such of the powers conferred upon him under the Bye-Laws.
- 10.1.11 The Drawing and Disbursing Officer or any other Group A or B officer authorized by the Director General on his behalf shall have the power to sanction an expenditure of a miscellaneous or contingent nature as delegated to him from time to time.
- 10.1.12 He may accept any donation by cash or kind provided the same is unaccompanied by any condition inconsistent with or in conflict with the nature and objects for which the Central Council is established. The donation so received shall be utilized for the purpose for which it has been received and the matter may be reported to the Executive Committee when it meets next.
- 10.1.13 He shall exercise such administrative and disciplinary powers, subject to discipline and conduct rules, as may be necessary for achieving the objectives of the Central Council.
- 10.1.14 He shall realize and receive all the grants or other money due to the Council from the Government and other persons/authorities etc.
- 10.1.15 He shall have powers to incur expenditure within the limits of budget approved by the Standing Finance Committee subject to such conditions and limitations as may be prescribed by the Executive Committee.
- 10.1.16 In emergent circumstances, the Director General shall take action, subject to these rules, as he thinks necessary. The action taken under this provision shall be reported for ratification to the Executive Committee at its next meeting.

11. FUNDS OF THE COUNCIL

- 11.1 The funds of the Council shall consist of the following:
- 11.1.1 All moneys / grants-in-aid provided by the Central Government;
 - 11.1.2 All fees and other charges received by the Council;
 - 11.1.3 All moneys received by the Council by way of grants, gifts, donations, transfers, benefactions, bequests, etc.;
 - 11.1.4 All moneys received by the Council in any other manner or from any other source.

12. ANNUAL REPORT AND ANNUAL STATEMENT OF ACCOUNTS AND AUDIT

- 12.1 A draft Annual Report and the yearly accounts of the Central Council, along with observations, if any, of the Executive Committee, shall be placed before the Governing Body at its annual meeting for consideration and approval. A copy of the Annual Report and audited statement of accounts as finally approved by the Governing Body shall be duly printed and forwarded within six months to the Govt. of India to be laid before Parliament within nine months of the closure of the relevant accounting year.
- 12.2
- a) Central Council shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Central Council.
 - b) The accounts of the Central Council shall be audited annually by the auditors appointed by the Government of India and any expenditure incurred in connection with such audit be payable by the Central Council to the Auditors.
 - c) The auditors appointed by the Central Government in connection with the audit of the accounts of the Central Council shall have the same right, privileges and authority in connection with such audit as the Comptroller and Auditor General has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other necessary documents and papers.

d) The report of such audit shall be communicated by the auditor to the Central Council which shall submit a copy of the Audit Report along with its observation to the Government of India. The Auditor shall also forward a copy of the report to the Government of India.

13. BANKERS

The Bankers of the Council shall be the State Bank of India or any of the Nationalised Banks. All funds shall be paid into the Central Council's accounts with the appointed banks and shall not be withdrawn except by a cheque, bill, note or other negotiable instruments signed by the Director General of the Central Council or jointly by two officers of the Central Council as may be authorised by the Director General of the Central Council from time to time.

The subordinate units of the Central Council may also be permitted by the Director General in his discretion to open bank accounts in the State Bank of India or any other Nationalised Banks or the post-office savings bank. The accounts will be operated by the Officer-in-charge/ Project Officer or as may be decided by the Director General in any particular case.

14. COMMENCEMENT OF RULES AND REGULATIONS AND BYE-LAWS

The existing Memorandum of Association/ Rules and Regulations and Bye-laws of the Council will cease to be operative once the present Rules and Regulations and Bye-laws come into force, that is, from the date of its approval by the Governing Body.

15. SAVING CLAUSE AND TRANSITIONAL PROVISION:

15.1 Notwithstanding the provisions of the above rules, all the appointments of Scientific, technical and administrative staff made prior to the coming into force of these rules shall be deemed to be valid.

15.2 No adverse alterations to the service conditions of the existing employees shall be made due to these Rules & Regulations and Bye-laws.

