



LOKOPRIYA GOPINATH BORDOLOI
REGIONAL INSTITUTE OF MENTAL HEALTH
TEZPUR, ASSAM

CONSTITUTION
&
BYE-LAWS

4.5 Visiting Appointments:

Appointments of visiting Scientists/ Professors/ Lecturers may be made by the Director in accordance with the scheme, if any approved in this behalf. Such a scheme shall, inter alia, stipulate the terms and conditions including payment of allowances/ honorariums or any other payments.

4.6 Disputes between the Institute and the Central Government:

If in or in connection with the exercise of its powers and discharge of its functions by the Institute under this Act, any dispute arises between the Institute and the Central Government, the decision of the Central Government on such dispute shall be final.

V. Terms and Tenure of appointments, emoluments, allowances and other conditions of service of the Officers and employees of the Institute.

(Under Clause 17(a) (5))

Establishment and maintenance of Pension, Gratuity, employees or for the purpose of the Institute.

(Under Clause 17(a) (12))

5.1 Physical Fitness:

Each employee shall produce a certificate of physical fitness from a medical officer nominated by the Director or other authorized officer before appointment and may at any time be required to submit to such medical examination as the Director may decide, during the course of his/her service.

5.2 Probations:

5.2.1 Served as otherwise expressly provided, each employee on appointment shall be put on probation for a period of one year.

Provided that the appointing authority may, for reasons to be recorded in writing, extend the period of probation by a period not exceeding one year.

5.2.2 During the period of probation the service of an employee may be terminated by the appointing authority without assigning any reason, or, without notice unless otherwise provided in the letter of appointment.

5.3 Tenure:

Save as otherwise, expressly provided, each employee of the Institute shall after successful completion of the probationary period be confirmed in his/her appointment if it has been made against a permanent post.

5.4 Emoluments:

5.4.1 The Council shall fix the scales of pay and allowances for the employees of the Institute, from time to time in conformity with the pay scale in force at that time.

5.4.2 Each employee shall be paid the salary for the post as long as he/she is in the service of the Institute and satisfactorily carried out his duties.

5.4.3 Each employee will earn periodical increment for the post he/she holds, unless such increment is specifically withheld by way of punishment under the orders of competent authority in accordance with the procedures prescribed for the purpose.

5.4.4 Power to grant higher initial pay on initial appointment:
The Director shall have the power subject to such directions as the Council may give to grant higher initial appointment to an employee on the basis of recommendations made by the Selection Committee.

5.4.5 Seniority:

The *inter se* seniority shall be determined cadre / grade-wise on the date on which these regulations come into force:

a. The *inter se* seniority of the members of the Academic staff shall be determined with reference to regular appointment to the teaching post of the Institute.

b. The *inter se* seniority of the employees other than the academic staff shall be determined with reference to the date of regular appointment to a post under the Institute.

c. A member of a service, class category or grade shall retain seniority in such service or grade as determined by sub-rule (i) or (ii) as the case may be notwithstanding any delay in the completion of his/her probation or his/her appointment as a member of such service, class, category or grade.

d. Where a member of any service, class, category or grade is reduced to a lower service, class, category or grade as a measure or punishment, he/she shall be placed at the top of lower service, class, category or grade unless the authority ordering such reduction directs that he/she shall rank in such lower service, class, category or grade next below any specific member thereof.

5.5 Obedience to rules and regulations:

5.5.1 During the period of his/her service every employee shall observe, obey and abide by the constitution of the Institute and the Byelaws. Regulations made from time to time by the Council and all Standing Orders passed by the Director and other competent authorities.

5.5.2 Each employee shall perform to the best of his/her ability all the duties pertaining to his/her post and shall carry out any directions given to him/her by the competent authorities.

5.6 Whole time Service:

5.6.1 No employee shall, except with the previous sanction of the Director, engage directly or indirectly in any trade or business or undertake any

other employment or without the permission of Council undertake outside work.

Provided that an employee may with the knowledge of the Director undertake honorary work of a social or charitable nature or occasional work of literary, artistic or scientific character subject to the condition that his official duties do not thereby suffer, but he shall not undertake and shall discontinue such work if so directed.

- 5.6.2 No employee shall except with previous sanction take part in the registration promotion or management of any bank or other companies registered under the Companies Act, 1956(1 of 1956) or any other law for the time being in force.

Provided that an employee may take part in the registration promotion or management of a Cooperative Society registered under the Cooperative Societies Act, 1912(II of 1912) or any other law for the time being in force, or literary scientific or charitable society registered under the Societies Registration Act, 1860 (XXI of 1860) or any other corresponding law in force under intimation to the Institute.

- 5.6.3 An employee shall not, without the permission of the competent authority, absent himself/herself from duty.

- 5.6.4 Members of the Staff are liable to be entrusted with the urgent work in the interest of Institute outside the usual working hours or on Sundays or holidays. For work on Sundays and other holidays, compensatory holidays or over-time allowance, if admissible, will be allowed.

5.7 Election and Nominations:

No employee shall take part in politics or offer for election or accept nomination by any local body. Provided that for election as a member of a Board of Studies or any other authority in any University, an employee may offer himself with the knowledge of the Director.

5.8 Leave:

Leave shall be granted in accordance with the regulation framed by the Council from time to time, subject to the exigencies arising out of the affairs of the Institute where leave may be refused.

5.9 Provident Fund:

- 5.9.1 During the continuance of his/her service an employee shall contribute to the Provident fund in accordance with the Provident Fund regulations of the Institute in force from time to time.

5.9.2 Other Funds:

The Director with the approval of the Council may from time to time establish and maintain other funds for the welfare of and assistance to the employees of the Institute.

5.10 Retirement Benefits:

The Council may formulate as it may deem necessary, regulations regarding retirement benefits such as gratuity, pension, etc. subject to the approval of the Ministry of Health & Family Welfare, GOI where necessary.

5.11 Termination of Service:

5.11.1 The appointing authority may terminate the services of any employee in accordance with the procedure laid down for the purpose. Provided that the services of an employee shall be terminated only after giving due notice as specified in the letter of appointment. Provided further that the appointing authority may terminate the services of an employee by giving him/her a shorter notice than that specified in the appointment letter on payment to him/her a sum equivalent to the salary and allowances for the period by which such notice falls short of the specified period.

5.11.2 Likewise the employee shall be required to give notice of his/her intention to leave the service of the Institute in accordance with the terms of his /her appointment, subject to the condition that in no case the total period of notice shall be more than three months.

Provided further that the appointing authority may accept a shorter period of notice.

5.12 Traveling and Daily Allowances:

5.12.1 The Council may prescribe, from time to time the rates of traveling and daily allowances and Leave Travel Concession admissible to the employees of the Institute as per Central Government rules.

5.13 Medical Attendance Relief.

The Medical Attendance Rules of the Govt. of India will be applicable to the Institute's employees.

5.14 Immediate Relief.

i. **Eligibility:** If an employee dies while in service, his family will be eligible for immediate monetary relief as per Government of India rules applicable.

"Note: The term "emoluments" will, mean pay as defined in F.R.9 (21) and also includes Dearness Allowance.

ii. **Amount of Relief.**

As per Govt. of India rules only.

iii. **Undertaking:**

A separate undertaking should be obtained from each person for whom the payment of advance is made that he or she agrees to amount of advance being recovered from any amounts due in respect of the deceased employee