

MAHARASHTRA ASSOCIATION FOR THE CULTIVATION OF SCIENCE
AGHARKAR RESEARCH INSTITUTE (ARI)

Pune

BYE-LAWS

**(Accepted by Institute Council of A.R.I. and D.S.T.
on 17.4.1995 and formally approved by D.S.T. on 30.1.1996)**

(Accepted by the Governing Body of MACS on 4.4.1997 and 27.2.1998)

**G.G. Agarkar Road,
Pune-411 004.**

THE AGHARKAR RESEARCH INSTITUTE

BYE-LAWS

1. SHORT TITLE

These Bye-laws may be called Bye-Laws of the Agharkar Research Institute. These Bye-Laws or any amendments thereto shall come into effect from the date of their approval by the Central Government and the Governing Body.

2. In these Bye-Laws :

- (i) "The Association" means the Maharashtra Association for the Cultivation of Science, Pune.
- (ii) "The Institute" means the Agharkar Research Institute.
- (iii) "Institute Council" means the Institute Council of the Agharkar Research Institute.
- (iv) "Employee" means an employee of the Agharkar Research Institute.
- (v) "Director" means the Director of the Agharkar Research Institute.
- (vi) "Administrative Officer" means the Administrative Officer of the Agharkar Research Institute.
- (vii) "Finance and Accounts Officer" means the Finance and Accounts Officer of the Agharkar Research Institute.
- (viii) "Division Head" means the Division Head at the Agharkar Research Institute.
- (ix) "Governing Body" means the Governing Body of the Maharashtra Association for the Cultivation of Science.

3. RESEARCH ADVISORY COMMITTEE

There shall be a Research Advisory Committee which would consist of :

- (a) Nine eminent scientists of various disciplines to be nominated by the Institute Council. (The Chairman to be nominated by the Institute Council).
- (b) Director as Member-Secretary.

ROLE OF THE RESEARCH ADVISORY COMMITTEE

(1) To advise and recommend on the research programmes undertaken by the Institute, monitor and evaluate the programmes recommended in general and in broad terms the allocation of funds to various activities and do few such other things to enable the Institute to achieve academic excellence.

Research Advisory Committee will advice and recommend regarding creation of posts and also prepare panels for the membership of the Selection Committee instituted to select candidates for appointment to the Scientists posts.

The term of nominated members of the Research Advisory Committee shall be for a period of three years. The Research Advisory Committee shall meet not less than two times in a year.

4. FINANCE AND BUDGET COMMITTEE

There shall be Finance and Budget Committee which will consist of :

a)	Director	Chairman
b)	Nominee of the Institute Council	Member
c)	Finance and Accounts Officer	Member-Secretary
d)	Financial Advisor of Department of Science and Technology (DST), Govt. of India, or his nominee	Member

FUNCTIONS OF FINANCE & BUDGET COMMITTEE

The Functions of Finance & Budget Committee are :-

- (i) To scrutinize and recommend to the Institute Council the budget estimates for the ensuing year and revised estimates for the current year.
- (ii) To consider and recommend the audit report and the replies to the audit report to the Institute Council.
- (iii) To tender advice and make recommendations to Institute Council in matters of provision of posts, fixation of pay and on any matters involving financial implications affecting the affairs of the Institute.
- (iv) Any other matter referred to it by the Director/Institute Council.

The tenure of the Finance and Budget Committee shall be for three years. The Committee will meet at least twice in a year.

BUDGET ESTIMATES

The Director shall cause to prepare the Budget Estimates for the ensuing year and revised Budget Estimates for the current year in July-August each year. The estimates will show expenditure figures of the previous two years and requirements with justification for various items under Plan Recurring and Non-Recurring and Non-Plan Recurring heads. The estimates shall be placed before the Finance and Budget Committee for scrutiny and recommendation to the Institute Council. No expenditure shall be committed or contracted without ensuring funds.

5. BUILDING & WORKS COMMITTEE

There shall be a Building and Works Committee of the Institute which will consist of :

(a)	Director	Chairman
(b)	Three engineers and an Architect nominated by the Institute Council	Members
(c)	Financial Advisor of Department of Science and Technology (DST), Govt. of India, or his nominee	Member
(d)	Finance & Accounts Officer	Member
(e)	Secretary of the Association	Member
(f)	Administrative Officer	Member-Secretary

FUNCTIONS OF BUILDING & WORKS COMMITTEE

- (i) To scrutinize and recommend the plans and estimates of buildings, alterations or any other construction items submitted to it by the Director/Institute Council.
- (ii) To consider the tenders received and recommend the award of the works to the Director/Institute Council.
- (iii) To recommend a suitable mechanism to supervise the construction works periodically to ensure that the specifications are adhered to by the contractor and to keep a check on quality of works.

