

**NATIONAL INSTITUTE OF SIDDHA
(AN AUTONOMOUS BODY)**

- (a) MEMORANDUM OF ASSOCIATION AND
RULES AND REGULATIONS OF NATIONAL
INSTITUTE OF SIDDHA**

- (b) BYE –LAWS OF NATIONAL INSTITUTE
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SERVICE RULES 2004**

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**NATIONAL INSTITUTE OF SIDDHA
(AN AUTONOMOUS BODY)**

**MEMORANDUM OF ASSOCIATION
AND RULES AND REGULATIONS OF
NATIONAL INSTITUTE OF SIDDHA**

MEMORANDUM OF ASSOCIATION

AND

RULES AND REGULATIONS

OF

NATIONAL INSTITUTE OF SIDDHA

CHENNAI

MEMORANDUM OF ASSOCIATION
NATIONAL INSTITUTE OF SIDDHA, CHENNAI

1. NAME

The name of the society shall be the National Institute of Siddha

2. REGISTERED OFFICE

The Registered office of the Society shall be situated at National Institute of Siddha, Tambaram Sanatorium, Chennai - 600 047.

3. OBJECTS

- 1) To impart Post-Graduate education in Siddha System
- 2) To conduct experiments and to develop pattern of teaching in PG education in Siddha System.
- 3) To conduct research on various aspects of Siddha.
- 4) To act as a centre of excellence in Siddha
- 5) To provide medical care through Siddha system of medicine to suffering humanity.
- 6) To develop, promote and propagate the science and art of Siddha.

4. FUNCTIONS

1. In order to promote the above objects, the institute may perform all necessary functions.
2. To develop the Institute into an advanced clinical, educational, training & research centre.
3. To provide advanced training in professional techniques and theory.
4. To seek affiliation of Institute with Dr.MGR Medical University, Chennai.
5. To conduct refresher courses for Siddha UG/PG teacher, Siddha physician and paramedical staff.
6. To publish journals, research papers, leaflets and textbooks and augment and maintain libraries/information services in furtherance of the objects.
7. To invite representatives of the government, Universities and from organisations of foreign countries and prominent scientists to participate in the programme of the Institute.
8. To cooperate with national and international agencies engaged in research and training in Siddha medicine and arrange for exchange of personnel, materials and data.

9. To subscribe to, or become a member of, or cooperate / coordinate with, any other association or society whose objects are similar.
10. To develop database on the knowledge regarding scientific discoveries, institutions involved in Siddha research, scientists and their contributions in the field of Siddha.
11. To create administrative, technical, ministerial and other posts under the Institute and makes appointments thereto in accordance with the rules and regulations of the Institute.
12. To accept grants, gifts, donations securities and movable and immovable properties of any kind offered by the Central Government and State Governments and State Government of Tamil Nadu for the furtherance of the objectives.
13. To issue appeals and apply for money and funds in the furtherance of the objects of the Institute and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property, either movable or immovable, and grant such rights and privileges to the donor, subscribers and other benefactors as the Institute may consider fit and proper.
14. To acquire, purchase, exchange, lease, hire or otherwise, however, any property, movable or immovable, which may be necessary or convenient for running the Institute and build, construct, improve, alter, demolish and repair such buildings works and construction, as may be necessary for carrying out the objects of the Institute.
15. To invest and deal with funds and money of the Institute.
16. To appoint and hire services or discharge / terminate the services of the personnel and to pay them in return for the services rendered to the Institute, salaries, allowance, gratuities, provident fund and other allowances or remuneration in accordance with the rules and regulations of the Institute.
17. To sell, mortgage, lease, exchange, and otherwise transfer or dispose of all or any property, movable or immovable, of the Institute for the furtherance of its objects, or any of them, subject to prior approval of the Central government.
18. To grant prizes, awards, scholarships, grants and stipends, and to do all such other activities for promotion of Siddha and things either along or in conjunction with other organisations or persons as the Institute may consider necessary, incidental or conducive to the attainment of all of any of the above mentioned objects.

All the incomes, earnings, movable and immovable properties of the society shall be solely utilised and applied towards the promotion of its objects and discharge of its functions only as set forth in the Memorandum of Association and no profit or part thereof shall be paid or transferred directly or indirectly by way of dividends, bonus, profits or in any other manner whatsoever to the present or past members of the society or to any person claiming through anyone or more of the present or the past members. No member of the

society shall have any personal claim on any movable or immovable properties of the society or make any profits, whatsoever, by virtue of this membership.

The names addresses, occupations and designations of the first members of the Governing Council, to whom the management of the affairs of the society is entrusted, till the Governing Council is nominated according to the Rules and Regulations of the Society are as follows:

| Sl.No. | Name | Address & Occupation | Designation |
|--------|----------------------|---|----------------------|
| 1. | Sh. Dalit Ezhilmalai | Minister of State for Health & F.W., Nirman Bhawan, New Delhi | Chairperson |
| 2. | Smt. Shanta Shastry | Secretary (ISM&H), Dept. of ISM & H, Ministry of Health & F.W. Red Cross Building, New Delhi | Deputy Chairperson - |
| 3. | Sh. Pradip Bhargava | Joint Secretary (ISM &H), Dept. of ISM & H, Ministry of Health & F.W. Red Cross Building, New Delhi | Member |
| 4. | Sh. Vijay Singh | Joint Secretary & Financial Adviser, Ministry of Health & F.W., Nirman Bhawan, New Delhi | Member |
| 5. | Dr. M.A. Kumar | Asst. Adviser (Siddha), Dept. of ISM & H, Ministry of Health & F.W. Red Cross Building, New Delhi | Member |
| 6. | Dr. G. Veluchamy | Director, Central Research Institute (Siddha), CCRAS, Arumbakkam, Chennai – 106 | Member |
| 7. | Sh. B.L. Meena | Director, Dept. of ISM & H, Ministry of Health & F.W., Red Cross Building, New Delhi | Member - Secretary |

RULES AND REGULATIONS OF THE NATIONAL INSTITUTE OF SIDDHA, CHENNAI

TITLE AND DEFINITION

1. *These Rules and Regulations may be called the National Institute of Siddha Rules.*
2. *In these rules, unless there is anything repugnant in the subject or context.*
 - a. *'Institute' means the National Institute of Siddha, Chennai.*
 - b. *'General Body' means the General Body of the National Institute of Siddha, Chennai.*
 - c. *'Governing Council' means the Governing Council of the National Institute of Siddha Chennai.*
 - d. *"President" means the President of the National Institute of Siddha, Chennai.*
 - e. *"Vice President" means the Vice-President of the National Institute of Siddha.*
 - f. *"Chairperson" means the Chairperson of the Governing Council of the National Institute of Siddha, Chennai.*
 - g. *"Member" means a member of the General Body.*
 - h. *"Director" means the Director of the National Institute of Siddha, Chennai.*
 - i. *"Secretary" means the Member Secretary, Governing Council of the National Institute of Siddha, Chennai.*
 - j. *"Society" means the National Institute of Siddha.*

3. AUTHORITIES AND OFFICERS OF THE INSTITUTE

1. The President
2. The General Body
3. The Governing Council
4. The Director
5. Such other committees, sub-committees, authorities and officers as may be appointed by the Governing Council

4. PRESIDENT AND VICE PRESIDENT

The Union Minister or the Minister of State or the Deputy Minister, holding charge of the work relating of Siddha in the Ministry of AYUSH, Government of India shall be the President of the Institute.

The Minister in-charge of Health, Govt. of Tamil Nadu shall be the Vice President of the Institute.

