



COUNCIL

OF

SCIENCE AND TECHNOLOGY

UTTAR PRADESH

(SERVICE)

REGULATIONS, 1989.

COUNCIL OF SCIENCE & TECHNOLOGY, UTTAR PRADESH,
LUCKNOW.

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COUNCIL OF SCIENCE & TECHNOLOGY,UP,(SERVICE)
REGULATIONS, 1989

CHAPTER-I-PRELIMINARY

**Short title &
Commencement**

1. (i) These Regulations may be called' Council of Science & Technology, UP (Service) Regulations, 1989.
- (ii) They shall come into force with effect from 1st June, 1989.

Definitions.

2. In these regulations, unless the context otherwise requires:-
 - (i) 'President' means the President of the Council of Science & Technology, UP under Rule-6 of the U.P. State Council of Science & Technology (Conduct of Business) Rules, 1976.
 - (ii) 'Vice-President' means the Vice-president of the Council of Science & Technology, UP, under Rule-7 of the UP, State Council of Science & Technology (Conduct of Business) Rules, 1976.
 - (iii) 'Executive Committee' means the committee constituted under Rule-8 of the UP State Council of Science & Technology (Conduct of Business) Rules 1976.
 - (iv) 'Director General' means the Secretary to Government of UP, Department of Science & Technology who shall be Ex-officio Director General of the Council of Science & Technology, UP.
 - (v) 'Chairman' means the Chairman of the Executive Committee under Rule-8 and 9 of the UP, State Council of Science & Technology, (Conduct of Business) Rules. 1976.
 - (vi) 'Government' means the Government of Uttar Pradesh.
 - (vii) 'Member Secretary of the Council ' means the Secretary to Government of U.P. Department of Science & Technology-cum-Director General of the Council of Science & Technology, UP.
 - (viii) 'Secretary' means the Secretary of the Council of Science and Technology, UP, appointed by the State Government under rule-10 of the U.P. State Council of Science & Technology (Conduct of Business) Rules, 1976.
 - (ix) 'Council or CST' means the State Council of Science and Technology, UP, Constituted by the State Government.
 - (x) 'Bye-Laws' means the Bye-laws framed under Rule 11 (8) of the U.P. State Council of Science & Technology (Conduct of Business) Rules, 1976.

- (xi) 'Employee' means a person in whole time service of Council but does not include a person employed on contract basis or in part time service of the Council.
- (xii) 'Rules' means the Uttar Pradesh State Council of Science & Technology (Conduct of Business) Rules, 1976 as amended from time to time.
- (xiii) 'Competent Authority' means the Director General of the Council of Science and Technology, U.P.
- (xiv) 'Appointing Authority' means Director General in respect of Class I and II posts and Secretary in respect of Class III and IV posts.
- (xv) 'Month' means the calendar month.
- (xvi) 'Year' means the year commencing from the first day of January and ending on 31st December.
- (xvii) 'Salary' means basic pay, special pay, interim relief, Dearness Allowance and Additional Dearness allowance.
- (xviii) 'Family' means
 - (a) Wife or husband of an employee.
 - (b) Parents, children and step-children of such employee wholly dependent on the employee.
- (xix) 'Selection Committee' means a selection Committee appointed by the Competent Authority for a post or class of posts under the Council.
- (xx) 'Cadre' means the category of service as provided in these regulations hereafter.
- (xxi) 'Grade' means the grade of service as provided in these regulations hereafter.

Applicability of regulations.

- 3.** These Regulations shall apply to all employees of the Council, but employees on deputation & on contract shall be subject to these regulations except to the extent to which they are modified by the terms and conditions of 'deputation' or special contract governing their appointments.

Power of relaxation

4. The Director General may, with the prior approval of the Government , relax the provisions of any of these regulations in any case in which, but for such relaxation, the regulations would operate harshly.

Interpretation for Implementation.

5. The power to interpret regulations rests with the Director General, who may issue such administrative instructions as may be necessary to give effect to the carrying out the purpose of the provisions of these regulations.

Residuary matters.

6. In regard to matters not specifically covered by these regulations, all employees (including those appointed on contract) shall be governed by such directions as the Government may issue, from time to time, and the orders of the state Government will be followed mutatis mutandis.

CHAPTER II

GENERAL CONDITIONS OF RECRUITMENT

- Cadre/ Classification/ categorization of service** **7.**
- (i) The strength and the scales of pay of each category of posts shall be such as may be determined by the Executive Committee from time to time and with the approval of the State Government. Temporary posts for a period not exceeding three months could, however, be created by the Director General, with the approval of Executive Committee.
 - (ii) The strength and the scales of pay of each category of posts shall, until orders varying the same are passed under sub-regulation (i), be as given in the Appendix-I.

Provided that –

- (a) The appointing authority may leave unfilled or may hold in abeyance any vacant post, without thereby entitling any person to compensation.
- (b) Classification of the services of the Council will be as follows:

Category-A. Posts carrying a pay scale with a minimum of Rs. 1,540/- or more.

Category-B. Posts carrying a pay scale with a minimum of Rs. 850/- to Rs. 1,500/-

Category-C Posts carrying a pay scale with a minimum of Rs. 320/- to Rs. 849/-, but shall not include the posts mentioned in supporting staff cadre in Appendix-I

Category-D Posts carrying a pay scale with a minimum of Rs. 305/- or more and included in supporting staff cadre in Appendix-I.

Designations, Distribution of work & duties etc. **8.** Designation, Distribution of work and duties of the posts that may be created shall be determined by an order in writing of the Director General.

Sanctioning Authority. **9.** (i) Where it is proposed after coming into force of these regulations, to create any new post(s)

a statement setting forth the number, designation and scales of pay of the post(s), shall be prepared and placed before the Director General. While scrutinising the proposals, the Director General shall satisfy itself that :

- (a) Need for the post(s) shown in the statement is genuine.
 - (b) Finances of the Council justify the creation of the post(s).
- (ii) Such proposals will be put up before the Executive Committee for approval.

Nationality

10. A candidate for recruitment to a post or service under the Council must be:
- (i) A citizen of india; or
 - (ii) A Tibetan refugee who came over to India before January 1,1962, with the intention of permanently settling in India; or
 - (iii) A person of Indian origin who had migrated from Pakistan, Burma, Sri Lanka or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India.

Provided that a candidate belonging to category (ii) or (iii) above must be a person whose favour a certificate of eligibility has been issued by the State Government.

Provided further that a candidate belonging to category (ii) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, UP.

Provided also that if a candidate belonging to category (iii) above, is appointed, no certificate of eligibility will be issued for a period of more than one year, and such a candidate may be retained in service after a period of one year only, if he has acquired Indian citizenship.

Note: A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or called to an interview arranged for selection and may also be provisionally appointed, subject to the necessary certificate being obtained by him/her or issued in his/her favour and made available to the Council within the time stipulated therefore by an officer authorized in that behalf.

- Age:**
11. (i) A candidate for direct recruitment to post(s) shall not be less than 18 years or more than 28 years of age.
- (ii) The Executive Committee may, however, fix higher age limit for any of the post(s) or class of post(s), as considered necessary.
- Character**
12. (i) The character of a candidate for direct recruitment must be such as to make him/her eligible for employment under the Council. He must produce certificate of good character from.
- (a) The Principal of the University or College or the Professor under whom he had studied, or the Head Master or the School in which he was last educated and
- (b) As Government Gazetted Officer (not related to the candidate) who is well acquainted with him/her in his/her private life.
- (ii) The Director General may, whenever considered necessary, make further enquiries regarding the character and antecedents of a candidate in such manner and from such authorities as may be considered desirable.
- Note:** A conviction need not by itself involved the refusal of a certificate of good character. The circumstances of the conviction should be taken into account and if they involve no moral turpitude, or association of crime or violence , or with a movement which has as its object to overthrow the Government lawfully established by violent means, the more conviction need not be regarded as a disqualification.
- (iii) No person who has been dismissed from service of any Government, Semi-Govt. or Government aided Organisation, company, or corporation in the country (India) shall be considered for employment in the Council.
- Physical fitness.**
13. (i) No person shall be appointed to any post under the Council by direct recruitment or by promotion unless he is in good mental and bodily state of health and free from any physical defect likely to interfere with the performance of his/her duties.

- (ii) Any person who is offered employment in the Council shall at the time of his/her first appointment be required to produce a certificate regarding physical fitness from the Chief Medical Officer of the district. Provided that such a certificate shall not be necessary from a person appointed on deputation or on contract basis or selected by promotion.