- (iv) To advise on proper maintenance and repairs of the Institute premises and property.
- (v) Any other matter referred to the Committee by the Director/Institute Council.

This will be an ad hoc Committee of the Institute with a specified time period of three years.

The Director shall call the meeting whenever necessary.

EXPENDITURE SANCTION

No expenditure from the funds of the Institute shall be incurred without the sanction of the competent authority. The Director shall have such powers as may be delegated by the Institute Council to sanction details of expenditure on any item included in the approved Budget.

7. DRAWING OF FUNDS

- (i) The Finance and Accounts Officer shall be the drawing and disbursing authority.
- (ii) The Bank Accounts of the Institute shall be opened with the approval of the Institute Council.
- (iii) The funds of the Institute shall be invested as directed by the Institute Council.
- (iv) The Accounts of the Institute shall be maintained in conformity with normal financial procedures by Finance and Accounts Officer.

The bank accounts of the Institute shall be operated by the Director and Finance and Accounts Officer jointly. In the event one of them is not available, the Administrative Officer can operate the bank account jointly with Director or any other authority designated by the Institute Council.

8. MAINTENANCE OF ACCOUNTS AND THEIR AUDIT

The Accounts of the Institute shall be maintained by Finance and Accounts Officer in such form as may be prescribed by the Institute Council in consultation with the Department of Science and Technology, Govt. of India. The Finance & Accounts Officer shall prepare an Annual Statement of Accounts including

Income and Expenditure Statement and Balance Sheet. The accounts of the Institute shall be audited yearly by an auditor appointed by the Institute Council or any other agency as directed by the D.S.T., Govt. of India.

9. **SUBMISSION OF ANNUAL REPORT AND AUDITED STATEMENT OF ACCOUNTS**

The Director shall prepare Annual Report and cause to prepare the Audited Statement of Accounts of the preceding year, each year in July-August and submit them to the Institute Council for approval and submission to Department of Science & Technology, Government of India.

10. **RECRUITMENT AND PROMOTION OF STAFF**

Recruitment and Promotion of staff, including Assessment and Merit promotion, in respect of all categories of the staff of the Institute shall be regulated in accordance with the Recruitments and Promotion Rules and Bye-laws of the Institute and guidelines formulated by the Institute Council in this behalf from time to time.

11. **PAY AND ALLOWANCES**

The designations, scales of pay and allowances of all posts shall normally be as laid down by the Institute Council from time to time. Any revision of pay scales will be made applicable after the approval of the Finance & Budget Committee and the Institute Council and the Department of Science & Technology, Government of India. All such scales of pay shall require prior approval of the Finance & Budget Committee, the Institute Council and the D.S.T., Government of India.

12. The posts in approved scales may from time to time be created by the Institute Council on the recommendation of the Director, subject to availability of funds in the approved budget. However, prior approval of Department of Science and Technology, is necessary for creation of posts above a specified level (E 1 and above).

13. Matters of disputes in pay fixation, increments, payments of arrears, shall be decided by the Institute Council in consultation with Finance and Budget Committee.

14. APPOINTMENTS

(i) Director

The appointment of the Director shall be made by the Governing Body, with the concurrence of the Central Government on the recommendations of the Institute Council, by open advertisement and/or by invitation through a Search and Selection Committee. The Search and Selection Committee shall be constituted with the prior approval of D.S.T., Govt. of India.

The appointment of scientists B, C, E 1, E 2 and F will be made by open advertisement or by the Institute Council through the proper Selection Committee(s). The Selection Committee can also consider suitable nominations of scientist E 2 and above by the Institute Council. Assessment Promotion/Merit Promotion of Scientists shall be regulated by the corresponding Schemes approved by the Institute Council from time to time.

The Director may in exceptional cases appoint persons in approved scales subject to ratification by the Institute Council within one year. The technical staff posts as per classification of posts will be filled up through Selection/Assessment promotion as per recruitment rules framed by the Institute Council in this behalf. The ministerial posts as per classification shall be filled through Selection and on the basis of recruitment rules framed by the Institute Council in this behalf.