Bye-Laws

PREPARATION AND SANCTION OF BUDGET ESTIMATES

1. The Director General will prepare each year before the annual meeting of the Governing Body detailed estimates of the receipts and expenditure and the anticipated opening and closing balances of the Central Council for the ensuing financial year.
2. No provision may be included in the budget estimates for any scheme which has not been duly approved by the Executive Committee.
3. Should it be proposed, during the course of a financial year, to finance any scheme, which has not been included in the estimates for that year, the sanction of the Executive Committee shall be obtained to the method proposed for financing it whether that be by means of supplementary grant, from the balances or by re-appropriation within the sanctioned estimates. The Director General shall maintain in his office a budget register in which he will enter the grants received from the Government of India and any money received from other sources and shall show all amounts allotted for expenditure on specific heads for specific purposes. The Director General shall furnish an annual certificate to the auditor as to the correctness of the annual balance.
4. The Director General shall be responsible for submitting the budget estimates for the ensuing financial year for the approval of the Standing Finance Committee.
5. One copy of the finally sanctioned estimates shall be supplied to the Auditor. All variations in the estimates sanctioned by the competent authority during the year shall be similarly communicated.
6. The approval of the Standing Finance Committee is necessary to all schemes proposed to be financed from the funds of the Central Council.
7. An additional grant for any approved scheme or new emergent expenditure for purposes and the objects of the Central Council can be sanctioned upto the following financial limits:

Chairperson, Executive Committee - Rs.10,00,000/-

Chairperson, SFC - Rs. 5,00,000/-

Director General - Rs. 2,00,000/-

APPROPRIATION

8. The funds of the Central Council shall not be appropriated for expenditure on any item which has not been approved by the competent authority under these Bye-laws.
9. The primary units of appropriation shall ordinarily be 'Scheme' or 'Schedule' and secondary units such as 'Salaries', 'Allowances', 'Contingencies' etc. being opened, subordinate thereto, as may be required.

RE-APPROPRIATION

10. The Director General shall have the power to re-appropriate funds from one primary unit of appropriation to another or from one secondary unit of appropriation to another within a primary unit
11. The Director General shall keep a watch over expenditure against the grants sanctioned by the Executive Committee and in cases where expenditure has exceeded or is likely to exceed the sanctioned grant, take steps to provide an additional grant or make re-appropriation from anticipated savings under other units of appropriation.
12. No expenditure from the funds of the Central Council shall be incurred without the sanction of the competent authority.
13. A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-laws to cover it.

INVESTMENTS

14. The funds of the Central Council including the funds that could be invested under G.P Fund rules of the Council may be invested only in the following manner:-
 - a) In Promissory notes, Debentures, Stocks, Treasury Deposit Certificates or other Securities of any State Government or of the Government of India.
 - b) In fixed deposits with State Bank of India or any of the Nationalized Bank for a specific period as would earn maximum rate of investment under the rules of the Reserve Bank of India.
 - c) In such other manner as the Standing Finance Committee may authorize.

15. All investments of the funds of the Central Council shall be made in the name of the Central Council. 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 Central Council shall be executed by the Director General on behalf of the Executive Committee. The safe custody of receipts will remain in the personal charge of the Director General and will be verified once in six months with the Register of Securities and a certificate of verification will be recorded by the Director General in the Register.
16. The Director General shall maintain a register of securities FDRs held by the Central Council in which any transactions affecting the securities shall be recorded.

DRAWAL OF FUNDS

17. Funds will be drawn from the Bank in the manner laid down in Rule 13. Cheque books will remain in the personal custody of the Director General or other persons as may be authorized by the Director General on his behalf.
18. The various officers employed under the Central Council will submit all new charges and any demand of funds to the Director General of the Central Council. The claims for pay and allowances and travelling allowances of officers and contingent bills will be drawn in the prescribed forms and submitted to the Director General for payment. All bills will be checked and passed for payment by the Accounts Officer/ Drawing and Disbursing Officer who may be authorized by the Director General. The contingent and travelling allowance bills will be counter signed by the Director General or by any other officer authorised by the Director General on his behalf, before these are passed by the Accounts Officer/Drawing and Disbursing Officer for payment. The monthly pay and allowance bills shall be received directly by the Accounts Officer/Drawing and Disbursing Officer and passed by him. Payment will be made by means of demand drafts or cheques or by electronic means, as the case may be.

ACCOUNTS

19. The Director General of the Central Council shall maintain proper accounts and other relevant records and prepare annually an income and expenditure account for the year ending and balance sheet as on

31st March of the Central Council in such form as may be prescribed by the Governing Body and acceptable to the Auditors. The Director General will be assisted by an Accounts Officer/Drawing and Disbursing Officer who will advise the Director General for the accuracy and completeness of the accounts of the Central Council.