Marital Status

- 14. A male candidate who has more than one wife living, or a female candidate who has married a man already having a wife living, shall not be eligible for appointment to a post in the Council.

Provided that the Director General may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this rule.

**Reservation for
scheduled castes & others**

- 15. Reservations for the candidates belonging to scheduled castes, scheduled tribes and other categories shall be in accordance with the orders of the Government issued, from time to time, in this regard.

Appendix-1

SI. No.	Name of the post	Scale of pay	number of posts
	2.	3.	4.
1	Director General	Secretary to Government, Department of Science and Technology shall be Ex-Officio Director General	1
2	Director	Rs. 2400-100-2800	1
3	Secretary	As of parent organisation	1
4	Joint Director	Rs. 1540-60-1900-EB-75-2200	6
5	Scientific Officer/ Research Officer	Rs.850-40-1050-EB-50-1300-60-1420-EB-60-1720	5
6	Technical Assistant	Rs.515-15-590-18-626-EB-18-680-20-780-EB-20-860	3
7	Officer on Special Duty	Rs. 770-40-1050-EB-50-1300-60-1420-EB-60-1600	1
8	Artist-cum-publicity assistant	Rs. 570-25-770-EB-30-980-EB-30-1100 (for candidate having 5 yrs. degree course in fine arts). Rs. 515-15-590-18-626-EB-18-680-20-780-EB-20-860 (for others)	1
9	Librarian	Rs. 515-15-590-18-626-EB-18-680-20-780-EB-20-860	1
10	Private Secretary to Director General	Rs.625-30-835-EB-30-925-35-1065-EB-35-1240-EB-40-1360 (Rs. 50/- per month special pay)	1
11	Office Superintendent	Rs.625-30-835-EB-30-925-35-1065-EB-35-1240-EB-40-1360	1
12	Stenographer	Rs. 515-15-590-18-626-EB-18-680-20-780-EB-20-860	6
13	Accountant	Rs. 470-15-575-EB-15-650-17-701-EB-17-735.	1

14	Senior Noter & Drafter	Rs. 470-15-575-EB-15-650-17-701-EB-17-735.	3
15	Junior Noter & Drafter	Rs. 430-12-490-15-520-EB-15-640-EB-15-685	4
16	Typist/Office Assistant	Rs. 354-10-424-EB-10-454-12-514-EB-12-550	6
17	Driver-cum-Attendant	Rs. 330-7-365-8-381-EB-8-405-9-450-EB-9-495	3
18	Daftari-cum-Cyclostyle Operator-cum-Attendant	Rs. 315-6-351-EB-6-363-7-384-8-400-EB-8-440	1
19	Peon-cum-Mali/Watchman etc.	Rs. 305-5-330-EB-6-360-EB-6-390	14
	Total		60

Chapter-III

RECRUITMENT AND APPOINTMENT

Creation of posts.

16. The Executive Committee may, with the approval of the State Government, Create any post(s) as it considers necessary. Temporary posts for a period not exceeding three months, can however, be created by the Director General, with the approval of Executive Committee.

Source of recruitment.

17. Appointment may be made either:
- (i) By direct recruitment;
 - (ii) By deputation or employment on contract basis;
 - (iii) By promotion of the Council's employees through a departmental test or an interview or selection or in any other manner prescribed by the Executive Committee from time to time.

But no employee of the Council shall have the right to promotion as a matter of rule. However, the employees will have the right to apply for any higher post(s) created or fallen vacant in the Council for which he/she is eligible and in such cases the merit and experience of the employee may be duly considered at the time of selection.

Selection

18. (i) Selection for the various post(s) in the Council shall be made by a Committee normally of not less than three persons, duly constituted by the Appointing Authority.
- (ii) The Selection Committee may draw up a panel of names of candidates deemed fit for selection and furnish it to the appointing Authority together with its recommendations in the order of merit. The appointing Authority may, without calling for fresh application appoint the first selected candidate who is available from this list in a vacancy. While drawing up the list, and recommending, the order of merit, the Committee shall keep in mind the general Govt. Orders in force at that time regarding reservations for members of schedule casts/scheduled tribes, Minorities, Discharged Defence services personnel Backward class, Dependents of freedom fighters and armed forces personnels killed in action, disabled persons etc. for recruitment to various post(s)

- Appointing Authority** 19. Appointing Authority for appointment and recruitment to all posts of categories A & B will be Director General and Secretary for C & D.
- Commencement of service** 20. Except as otherwise provided by or under these Regulations, service of an employee shall be deemed to commence from the working day in the forenoon of which he /she reports for duty. In case a candidate joins in the afternoon, the service shall be deemed to commence from the next following working day.
- Probation** 21. (i) Any employee appointed for the first time or promoted to any post in the Council shall be placed on probation for a period of two years from the date of joining the new post.
- (ii) The period of probation shall stand automatically extended and for such time till the Appointing Authority issues a certificate to the employee having satisfactorily completed the probation at the end of the period.
- Confirmation** 22. An employee directly appointed or promoted to any post in the Council shall be confirmed in that grade after he/she has successfully completed the period of probation, subject to availability of permanent posts.
- Seniority** 23. (i) Seniority of persons appointed to a grade shall be determined in the grade of posts to which they are appointed from the date of order of substantive appointment. In the case of direct recruits, the inter-se- seniority shall be as from the merit list prepared by the selection committee at the time of selection.
- (ii) The inter-se-seniority of the persons promoted from lower grade shall be maintained in the higher grade as well. Amongst the persons appointed in the same scale on the same date, all the promoted employees of the Council will be senior to all the direct recruits. There will be no quota system of allotting seniority between the direct recruits and promotees.

CHAPTER-IV

PAY, ALLOWANCE AND OTHER SERVICE CONDITIONS:

- | | | |
|---|------------|--|
| Pay on recruitment | 24. | <p>(i) An employee directly recruited shall commence to draw the minimum pay and allowances applicable to the post or the pay and allowances indicated in his/ her letter of appointment from the date he/she assumes charge of his/ her post.</p> <p>(ii) The Director General on the recommendations of Selection Committee may grant a maximum of five (5) advance increments to specially qualified and experienced persons selected for appointment.</p> <p>(iii) In the case of employees who are appointed on promotion from a lower grade the pay shall be fixed in such a manner that the employee does not suffer any monetary loss.</p> |
| Fixation on deputation /contract | 25. | <p>(i) In case of employees recruited on deputation, the terms and conditions shall be as agreed between the Executive Committee and the parent organization of the deputationists.</p> <p>(ii) In cases of employees on contract, the terms and conditions will be such as may be agreed upon between the employees and the Executive Committee. The Executive Committee before finalizing the agreement will take the approval of State Government.</p> |
| Crossing of efficiency bar. | 26. | <p>No employee shall be allowed to cross efficiency bar, unless the Appointing Authority is satisfied the he/ she has been working efficiently and his or her integrity is certified.</p> |
| Transfer and Postings | 27. | <p>The Director General in respect of categories A & B and Secretary in respect of categories C & D shall have the power to make posting of employees, including staff on contract and to transfer them from one office to another or from the Council's office to another office or vice versa. In the event of transfer, the employee concerned shall be entitled to:-</p> |

- (i) Joining time (for out of station transfers) as admissible to the Government employees having the same pay scale.
- (ii) Travelling allowance for the journey(s) undertaken at the rates admissible to the employees as provided in these regulations. An employee under orders of transfer may be allowed to draw advance travelling allowance and pay from the Council and such advances shall be adjusted in his T.A. and pay bills payable to him by the Council.

Dearness allowance and other allowances.

- 28.** Unless otherwise provided in these Regulations, dearness allowance shall be paid to the employees of the Council at the rates applicable to the State Government employees of the same grade. The other allowances and facilities admissible to the employees of the Council shall be such as are prescribed in these regulations or as may be determined by the Executive Committee from time to time.

Resignation or termination of Service

- 29.**
- (i) An employee directly recruited to a post may during the period of probation or during the extended period of probation be discharged from the service of the Council under the orders of the Director General, provided that Director General shall give at least 30 days notice in writing in that behalf or a sum equal to 30 days substantive pay plus dearness allowance to the employee.
 - (ii) An employee during the period of probation or during the extended period of probation as the case may be, can leave or discontinue the service of the council after giving 30 days notice in writing or depositing an amount equal to the salary for this period in lieu of such notice. The Director General may waive the provisions of such notice or payment in lieu thereof.