15. The Institute Council shall prescribe educational qualifications, experience and job requirements prescribed for the different posts. The Institute shall prepare a standing "Recruitment Rules covering all the positions (scientific and others)" at the Institute. In case changes are required for some specific reasons, the approval of the Institute Council should be obtained.
16. The Institute Council shall constitute appropriate Selection Committee(s) for scientific posts as follows :-

SELECTION COMMITTEES (Passed by the IC on 22nd January 1997). -

(i) For Director

Change (a) Secretary of Department of Science and Technology, Govt. of India

Chairman

(b) Two Scientist members of the Institute Council

(c) Two eminent Scientists, nominated as experts by the Institute Council in consultation with the DST, Govt. of India, Members

Note :

No person who is a recipient of grants/funds from the Ministry concerned or who is closely related to such a recipient should be invited to join the Search-cum-Selection Committee.

(ii) For Scientist E 1, E 2 and F

(a) Chairman of the Research Advisory Committee	Chairman
(b) A scientist member of the Institute Council	Member
(c) Two outside experts recommended by the Research Advisory Committee	Members
(d) Director	Member-Secretary

(iii) For Scientists B and C

(a) Director	Chairman
(b) Two outside experts recommended by the Research Advisory Committee	Members
(c) Divisional Head concerned	Member
(d) Subject-expert from A.R.I.	Member
(e) Administrative Officer	Non-Member-Secretary

(iv) For Administrative and Finance and Accounts Officer

(a) Director	Chairman
(b) Nominee of the Chairman of the Institute Council	Member

(c)	Three outside experts nominated by the Institute Council	Members
(v) For other Posts Group I and II and Ministerial staff		
(a)	Director of the Institute or his nominee	Chairman
(b)	Two technical experts	Members
(c)	Administrative Officer OR Finance and Accounts Officer (as needed) Section/Unit-in-Charge	Member Member Member

"Note : Excepting the Chairman, absence of any member of the Committee for selection/assessment of any post at ARI, will not make the panel invalid; but there could be no additions to meet the exigencies of such absences".

17. The appointment of the Director shall be for a period of five years in the first instance. The Institute Council may extend the services of the Director on the basis of performance and shall stipulate the period of extension.
18. The appointments to all posts of Scientist B and above should be made for a period not exceeding five years initially. Probationary period shall be one year extendable by six months for all posts. During this period 6-monthly reports shall be obtained by the Director on the performance, of the newly appointed staff member. The appointment may be terminated by the appointing authority on the basis of unsatisfactory performance report during probation period.

Notwithstanding anything contained in the Bye-law 17 and 18 above, the appointing authority may continue the appointment of each employee, including Director, in his existing post, scale of pay and terms and conditions of service, till the employee attains the age of superannuation as prescribed in the Bye-law (vide Bye-law 21).

19. The Institute Council may appoint a person as Officiating Director, in the absence of the Director for a period exceeding month. Such Officiating Director shall exercise such power with which he may be empowered by the Institute Council. The appointment of Officiating Director shall not normally exceed six months.

20. **ASSESSMENT/MERIT PROMOTION**

When "promotion" is prescribed as the method of one of the methods of recruitment, the feeder grades eligible for promotion and the minimum qualifying service for eligibility shall be specified. The extent to which educational qualifications, experience and age limit shall apply to promotees shall also be specified. The percentage of various vacancies reserved for promotion quotas shall be fixed after taking into consideration the available choice in the feeder grade. The Institute should prepare standing "Recruitment Rules" prescribed for recruitment to non-academic technical staff, and get them approved by the Institute Council. No changes in these rules can be made without approval by the Institute Council. All Assessment/Merit promotions should be in accordance with the schemes prepared by the Institute Council.

21. **SUPERANNUATION/RETIREMENT AGE**

(i) The retirement age of all employees shall be as stated below :

	Post	Age of Retirement
(a)	Director and scientific and Technical Posts as defined in Annexure 1	60 years
(b)	Ministerial posts as in Annexure 1	60 years

(ii) **Voluntary Retirement**

The Government of India Rules of Voluntary Retirement shall be followed for the employees of the Institute.

22. **SERVICE TERMINATION**

The service of any employee shall be liable for termination at any time by three months notice on either side, without assigning any reason provided that the service of an employee may be terminated forthwith by payment to him a sum equivalent to the amount of the pay plus allowances for the period by which the notice falls short of three months and also provided that the notice period may be waived at the discretion of the appointing authority.

23. **LIABILITY OF TRANSFER**

The employees of the Institute shall be liable for transfer wherever the Institute has established facilities.