5. THE GENERAL BODY

The General Body shall consist of the following:

| | | |
|-------|---|------------------|
| 1. | Hon'ble Minister incharge of AYUSH, Government of India | President |
| 2. | Hon'ble Minister for Health & Family Welfare, Government of TamilNadu | Vice President |
| 3. | Secretary (AYUSH), Ministry of AYUSH, Government of India | Member |
| 4. | Additional Secretary (Financial Advisor), Ministry of AYUSH , Government of India | Member |
| 5. | Joint Secretary (AYUSH), Ministry of AYUSH, Government of India | Member |
| 6. | Secretary (Health), Government of Tamil Nadu | Member |
| 7. | Special Commissioner, Commissionerate of Indian Systems of Medicine, Government of Tamil Nadu | Member |
| 8. | Advisor (S)/Jt.Adv.(S)/Dy.Adv.(S), Ministry of AYUSH Government of Tamil Nadu | Member |
| 9. | The Vice Chancellor The Tamil Nadu Dr.M.G.R. Medical University, Chennai – 32 | Member |
| 10. | Director General, CCRS, Chennai | Member |
| 11. | Chairman, Scientific Advisory Committee (Siddha), CCRS, Chennai | Member |
| 12. | Director, CRI Siddha, Chennai | Member |
| 13. | Principal, Government Siddha Medical College, Palayamkottai, TamilNadu | Member |
| 14. | HOD (Siddha), Tamil University, Tanjore, TamilNadu | Member |
| 15-17 | Three Siddha experts as nominated by the President of General Body | Member |
| 18-19 | Two hereditary practitioners as nominated by the President of the General Body | Member |
| 20. | Director, National Institute of Siddha, Chennai | Member Secretary |

6. The Institute shall keep a roll of members of General Body giving their addresses and occupations and every member shall sign the same.

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

8. *The term of Office of a nominated member shall be 3 years.*

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

10. *Resignation of membership shall be tendered to the Secretary in person and shall not take effect until it has been accepted by the President.*

11. *One-fifth members of the General Body present in person shall constitute a quorum at any meeting of the General Body. In case a meeting is adjourned for want of quorum there shall be no quorum for the adjourned meeting.*

12. *All disputed questions at meetings of the General Body shall be determined by votes and the opinion of the majority shall prevail.*

13. *Each member of the General Body shall have one vote and in case of equality of votes, the President shall have a casting vote.*

14. *President shall have the right to adjourn any meeting from time to time.*

15. *A decision given by the President of the meeting on a point of order raised by a member shall be final.*

PROCEEDINGS OF THE GENERAL BODY

16. *The General body shall ordinarily meet once a year. The President may also convene a special meeting of the General Body.*

17. *An Annual Meeting of the General Body shall be held at such time, date and place as may be determined by the President. At such Annual General Meeting, the Annual Report and the Audited Accounts of the Institute together with the Auditor's Report thereon shall be submitted along with the observations, if any, of the Governing Council.*

18. *The President shall convene a Special Meeting of the General Body on the written requisition of not less than half of the total members of the General Body.*

19. *Any requisition so made by the members of the General Body shall express the object of the meeting proposed to be called and shall be left at the address of the Secretary or posted to his address.*

20. *At all Special General Meetings, no subjects other than those stated in the notice of requisition shall be discussed except when especially authorised by the President.*

21. *Excepting as otherwise provided in those Rules, all meetings of the General Body shall be called by Notice under the signature of the Secretary.*

22. *Every notice calling a meeting of the society shall State the date time and place at which such meeting will be held and shall be served upon every member of the society not less than 21 clear days before the day appointed for any general meeting and 10 days for special meeting.*

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

24. *The President shall preside at every General meeting. In the absence of President, the Vice-President shall preside over the General Meeting. In the absence of both the members present shall choose a Member to preside over that meeting.*

GOVERNING COUNCIL

25. *The affairs of the Society shall be managed administered, directed and controlled subject to Rules. Bye laws and Orders of the society by the Governing Council.*

26. *The property of the Institute shall be vested in the Governing Council and in any proceedings, civil or criminal may be described as the property of the Governing Council.*

27. *In any proceedings, the Institute may sue or be sued in the name of the Secretary.*

CONSTITUTION OF THE GOVERNING COUNCIL

28. The Governing Council of the Society shall consist of the following:-

| | | |
|--------|--|------------------|
| 1. | Secretary, Ministry of AYUSH, Govt. of India New Delhi | Chairperson |
| 2. | Director (Ay.& Sid), Ministry of AYUSH | Member |
| 3. | Joint Secy., Ministry of AYUSH | Member |
| 4. | Addl.Secretary (FA) Ministry of AYUSH | Member |
| 5. | Secretary (H&FW) Govt. of Tamil Nadu or his nominee | Member |
| 6. | Director CCRS, Chennai | Member |
| 7. | Director CRI, Chennai | Member |
| 8 & 9. | Two eminent persons from the filed of Siddha to be nominated by the President from amongst the members of the General Body | Member |
| 10. | Director, NIS, Chennai-47 | Member Secretary |

29. The Institute shall keep of members of Governing Council giving their address and occupation and every member shall sign the same.

30. (i) *Notwithstanding anything contained in sub-rule (iii) whenever a person holds the membership of the Governing Council by virtue of an Office or appointment held by him / her (Ex-officio), the membership shall terminate, when he / she ceases to hold that office or appointment and vacancy so caused shall be filled by his her successor to the office.*
- (ii) *Unless his/her membership of the Governing Council is previously terminated as in sub rule 30(iii), the term of office of a non-official member of the Governing Council shall be three years from the date of nomination except that when a person has been appointed member of the Governing Council by reason of the office or appointment he she holds. An out going member shall be eligible for re-nomination.*
- (iii) *Any member of the Governing Council shall cease to be member if (a) he / she resigns, becomes of unsound mind, becomes insolvent or is convicted of a criminal offence involving moral turpitude (b) his / her employer refuses to grant him permission to serve on the Governing Council. (c) he / she goes abroad for a continuous period exceeding one year. (d) he / she does not attend three consecutive meetings of the Governing Council, or (e) the Governing Council by a majority vote is of the opinion that a member has acted or is acting against the interest of the society.*
- (iv) *Resignation of membership shall be tendered to the Secretary in person and shall come into effect when the Chairperson accepts it.*
- (v) *Any casual vacancy in the membership of the Governing Council caused by death or by any of the reasons mentioned in these sub-rules shall be filled in the same manner as provided in Rule 8; such a member shall serve on the Governing Council for the remaining period of the tenure of Office of the outgoing member.*

31. *The Institute shall function notwithstanding any vacancy in its body and no act or proceeding of the Institute shall be invalid merely by reasons of such vacancy or of any defect in the appointment of any of its members.*

PROCEEDINGS OF THE GOVERNING COUNCIL

32. *The Governing Council shall meet as often as may be considered necessary by the Chairperson for the transaction of the business of the Institute but shall meet atleast twice a year. The Chairperson shall decide the date time and place of every meeting of the Governing Council and the agenda of the business for discussion at such meeting.*

33. *Any extraordinary meeting of the Governing Council may be held at any time during the year as the Chairperson may decide.*

34. *An extraordinary meeting of the Governing Council may be called on a written requisition indicating the purpose of the meeting by atleast six members of the Governing Council and on receipt of such a requisition, the Secretary shall call such a meeting after giving notice as required under Rule 35 and at such time and place as the Chairperson may decide. At such a meeting, no subject other then those stated in the requisition shall be discussed except when specially authorised by the Chairperson.*

35. *Every notice calling a meeting of the Governing Council shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Council not less than 14 clear days in case of ordinary meeting and not less than 7 clear days in the case of extraordinary meeting before the date of the meeting under a Certificate of Posting if sent by post or telegram. The agenda shall also be sent alongwith the notice of the meeting and where it is not possible, the agenda shall be sent atleast 7 days before the ordinary meeting and 5 days before the extraordinary meeting under Certificate of Posting, if sent by post. Notice of meeting of the Governing Council shall be sent by the Secretary to the Members of the Governing Council. The accidental omission to give notice or the non-receipt of the notice by any member shall however, not invalidate the proceedings of the meeting.*

36. *The Chairperson shall take the chair and preside over the meetings of the Governing Council. In the absence of the Chairperson, the members present shall choose one from amongst themselves to preside over the meeting.*

37. *One-third of the members of the Governing Council present in person shall constitute a quorum at any meeting of the Governing Council. In case a meeting is adjourned for want of quorum, there shall be no quorum for the adjourned meeting.*

38. *All disputed questions at meetings of the Governing Council shall be determined by votes and the opinion of the majority shall prevail.*

39. *Each member of the Governing Council shall have one vote and in case of equality of votes, the Chairperson shall have a casting vote.*

40. *Any member desirous of moving any resolution at an ordinary meeting of the Governing Council shall give notice thereof in writing to the Secretary not less than seven days before the day of such meeting.*

41. Any business which a may be necessary for the Governing Council to perform may be performed by way of a resolution in writing circulated amongst all its members and any such resolution so circulated and approved by a majority of members entitled to vote at a meeting of Governing Council shall be as effectual and binding as if such a resolution had been passed in a meeting of the Governing Council.