20. The primary accounts of the Central Council will be maintained in the following form:

Form 1 - The Cash Book

Form 2 - The Register of Securities/FDRs

Form 3 - The Receipt Book

Form 4 - The Register of Stock of Cheque Books

Form 5 - The Register of Stock of Receipt Books

Form 6 - The Register of Stock of Non-expendable Article

Form 7 - The Register of Leave and Pensionary Contributions.

Form 8 - The Register of Advances, Permanent and Temporary

Form 9 - The Annual Accounts.

21. The functions of the Auditor of the Central Council will be exercised by the Comptroller and Auditor General of India or any persons appointed by him in this behalf.

22. The Accounts Officer/Drawing and Disbursing Officer will apply a check of the nature of pre-audit to all payments from the funds of the Central Council and will maintain register in the following forms:

Form 10 Establishment Audit Register.

Form 11 Register of Pay and Allowance of Officers of the Central Council who are treated on par with Gazetted Officers of the Government of India.

Form 12 Travelling Allowances Register.

Form 13 Contingent Register

Form 14 Register of Special Charges

Form 15 Objection Book Relating to Irregular Payments.

Form 16 Adjustment Register.

Form 17 Register of Financial Orders, Delegations etc.

23. If expenditure from the funds of the Central Council consists of a grant to any authority or individual under the audit of any officer, the Auditor will satisfy himself that the purpose of the grant-in-aid is within the scope of the objects of the Central Council as set out in the Memorandum of Association and will call for and accept a certificate of the audit of that audit officer of the expenditure from the grant. The Director General will arrange to obtain and produce such certificates of audit.
24. All sanctions, orders or delegation of competent authorities under the Rules and Regulations or these Bye-laws affecting Central Council's accounts shall be reduced to writing and communicated to Accounts Officer.

CONDITIONS OF SERVICE

APPOINTMENTS

25. (a) The Officers and staff of the Central Council shall be grouped in the following categories: -
- i Group- A - All posts carrying Grade Pay of not less than Rs.5,400/- in PB-3 (pre-revised) [Level 10 or above of the Pay Matrix as per 7th CPC].
 - ii Group - B - All posts carrying Grade Pay not less than Rs. 4,200/ [Level 06 of the Pay Matrix] but less than Rs.5,400/- in PB-3 [upto Level 09 of the Pay Matrix as per 7th CPC].
 - iii Group-C - All posts carrying Grade Pay of Rs. 1,800/- and more but less than Rs.4,200/- [Level 05 of the Pay Matrix as per 7th CPC].
- (b) Recruitments, appointments, and promotions to all posts shall be made according to the recruitment rules as laid down by the Governing Body. Selection shall be made through the Selection Committees/ Departmental Promotion Committees duly constituted with the approval of the respective appointing authority.
- (c) The Selection Committee shall examine the credentials of all candidates who have applied and may also consider other suitable names, if any. The Selection Committee may interview any or all of the candidates as it thinks fit and shall make its recommendations to the appointing authority.

(d) The appointing authority in respect of all posts carrying Grade Pay up to Rs.5400/- in PB-3 (pre-revised) [Level 10 of the Pay Matrix as per 7th CPC] shall be the Director General and in respect of posts carrying Grade Pay greater than Rs.5400/- in PB-3[Level 11 of the Pay Matrix as per 7th CPC] the appointing authority shall be the President of the Governing Body.

(e) The Director General shall be appointed by the Governing Body with the prior approval of the Central Government.

TENURE OF APPOINTMENT

26. Services under Central Council shall be temporary until further orders unless an officer has been appointed on a contract basis for a specified number of years on special terms. The services of a temporary employee can be terminated at any time by one month's notice on either side without assigning any reasons. The Central Council, however, reserves the right of terminating the services of the employee forthwith or before the expiry of one month notice or three months' notice as the case may be by making payment to him of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof. The employee, however, cannot surrender his pay and allowances in lieu of the period of notice or for any unexpired portion thereof unless expressly accepted by the appointing authority.

PERIOD OF PROBATION

27. Unless otherwise decided by the appointing authority an employee shall be on probation for two years or as provided in the instructions issued by the Department of Personnel and Training, Government of India on the subject. During the period of probation the employee shall be required to put in satisfactory service failing which his services shall be liable for termination at any time without notice or reason being assigned for the same. The appointing authority may, however, extend the period of probation in accordance with the instructions of the Department of Personnel and Training (DoPT), Government of India.