- (iii) A confirmed employee may be discharged from the service of the Council under the orders of the Competent Authority on three months notice or by giving three months salary in lieu thereof.
- (iv) A confirmed employee may leave or discontinue the service of the Council after giving three months notice in writing or depositing an amount equivalent to three months salary in lieu thereof to the Council.
- (v) Where a confirmed employee has been served with a notice, because of retrenchment of his/her post and he/she accepts a lower post, if offered to him/her, the service rendered by him/her after confirmation on higher post on which he/she was working before retrenchment shall count towards fixation of his/her pay by granting him/her corresponding annual increment over the starting pay of the lower scale.

Provided further that the Director General may fix his/her pay in the lower scale at a higher stage but not exceeding the pay drawn by him/her on the retrenched post.

- (vi) Where an employee at any time during his/her service has been certified by such Medical Authority as may be prescribed by the Director General to be incapacitated or disabled for discharge of his/her duties, his/her services may be terminated on one month's notice for employee on probation and three month's salary in the case of a permanent employee.

Age of retirement.

- 30.** All employee of the Council shall retire from service on attaining the age of 58 years.

Provided that the Director General may extend the period of employment after the age of 58 years only in case suitable persons are not available for the post, but such extended reemployment shall in no case exceed a period of two years.

CHAPTER-V

LEAVE RULES

- Leave not to be treated as a matter of right.** **31.** No leave can be claimed as a matter of right. Full discretion shall rest with the Competent Authority to grant, refuse or revoke such leave at any time according to the exigencies of service of the Council.
- Type of leave** **32.** The following types of leave will be admissible to employees of the Council:-
- (i) Casual Leave.
 - (ii) Earned Leave.
 - (iii) Medical Leave.
 - (iv) Extra-ordinary Leave.
 - (v) Maternity Leave.
- Casual Leave.** **33.** (i) Casual leave upto a maximum of 14 days in each calendar year shall be admissible to cover the casual absence of an employee for personal reasons, provided that not more than seven days casual leave will be admissible to an employee whose service with the Council does not exceed six months in a year.
- (ii) Casual leave will be non-cumulative and the balance, if any, at the credit of an employee as on 31st December will lapse.
 - (iii) An employee will not be allowed to avail of more than six days casual leave at one time and combine it with any other kind of leave.
- Earned leave** **34.** (i) Earned leave for 31 days in a year shall be admissible to an employee, 16 days to be added in January 1, and 15 days on July 1, each year.
- (ii) Earned leave can be accumulated upto a maximum of 240 days.
 - (iii) An employee who is due to retire on superannuation will be entitled before retirement to avail of the earned leave at his/her credit, or encash it subject to a maximum of 240 days.

- Medical Leave.** 35. (i) Medical leave of one year may be allowed to an employee during the entire period of his/her service in the Council, but it shall not exceed three months in a span of 5 years continuous service plus the unavailed leave of previous such span(s).
- (ii) Medical leave may be allowed only on strict medical grounds, duly supported by a medical certificate from a Registered Medical Practitioner or other such verification, as may be prescribed, to the satisfaction of the Competent Authority.
- Extra-ordinary leave (Leave without Pay).** 36. (i) Extraordinary leave without pay may be granted to an employee in special circumstances when no other kind of leave is admissible to him/her.
- (ii) The Director General may retrospectively convert periods of absence without leave into extraordinary leave, even when any other kind of leave was admissible at the time when absence without leave commenced.
- (iii) No pay or allowances of any kind shall be admissible during the period of extraordinary leave.
- (iv) Where an employee fails to resume his/her duties on the expiry of extraordinary leave, he/she shall be deemed to have resigned his/her appointment and accordingly cease to be in the employment of the Council, unless the Appointing Authority may determine otherwise in view of the exceptional circumstances of the case.

Maternity Leave

37. (i) The Competent Authority may grant to female employees of the Council , maternity leave of full pay for a period, which may extend upto three months from the date of its commencement.

Provided that such maternity leave shall not be allowed for more than two times in the whole of the service.

- (ii) Maternity leave may also be granted in cases of miscarriage including abortion, subject to the condition that:

(a) The leave does not exceed six weeks; and

(b) The application for the leave is supported by a certificate from a Competent Medical Authority.

- (iii) Maternity leave may be combined with leave of any other type.

Sundys & Holidays

38. (i) Sundays and holidays immediately proceeding or following any type of leave shall be deemed to be prefixed or suffixed to that leave in the normal course unless specifically ordered otherwise by the leave sanctioning authority and they shall not be counted as part of the leave.

- (ii) A Sunday or holiday falling between the first and the last day of leave period shall count as part of that leave except in case of a casual leave.

- Combination of leave** **39.** Any kind of leave permissible under these Regulations may be granted in continuation with or in continuation of another type of leave except that casual leave can not be combined with and availed of in continuation with any other type of leave.
- Rate of Salary during leave period.** **40.** During the period of all types of leave, except extraordinary leave, an employee shall be entitled to the same pay and allowances to which he would have been entitled, had he not proceeded on leave.
- Advance of leave salary** **41.** In case of an employee proceeding on sanctioned leave for one month or more, he/she may be given the salary for the leave period in advance.
- Accounting period** **42.** The accounting period for all type of leave shall be the calendar year commencing on the 1st January and ending on 31st December, each year.
- Absence without sanction of leave.** **43.** (i) Leave shall in ordinary course be got sanctioned before it is availed of, otherwise it may be treated as absence without leave. The Competent Authority may, in that event, retrospectively convert the period of absence without leave into extraordinary leave without pay, even when any other kind of leave was admissible to the employee at the time when the absence without leave commenced.
- (ii) Absence without leave shall render the employee liable to disciplinary action.
- Leave sanctioning authority** **44.** (i) Casual leave will be sanctioned by such authority as may be specified in this behalf by the Director General.

- (ii) All other types of leave of employees will be sanctioned by the Director General or such other officer as may be authorised in this behalf.

Recall from leave.

- 45.** (i) The Competent Authority shall have discretion to recall an employee to duty before the expiry of his/her leave, if the exigencies of service of the Council so requires.

- (ii) If an employee is out of his/her headquarters at the time when he/she is so recalled, he/she shall be treated as on duty from the date on which he/she starts for the station to which he/she is ordered to report.

Provided that leave is curtailed by a period equal to not less than one -third of the total leave sanctioned to him/her.

- (iii) An employee if away from his headquarters with prior permission, on being recalled from leave shall be allowed T.A. as on tour.

CHAPTER -VI

CONDUCT

- | | | |
|-------------------------------|------------|--|
| Duty of employees | 46. | <ul style="list-style-type: none">(i) Every employee shall perform the duties entrusted to him/her from time to time in accordance with and in implementation of the policy laid down by the Council.(ii) No employee shall divulge any confidential information pertaining to the working of the Council to any person other than his immediate superior.(iii) Every employee, unless prevented by ill health shall during the tenure of his/her service, devote his/her whole time and attention of the business of the Council and shall in all respect conform to the directions and regulations made by the superior authorities and obey their orders and shall faithfully serve the Council and use his/her utmost endeavour to promote the interest thereof. |
| Absence from station. | 47. | <ul style="list-style-type: none">(i) Unless otherwise expressly provided the whole time of an employee shall be at the disposal of the Council and he/she shall serve its business in such capacity and at such places as he/she may from time to time be directed.(ii) An employee shall not absent himself/herself from duty without having obtained the permission of the Competent Authority.(iii) No employee shall leave the station where he/she is posted without obtaining previous permission from his/her immediate superior officer unless otherwise so authorised by Competent Authority. |
| Receipt of cash. | 48. | <ul style="list-style-type: none">(i) No employee shall unless duly authorised in this behalf receive, collect or realise any cash, property or assets of the Council.(ii) Every employee shall, before the close of the day, deposit with the Cashier or any other person authorised to receive cash as the case may be, all the cash received or collected by him/her on behalf of the Council during the course of the day. |
| Handing over Property. | 49. | <p>Every employee shall, on termination of his/her service or on retirement or at any time during his/her term of service, as and when called upon, give account of all moneys, files registers and other properties of the Council and vacate /handover possession of the accommodation or quarter, if any, allotted to him/her, the said accommodation or quarter being deemed to have been occupied by him/her</p> |

under lease, license of the Council for convenient performance of his/her duty and not as a tenant. Failure on the part of the employee to handover charge and possession as aforesaid, shall entitle the Council to forfeit the salary, security and other dues, if any, of such employee payable by the Council without any prejudice to the rights of action which the later may have in law or under its regulations against such employee.