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

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

44. All proceedings of the meetings of the Governing Council shall be entered in a Minute Book to be maintained by the Secretary for the purpose and the Chairperson at the next meeting shall sign all minutes after the same is duly confirmed.

POWERS OF THE GOVERNING COUNCIL

45. The Governing Council shall have general control of the affairs of the Institute and shall have authority to do, exercise and perform all the powers, acts and deeds for the planning, establishment and running of the Institute, and its branches whether within or outside India consistent with the aims and objects of the Institute, as set forth in the Memorandum of its Association.

46. The Governing Council shall have full powers to make such bye laws as they shall think essential for the regulation of the business of the Institute and in particular with reference to (i) the keeping of accounts: (ii) the preparation and sanction of budget estimates: (iii) the sanctioning of expenditure: (iv) entering into contracts: (v) the appointment of staff and determination of their conditions of service: (vi) creation and abolition of posts; (vii) any other purpose that may be necessary.

47. The Governing Council may amalgamate, coordinate, take over or accept the management and administration of any endowment or trust fund or any subscription or donations, gifts, provided that the same is unaccompanied by any condition inconsistent or in conflict with the objects for which the Institute is established.

48. The Governing Council may by resolution delegate such administrative and financial powers as it may think proper to any Committee, the Chairperson, the Director and such officers of the Institute as may be considered necessary.

49. The Governing Council shall have the power to frame, amend or repeal byelaws for the administration and management of the affairs of the Society.

50. The Governing Council shall have full power to institute, conduct, defend, compound, compromise or abandon any legal proceedings by or against the Institute or otherwise relating to the affairs of the Institute.

51. The Governing Council may appoint Committees or sub-committees for such purposes and with such powers as may be specified by it.

52. Nothing in these rules shall prevent the President from exercising any or all the powers of the Governing Council in case of emergency for the furtherance of the objects of the National Institute of Siddha and the action taken by the President on such occasions shall be reported to the Governing Council subsequently for ratification information.

FINANCE COMMITTEE

53. *There shall be a Standing Finance Committee of the Institute consisting of the following:*

| | | |
|----|--|-------------|
| 1. | Joint Secretary (AYUSH), Ministry of AYUSH | Chairperson |
| 2. | Addl. Secretary (FA), Ministry of AYUSH | Member |
| 3. | Secretary (H), Govt. of Tamil Nadu or his nominee | Member |
| 4. | Advisor (s) / Jt.Advisor (s) / Deputy Advisor (s), Ministry of AYUSH | Member |
| 5. | Siddha Expert (from the General Body) | Member |
| 6. | Director, National Institute of Siddha | Convenor |

54. *The following matters shall be referred to the Finance Committee which shall consider them and make its recommendation thereon to the Governing Council namely:*

- a. Animal accounts showing the receipts and expenditure of the Institute together with audit report thereon:*
- b. Budget estimates showing the estimated receipts and expenditure of the Institute .*
- c. All proposals for the creation of new post:*
- d. All financial matters pertaining to the Institute including new proposals, re-appropriations of funds etc.*
- e. All matters relating to the invitation and acceptance of Tender.*

SCIENTIFIC ADVISORY COMMITTEE

55. There shall be a Standing Scientific Advisory Committee of the Institutes consisting of the following:

i) 4 experts to be nominated by the President General Body out of which 1 would be nominated as Chairman

| | |
|---|--------|
| ii) Director, CCRAS, New Delhi | Member |
| iii) Director, Central Research Institute (Siddha), Chennai. | Member |
| iv) Principal Govt. Siddha Medical College, Chennai – 600 106 | Member |
| v) Principal, Govt. Siddha Medical College, Palayamkottai, Tirunelveli District, Tamil Nadu | Member |
| vi) Principal, Madras Medical College or his representative | Member |
| vii) Director, National Institute of Siddha, Chennai | Member |

56. All proposals relating to the Scientific objects of the Institute shall be referred to the Scientific Advisory Committee which shall consider them and make its recommendations thereon to Governing Council.

ACADEMIC COMMITTEE

57. There shall be Standing Academic Committee of the Institute consisting of the following.

| | |
|---|-------------|
| i) Director, National Institute of Siddha, Chennai | Chairperson |
| ii) Prof. of NIS nominated by the President | Member |
| iii) Nominee of Vice Chancellor of Dr.MGR University | Member |
| iv) Siddha Representative of CCIM based at Chennai | Member |
| v) Senior most Prof. Nominated by the Director NIS, Chennai | Convener |

58. All proposals relating to academic objects of the Institute shall be referred to the Academic Committee which shall consider them and make its recommendations thereon to the Governing Council.

59. *Term of Office of nominated members of Finance Committee, Scientific Advisory Committee, Academic Committee shall be co-terminus with the term of the Governing Council but shall not exceed three years. A outgoing member shall be eligible for re-nomination.*

No proceeding of the Finance Committee Scientific Advisory Committee Academic Committee shall be invalid for the reason of lack of nomination vacancy in the Committee.

60. *Any business which it may be necessary for the Finance Committee, Scientific Advisory Committee, Academic Committee to perform, may be performed by a resolution in writing circulated amongst all its members and any such resolution so circulated and approved by a majority of members that time shall be as effectual and binding as if such a resolution had been passed in a meeting of the Committee provided at least 3 members of the committee have given their approval to the resolution.*

FUNDS OF THE INSTITUTE

61. *The funds of the Institute will consist of the following :*

- (i) Grants from government of India.*
- (ii) All fees and other charges received by the Institute.*
- (iii) All money received by the Institute by way of grants, gifts donations, benefactions, bequests or transfers: and*
- (iv) All money received by the Institute in any other manner or from any other source.*

62. *All the money credited to the funds shall be deposited in a Nationalised Bank or invested in such manner as Governing Council may decide.*

63. *Funds shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions.*

64. *All funds shall be paid into the Institute's account with the Bank and shall not be withdrawn, except on a cheque signed by the Director or any other Officers authorised by the Governing Council or under the byelaws of the Society.*

65. *For the purposes of these Rules and Regulations, a financial year shall be taken to mean the twelve months commencing on the 1st April and ending 31st March of the following calendar year.*

66. *The Institute shall cause regular accounts to be kept of all its money and properties in respect of affairs of the Institute.*

67. *The accounts of the Institute shall be audited annually by the Comptroller and Auditor General of India, or by any other persons appointed by him or the Institute in this behalf and any expenditure incurred in connection with such audit shall be payable by the Institute to the Comptroller & Auditor General of India. The Auditor shall have the right to demand the production of all Books, Accounts, Vouchers and other necessary documents and papers. The report of such audit shall be communicated by the auditors to the Institute with a copy to the Secretary , (AYUSH) Ministry of AYUSH.*

POWERS AND FUNCTIONS OF THE PRESIDENT

68. *The President shall exercise such powers and discharge such functions as laid down in these Rules and Regulations and Bye-laws of the Institute and as may be delegated by the Governing Council.*

- a) *The Governing Council may by resolution delegate to the President and to the Secretary such of its powers for the conduct of business as the Governing body may deem fit subject to the condition that action taken by the President or by the Secretary shall be reported for confirmation at the meeting of the Governing Council.*
- b) *President may take decisions on behalf of Governing Council which may subsequently be reported for confirmation at the next meeting of Governing Council.*

POWERS AND FUNCTIONS OF THE DIRECTOR

69. *The Director shall be the Chief Executive Officer & “Head of Department” of the Institute and shall exercise the powers of “Head of Department” and inter-alia, discharge the duties mentioned below:*