SENIORITY

28. The Seniority of employees of the Central Council in each category shall be determined by the order of merit in which they were selected for appointment to the grade in question, those selected on an earlier occasion being ranked senior to those selected later. In case of any doubt, the matter will be decided as per the instructions issued by the DoPT, Government of India.

RELATIVE SENIORITY OF DIRECT RECRUITS AND PROMOTEEES

29. The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruitment quota and promotion quota which, shall be based on the percentage of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules. In case of any doubt, the matter will be decided as per the instructions issued by the DoPT, Government of India.

EMPLOYEES TO BE WHOLE-TIME SERVANTS

30. Unless otherwise provided the whole-time of an employee of the Central Council shall be at the disposal of the Central Council and he may be employed in any manner required by the proper authority of the Central Council without any claim for additional remuneration.

GENERAL PROVIDENT FUND AND PENSION

31. The employees of the Central Council who were appointed prior to 1.1.2004 and were already members of the GPF Scheme and those who were appointed in the Central Council on or after 1.1.2004, but are members of General Provident Fund as on the date of their appointment in the Council, will be allowed to continue to subscribe to General Provident Fund, shall be entitled to pension from the funds of the Central Council as per the rules issued by the Central Government from time to time. The employees appointed on or after 1-1-2004 will be governed by New Pension Scheme.

GRATUITY

32. The employees of the Central Council both permanent and temporary shall be entitled to death-cum-retirement gratuity on the scales prescribed by the Central Government for similar categories of its employees. The relevant rules made by the Central Government

in this regard for its employees shall *mutatis mutandis* apply to all employees of the Central Council.

SUPERANNUATION

33. The rules governing the retirement of employees of the Government of India as amended from time to time shall apply to the employees of the Central Council as adopted by the Governing Body. Provided that an employee can be retained in service after prescribed age of superannuation, with the prior approval of the Central Government if he/she continues to be physically fit and efficient and it is in the interest of the Central Council to retain him/her in service.
34. The Fundamental and Supplementary Rules and General Financial Rules of Government of India as amended from time to time shall apply *mutatis mutandis* to employees of the Central Council.

PAY OF RE-EMPLOYED PERSONS

35. The orders/ instructions applicable to similar employees of Govt. of India shall apply *mutatis mutandis* to employees of the Central Council.

PRIVATE PRACTICE

36. Service under the Central Council debars research workers from either private or consulting practice of any kind.

STATUS OF NON-OFFICIALS FOR REGULATION OF T.A.

37. Private persons who are not whole-time servants of the Central Council or who are remunerated wholly or partly by fees, rank for purpose of travelling allowances under Supplementary Rules in such grade as the Central Council may with due regard to their status declare.

DE-FACTO PERMANENT AND TEMPORARY STATUS OF CENTRAL COUNCIL EMPLOYEES

38. The employees of the Central Council with three years of continuous service or more will, for the purpose of drawal of increment, fixation of pay, grant of personal advances, etc., be treated in the same manner and shall be subject to the same rules as are applicable to permanent Government servants and to the staff with less than three years service rules as for temporary Government servants shall apply.

Note: Bye-laws (37 & 38) are not applicable to Government servants employed under the Central Council on foreign service terms.

DEPUTATION IN INDIA AND ABROAD

39. Such employees of Central Council as have completed five years of service and are awarded fellowship for higher studies or training in India or abroad may be granted deputation-cum-special leave terms. The grant of these terms shall be regulated *mutatis mutandis* by the orders issued on the subject by the Government of India from time to time.
40. The grant of leave to employees of the Central Council under Bye-Laws shall not debar the employment of temporary substitutes provided the nature of duties performed requires that a substitute should be engaged.

LEAVE RULES

41. The Central Civil Service (Leave) Rules 1972 as amended from time to time shall apply *mutatis mutandis* to the employees of the Central Council appointed other than on contract basis. Employees appointed on a contract basis under the Central Council shall be granted leave under the same rules as applicable to contract officers of the Central Government.

MEDICAL FACILITIES FOR EMPLOYEES

42. The employees of the Central Council including deputationists and members of their families shall be entitled to medical aid as admissible under the prescribed Central Government Health Scheme where such facilities have been extended with the concurrence of CGHS. They shall also pay such contribution as are required under that Scheme. The employees posted in towns/cities, areas not covered under CGHS or where such facilities have not been extended shall be governed by the CCS (Medical Attendance) Rules *mutatis mutandis*.