Private trade or employment.

- 50.** (i) No employee shall engage directly or indirectly in any trade or business or undertake any employment

Provided that an employee may, without such sanction undertake honorary work of social or charitable nature or occasional work of a artistic or scientific character, subject to the condition that his/her official duties do not thereby suffer but he/she shall not undertake or continue such work if directed otherwise.

Explanation:

Canvassing by an employee in support of the business of insurance agency or commission agency, owned or managed by his/her wife/husband or any other member of the family, shall be deemed to be a breach of this sub-clause.

- (ii) Every employee shall, if any member of his/her family is engaged in a trade or business or owns or manages an insurance agency or commission agency, report that fact to the Council.

- (iii) No employee shall without the previous sanction obtained in writing or except in the discharge of his/her official duties, take part in the registration, promotion or management of any company registered under the companies Act, 1956 or any other law for the time being in force or any Cooperative Society whose primary object is a commercial purpose.

Provided that any employee may take part in the registration, promotion or management of a Cooperative Society substantially for the benefit of the employee or of cooperative Housing Society or of a literary, Scientific or Charitable Society registered under the Societies Registration Act or any other corresponding law in force.

Explanation:

In this sub-clause 'Cooperative Society' means a Society Registered or deemed to be registered under the U.P. Cooperative Societies Act, 1955, or any other law relating to the Cooperative Society for the time being in force in any State.

Taking part in politics and elections.

51.

- (iv) No employee shall accept any fee for any work done for any public body or for any private person without the sanction of the Director General.
- (i) No employee shall be a member of or be otherwise associated with any political party nor shall take part or subscribe in aid of or associate in any manner with any political movement or political activity.

Provided that nothing contained in this clause shall debar employee from taking part in any form of legitimate trade union society.

Provided further that on a question arising, the decision of the Director General as to the legitimacy of the trade union activity shall be final.

- (ii) It shall be the duty of every employee to endeavour to prevent any member of his/her family from taking part in or subscribing in aid of or assisting in any other manner, any movement or activity which is or tends directly or indirectly, subversive of a Government as by law established, and where an employee of the Council is unable to prevent a member of his/her family from taking part or subscribing in aid or assisting in any other manner any such movement or activity he /she will make a report to that effect to the Director General.
- (iii) No employee shall canvass or otherwise interfere with or use his/her influence in connection with or to take part in election to any legislature or local body.

Provided that an employee qualified to vote in any such election may exercise his/her right to vote but while doing so, he/she shall give no indication of the manner in which he/she proposes to vote or has voted.

Explanation:

The display by an employee on his/her person/ vehicle or residence of any electoral symbol shall amount to using his/her influence in connection with election within the meaning of the sub-clause.

Connection with press or radio.

52.

- (i) No employee shall, except with the previous sanction of the Director General, own wholly or in part or conduct or participate in the editing or management of any newspaper or other periodical publications.
 - (ii) No employee shall except with the previous sanction of the Competent Authority or any other authority empowered in this behalf or except in the bonafide discharge or his/her duties:-
 - (a) Publish a book himself/herself or through a publisher or contribute an article to a book or a compilation of articles or
 - (b) Participate in a Radio/Television broadcast or contribute an article (s) or write a letter to a newspaper or periodical either in his/her own name or anonymously or in the name of any other person.
- Provided that no such sanction shall be required:-
- (1) If such contribution, broadcast or writing is of a purely literary article or scientific character.
 - (2) If such publication is through a publisher and is of a purely literary, artistic or scientific character.

Criticism of Government or Council.

53.

No employee shall in any radio/television broadcast or in any document published anonymously or in his/her own name or in the name of any other person or in any communication to press or in any public utterance make any statement of fact or opinion.

- (i) Which has the effect of an adverse criticism of any current or recent policy or action of the Council or the Central or State Govt.
- (ii) Which is capable of embarrassing the relations between the Council and Central any State Government or between the Central and State Government or State Government interest.

Provided that nothing in this clause shall apply to any statement of views expressed by an employee in his/her official capacity and in the due performance of the duties assigned to him/her.

Gift.

- 54.**
- (i) Save as provided in these regulations, no employee shall accept or permit his wife/her husband or any other member of his/her family or any other person acting on his/her behalf to accept any gift exceeding Rs.1,000/- in value without the previous sanction of the Director General.
 - (ii) Where it is not practicable for an employee to obtain previous sanction under the preceding clause for accepting or permitting his/her husband/wife or any other member of his/her family or any other person acting on his/her behalf to accept any gift exceeding Rs.1,000/- in value, he/she shall within one month of the acceptance of such gift make a report to the Competent Authority, stating the circumstances under which such gift was accepted and if the Council does not approve of such acceptance, he/she shall return the gift to the donor or deposit the same with the Council.
 - (iii) On occasions such as wedding, anniversary, funeral, religious functions, when making of gifts is in conformity with the religious or social custom, gift may be accepted:
 - (a) From near relations, provided that a report be made to the Competent Authority, if the value of any such gift exceeds Rs. 1,000/-.
 - (b) From personal friends having no official dealings with the employee, provide that a report shall be made to the Council if the value of any such gift exceeds Rs.1,000/-.
 - (iv) No employee shall demand or offer any dowry in the marriage of his/her son or daughter or self.

- Indebtedness** 55. An employee shall so manage his/her private affairs as to avoid habitual indebtedness or insolvency.
- Political influence.** 56. No employee shall bring or attempt to bring any political or individual influence to bear upon the superior authority to further his/her interest in respect of himself/herself pertaining to his/her service.
- Consumption of Intoxicating drinks and drugs.** 57. An employee shall:
- (i) Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he/she may happen to be for the time being.
 - (ii) Not be under the influence of any intoxicating drink or drugs during the course of his/her duty and shall also take due care that the performance of his/her duties at any time is not affected in any way by the influence of such drink or drugs.
 - (iii) Not appear in a public place in a state of intoxication.
 - (iv) Not use such drinks or drugs to excess.
- Immovable property.** 58. (i) At the time of joining the service and on the 30th of September every year thereafter, every employee shall make a declaration about the immovable property possessed by him/her and its market value and situation thereof in such form as may be prescribed
- (ii) An employee who enters into any transaction concerning any movable property exceeding one thousand rupees in value, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the Competent Authority.

Provided that no employee shall enter into any such transaction except with or through a regular and reputed dealer or agent without the previous sanction of the Competent Authority.

Explanation:

- (i) For the purpose of this sub-clause the expression 'movable property' includes inter-alia the following viz:
 - (a) Jewelry, insurance policies, shares, securities and debentures.
 - (b) Loans, advance by such employee whether secured or not.

- (c) Motor Cars, Motor Cycles, Horses or any other means of conveyance.
- (d) Refrigerations, Radiograms and Televisions and
- (e) 'On account' payments to the Council, House Building, Societies for purchase and/ or development etc. of Land.

(ii) The monetary limit prescribed in sub-clause (a) will in relation to insurance policies apply to the amount of annual premium and not the value of the policy.

Transactions out of fund of dependants. 59.

(i) All transactions with respect of immovable and movable property made out of the funds (including 'Stridhan' gifts and inheritance etc.) or the dependants of the employee irrespective of the persons in whose name the transaction is made shall be reported to the Competent Authority.

(a) Transactions in immovable property, should be reported along with the annual property return but in a separate form.

(b) Transactions in movable property should be reported immediately on completion or immediately after the employee comes to know of them.

(c) An employee who transfers any immovable or movable property exceeding Rs.1,000/- in value to a member of his/her family, should report as soon as the transfer is made.

(ii) Transactions as members of Hindu Undivided joint family do not require Council's prior permission. In such cases, transactions, in immovable property should be included in the annual property returns on and these in movable property should be reported to the competent Authority, immediately after the employee comes to know of them.

If any employee is unable to give an idea of his/her share of such property, he/she may give details of the full property and the name(s) of the member(s) who share it.