- a) *He shall be in-charge of the administration of the Institute. He shall allocate duties to Officers and employees of the Institute and shall exercise such supervision and executive control as may be necessary subject to these rules and regulations and the byelaws.*
- b) *He shall also exercise the powers as laid down in byelaws of the Institute as the powers of the Director.*
- c) *He shall also have powers to delegate any of his powers to the Officers on the administrative side subject to such limitations as may be imposed by the Governing Council.*

70. *The Director shall be appointed by the President. The recruitment rules and conditions of service of the Director shall be as may be decided by the Governing Council from time to time.*

ANNUAL REPORT

71. *An annual report of the proceedings of the Institute and of all work undertaken during the year shall be prepared and submitted to the Government of India after it is approved by the Governing Council. The report and the audited accounts of the society along with auditor's report thereon shall be placed before the society at the annual meeting.*

ANNUAL STATEMENT OF ACCOUNTS

72. *The annual statement of accounts including the balance sheet and revenue account of the Institute when accepted and passed at a meeting of the Governing Council shall be forwarded to the Government of India together with auditor's report thereon.*

LEGAL PROCEEDINGS

73. *The Society may sue or be sued in the name of the Secretary as per provisions laid down in the Tamil Nadu societies registration Act, 1975. (Act. No. XXVII of 1975)*

74. *Any amendment in the Memorandum of Association or name of the society will be carried out in accordance with procedure laid down at the Tamil Nadu Societies Registration Act, 1975 (Act No. XXVII of 1975)*

75. *The Governing Body will have power to amend or modify these Rules and Regulations of the society by a resolution adopted in the meeting of the Governing Council called for the purpose.*

DISSOLUTION AND ADJUSTMENT OF AFFAIRS

76. *If the society need to be dissolved, it shall be dissolved as per provisions laid down at the Tamil Nadu Societies Registration Act, 1975 (Act No. XXVII of 1975)*

APPLICATION OF THE ACT

77. *All the provisions under all the sections of the Tamil Nadu Societies Registration Act, 1975 (Act No. XXVII of 1975) as applicable to Tamil Nadu shall apply to the Society.*

ESSENTIAL CERTIFICATE

78. *Certified that this is the correct copy of Memorandum of Association and Rules and Regulations of the Society.*

(PRESIDENT)

(SECRETARY)

*NATIONAL INTITUTE OF SIDDHA
(AN AUTONOMOUS BODY)*

*UNDER THE CONTROL OF
MINISTRY OF AYUSH
GOVERNMENT OF INDIA*

*BYE – LAWS OF NATIONAL INSTITUTE
OF SIDDHA*

*AS APPROVED BY
THE GOVERNING COUNCIL*

DATED 17.6.2004

NATIONAL INSTITUTE OF SIDDHA

BYE-LAWS

Preparation and Sanction of Budget Estimates

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

| | |
|-----------------------|----------------------|
| <i>President</i> | <i>Rs. 60,000-00</i> |
| <i>Vice-President</i> | <i>Rs.40,000-00</i> |
| <i>Director</i> | <i>Rs.25,000-00</i> |

Appropriation

8. *The funds of the Institute shall not be appropriated for expenditure on any scheme which has not been approved by the competent authority under these Bye-Laws.*

9. *The primary units of appropriation shall ordinarily be 'Scheme' or 'Schedule' and secondary units such as 'Salaries', 'Allowances', 'Contingencies', etc. being opened, subordinate there to as may be required.*

Reappropriation and Expenditure Sanction

10. *The Director shall have the power to reappropriate fund from one primary unit of appropriation to another or from one secondary unit of appropriation to another within the primary unit.*

11. *The Director shall keep a watch over expenditure against the grants sanctioned by the Governing Council and in case where expenditure has exceeded or is likely to exceed the sanctioned grant, shall take steps to provide an additional grant or make a reappropriation from anticipated savings under other units of appropriation with the approval of Vice-President / President.*

12. *A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-Laws to cover it.*

13. *No expenditure from the funds of the Institute shall be incurred without sanction of the competent authority.*

14. *The Director shall have full powers to sanction the expenditure on any item included in the budget.*

15. *The Deputy Director (Administration) and Administrative Officers duly authorised by the Director on his behalf, shall have the power to sanction an expenditure of a miscellaneous or contingent nature upto an amount not exceeding Rs.5,000/- in the case of Deputy Director (Administration) and Rs.3,000/- - in the case of Administrative Officers in each case.*

16. *The Director shall sign and execute, on behalf of the Institute, all agreements, contracts, etc. which may be necessary for proper conduct of business of the Institute. The drafts of all contracts involving consideration exceeding Rs.50,000/- shall be submitted to the solicitor to the Government of India or such other officer dealing with conveyancing matter in the Ministry of Law for his advice as to its correctness of their form.*

Investments

17. The funds of the Institute including the funds that could be invested under GP Fund Rules may be invested only in the following manner:

I. In promissory Notes, Treasury Deposit Certificates or other Securities of any State Government or Government of India.

or

II. In Fixed Deposits with any nationalised Bank

or

III. In such other manner as the Governing Council may authorise.

18. All investments of funds of the Institute shall be made in the name of the Institute. All purchases, sales or alterations of such investments shall be effected and all contracts, transfer deeds or other documents necessary for purchasing, selling or altering the investments of the Institute shall be executed by Director on behalf of the Institute. Director will make arrangements for the safe custody of receipt will verify it once in six months with the Register of Securities and a certificate of verification will be recorded by the Director in the Register.

19. The Director shall authenticate the register of securities held by the Institute in which transaction affecting the securities shall be recorded.

Drawal of Funds

20. Cheque Books will remain in the personal custody of Director or an Officer as may be authorised by the Director on his behalf.

21. Various Heads of Departments / Units, etc. of the Institute shall submit all new charges and any demand of funds to the Director. The claims for pay and allowances and travelling allowances of the officers and contingent bills will be drawn in the prescribed forms and submitted to the Director for payment. All bills will be checked and passed for payment by the Drawing and Disbursing Officer who may be authorised by the Director. The contingent and travelling allowance bills will be countersigned by the Director or by any officer authorised by him on his behalf before these are passed by the DDO for payment. The monthly pay and allowance bills shall be received directly by DDO and passed by him. Payment will be made by means of cheque or demand draft, as the case may be.

MAINTENANCE OF ACCOUNTS REGISTERS AND CONDUCT OF AUDIT

22. The Director of the Institute shall make arrangements for proper maintenance of accounts and other relevant records and preparation of annual income and expenditure account for the year ending and balance sheet as on 31st March in such form as may be prescribed by the Governing Body and acceptable to the Auditors.

23. *The primary accounts of the Institute shall be maintained in the following Registers in the Forms prescribed in GFR:*

1. *The Cash Book*
2. *The Register of Securities*
3. *The Receipt Book*
4. *The Register of Stock of Cheque Books*
5. *The Register of Stock of Receipt Books*
6. *The Register of Stock of Non – expendable Articles*
7. *The Register of Leave and Pensionary Contributions*
8. *The Register of Advances, Permanent and Temporary*
9. *The Annual Accounts*

24. *The Accounts Officer / DDO shall apply a check of the nature of pre-audit to all payments from the funds of the Institute and will maintain registers in the following forms:*

10. *Establishment Audit Register*
11. *Register of Pay & Allowances of Officers and Staff*
12. *Travelling Allowance / LTC Registers*
13. *Contingent Register*
14. *Register of Special Charges*
15. *Objection Book relating to irregular payments*
16. *Adjustment Register*
17. *Register of financial orders, delegations, etc.*
18. *Budget Control Accounts Register*
19. *Advance Register (HBA, Conveyance, Computer, etc.)*

25. *The accounts of the Institute shall be subject to audit and the functions of the Auditor of the Institute will be exercised by the Comptroller and Auditor General of India or any person appointed by him on his behalf. Any expenditure incurred in connection with such audit shall be payable by the Institute to the Comptroller and Auditor General of India or to the person / authority so appointed by him on this behalf.*