SCALE OF PAY OF POSTS

43. The scales of pay and allowances applicable to the officers and establishments in the services of the Central Council shall be those prescribed by the Government of India for similar personnel employed under them.

ALLOTMENT OF CENTRAL COUNCIL RESIDENCE TO THE EMPLOYEES

44. The employees of the Central Council shall be entitled to the allotment of Central Council's residence if available as per the rules laid down for the purpose.

CONDUCT, DISCIPLINE AND PENALTIES

45. The Central Civil Services (Conduct) Rules and also Central Civil Services (Classification, Control and Appeal) Rules of the Government of India will *mutatis mutandis* apply to the employees of the Central Council.

- (i) If the charge sheet is against the Head of Research Council, the charge sheet will be signed by the Joint Secretary "for and on behalf of President of the Governing Body/Minister of AYUSH.
- (ii) If the charge sheet is against officers other than Director General of the Council, the charge sheet will be signed by the Director General of the Council (whether regular or officiating).

Appeals from orders imposing any of the penalties specified in the CCA Rules shall be made to the authority specified in column 4 or 5 as the case may be of the Annexure. The decision of such authority shall be final.

OTHER CONDITIONS OF SERVICE

46. In respect of matters not provided for in these regulations the rules as applicable to Central Government servants regarding the general conditions of service, pay, allowances, and daily allowances, foreign service terms, deputation in India and abroad, etc. and orders and decisions issued in this regard by the Central Government from time to time shall apply *mutatis mutandis* to the employees of the Central Council.

GUIDELINES FOR TRANSFERS

47. In order to have transparency in transfers in the Central Council, the following guidelines shall be applicable:-

1. All Groups "A" & "B" officers including those at Hqrs. are liable to be transferred from one place to another on completion of 5 years of service.

1. On promotion to a higher post, an officer may be transferred irrespective of the period of stay at a particular place. However, Officers/staff who have developed a specialization in a particular field, would be transferred to such institutions/Units where their specialization could be utilized.
2. Normally Group C staff will not be transferred except on administrative exigencies.
3. Officials can be transferred on promotion from Group "C" to Group "B" posts subject to availability of vacancy.
5. No officers/staff will be transferred after attaining the age of 58 years except on own request or in public interest or cases requiring disciplinary action or transfer of such officers to their home towns/states.
6. Transfers of all officials including those of Group 'C' staff can be effected subsequent to re-organization of the Institutes/Units and Research schemes of the Council.
7. Transfers of all officials including those of Group C staff may be resorted to as an alternative to suspension of the official or in public interest while an inquiry is in progress.
8. All staff and personnel including Group C staff are liable to transfer on orders of the Court.
9. Efforts be made to effect transfers as far as possible (except on administrative grounds) only after the expiry of the academic year so as to avoid disruption in the education of the children of the officers of the Council.
10. In case the spouse of the officer/staff happens to be an employee of State Govt/Central Govt. or Govt. Undertakings, the transfer of such officers/staff will be restricted as far as possible (except on administrative grounds) to the place of posting of his/her spouse subject to availability of vacancy, failing which the posting should be considered at the nearest possible station.
11. If, at any time, it becomes essential to shift/transfer any staff member of any of the categories, including Group C staff, on administrative grounds, the Council reserves the right to transfer him/her from one Unit to another Unit

12. The fresh appointees to Group 'A' post has to serve in tribal/ remote areas for a period of 3 years subject to availability of vacancies. Such officers, on completion of this period would be transferred back to their home states or nearby stations of their choice subject to availability of vacancy.
13. Govt. of India instructions will be followed regarding facilities admissible to Govt. employees serving in North Eastern Region, in accordance with Govt. of India, Ministry of Finance O.M. No. 20014/3/83-EIV dt. 14.12.1983 as amended from time to time.
14. In situations where on administrative and technical grounds, some posts are required to be transferred from one Institute/Unit to another, the incumbents holding such posts would be transferred along with the posts. The Director General shall personally satisfy himself about the necessity of transfer of such post along with the incumbent from one unit to another and certify explaining the reasons that this has been done in the public interest and after obtaining necessary approvals where ever required. This should be done with the prior approval of the Executive Committee and in case of urgency, with the approval of the Chairperson of the Executive Committee
15. In case of transfer on the basis of complaints against any incumbent alleging moral turpitude, financial embezzlement and indiscipline, the Director General shall personally satisfy himself about the need for such a transfer after making a preliminary enquiry.
16. While making transfers, Director General may ensure that the on-going research work is not affected adversely due to the transfer of a technical officer/Scientist from a particular unit.