Employment of near relatives of employees in firms enjoying Council's patronage

60. (i) No employee holding a post, the maximum of the scale of which is more than Rs.2,000/- per month shall, except with the previous sanction of the Competent Authority, permit any member of his/her family to accept any employment with any private firm with which he/she had official dealings.
- Provided that where the acceptance of the employment cannot await the prior permission of the Competent Authority, or is otherwise considered urgent the matter shall be reported to the Competent Authority and the employment may be accepted provisionally subject to the permission of the Competent Authority.
- (ii) If any member of the family of an employee had been employed in any private firm having business dealing with the Council, he/she shall bring such fact to the notice of the Competent Authority, in writing immediately after taking up employment.
- (iii) Where any proposal involves the award of contract or exercise of patronage of the Council in favour of any firm in which a member of family of the employees is employed the fact shall be declared by the employee concerned to the Competent Authority, and the case shall there after be decided by the Competent Authority or by its authorised representative in its discretion.

Vindication of facts and conduct of employees.

61. No employee shall except with the previous sanction of the Competent Authority have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack or a defamation.

Explanation:

Nothing in this clause shall be deemed to prohibit an employee from vindicating his/her private character or any act done by him/her in him/her private capacity.

Conviction or arrest of an employee

62. An employee convicted by a court of law or arrested shall report the fact of his/her conviction/arrest to his/her departmental superiors promptly and failure to do so shall be considered as misconduct within the meaning of these regulations.

Pressing the claim or seeking redress of grievance in service matter. 63.

- (i) An employee shall address appeal or representation to his/her immediate superior or head of office or such other authorities at the lowest level, as may be competent to deal with the matter.
- (ii) An appeal or representation to higher authorities shall not be made unless the appropriate lower authorities have already rejected the claim or refused relief or unduly delayed the disposal of the case.
- (iii) A representation to the Director General/ Executive Committee must not be made unless all means of securing attention or redress from lower authorities have been completely exhausted.
- (iv) No representation, appeal petition or memorial shall be addressed by any employee to the Executive Committee/ Council personally or to any outside authority or an authority not prescribed under the respective regulations.
- (v) No employee shall send a representation to higher authorities except through proper channel or send copies of representation to outside authority.

Explanation:

An advance copy of representation may be sent direct to the addressee at the stage mentioned in sub-clause(ii) above being reached.

Bigamous marriages. 64.

- (i) No employee who has a spouse living shall contract another marriage without first obtaining the permission of the Director General notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him/her.
- (ii) No employee shall marry any person who has a spouse living without obtaining the prior, permission of the Competent Authority.

Forwarding applications. 65.

- (i) No employee shall forward any application for employment elsewhere except through proper channel and authority forwarding an application shall confirm to the following provisions:
 - (a) All application for outside departments will be submitted by the employees concerned in duplicate.

- (b) Only applications submitted in response to vacancies advertised in the news paper shall be forwarded.
 - (c) Normally there shall be no restriction on the number of applications that may be forwarded for out side employment during the probation period of an employees.
 - (d) On confirmation, the number of applications that shall be forwarded during a period of 12 months shall be limited to two.
- (ii) An employee shall not forward an application for an award of a Fellowship, scholarship, etc. directly to the authority concerned, unless he/she is sponsored by the Council or is permitted by the Director General to take up such scholarship or fellowship.

PUNISHMENT AND APPEAL

Punishment for misconduct.

66. Any employee who is found, after proper inquiry, to be guilty of misconduct, shall be liable for the imposition of the penalties specified in regulation-69.

Acts of Omission & Commission

67. The following acts of omission and commission shall constitute misconduct.
- (i) Breach of any of the provisions contained in the service regulations as in force from time to time or of any of the terms and conditions contained in the letter of appointment of an employee.
 - (ii) Willful insubordination or disobedience, or refusal to comply with any lawful order of his/her superiors.
 - (iii) Unjustifiably striking work either singly or with others or inciting others to do the same.
 - (iv) Theft, fraud or dishonesty in connection with the Council's business or property belonging to the employee of the Council.
 - (v) Absence from duty without taking leave from the Authority empowered to sanction such leave, unless such absence be due to illness or accident, proved to the satisfaction of the sanctioning authority and about which the employee could not, for reasons beyond his/her control, give prior intimation to the said authority.

- (vi) Habitual late attendance.
- (vii) Gross or habitual negligence or neglect of work.
- (viii) Engaging in private trade or business without permission of Competent Authority.
- (ix) Directly or indirectly accepting any illegal gratification or bribe of any nature whatsoever.
- (x) Willfully making a statement(s) in his/her application or at the time of his/her interview which are found to be incorrect subsequently.
- (xi) Holding meetings inside the office premises of the Council, without the previous sanction of the Competent Authority.
- (xii) Disclosing to any unauthorised person(s) any information in regard to the working of the Council, which comes in the possession of any employee during the course of his/her work, the disclosing of which causes or is likely to cause harm to the business or reputation of the Council.
- (xiii) Threatening or intimidating any employee of the Council within the premises of the Council.
- (xiv) Any behaviour unbecoming of an employee of the Council.
- (xv) Any act subversive of discipline.

Enquiry into misconduct. 68.

- (i) Where there is any reason to believe that an employee has been guilty of misconduct, the Appointing Authority may order an enquiry to be instituted into his/her conduct, such an order may indicate the name and designation of the officer who will conduct the enquiry and such officer shall be known as the 'Enquiry Officer'.
- (ii) Upon such an order being issued, the employee shall be served with a 'show-cause notice', by the Enquiry Officer setting forth the nature of the misconduct and calling for an explanation within specified time period of receipt of such notice by him/her and the employee shall furnish explanation within the time specified.

- (iii) On receipt of explanation from the employee, the Enquiry Officer shall submit a report to the Appointing Authority indicating whether in his opinion the explanation is satisfactory or not. In case the Competent Authority is of the view that the explanation is satisfactory, no further action shall be taken and the proceedings shall be dropped.
- (iv) In case the explanation is found to be unsatisfactory, the Appointing Authority may:
 - (a) Administer a warning to the employee; or
 - (b) Censure; or
 - (c) Direct that charges be framed against the employee.
- (iv) The Enquiry Officer shall frame charges against the employee concerned and communicate the same in writing to the employee who will be required to reply in writing to the charges within specified period of receipt thereof.
- (vi) Thereafter, the Enquiry Officer shall conduct such enquiry as may be necessary to ascertain the truth of the charges after affording adequate opportunity to the charged employee of being heard and shall record his findings in respect of each charge.
- (vii) On the basis of such finding, the Competent Authority shall impose any one or some of the penalties specified in regulation-70.

Suspension.

- 69.** (i) If having regard to the nature of the misconduct the Appointing Authority is satisfied that it is necessary or desirable to place under suspension the employee against whom an enquiry is being made, the Appointing Authority may pass an order placing him/her under suspension.
- (ii) An employee who is detained in official custody whether on a criminal charge or otherwise for a period longer than forty eight hours shall be deemed to have been suspended with effect from date he/she was placed under custody.

- (iii) An employee who is placed under suspension shall be entitled to receive payment as subsistence allowance, a sum not exceeding half the pay and allowance (s) calculated at full pay to which he/she would have been entitled but for the order of suspension. In case the suspension exceeds a period of six months, subsistence allowance shall be increased to three-fourth of the pay and allowance(s) of the employee concerned.

Provided that if the suspension exceeds six months because of the fault of the employee concerned, no enhancement in subsistence allowance shall be permitted.

Nature of penalties.

- 70.** (i) The penalties which may be imposed on an employee as a result of enquiry, shall be as follows:
- (a) warning
 - (b) Censure
 - (c) Postponement of increments.
 - (d) Recovery from the pay of the whole or part of any pecuniary loss caused to the Council by willful default, negligence or breach of orders.
 - (e) Suspension without pay.
 - (f) Removal from service.
 - (g) Reduction of pay to lower stage in the time scale or reduction in rank.
 - (h) Dismissal from service.
- (ii) Notwithstanding anything contained in sub-regulation (i), warning can be issued and a censure entry can be give to any employee, by the Appointing Authority even without an enquiry.

Provided further that an adverse remark in the annual confidential roll of an employee (including those on contract) can be made as part of the annual assessment by officers authorised by the Director General to make such annual assessment and it shall not be deemed to be a penalty under this regulation.

Appeal.

- 71.** (i) Appeals against a penalty imposed under regulation 70 shall (a) lie to the Director General in case of orders passed by an officer subordinate to him;
- (b) Lie to the president of the Council, in case of orders passes by the Director General.

- (ii) No appeal shall be entertained unless it is submitted within a period of 30 days from the date on which the appellant received a copy of the order appealed against.

Provided that the Appellate Authority may, for reasons to be recorded, entertain the appeal after the expiry of the said period on his satisfaction that the appellant has sufficient cause for not submitting the appeal in time.