26. *The Comptroller and Auditor General of India and any person appointed by him in connection with audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor General of India has in connection with the audit of the Government accounts and in particular, shall have the right to demand production of books of accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Institute.*

27. *If expenditure from the funds of the Institute consists of a grant to any authority or individual under the audit of any officer, the Auditor will satisfy himself that the purpose of the grant-in-aid is within the scope of the objects of the Institute as set out in the Memorandum of Association and will call for and accept a certificate of audit of that audit officer of the expenditure from the grant. The Director shall arrange to obtain and produce such certificate of audit.*

28. *All sanctions, orders and delegation of competent authorities under the Rules and Regulations of these Bye-Laws affecting the Institute account shall be reduced to writing and communicated to the Accounts Officer.*

29. *The accounts of the Institute as certified by the Comptroller and Auditor General of India or any other person appointed by him in this behalf together with the audit report thereon, shall be forwarded annually to the Ministry of AYUSH and also to the General Body.*

30. *The Director of the Institute shall exercise the powers similar to those of a “Head of a Department” of the Government of India and also those specified in Annexure – A attached to these Bye-Laws subject to the limits mentioned against each item therein.*

31. *The Director may, subject to such restrictions as he may think fit to impose, authorise the Deputy Director(Admin) and/or the Administrative Officers to exercise any of these powers conferred upon him under the Bye-Laws, upto the limit he may think fit.*

Disposal of Property

32. *The Director shall have the powers to dispose of the non-expendable and other articles and to write off any unserviceable and condemned articles subject to powers delegated under the provisions of Delegation of Financial Powers Rules, 1978.*

CONDITIONS OF SERVICE

Appointments

33. (a) *Officers and Staff of the Institute shall be classified in the following categories:*

| | |
|------------------|--|
| <i>Group – A</i> | <i>A Central Civil Post carrying the following grade pays:Rs.10,000, Rs.8,900 and Rs.8,700 in the scale of pay of Rs.37,400-67,000 in Pay Band-4 and Rs.7,600, Rs.6,600 and Rs.5,400 in the scale of pay of Rs.15,600-39,100 in Pay Band-3</i> |
| <i>Group – B</i> | <i>A Central Civil post carrying the following grade pays:- Rs.5,400, Rs.4,800, Rs.4,600 and Rs.4,200 in the scale of pay of Rs.9,300-34,800 in Pay Band-2</i> |
| <i>Group – C</i> | <i>A Central Civil post carrying the following grade pays:- Rs.2,800, Rs.2,400, Rs.2,000, Rs.1,900 and Rs.1,800 in the scale of pay of Rs.5,200-20,200 in Pay Band-1</i> |
| <i>Group – D</i> | <i>A Central Civil post carrying the following grade pays:- (till the posts are upgraded) Rs.1,300, Rs.1,400, Rs.1,600, Rs.1,650 in the scale of pay of Rs.4,440-7,440 in IS Scale</i> |

(b) *Recruitment, appointment and promotion to all posts shall be made according to the National Institute of Siddha Service Rules as laid down by the Governing Council and also as per guidelines / orders / rules of the Government of India issued from time to time. Selection shall be made through the Selection Committee / Departmental Promotion Committee as specified in the NIS Service Rules.*

(c) *The Selection Committee shall examine the credentials of all candidates who have been called for interview and may also consider other suitable names, if any. The Selection Committee may interview any or all the candidates as it thinks fit and shall make its recommendation to the appointing authority.*

(d) *The powers to make an appointment to a post having a salary (excluding allowances) or a maximum in salary scale (excluding allowances) of Rs.22,400/- per mensem or more shall vest in the Appointments Committee of Cabinet of the Government of India.*

(e) *The Appointing Authority for various posts in the Institute shall be as specified in the National Institute of Siddha Service Rules, 2004.*

Tenure of Appointment

34. *Service under the Institute shall be temporary until it is made permanent.*

(a) *A person appointed on a regular vacancy shall be placed on probation for a period of two years in the case of Direct Recruitment and for one year in the case of promotion provided probation shall apply to promoted persons only once in each Group of post at the time of his entry to that Group. In case an official is considered unfit for the post on which he is placed on probation, his reversion / termination should be considered.*

Cases of probation of official should be reviewed every six months. In case the result of review of performance of an official is found indifferent, he should be warned of the consequences, i.e. termination of his service / reversion to the post from which he is promoted. Such a warning should be issued at least six months in advance after which the performance of the official concerned should be continuously kept under observation. If during the period of probation or any extension thereof, as the case may be, if the person is not found fit for temporary or permanent appointment, he shall be discharged or reverted to the post held by him prior to his appointment in the service, as the case may be.

(b) *The conditions of service of temporary official are governed by the provisions of CCS (TS) Rules, 1965. The service of an official can be terminated without giving any reason under Rule 5 of the said Rules or for any misconduct under the provisions of the said Rules, after observing the procedure prescribed therein. The services of a temporary official shall be liable to termination at any time by a notice in writing given either by an official to the appointing authority or by the appointing authority to an official. The period of such notice shall be one month provided that the service of any such official may be terminated forthwith and on such termination an official shall be entitled to claim a sum equivalent to the amount of pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services or, as the case may be, for the period by which such notice falls short of one month.*

(c) *The service of a permanent employee can be terminated as per the rules and conditions laid down by the Government of India and after following the said procedures in this regard.*

35. *The period of probation, seniority, etc. shall be as specified in the National Institute of Siddha Service Rules and as per the guidelines / orders / rules issued by the Government of India, from time to time.*

Employees to be whole time servants

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

Superannuation

37. *The Rules governing retirement of employees of the Government of India as amended from time to time, shall mutatis mutandis apply to the employees of the Institute. However, the retirement age in respect of any category of posts may be raised to the extent the General Body and Government of India may decide.*

38. *The Fundamental Rules and Supplementary Rules and the General Financial Rules of the Government of India, as amended from time to time, shall apply mutatis mutandis to the employees of the Institute.*

Private Practice

39. *The service under the Institute debar the teaching, research and clinical officers from either private or consulting practice of any kind.*

Status of non-officials for regulation of TA

40. *Private persons who are not whole-time servants of the Institute or who are remunerated wholly or partly by fees, rank for the purpose of travelling allowance under Supplementary Rule 17 in such grade as the Institute may with due regard to their status declare. The air travel to private members shall be allowed with prior approval of the Ministry of AYUSH..*

De-facto Permanent and Temporary Status of the Institute Employees

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

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| <i>Note: Bye-Law 41 and 42 are not applicable to Government</i> |
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|---|
| <i>Servants employed in the Institute on foreign service terms.</i> |
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Deputation in India and abroad

42. *Such employees of the Institute as have completed five years of service and are awarded fellowships for higher studies or training in India or abroad, may be granted deputation-cum-special leave terms. The grant of these terms shall be regulated mutatis mutandis by the orders issued on the subject by the Government of India, from time to time with the approval of the Ministry.*

43. *The grant of leave to employees of the Institute under the Bye-Law shall not debar employment of temporary substitutes provided the nature of duties performed requires that a substitute should be engaged.*

Leave Rules

44. *The Central Civil Service (Leave) Rules, 1972, as amended from time to time, shall apply, mutatis mutandis, to the employees of the Institute appointed other than on contract basis. Employees appointed on contract / part-time basis shall be granted leave under the same rules as are applicable to such employees of the Government of India.*

Medical Facilities

45. *The employees of the Institute shall be governed by the Central Civil Service (Medical Attendance) Rules, mutatis mutandis.*

Scale of Pay of Various Posts

46. *The Scale of pay and allowance applicable to various posts in the service of the Institute shall be those prescribed by the Government of India for similar personnel under them.*

Allotment of Institute Residence to Employees

47. *The employees of the Institute shall be eligible to the allotment of Institute Residential Quarters, if available, as per the rules laid down for the purpose.*

Conduct, Discipline and Penalties

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

49. *The authorities empowered to impose penalties shall be as specified in Annexure – B and the appeals from orders imposing any of the penalties specified shall be made to the authorities specified in Column 4 or 5, as the case may be, of the said Annexure and whose decision shall be final.*