AMENDMENT OF BYE-LAWS

48. Any alteration in the Bye-Laws shall be made after following the procedure prescribed in the Memorandum of Association.

ANNEXURE

(BYE – LAW- 45)

Particulars of the post	Authority empowered to impose penalties and the penalties which may be imposed		Appellate authority	
	Minor Penalties	Major Penalties	Minor Penalties	Major Penalties
(1)	(2)	(3)	(4)	(5)
Group A [Level 11 and above of the Pay Matrix]	President	President	Governing Body	Governing Body
Group A [Level 10 of the Pay Matrix]	Director General	Chairperson	Chairperson	Executive Committee
Group B and C [up to Level 9 of the Pay Matrix]	Director General	Chairperson	Chairperson	Executive Committee

SCHEDULE-1

Schedule of powers vested in the Director General

(Rule 10.1)

Sl. No.	POWERS	EXTENT
1.	To declare a Central Council employee to be a ministerial servant	Full powers.
2.	To dispense with a medical certificate of fitness before appointment (in individual cases)	Full powers subject to conditions of GoI in Fundamental Rules and Supplementary Rules.
3.	To suspend a lien	Full powers provided he is authorized to make appointments to the posts in question.
4.	To transfer a lien	Full powers provided he is authorized to make appointments to both the posts concerned.
5.	To transfer an employee	Full powers
6.	To appoint an employee to hold a dual charge and to fix emoluments as per FR 49.	Full powers provided he has power to make appointment in each post.
7.	To sanction grant or acceptance of honorarium	Full power upto a maximum of Rs. 2500/- in a year. In the case of recurring honoraria, this limit applies to the total of the recurring payments to individual in a year.
8.	To retain the categories of technical/ research staff of the Council in service after the age of 60 years and upto 62 years in exceptional cases.	Full powers provided that extensions are limited to a period of one year at a time in respect of posts to which he is the appointing authority and subject to prior approval of Central Govt.
9.	To permit undertaking of private work and acceptance of fee	Full powers to permit undertaking of private work and acceptance of fees keeping in view the conditions prescribed in FR and SR.
10.	To decide the shortest of two or more routes.	Full powers for journeys within his jurisdiction.

11.	To allow mileage allowance by a route other than the shortest	Full powers provided selection of the route is in the Central Council's interest.
12.	To define the limits of an employee's sphere of duty.	Full Powers
13.	To decide whether a particular absence is absence or duty	Full Powers
14.	To authorize an employee to proceed on duty to any part of India	Full Powers
15.	To restrict the frequency and duration of journeys	Full Powers
16.	To permit travel by air to Non-officials	Full Powers
17.	To reimburse cancellation charges on unused air/rail/ tickets	Full powers where the cancellation was done in the interest of the Council.
18.	To allow actual expenses for carriage of personal effects by road between stations connected by rail	Full powers
19.	Power to declare a gazetted officer (Group-A or Group-B) to be Head of an office mainly to sign bills and cheques, last pay certificates, contingent registers etc. He can also delegate such powers in certain cases to any other Group 'A' officer subordinate to him. (DFPR-16)	Full Powers
20.	Power to permit an officer to countersign T.A. advance bills where permanent T.A. advances have been sanctioned to that officer	Full Powers
21.	To declare who shall be the controlling officer and to make rules for his guidance	Full powers provided no employee is declared his own controlling officer
22.	To purchase working stores, tools and plants etc.	Up to the limits of budget provision for such purpose within his delegated powers or authorized by GB/EC/SFC.
23.	Powers to sanction non-recurring contingent charges within budget limits	Upto the limits of budget provision for such purpose.