24. **APPOINTING, DISCIPLINARY AND APPELLATE AUTHORITIES**

As in Annexure 2, the appointing, disciplinary and appellate authorities for ARI staff are the Director and the Institute Council as per the maximum of scale of pay.

25. **CONDITIONS OF SERVICES OF OFFICERS AND STAFF OF THE INSTITUTE**

Till the Institute frames its own Rules in this regard the Central Civil Services (Classification, Control and Appeal) Rules and C.C.S. (Conduct) Rules for the time being in force will apply mutatis mutandis to the Officers and establishment in the service of the Institute subject to modification that :

- (a) appointing disciplinary and appellate authorities shall be as per bye-law 24 above;
- (b) reference to the "President and Government Servant" in the Central Civil Services (Classification, Control and Appeal) Rules shall be construed as reference to the "Chairman of Institute Council" and "Officers and establishment in the Service of the Institute" respectively; and
- (c) Part II and III of CCS (CCA) Rules will not apply.

26. **DELEGATION OF FINANCIAL POWERS**

Subject to availability of funds in the approved annual budget, the Director of the Institute is competent to exercise full powers for recurring and non-recurring items. The Director is competent to write off irrecoverable losses of stores or Institute money amounting to a limit of Rs. 10,000/- in a year. The loss above Rs. 10,000 should be referred to the Institute Council.

27. **LEAVE RULES**

Following types of leaves and benefits as per Government of India Rules, as amended from time to time, will be applicable to the employees of the Institute:

i) The types of leaves the employees can avail of are :

1. Casual and Restricted leave
2. Earned leave
3. Commuted leave
4. Half pay leave
5. Extraordinary leave
6. Leave preparatory to retirement
7. Maternity leave
8. Special disability leave
9. Study leave / Extraordinary Study leave
10. Special casual leave
11. In addition, the Director may grant Leave not due on the basis of special circumstances and conditions as defined by Government of India.

ii) The type of leave benefits are :

- a) Leave encashment
- b) Leave salary
- c) Advance on leave salary

28. CONTRIBUTORY PROVIDENT FUND/PENSION SCHEME

The Contributory Provident Fund Scheme will be as per provision of the Contributory Provident Fund Act (1952) and Rules framed therein under.

Pension Scheme as per the Government of India Rules may be made applicable to the employees of the Institute on specific approval by the Government of India.

29. GRATUITY SCHEME

There shall be a Gratuity Scheme for the employees of the Institute as per Government of India Rules as approved by the Institute Council in consultation with the DST, Govt. of India as amended from time to time.

30. MEDICAL BENEFITS

Medical Benefits will be provided to the Institute Staff in accordance with the schemes approved by the Department of Science and Technology, Govt. of India from time to time.

31. **LEAVE TRAVEL CONCESSION**

The facilities of Leave Travel Concession as per Government of India Rules, amended from time to time, shall be applicable to the employees of the Institute.

32. **REIMBURSEMENT OF TUITION FEES**

Reimbursement of Tuition fees as per Government of India rules, as amended from time to time, shall be applicable to the employees of the Institute.

33. **VEHICLE ADVANCE**

Vehicle Advance, provided funds are available, will be given to the employees of the Institute, as per Government of India rules, as amended from time to time, except that the vehicle will be mortgaged to the Director of the Institute.

34. **HOUSE BUILDING ADVANCE**

House Building Advance, as per availability of funds, will be given to the employees of the Institute. Rules for House Building Advance will be drawn up by House Building Advance Committee based on Government of India rules, except that sanctioning and mortgaging authority will be the Director, ARI. HBA to the Director will be sanctioned by the Institute Council and the authority competent to accept his mortgage deed shall be the Chairman of the Council.

35. **FESTIVAL ADVANCE**

Festival advance will be given to the employees of the Institute as per the Government of India rules as amended from time to time.

36. **WASHING ALLOWANCE**

Washing allowance will be given to the employees of the Institute as per the Government of India rules as amended from time to time.

37. **CHILDREN EDUCATION ALLOWANCE**

The Children Education Allowance as per Government of India rules as amended from time to time, will be applicable to the employees of the Institute.

38. **TRAVELLING ALLOWANCE RULES**

Travelling Allowance Rules of Government of India will be applicable to the employees of this Institute as amended from time to time. The Director may sanction air travel actuals in exceptional cases to a non-entitled officer for official work depending on the circumstances of the case.

39. In all matters concerning service conditions of the employees of the Institute, the Fundamental and Supplementary Rules framed by Government of India and such other Rules and orders issued by the Government of India from time to time shall apply to the extent possible to the employees of the Institute.