- (i) *If the charge – sheet is against the Head of the National Institute, the charge – sheet will be signed by the Joint Secretary “for and on behalf of the President of GB / Hon’ble Minister of AYUSH;*
- (ii) *If the charge – sheet is against officers other than Director / Head of Institute, the charge – sheet will be signed by the Director of the Institute (whether regular or officiating).*

Other Conditions of Service

50. *In respect of matters not provided for in these Bye-Laws, the rules as applicable to Central Government servants regarding general conditions of service, pay, allowance, TA and daily allowances, foreign service terms, deputation in India and abroad, etc. and orders and decisions issued in this regard or any other regard by the Central Government, from time to time, shall apply, mutatis mutandis, to the employees of the Institute.*

51. *Any alteration in these Bye-laws shall require prior approval of the Governing Council of the Institute.*

POWERS AND FUNCTIONS OF THE DIRECTOR

(Bye-Law 30)

1. *The Director shall be the Chief Executive of the Institute and shall be responsible for the coordination of policies, planning and execution of various programs under the Institute. Without prejudice to the generality of the foregoing provisions, the Director shall exercise such powers and discharge such functions as specified in Schedule –I and also those laid down below subject to any direction under the relevant rules as issued by the Govt. of India, from time to time:*

- a He shall do all such acts as may be required for the proper conduct of the ordinary current administrative and business duties and affairs of the Institute;*
- b He shall allocate duties to officers and employees of the Institute and shall exercise such supervising and executive control as may be necessary subject to the rules and these regulations;*
- c All the correspondence shall be over his signature or of an officer(s) authorized by him in this behalf;*
- d He shall also be a Member (ex-officio) of all the Committees appointed by the Governing Council and shall attend at his discretion all or any meetings of such Committees;*
- e He shall exercise such of the financial and administrative powers as may be delegated by the General Body or by the President.*
- f The Director shall sign and execute on behalf of the Institute all agreements, contracts, etc. which may be necessary for the proper conduct of the business of the Institute. The drafts of all contracts involving consideration exceeding Rs.50,000/- shall be submitted to the Solicitor to the Government of India or such other officer dealing with conveyancing matter in the Ministry of Law for his advice as to its correctness of their form:*
- g He shall sign and verify complaints, written documents, statements, affidavits, petitions and tabular statements and institute or defend suits, action and other legal proceedings on behalf of the Institute.*
- h He shall have power to compromise, settle or refer to arbitration any dispute relating to the Institute after taking competent legal advice;*
- i The Director may, subject to such restrictions as he may think fit to impose, authorize the Departmental Heads/ Deputy Director(Admin)/ Administrative Officer/Accounts Officer and Disbursing Officer, as the case may be, to exercise powers upto the extent indicated by him;*
- j The Director may, subject to such restrictions as he may think fit to impose, authorize the Heads of the Projects, to exercise such of the powers conferred upon him under the Bye-laws.*

- k The Drawing and Disbursing Officer or any other Officer of Group A or B authorized by the Director on his behalf shall have the power to sanction an expenditure of contingent nature upto an amount not exceeding Rs.500/- in each case.*
- 2. Powers of the Director in regard to writing off the irrecoverable value of stores, money, advances etc., shall not be re-delegated.*
- 3. In case of any doubt, the matter should be referred to the Ministry of AYUSH, Government of India.*

The word 'the Government' in Schedule –I means the Govt. of India.

SCHEDULE – I

SCHEDULE OF POWERS VESTED IN DIRECTOR

| Sl.No | Power | Extent |
|-------|---|---|
| 1. | To declare an Institute employee to be a ministerial servant. | Full powers |
| 2. | To dispense with a medical certificate of fitness before appointment (in individual case) | Full powers in respect of the Categories of the posts for which Director is the appointing authority. |
| 3. | To suspend a lien | Full powers provided he is authorized to make appointments to the post in question. |
| 4. | To transfer a lien | Full powers provided that he is authorized to make appointments to both the posts concerned |
| 5. | To transfer an employee from one post to another | Full powers |
| 6. | To appoint an employee to hold a dual charge and to fix emoluments. | Full powers provided he has power to make appointments in each post. |
| 7. | To sanction grant or acceptance of honorarium | Upto a maximum of Rs. 2,500/- in each case per year |
| 8. | To permit teaching staff of the Institute to accept fee for examinership, invigilatorship, paper setting, valuation of answer book etc. | Full powers subject to the provision of SR-12 and maximum of Rs.2,500/- in a financial year. |
| 9. | To permit undertaking of private work and acceptance of fee. | Upto Rs.1,200/- in case of each employment per year. |
| 10. | To decide the shortest of two or more routes | Full powers |
| 11. | To allow mileage allowance by a route other than the shortest | Full powers provided selection of the route is in the Institute's interest. |
| 12. | To define the limits of an employee's sphere of duty for the purpose of TA | Full Powers |
| 13. | To decide whether a particular absence is absence or duty for the purpose of TA | Full Powers |
| 14. | To authorise an employee to proceed on duty to any part of India. | Full powers |
| 15. | To restrict the frequency and duration of journey. | Full powers |
| 16. | To reimburse cancellation charges on unused air / rail tickets where the cancellation was done in the interest of Institute. | Full powers |
| 17. | To allow actual expenses for carriage of personal effects by road between Stations connected by rail | Full powers |
| 18. | Power to declare an officer of Group A or B to be Head of an Office (Powers of Head of Office to | Full powers |

| | | |
|-----|---|---|
| | sign bills and cheques, last pay certificates, contingent registers etc. He can also delegate such powers in certain cases to any other gazetted officer subordinate to him) | |
| 19. | Power to permit an officer to countersign TA advance bills where permanent TA Advances have been sanctioned to that officer. | Full powers |
| 20. | To declare who shall be the controlling officer and to make rules for his guidance. | Full powers provided no employees is declared his own controlling officer. |
| 21. | To purchase raw and prepared drugs, dressings, medical stores, hospital equipment, dictary articles, furnitures other stores etc. for working of the Institute / Departments. Hospital or any of its Units, for teaching, research and hospital purposes. | Upto the limit of budget provision for such purchase according to usual rules and prescribed procedures. |
| 22. | Power to sanction non-recurring contingent charges within budget limits. | Upto the limit of budget provision for such purchase according to usual rules and prescribed procedure (only in respect of approved schemes). |
| 23. | Power to sanction recoupment of permanent advance. | Full powers |
| 24. | Power to sanction Municipal or Cantonment taxes. | Full powers |
| 25. | Power to purchase within budget limits Government and Non-Government publications required by him or by Officers under his control. | Full powers |
| 26. | Power to sanction the renting ordinary offices and hostel accommodations. | Rs.15,000/- per annum, subject to the recommendation of the Finance Committee in principle, for hiring such accommodation. |
| 27. | Maintenance of buildings and petty works repairs and alterations to hired and requisitioned buildings. | For ordinary repairs to Institute own buildings – full powers subject to budget provision. |
| 28. | Power to sanction fixed recurring charges of a contingent character. | Full powers |
| 29. | Power to sanction telephone rents. | Full powers |
| 30. | Power to sanction advances of pay to an officer under transfer | Full Powers |
| 31. | Power to grant advance of TA to himself and to other employees. | Full Powers |
| 32. | Power to sanction advances and final withdrawal from CP fund / EP Fund / GP Fund in accordance with the Government rules as amended from time to time. | Full Powers |
| 33. | Power to sanction Festival Advance in accordance with the Government rules as amended from time to time. | Full Powers |
| 34. | Power to sanction advance for the purchase of conveyance in accordance with the Government rules as amended from time to time. | Full Powers |
| 35. | Power to incur expenditure and sanction advances for Law Suits to which the Institute is party in accordance with the Government Rules as amended from time to time. | Full Powers |
| 36. | Power to vary the terms of repayment of advances. | Full Powers |