24.	Powers to sanction permanent advances	Full powers
25.	Power to sanction Municipal or Cantonment taxes	Full powers
26.	Power to purchase within budget limits official and non-official publications required by him or by officers under his control	Full Powers
27.	Power to sanction the renting of ordinary office accommodation	Rs.15.00 Lakhs per annum at Delhi, Mumbai, Kolkata and Chennai and Rs.8.00 Lakh per annum at other places. This is subject to assessment by CPWD/State PWD.
28.	Maintenance of the building and petty works, repairs and alterations (i) Ordinary repairs to Government buildings. (ii) Repairs and alterations to hired and requisitioned buildings. NOTE: Such expenditure may be incurred only if the landlord has refused to meet the charges himself.	Upto Rs.20.00 Lakhs subject to availability of funds and through CPWD/PWD/Govt. agencies/ Organizations authorized to carry out such work under GFR.
29.	Power to sanction fixed recurring charges of a contingent character	Full Powers
30.	Power to sanction telephone rents	Full Powers
31.	Power to sanction advances of pay to an officer under transfer	Full Powers
32.	Power to grant advance of T.A. to himself and to other employee	Full Powers
33.	Power to sanction advances and final withdrawal from General Provident Fund in accordance with the Govt. rules as amended from time to time	Full Powers
34.	Power to incur expenditure and sanction advances for law suits to which the Council is party in accordance with the Govt. rules as amended from time to time	Full Powers
35.	Power to vary the terms of repayment of advances	Full Powers

36.	Power to order retention of un-disbursed pay and allowances	Upto three months
37.	Power to sanction children education allowances and reimbursement of tuition fees in accordance with the Central Govt. rules as amended from time to time	Full Powers
38.	Power to sanction reimbursement of medical expenses incurred by an employee for himself or in respect of a member of his family in accordance with the Central Govt. rules as amended from time to time	Full Powers
39.	Power to purchase office equipment like computer, Fax, Photocopier, Franking Machines, etc.	Full Powers, subject to usual checks and observance of codal formalities under GFR/DFPRs.
40.	Power in regard to writing off the irrecoverable value of stores, money, advances etc. provided that (I) the loss is not due to theft (II) it does not disclose a defect of system or serious negligence on the part of some individual servant or servants of the Central Council which might possibly call for disciplinary action requiring the orders of a higher authority	Rs. 1,00,000/- for losses of stores not due to theft, fraud or negligence and Rs. 20,000/- in other cases which are due to theft, fraud or negligence subject to simultaneously fixing of responsibility.
41.	Power to order destruction of records.	Full powers in respect of records specific to Council. For other records, as per Govt. instructions.
42.	To order sale by auction or otherwise in the interest of the Central Council of un-serviceable stores or perishable articles	Full Powers.
43.	Power to give gifts to visiting dignitaries or public bodies at his discretion	Upto Rs. 10,000/- in each case and upto a maximum of 12 occasions in a year
44.	Power to countersign his own traveling allowances bills	Full Powers
45.	Power to grant all kind of leave including study leave, special disability leave to staff of the Central Council as per CCS (Leave) Rules	Full Powers

46.	Power to make appointment substantively or temporarily in respect of posts in Level 10 [pre-revised Pay Band 3 with maximum Grade Pay of Rs.5400/-] and below, on the basis of the recommendations of the Selection Committee.	Full Powers
47.	Power to appoint part-time workers and fix their remuneration on consolidated basis	Full powers.
48.	Power to employ outsiders in an officiating capacity in vacancies caused by the grant of leave to or officiating promotion to Group A and B posts of incumbents of Group C posts for which there is no leave reserve.	Full powers in respect of posts to which he is the appointing authority.
49.	Printing and binding	Full powers subject to codal formalities.
50.	Power to incur expenditure on miscellaneous items	Full powers. [Powers are subject to the conditions contained in the Economy instructions issued by the Govt. of India from time to time].
51.	Power to purchase equipments/instruments etc./Taking up of short term projects of Research studies etc	Upto Rs.2.00 crore subject to availability of funds and following procedural requirements and responsibility for ensuring productive expenditure.
52.	Power to purchase of medicines, Chemicals/raw drugs etc.	Full powers subject to following codal formalities and availability of budget.
53.	Power to sanction House Building Advances to Council's employees	Full powers as per House Building Advance Rules.
54.	Power to incur expenditure on drug Standardization and testing through outside Govt. Autonomous/DST approved Research & Academic Institutions under drug development Programme	Full powers