- (iii) The appeal shall be addressed to the Authority to whom the appeal lies and shall not contain any disrespectful or improper language and shall be complete in itself.
- (v) Every appeal shall be submitted through the authority which made the order appealed against.

CHAPTER-VII
PROVIDENT FUND

Provident fund (P.F)

- 72.**
- (i) The Council shall establish a Provident Fund for its whole time employees.
 - (ii) Each employee of the Council shall after his confirmation or after rendering such length of service as the Director General may specify, be admitted to the Provident Fund Scheme and specific account number shall be allotted to each of them.
 - (iii) Such an employee shall contribute each month, by deduction from his/her basic pay, a sum equal to 8.33% of his/her salary in whole rupees (sum below 50 paise being ignored and those of 50 paise or more shall be taken as one rupee).
 - (iv) The Council will contribute to each employee's credit of account, to be maintained by the Council a sum equivalent to his/her own contribution according to preceding regulation-77. An employee may contribute by deduction from his/her basic pay even more than 8.33% of his/her basic pay but contribution of the Council to his /her account will be a maximum sum equivalent to 8.33% of his/her basic pay.
 - (v) The Provident Fund Account will be administered under these regulations by the Director General subject to such directions as may be issued from time to time by the Executive Committee in this behalf. The Competent Authority shall sanction advances against the subscriber's Provident Fund Account within the limits and under conditions laid down in these regulations.
 - (vi) Each subscriber shall be supplied, as soon as possible after July 1, a copy of his account for the past years.
 - (vii) Compound interest at the rate prescribed by State Government from time to time in respect of Employee's Provident Fund, shall be credited yearly on the basis of monthly balance during preceding year. The subscriber who ceases to be in the service of the Council, shall be entitled to get the interest upto the date of refund of his Provident fund.
Whatsoever the current deposit of the subscriber may be, the interest at the above rate will be calculated on each amount separately from the date of deposit to the end of the Calendar year on June 30, and December 31, each year.

**Temporary loans from
the Provident fund**

73. Temporary loans from the amount at the credit may be made to the subscriber at an interest applicable on deposit rate under the following conditions:

- (i) Ordinarily not more than six months pay or half the amount at his/her credit, whichever is less, may be advanced in lump sum or in parts within the limit fixed. In special cases loan upto the extent of three-fourth of the amount at his/her credit may be advanced.
- (ii) No further advance shall ordinarily be made until a period of at least one year has expired since the last advance was made.
- (iii) All advances will be recovered in equal monthly installments, spread over not more than 36 months.
- (iv) No advance from the Provident Fund shall be made except when the pecuniary circumstances of the subscriber are such that the indulgence is absolutely necessary and the purpose of the loan is an urgent domestic need such as:
 - (a) To pay expenses incurred in connection with the illness of the subscriber or a member of his/her family.
 - (b) To pay expenses in connection with marriage; funerals or ceremonies which by the religion of the subscriber are incumbent upon him/her to perform and in connection with which it is obligatory that the expenditure should be incurred.
 - (c) To pay the expenses in connection with the birth of child.
 - (d) To pay the educational expenses of children not exceeding the cost of books and school fees and boarding house charges for one year.
 - (e) For the repairs of the house, owned by the incumbent or his/her parents and buying or building a house.
 - (f) For purchase of conveyance.

**Payment of Amount
from the provident fund**

74. (i) Subject to the provisions contained in the Provident Fund scheme 1952, on the death or the termination of services of the subscriber, the Council, shall after the expiry of six months, pay the amount at the credit to his /her account to :

- (i) Any person nominated by the deceased.

- (ii) In case no nomination has been made , then to the person who may be found rightful claimant, after making necessary enquiries into the matter.

The Council shall soon after the expiry of six months of the retirement or resignation of the subscriber, pay him/her full amount including contribution of the Council standing interest after deduction amounts, if any, outstanding against him/her.

- 74 (ii) A subscriber who is dismissed, or removed from the service of the Council shall on the expiry of six months after his/her dismissal or removal, be entitled to receive the whole sum at the credit in the Provident Fund Account, alongwith the upto date interest, subject to deduction of all amounts outstanding against him/her including the fine and recovery of any amount embezzled etc.

74. (iii) If it is found within six months of the resignation, retirement or dismissal of a subscriber from the service of the Council that he/she had been guilty of any misappropriation or willful neglect resulting in a loss to the institution, with which he/she was connected, the Council shall be at liberty to indemnify itself from the amount standing at the credit of the subscriber in his/her account, immediately or from any other claim it may have to satisfy.

Benefits of P.F when serving in other Institutions

75. When the service of an employee of the Council are lent to any other institution, he /she will continue to enjoy the benefits of the Provident Fund and Instead of the Council, the borrowing institution would pay all the contribution that the Council would have paid, had he/she been in service therein.

Premium on the Life Insurance policy.

76. Any subscriber who desires to pay premium on the Life Insurance Policy, may at the discretion of the Competent Authority be permitted to assign to the Council any portion of his contribution to the Provident Fund Account, subject to his /her policy being pledged with the Council.

Application of U.P. Govt. P.F. Rules

77. The points not covered in the above regulations will be dealt with according to U.P. Government Provident Fund Rules.

CHAPTER -VIII

GRATUITY RULES

PAYMENT OF GRATUITY

Definitions

78. For purpose of this chapter 'Family' includes the following relatives of any employee:-

- (i) Wife in the case of male employee.
- (ii) Husband in the case of female employee.
- (iii) Sons.
- (iv) Unmarried and widowed daughters (including step-children and adopted children.)
- (v) Brothers below the age of 18 years and unmarried widowed sisters (including step-brothers and step-sisters).
- (vi) Father.
- (vii) Mother.
- (viii) Married daughters (including step daughters).
- (ix) Children of a pre-deceased sons.

Conditon of Payment of Grauity.

79. Gratuity shall be payable to an employee on the termination of his/ her employment after he/she has rendered continuous service for not less than five years:-

- (i) On his superannuation or
- (ii) On his retirement or resignation, or on his death or disablement due to accident or disease.

Provided that the completion of continuous service of five years shall not be necessary where the termination of the employment of an officer is due to death or disablement.

Provided further that in the case of death of an employee, Gratuity payable to him shall be paid to his nominee or /if no nomination has been made, to his heirs.

Explanation:

1. For the purpose of this Rule, disablement means such disablement as incapacitates an employee for the work which he was capable of performing before the accident or disease resulting in his disablement.

- 2 For every completed year of service or part thereof in excess of six months, the Council shall pay gratuity to an employee at the rate of 15 days salary based on the rate of salary last drawn by the employee concerned.
3. The amount of Gratuity payable to an employee shall not exceed sixteen and half months pay.

Nomination.

- 80.** (i) An employee shall, as soon as he acquires or if he already holds a lien on a permanent post, make a nomination conferring on one or more persons the right to receive any gratuity that may be sanctioned under sub clause- (ii) regulations-79 and gratuity which after becoming admissible to him/her under clause-(i), regulation-79 is not paid to him before death.

Provided that if at the time of making the nomination the employee has a family the nomination shall not be in favour of any person other than one or more of the members of his/her family.

A nomination or any change therein will be made by the employee during his/her service or even after retirement if he/she so desires, with the approval of the Competent Authority.

- (ii) If an employee nominates more than one person under clause(i) above, he/she shall specify in the nomination, the amount of share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.

- (iii) An employee may provide in a nomination:

- (a) That in the event of any specified nominee predeceasing the employee the right conferred upon that nominee shall pass to such other person(s) as may be specified in the nomination.

Provided that if at the time of making the nomination the employee has a family consisting of more than one member, the person so specified shall not be a person other than a member of his family.

- (b) The nomination shall become invalid in the event of the happening of contingency specified therein.