Orders made in the name of Chairman of the Institute Council, Director and other Officers of the Institute under the Civil Services (Classification, Control and Appeal) Rules shall be authenticated by the signature of the Officer designated for this purpose by the Director/Chairman of the Council.

Notwithstanding anything contained in this Bye-law, the Institute Council shall have the power to relax the requirement of any rule to such extent and subject to such conditions as it may consider necessary.

40. The scales of pay applicable to all the employees of the Institute shall not be in excess of those prescribed by the Government of India for similar personnel, save in special cases.

41. **VISITING SCIENTISTS**

The Director may invite an eminent scientist as a Visiting Scientist for a period of one to six months to assist in an ongoing project at the Institute, or to impart training to the Institute personnel, or to deliver series of lectures relevant to the research programme of the Institute.

Visiting Scientist may be provided free and furnished Accommodation in the Institute Guest House for the period of his stay at the Institute.

Visiting Scientist may also be provided an allowance/honorarium to be fixed by the Director, which may be ratified by the Institute Council.

42. Notwithstanding the provisions of any one or all the Bye-laws above, the Director can take such decisions and form sub-committees as he may deem fit in the interest of the Institute. These decision/s will be subject to the review and ratification by the Institute Council.

43. **CONSULTANCY/TECHNOLOGY TRANSFER PRACTICES**

Consultancy/Technology Transfer practices for scientific research and other staff will be as per guidelines laid down by Institute Council.

44. **PAYMENT OF ROYALTIES/SHARING OF "WIND FALL" FOR INNOVATIVE WORK ETC.**

The staff members shall be entitled to payment of royalties, sharing of "wind fall" for any new invention/research, innovation, patent achieved as a result of their original contribution as may be decided by Institute Council in this regard from time to time.

45. **POWER OF THE CENTRAL GOVERNMENT**

The Central Government may from time to time appoint Committees to review the work and progress of the Institute and to hold enquiries into the affairs thereof and to report thereon on such manner as the Central Government may stipulate. Upon receipt of such reports, the Central Government may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such direction.

Annexure 1**CLASSIFICATION OF POSTS**

The entire staff be grouped into three categories :

- 1) Scientific
- 2) Technical
- 3) Ministerial

Group III

SCIENTIFIC STAFF

- 1) Director
- 2) Scientist F
- 3) Scientist E 2,
- 4) Scientist E 1,
- 5) Scientist C
- 6) Scientist B

Group II

TECHNICAL STAFF

- 1) A.1. Junior Laboratory Assistant
- 2) A.2. Senior Laboratory Assistant
- 3) A.3. Junior Scientific Assistant
- 4) A.4. Senior Scientific Assistant
- 5) B.1. Electrician/Mechanic/Lab. Technician
- 6) B.2. Technician-I
- 7) B.3. Technician-II
- 8) C.1. Instrumentation Mechanic/
Electronic Mechanic/
Assistant Horticulturist/
Senior Technical Assistant-I.
- 9) C.2. Senior Mechanic/Horticulturist/
Senior Technical Assistant-II
- 10) D.1. (I) Junior Artist
- 11) D.1. (ii) Senior Artist
- 12) D.2. Assistant Editor
- 13) D.3. SEM Operator

LIBRARY STAFF

- 14) Junior Library Assistant
- 15) Senior Library Assistant
- 16) Librarian (Grade II)
- 17) Chief Librarian

ADMINISTRATIVE AND MINISTERIAL STAFF

- 1) Administrative Officer
- 2) Finance and Accounts Officer
- 3) Section Officer (Stores, Accounts, Admin.)
- 4) Store Keeper
- 5) Assistant Store Keeper
- 6) Stenographer with different grades
- 7) Assistant
- 8) UDC
- 9) LDC
- 10) Data Entry Operator
- 11) Hindi Typist
- 12) Drivers

Group D posts consisting of :

- 13) Lab. Boy / Lab. Attendant
- 14) Guest House Attendant
- 15) Mali
- 16) Plumber
- 17) Sweeper
- 18) Gestetnor Operator
- 19) Cook
- 20) Peon

Annexure 2

APPOINTING / DISCIPLINARY AND APPELLATE AUTHORITIES

Posts	Appointing/Disciplinary Authority	Appellate Authority
All posts carrying pay or scales of pay with a maximum of not less than Rs. 4500/- p.m.	Institute Council	No appeal shall lie against any order made by Institute Council
All posts carrying pay or scales of pay with maximum less than Rs. 4500/- p.m.	Director	Institute Council