| | | |
|-----|---|---|
| 37. | Power to order retention of undisbursed pay and allowances. | Upto three months |
| 38. | Power to sanction Children Education Allowance and reimbursement to Tuition Fees in accordance with the Central Government Rules as amended from time to time. | Full Powers |
| 39. | Power to sanction reimbursement of medical expenses incurred by an employee for himself or in respect of his family in accordance with the Central Government Rules as amended from time to time or Institute's own Rules / Scheme on medical attendance as approved by the Governing Council. | Full Powers |
| 40. | Power to sanction the purchase of typewriter. | Full Powers |
| 41. | Power in regard to writing of the irrecoverable value of stores, money, advances, etc. provided that (i) the loss is not due to theft, (ii) it does not disclose a defect of system or serious negligence on the part of some individual servant of the Institute which might possibly call for disciplinary action requiring the orders of a higher authority. | Upto a limit of Rs.10,000/- each case. Full powers with the approval of the Finance Committee. |
| 42. | Power to order destruction of records | Full powers subject to observance of period of retention of records as prescribed by the Govt. of India. |
| 43. | Power to give gift items / medicines to visiting dignitaries or public bodies at his discretion. To order sale by auction or otherwise in the interest of the Institute of unserviceable stores or perishable items. | Upto Rs.1,000/- in each case. Full Powers |
| 44. | Power to countersign his own travelling allowance bills. | Full Powers |
| 45. | Power to grant all kinds of leave excluding study leave to staff of the Institute as per CCS leave Rules. | Full Powers |
| 46. | Power to grant upto five advance increments in respect of Group C and D staff on the basis of the recommendations of the Selection Committee. | Full Powers |
| 47. | Printing and Binding | Full powers subject to codal formalities. |
| 48. | Power to incur expenditure on miscellaneous items. | Maximum limit upto which the expenditure may be sanctioned on each individual item: Recurring Rs.1,200/- in each case. Non- Recurring Rs.10,000/- in each case, subject to budgetary provision. |
| 49 | Power to purchase – stationery for Offices/Hospital use. | Full powers according to necessity subject to budget provision. |
| 50 | Power to buy medicines | Full powers according to necessity subject to budget provision. |
| 51 | Power to meet expenditures on Diet | Full powers according to the per patient norm approved by Standing Finance Committee subject to budgetary provision. |

ANNEXURE – B
(Bye – Law 49)

| Particulars of Post | Authority empowered to impose Penalties and the Penalties which may be imposed | | Appellate Authority | |
|---------------------|--|--------------------|---------------------|-------------------|
| | Minor | Major | Minor | Major |
| Group A-I | Governing Council | General Body | General Body | General Body |
| Group A-II | Governing Council | Governing Council | General Body | General Body |
| Group B | Director | Governing Council | Governing Council | General Body |
| Group C | Dy. Director(Admn) | Director | Director | Governing Council |
| Group D | Admn. Officer | Dy. Director(Admn) | Dy. Director(Admn) | Director |

Group A-I includes posts the maximum of the pay scale of which is not less than Rs.22,400/-

Group A-II includes posts carrying a pay or a scale of pay with a maximum of not less than Rs.15,600/- but less than Rs.67,000/- (Grade Pays: Rs.10,000, Rs.8,900 and Rs.8,700 in the scale of pay of Rs.37,400-67,000 in Pay Band-4 and Rs.7,600, Rs.6,600 and Rs.5,400 in the scale of pay of Rs.15,600-39,100 in Pay Band-3)

Group B includes posts carrying a pay or a scale of pay with a maximum of not less than Rs.9,300/- but less than Rs.34,800/- Rs.5,400, Rs.4,800, Rs.4,600 and Rs.4,200 in Pay Band-2

Group C includes posts carrying a pay or a scale of pay with a maximum of not less than Rs.5,200/- but less than Rs.20,200/- (grade pays:-Rs.2,800, Rs.2,400, Rs.2,000, Rs.1,900 and Rs.1,800 in Pay Band-1)

Group D :-*(till the posts are upgraded)* includes posts carrying a pay or a scale of pay with a maximum of not less than Rs.4,440/- but less than Rs.7,440/- (Grade pays Rs.1,300, Rs.1,400, Rs.1,600, Rs.1,650 in IS Scale)

NATIONAL INSTITUTE OF SIDDHA
(AN AUTONOMOUS BODY)

UNDER THE CONTROL OF
MINISTRY OF AYUSH
GOVERNMENT OF INDIA

THE NATIONAL INSTITUTE OF SIDDHA
SERVICE RULES 2004

AS APPROVED BY

THE GOVERNING COUNCIL

DATED 17.06.2004

NATIONAL INSTITUTE OF SIDDHA, CHENNAI

(Established by the Government of India)

Dated:

NOTIFICATION

PREAMBLE

In exercise of the powers conferred by Rule 46 (V) of the Rules and Regulations attached to the Memorandum of Association, the National Institute of Siddha hereby makes the following Rules regulating recruitment to and conditions of service of persons appointed to the Service of the National Institute of Siddha namely.

“THE NATIONAL INSTITUTE OF SIDDHA SERVICE RULES, 2004”

PART – I

Short Title

1. Short Title and Commencement:

These Rules may be called the “National Institute of Siddha Service Rules 2004”

They shall come into force 1st April 2004.

2. Status of the Service:

The National Institute of Siddha Service is the National Institute of Siddha Service

3. Definitions:

In these Rules, unless otherwise expressly provided or unless anything repugnant in the subject or context:

- (a) 'Appointment Authority' means the President for the post of Director and all other posts of Group A and B and the Director for all posts of Group C and D.
- (b) 'Director Recruitment' means recruitment made according to the procedures as laid down in part VI of these Rules.
- (c) 'Director' means the Director of the National Institute of Siddha, Chennai.
 - (c1) 'Department' means the Department of discipline of Siddha as may be declared by the General Body.
 - (c2) 'Discipline' means a discipline of Siddha which constitutes whole or part in National Institute of Siddha.
 - (c3) 'Experience' means the actual experience gained practically in the feeder cadre wherever applicable and where the details are not spelled out.
- (d) 'Equivalent Post' means the post, the pay scales of which are identical and nature of duties similar.
- (e) "Outsourcing" means the employment of persons for any posts through agencies on fixed remuneration to such agencies for which the National Institute of Siddha service rules 2004 will not apply.
- (f) 'Governing Council' means Governing Council of National Institute of Siddha
- (g) 'General Body' means the General Body of the National Institute of Siddha
- (h) 'Government ' means the Government of India
- (i) 'Group Post' means the posts categorised as Group A, Group B, Group C and Group D as per Government norms.
- (j) 'Institute ' means the National Institute of Siddha.

- (k) 'Member of the Service' means a person appointed to a post in a substantive capacity under the provisions of these Rules or the rules so replaced.
- (l) 'President' means the President of the General Body of the National Institute of Siddha, Chennai.
- (m) 'Regular Appointment' means an appointment made under the provision of these Rules after due selection by any one of the methods of recruitment prescribed under these Rules.
- (n) 'Schedule' means the Schedules attached to these Rules.
- (o) 'Service' means the National Institute of Siddha Service.
- (p) 'State Government' means the Government of Tamil Nadu.
- (q) 'Year' means the financial year commencing from the first of April every year.

4. Application:

These Rules shall apply to all the employees of the National Institute of Siddha including those holding posts mentioned in Column 2 of the Schedule – I.

Explanation: Persons working on "outsourcing" basis are not employees of the National Institute of Siddha.

5. Interpretation:

Unless the context otherwise requires, all doubts arising relating to the application, interpretation and scope of these Rules shall be referred to the President whose decision thereon shall be final.

PART II

Cadre

6. Composition, Nature and Strength of Service:

(i) The Service shall consist of the following Divisions, namely:

- a. Teaching and Research Division.
- b. Administrative Division
- c. Technical Division
- d. Miscellaneous Divison

- (ii) The strength of posts in each Division of the Service shall be such as may be determined by the Governing Council from time to time, subject to such concurrence of Government as may be required.

7. Constitution of the Service:

The service shall consist of all employees of the Institute who have been recruited in accordance with the rules in force at the time of recruitment for any of the sanctioned posts.