- (iv) The nomination made by an employee who has no family at the time of making the nomination or a provision made in a nomination under sub-clause - (a) of sub-clause- (iii) by an employee whose family consists of, at the date of making the nomination, only one member, shall become invalid in the event of the employee subsequently acquiring a family, or an additional member in the family as the case may be.
- (v)
 - (a) Every nomination shall be in one of the forms 'A' to 'D' as may be appropriate in the circumstances of the case.
 - (b) An employee may at any time cancel a nomination by a notice in writing to the Competent Authority mentioned in clause- (vii) below:-
Provided that the employee shall, along with such notice send a fresh nomination made in accordance with these rules.
- (vi) Immediately on the death of a nominee in respect of whom no provisions about the passing of his/her right to another person has been made in the nomination under sub clause-(a) of clause- (iii) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of sub-clause (b) of clause (iii) or clause (iv) the employee shall send to the Competent Authority a notice in writing formally cancelling the nomination together with a fresh nomination made in accordance with these rules.
- (vii) Every nomination or any change therein shall be sent by the employee to the Competent Authority who will counter sign the date of receipt and keep it under his custody.
- (viii) Every nomination made and every notice of cancellation given by an employee shall, to the extent it is valid, taken effect on the date on which, it is received by the Competent Authority mentioned in sub-rule (vii).
- (ix) If an employee having a family dies without making nomination conferring on one or more members of his family the right to receive the amount of death-cum-retirement gratuity, it shall be paid in equal shares to those surviving members of his/her family who belong to categories (i) to (iv) mentioned

in regulation-78 except widowed daughters. Where there are no such surviving member, but there are surviving widowed daughter(s) and/or one or more members of the family of the employee who being to categories (v) to (ix) mentioned in the said regulation, the gratuity shall be paid to such person or to all such persons in equal share.

Miscellaneous Deductions. 81.

- (i) Any amount found legally due to the Council and recoverable from the employee, may be recovered from his/her gratuity with the sanction of the Competent Authority.
- (ii) If an employee is dismissed or removed from the service of the Council on account of criminal embezzlement, no gratuity shall ordinarily be payable to him/her or to his/her family. But if the Competent Authority so desires, can sanction gratuity to the extent of half of the amount admissible under the rules on compassionate grounds.

Method of sanction of gratuity.

- 82.** After retirement of every employee and in every case within one sanction month from that date, the Competent Authority will, after getting his/her services verified, sanction the amount of gratuity due to him/her in accordance with regulation-79.

FORM 'A'

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY

(When the employee has family and wishes to nominate one member thereof)

I, HEREBY, nominate the person mentioned below, who is a member of my family, and confer on him/her the right to receive any gratuity that may be sanctioned by the Council in the event of my death while in service and the right to receive on my death and gratuity having become admissible to me on retirement may remain unpaid at my death.

Name & address of nominee	Relation-ship with employee	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address & relationship of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the nominee dying after the death of the employee but before receiving the payment of gratuity.	Amount or share of the gratuity payable to each.
1.	2.	3.	4.	5.	6.

This nomination supersedes the nomination made by me earlier on which stands cancelled.

Date this.....day of19.....

witnesses to Signature.

(Signature of employee)

This column should be filled in so as to cover the whole amount to gratuity.

(To be filled in by the Competent Authority)

Nomination by.....

Designation.....

Office

(Signature of Competent Authority)

Designation

FORM 'B'

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY

(When the employee has a family and wishes to nominate more than one member thereof).

Name & address of nominee	Relation-ship with the employee	Age	Amount of share of gratuity payable.	Contingency (a) on the happening of which the nomination shall become invalid.	Name, address and relationship of the person(s) if any, to whom the right conferred on nomination shall pass in the event of the nominee predeceasing the employee of the nominee dying after the death of the employee but before receiving payment of the gratuity	Amount of share of gratuity payable to each,
1.	2.	3.	4.	5.	6.	7.

This nomination supersedes the nomination made by the employee earlier on which stands cancelled.

NB: The employee should draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.

Dated this day of19.....

Witnesses: 1
2

(Signature of employee)

This column should be filled in so as to cover the whole amount of gratuity the amount/ share of gratuity shown in this column should cover the wholly amount /share payable to the original nominee.

(To be filled in by the Appointing Authority)

Nomination by.....

Designation.....

Office

(Signature of Competent Authority)

Date

Designation

FORM 'C'

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY

(When the employee has no family and wishes to nominate one person)

I, HAVING NO FAMILY HEREBY, nominate the person mentioned below and confer on him/her the right to receive any gratuity that may be sanctioned by the Council, in the event of my death while in service and the right to receive on my death any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Nmae & address of Nominee	Relationship with the employee	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person(s) if any to whom right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee, dying after the death of employee by before receiving payment of the gratuity.	Amount of share of gratuity payable to each.
1.	2.	3.	4.	5.	6.

This nomination supersedes to nomination made by me earlier, on

Dated: ThisDay of19.....at.....

Witnesses : 1
 2

(Signature of the employee)

This column should be filled in so as to cover whole amount of gratuity.

(To be filled in by the Competent Authority)

Nomination by

Designation

Office

(Signature of Competent Authority)

Date:

Designation.....

FORM 'D'

NOMINATION FOR DEATH-CUM-RETIREMENT GRATUITY

(When the employee has no family and wishes to nominate more than one person).

I, HAVING NO FAMILY, HEREBY, nominate the person(s) mentioned below and confer on them the right to receive to the extent specified below any gratuity that may be sanctioned by the Council in the event of my death while in service and the right to receive on my death to the extent specified below any gratuity which having become admissible to me on retirement may remain unpaid at my death:-

Name & address of nominee	Relation-ship with the employee	Age	Amount of share of gratuity payable to each.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person(s) if any, to whom the right conferred on the nominee shall pass in the event of predeceasing the employee the nominee dying after death of the employee but before receiving payment of gratuity	Amount of share of gratuity payable to each,
1.	2.	3.	4.	5.	6.	7.

This nomination supersedes the nomination made by me earlier on
which stands cancelled.

NB: The employee should draw lines across the blank space below the last entry of prevent the insertion of any name after he has signed.

Dated: This.....day of19at.....

Witnesses to Signature: 1
2

(Signature of Employee)

This column should be filled in so as to cover the whole amount of gratuity. This amount/ share of gratuity shown in this column should cover the whole amount/share payable to the original nominees.

(To be filled in by the Competent Authority)

Nomination by
Designation
Office

(Signature of Competent Authority)

Designation

Date:

CHAPTER- IX

TRAVELLING ALLOWANCE

- Travelling allowance** 83. The employees of the Council shall be governed by the rules applicable to the State Government Employees.

CHAPTER- X

ADVANCES

- Type of Advances.** 84. The Competent Authority may grant the following advances to a confirmed employee:-
- (i) Emergency advance.
 - (ii) Advance for purchase of Cycle.

Provided that Emergency advance shall not be given more than twice in a year.

"Emergency" for the purpose of getting emergency advance is defined as follows:-

- (i) Occurrence of natural calamities such as Flood, Fire, Accident, Cyclone, Earth quake etc.
- (ii) Death of a member of the family.
- (iii) Accidents leading to hospitalization for more than 7 days.
- (iv) Any other emergent need as may be approved by the Executive Committee of the Council.

- Maximum amount of advance.** 85. The maximum amount of advance that may be granted at the time shall not exceed:
- (i) Rs. 1200/- as emergency advance or one month's salary, whichever is less.
 - (ii) For purchase of a Cycle, six months salary or actual cost of the Cycle whichever is less.

- Period of Recovery.** **86.** (i) Emergency advance. Maximum 12 months.
 (ii) Other advance. 3 years.
- Procedure for sanction of Advance** **87.** An employee requiring an advance shall submit in prescribed form to the Appointing Authority an application duly completed in all respects, and execute a bond, authorising the Council to make deductions, as may be fixed, each month from his/her salary. One surety of an employee of the same category as the applicant will be considered sufficient for an Emergency Advance and Cycle Advance. The Appointing Authority may sanction, the advance after such scrutiny as he deems fit.
- Sureties.** **88.** The employee to whom the advance is granted will, severally as well as jointly with surety(s) be responsible for repayment of the advance in due time.
- Provided that in the event an employee, who owes an advance, absconds or resigns or is removed from service of the Council in any manner the surety (s) will repay the unpaid amount of advance within such time as may be allowed by the Appointing Authority.
- Interest.** **89.** The advance under the category of Emergency Advance shall be free of interest, but any default in repayment of an advance by an employee shall make him/her liable for payment of interest at 6% on the defaulted sum and for the rescheduled period, as may be determined by Competent Authority. Beyond the rescheduled period, the Competent Authority may get it (principal and interest) recovered from out of salary of the employee concerned. The interest on Cycle advance will be such as a payable by the government employees of the same grade.
- Earlier repayment of advance.** **90.** Repayment of advances by an employee earlier than the time specified above will be acceptable to the Council with good gesture and shall be duly appreciated in granting him/her advance in future.