55.	To execute contracts, agreements, etc.	To execute contracts, agreements etc. upto Rs.10.00 lakhs.
56.	To sanction an expenditure of a misc. or contingent nature.	Powers of Director General/ Director limited to Rs. 5.00 lakh in each case.
57	Repair of motor vehicles	Full Powers
58.	Provision of medical facilities to the staff	To make suitable arrangements for providing medical facilities to the staff in areas which are not covered under CGHS provided that such agreements if they are more liberal than the Central Civil Services (CCS) [Medical Attendance] Rules, 1944 will require prior approval of the Department.
59.	Power to appoint contractual staff against approved posts.	To appoint contractual staff for one year or till such a time as regular appointments are made, whichever is earlier, against approved posts, subject to proper selection procedure. This also applies to selection on part-time basis.
60.	To sanction the expenditure for organizing Seminars, workshops, melas, training programmes, CME, ICE activities etc.	Up to Rs.25,00,000/- provided the funds are met from within the sanctioned budget grant of the Council.
61.	Emergent expenditure	Upto Rs.5.00 lakhs

SCHEDULE-II

Delegation of powers made under the Rules and Regulations to Officer

declared as Head of Office

(Rule 10.1.9)

Sl. No.	Powers	Extent
1	As Head of the Office	Full, under various rules & regulations.
2	Power to sanction consumable items such as stationery, printing, rubber stamps and other articles of misc. nature including refreshment for Meeting, Workshops & staff Meeting etc.	Full, provided the budget provision is not exceeded and subject to observance of codal formalities as per rules.
3	Power to sanction expenditure of miscellaneous or contingent nature, i.e. maintenance of building, repair of furniture, equipment, instrument, machinery and purchase of reference books & medical books etc.	Up to Rs.10,000/- in each case.
4	Power to grant Special pay	Full, as per rules.
5	Power to sanction travelling allowances/D.A./pay & LTC Transfers/ tours etc.	Full, except own case.
6	Power to sanction telephone bills, electricity, fuel and other charges.	Full
7	Power to attest entries in the Service Book/ leave account, Stock register etc.	Full
8	Power to grant all kinds of leave including Maternity/ paternity leave, EOL to all groups as per CCS (Leave) Rules other than study leave and leave not due.	Full, as per rules except in his own case. EOL up to 6 months in respect of group 'C' staff. Three months in respect of group 'A' and 'B' officers.

9	Power to grant of periodical increment in respect of all groups.	Full, except in his own case.
10	Powers to sanction medical reimbursement claims, T.A. and advance on medical Treatment.	Full, as per C.S.M.A. Rules except in case of relaxation of rules in own case.
11	Power to sign cheques jointly with Authorised Officers in respect of approved expenditure/ bills passed for payment including GPF advance/withdrawal.	Without any financial ceiling
12	Power to sanction GPF advance/ withdrawal including converting of advance into withdrawal except final payment.	Full, as per rules except own case.
13	Power to sanction conveyance charges to all groups.	Full, as per rules except own case.
14	Power to sanction C.E.A and reimbursement of tuition fee/ Hostel subsidy.	Full, as per rules, except own case.
15	Power to engage Group 'C' daily wage/part-time workers/contract staff against leave vacancies or on need basis.	Full, but should not exceed 89 days at a stretch in each case.
16	Purchase and issue of liveries to the entitled Group 'C' staff as per rules including Apron for medical and non-Medical staff.	Full, as per rules.
17	Grant of O.T.A to Group 'C' staff.	Full
18	Sanction of consumable and non-consumable items; Medicines, Lab. Chemicals/ glass wares and furniture, equipment, instrument etc.	Rs.25,000/- in each cases.
19	Sanction and payment of Insurance, maintenance of equipment/instrument A.M.C., photocopier charges etc.	Full, as per rules.
20	Transfer of employees from one Section to another in the Hqrs, officer (up to Office Supdt. Level)	Full

SCHEDULE - III

Powers of Accounts Officer/ Drawing and Disbursing Officer

(Rule 10.1.9)

Sl. No.	Nature of Power	Extent of Delegation
1	Passing Pay, TA and other allowances bills of the Headquarters and Units staff.	Full
2	Passing and countersigning bills for contingent expenditure.	Full
3	Countersigning T.A. bills for approved tours of staff.	Full
4	Countersigning T.A. bills for approved tours of officers.	Full
5	Attesting entries in Cash book.	Full
6	Checking monthly cash balance.	Full
7	Countersigning T.A. bills of non-officials and officials (where T.A. is payable by the Central Council) invited to attend meetings convened by Central Council.	Full
8	Power to sign cheques jointly with an authorised officer in respect of approved expenditure/ bills passed for payment.	Without any financial limit.