BOND

KNOW all men by these presents that where as I have taken a an
..... advance of Rs..... (Rupees
.....) only for
(purpose) I undertake to repay the same in equal instalments of Rs.....
(Rupees.....) only on each pay day by
deduction from my salary, by the Council. I undertake to be responsible severally as well as
jointly with surety(s) for repayment of this advance in the event as well of my services being
terminated or my having resigned from the service, the particulars of my surety (s) are given
below:-

- | | |
|---|-------------|
| 1. Name of surety(s) | (i)
(ii) |
| 2. Designation(s) | (i)
(ii) |
| 3. Salary (basic pay + D.A.)
per month. | (i)
(ii) |
| 4. Any advance outstanding against
him/them. | (i)
(ii) |
| 5. Total amount (including this)
for which stand(s) as surety. | (i)
(ii) |

Signature of Applicant
Designation.

I/we certify that the particulars furnished above in respect of me/us by Sri.....
..... (Applicant) are correct, I/we undertake to stand surety(s) for Rs.....
of the advance applied for on the clear understanding that I/we shall be severally and jointly
responsible for the same amount of advance in the event of any default in payment by the
applicant and unpaid amount may be deducted from my/our salary.

1. Name (With designation)
Signature.
2. Name (With designation)
Signature.

Dated:

SCHEDULE-1

(Application form for the grant of an advance from the Council of Science & Technology, U.P., Lucknow).

To,
Secretary
Council of Science & Technology, U.P.
Lucknow.

Sir,
I request you kindly grant me an emergent /festival /Cycle/ Motor Cycle/Scooter advance of Rs.....(Rupees) only under the rules for grant of an advance to the employee of this Council, which I have carefully read and undertake to abide by the terms and conditions thereof. I need this advance for the purpose ofand declare that the same shall be utilised for the purpose aforesaid and the other, I have duly executed the Bond (on reverse)with surety(s) and authorised the deduction from my salary of ten equal installment of Rs..... (Rupees) only each on pay day every month beginning from

Yours faithfully,

(Signature of Applicant)
Designation.

For office use only

Certified that the applicant is in whole time service of the Council and fulfils all the requisite conditions for grant of the advance applied for. He was previously granted an/no advance for the purpose ofand a balance of Rs.....is outstanding on date. In the events of the advance applied for being granted only one/two advance/will be running and the surety(s) provided is/are adequate.

Secretary
Council of Science & Technology, U.P., Lucknow.

Accountant.

Sanctioned an Emergent/Festival/Cycle advance of Rs.....(Rupees) only each shall be deducted from his/her salary on pay day beginning from

Secretary
Council of Science & Technology, U.P., Lucknow.

CHAPTER-XI

- Conveyance Allowance 91**
- (i) The employee of the Council maintaining their own cycles /Mopeds /Scooters /Motor Cycles/ Cars for official purposes, will be entitled to Conveyance Allowance on the rates, and subject to the conditions, applicable to the employees of Public Sector Undertakings/ Corporations. The orders in this regard issued by the Department of Public Enterprises, will be applicable, mutatis mutandis, to the Council.

 - (ii) The Director General may permit use of the official vehicle for private journeys on the same terms and conditions as laid down by the Government for officers of equivalent status.

Council of Science & Technology, U.P.
B-44, Sector-C, Mahanagar,
Lucknow-226006.

No.CST/

Dated: 7.10.1993

OFFICE ORDER

Consequent to the approval accorded by the Executive Committee of the Council of Science & Technology, U.P. at the 50th meeting held on 16-7-1993 chapter x of the Council of Science & Technology, Uttar Pradesh Service Regulations 1989 relating to advances is amended as follows:-

CHAPTER-X

AMENDMENTS

- | | |
|-----------------|---|
| Page 45 Para 84 | (iii) <u>Add</u> after sub-para (ii)
House Building Advance (Construction of house, purchase of house or Plot, repair of house) as per State Government Rules. |
| Page 45 para 85 | (iii) <u>Add</u> after sub-para (ii)
For House Building Advance, as per State Government Rules. |
| Page 46 para 86 | (iii) <u>Add</u> after sub-para (ii)
House Building Advance- As per State Government Rules. |
| Page 46 para 87 | <u>Add</u> in last line after "as he deems fit"
'The procedure for House Building Advance will be on the lines of State Government Rules. |
| Para 46 para 89 | <u>Insert</u> in last line after "on Cycle advance" and before "will be such" and House Building Advance". |

The amended rules shall take effect from 01 Oct. 1993.

Sd/-
Harish Chandra
Director General

Endorsement No. 3786

of date

Copy forwarded for information and necessary action:-

1. Secretary, CSTUP.
2. All Officers.
3. Notice Board.

Sd/-
Major S.C. Mathur
Secretary.

Council of Science & Technology, U.P.
B-44, Sector-C, Mahanagar,
Lucknow-226006.

No.CST/182

Dated: 15.4.1993

OFFICE ORDER

Consequent to the amendment in Rule-92, Chapter XII of the Council of Science & Technology, Uttar Pradesh Service Regulations 1989 approved at the 49th meeting of the Executive Committee of the Council of Science & technology, U.P. the amended Rule 92 will be read as under:

Chapter-XII

"Medical Reimbursement for employees of the Council.

All regular employees of the Council shall be eligible for medical allowance as under, which will be available for the employee, wholly dependent spouse, children, step children & parents:-

- (i) Medical allowance amounting to 6% of basic pay subject to a minimum of Rs.50.00 p.m. and maximum of Rs.150.00 p.m.
- (ii) Full reimbursement of medical expenses incurred by the employee or his wholly dependent family members in chronic diseases/ accident/cases.
- (iii) In case of hospitalisation and post hospitalisation of employee or his wholly dependent family members, reimbursement of medical expenses shall be admissible at the rate prescribed for the government employees in Government hospitals.
- (iv) Every member of staff shall declare to the Council the name, age and relationship of the members of his family and in case of wholly dependent parents and children, furnish such evidence of their dependence as is necessary.
- (v) As soon as the treatment is over or reimbursement is desired the employee shall submit in the prescribed form an application for the grant or medical Reimbursement supported by necessary certificates for the period, disease, and sum spent on treatment of the particular member of his family (including himself) from the attending physician.

- (vi) After scrutiny of the claim and other formalities as may be prescribed, the claim shall be passed by the Appointing Authority.
- (vii) An advance for this purpose may on the discretion of the Director General, be allowed to an employee subject to the condition that the same shall be received from the employee.

The amended rules shall take effect from 01 April, 1993.

Sd/
Harish Chandra
Director General

Endorsement No.-(i -- iii)

of date

Copy forwarded for information and necessary action:-

1. Secretary, CSTUP.
2. All Officers.
3. Notice Board.

Sd-
Harish Chandra
Director General

CHAPTER-XII

MEDICAL REIMBURSEMENT FOR EMPLOYEES OF THE COUNCIL

- Medical reimbursement** **92.**
- (i) All employees of the Council shall be eligible to a medical allowance of Rs.30/- p.m. In case of hospitalization the expenses shall be reimbursed at the rate prescribed by Government for Government Hospitals. This facility will be available for the employee, employee's spouse, and wholly dependent parents and children.
 - (ii) Every member of staff shall declare to the Council the name, age and relationship of the members of his family and in case of wholly dependent parents and children, furnish such evidence of their dependence as is necessary.
 - (iii) As soon as the treatment is over or reimbursement is desired the employee shall submit, in the prescribed form an application for the grant of Medical Reimbursement supported by necessary certificates for the period, disease, and sum spent on treatment of the particular member of his family (including himself) from the attending physician.
 - (iv) After scrutiny of the claim and other formalities as may be prescribed, the claim shall be passed by the Appointing Authority.
 - (v) An advance for this purpose may on the discretion of the Director General, be allowed to a employee subject to the condition that the same shall be received from the employee.

CHAPTER-XIII

RESIDUARY MATTERS

- | | |
|-----------------------------|--|
| Delegation of powers | 93. The Competent Authority may delegate any of his/her powers to any officer of Category A. |
| Repeal | 94. (i) The provisions of the Uttar Pradesh State Council of Science & Technology (Officer and Ministerial Services) Regulations, 1976 , are repealed in so far as they are inconsistent with these regulations.

(ii) The provisions of the Rule 4 (vi) of the UP State Council of Science & Technology (powers and functions of Director, Secretary and other Officers) Regulations 1976, are repealed. |
| Interpretation | 95. The decision of the Director General in regard to the interpretation of these regulations shall be final. |