PART III

Methods of Recruitment

8. Source of Recruitment:

Subject to the provisions hereinafter contained in these Rules, recruitment to posts in each Division of the Service shall be made by the following methods in the proportion as indicated in Col: 5 of the Schedule – I :

- (a) by direct recruitment in accordance with part VI of these Rules;
- (b) by promotion in accordance with part VII of these Rules
- (c) by deputation (subject to Rule 26)

PART IV

Essential Features for Recruitment

9. Nationality:

A candidate for direct recruitment to the Service must be:

- (a) a citizen of India or
- (b) a subject of Nepal; or
- (c) a Tibetan refugee who came over to India before January 1st, 1962 with the intention of permanently settling in India.

10. Age:

A candidate for direct recruitment to a post in the Service must have not attained the maximum age as prescribed in Col.3 of the Schedule – I against each post on the first day of January next following the last date fixed for receipt of applications, provided that

- (a) the upper limit prescribed above shall relaxed by 5 years in the case of persons belonging to Scheduled Castes and Scheduled Tribes, women candidates, the blind candidates. However, the upper age limit prescribed shall not be applicable to persons in the Service of the Institute.
- (b) However, the appointing authority may grant extra relaxation in age to any candidate for reasons to be recorded in writing.

11. Physical Fitness:

A person suffering from any contagious disease shall be allowed to join after he is declared medically fit.

12. Reservation of Vacancies:

Reservation of vacancies in posts/ service under the Institute for Scheduled Caste, Scheduled Tribe, Physically Handicapped persons, etc shall be as per the orders / instructions of the U.G.C for the University System.

13. Academic and Technical Qualification and Experience:

The academic and technical qualifications and experience shall be as provided in Column No.4 and 7 of Schedule – I for Direct Recruitment and for Promotion, respectively. The Essential Qualification shall not be relaxed. However, the appointing authority may grant relaxation in experience to a candidate for reasons to be recorded in writing.

PART V
Disqualification for Recruitment

14. Canvassing:

No recommendation for recruitment either written or oral than that required under the rules shall be taken into consideration. An attempt on the part of a candidate to enlist support directly or indirectly may disqualify him/her for recruitment.

15. Irregular or improper Means:

A candidate who is or has been declared by the appointing authority guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or of suppressing material information or attempting to use unfair means in the interview or otherwise resorting to any other irregular means for obtaining interview shall, in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period for appointment to any post in the Institute.

16. Matrimonial:

He/ She shall not be eligible for appointment if he/she has more than one wife/husband living.

PART VI

Procedure for Direct Recruitment

17. Inviting of Applications:

Applications for direct recruitment as and when required in the Institute shall be invited by the Director through advertisement in at least 3 leading National English Newspapers and equal number of Tamil Newspapers and in Employments News except for Group C ministerial and Group D posts which may be advertised only in State level Newspapers. For the post of Director, the President shall cause to issue an advertisement through the Ministry of AYUSH and also invite applications / suggestions from Siddha Institutions and eminent Siddha Experts.

18. Form of Application:

For the post of Director, the application shall be made in the format approved by the Government of India and for all other posts, by Director.

19. Scrutiny of Applications:

For the post of Director, the Government and for all other posts, the Director shall cause all applications received in response to the advertisement to be scrutinized for fulfilling the conditions of the advertisement and shall prepare a list of candidates to be called for interview which shall not be more than 5 times the number of vacancies to be filled up on objective criteria to be recorded on file.

20. Selection of Candidates:

- (1) The Selection Committee / Departmental promotion Committee for various Groups of posts in the Services shall be also as follows:

Group A and B Posts:

- | | |
|---|----------------|
| 1. Secretary (AYUSH) or his nominee not below the rank of J.S. | Chairman |
| 2. Secretary (H), Govt. of Tamil Nadu | Member |
| 3. Director, NIS | Member – Secy. |

4. & 5 Two Professors of the concerned
Subject (serving or retired) from reputed Institutions. Members
6. One Expert of Modern Medicine belonging to SC/ST
(Members at Sl.No.4,5 & 6 will be nominated by Chairman) Member.

For the post of Director

- | | | |
|--------|--|----------|
| 1. | Secretary, Ministry of AYUSH | Chairman |
| 2. | Secretary,(Health)/AYUSH Government of Tamil Nadu | Member |
| 3. | One member nominated by EO's Office of DOPT | Member |
| 4 & 5. | Two outside eminent experts in Siddha to be nominated by The secretary(AYUSH) | Members |

(Total five only vide Ministry letter no.13015/18/2006 NI dt 13/6/06)

Group C and D Posts (Technical and Non- Technical)

- | | | |
|-------|--|----------|
| 1. | Director / Dy.Dir (Admn),NIS | Chairman |
| 2 & 3 | Two experts to be nominated by Director, NIS | Member |
| 4. | One nominee of Ministry of AYUSH | Member |
| 5. | One Officer belonging to SC/ST to be Nominated by Director. | Member |

- (2) The Committee shall prepare a list of candidates considered suitable for appointment to the posts concerned and arrange their names in the order of merit in the case of direct recruitment. The list shall contain not more than 25% of the select list in the waiting list provided that the number in the waiting list shall be at least one if suitable candidates are available.

PART VII

Procedure for Recruitment by Promotion

21. Eligibility:

(1) The holders of the posts enumerated in Col.6 of the Schedule – I shall be eligible for promotion to the extent as mentioned in Col.5 to the posts specified in Col.2 subject to their possessing the minimum qualification and experience as specified in Col.7 of the Schedule – I.

22. Criteria:

(1) The person who are regularly appointed on the posts enumerated in Col.6 of the Schedule – I shall be considered for promotion (discipline – wise in Teaching Division).

(2) Whenever promotion is prescribed as the mode of Recruitment, promotions shall be made on the basis of “selection” to all the Group A,B and Group C posts.

(i) For promotion upto and excluding the level in the Grade pay of Rs.7600, the bench-mark prescribed is ‘Good’ and there shall be no supersession among those who meet the said bench-mark of ‘Good’

(ii) For promotion to the posts with Grade pay of Rs.7600/- and above, the bench-mark prescribed is ‘very good’. There shall be no supersession among those who meet the said bench-mark of ‘Very Good’

23. Procedure for Selection:

1. In selection of the candidates, regard shall be had to their:
 - a. Seniority (Discipline- wise in Teaching Division)
 - b. Previous records of service.
2. As far as possible, in the beginning of each year, Director shall initiate process for filling up posts required to be filled up by promotion for all the posts expected to become available and required to be filled up by promotion. However, more DPCs may be held if required during the year.
3. The DPC will consider eligible persons for promotion on the basis of the latest seniority list keeping in view the number of posts available to be filled up by promotion.
4. The zone of consideration for considering the names for any post shall be in accordance with the instructions of Department of Personnel and Training for Government Departments.

24. Appointment to the Service:

The panel prepared by the DPC shall form the basis for appointment after the same has been approved by appointing authority. Any change in the panel recommended by DPC can be made only on prior approval of the Governing Council.

25. Temporary Appointment:

If there is a vacancy against any sanctioned post which is not likely to be filled up soon, but is required to be filled up immediately for the smooth functioning of the Institute, the same may be filled up by the appointing authority who may make purely temporary arrangements for filling such posts by appointment shall not be for more than six months in a year and shall not be repeated. Such appointment will be only on consolidated monthly payment equal to the gross emoluments payable to a person of that category at the minimum of the pay scale.

26. Appointment by Deputation:

Notwithstanding anything contained in these Rules any post may be filled up by deputation by the Director with the approval of the appointing authority from any of the Central / State Government Department or their organizations or from recognized Siddha Colleges by a person possessing the prescribed academic qualifications and experience and holding equivalent posts or one level below. The duration of deputation shall be maximum 5 years and shall be non-extendable.

PART VIII

Probation, Confirmation and Seniority

27. Probation:

(1) a person appointed against a regular vacancy in the service shall be placed on probation for a period of two years in the case of direct recruitment and for one year in the case of promotion provided probation shall apply to promote candidates only once in each Group A, B, C and D at the time of their entry in that Group.

(2) Each probationer, during the period of probation, may be required to pass such examination and undergo such training as may be prescribed from time to time.

(3) The period of probation of a person, if he dies or is due to retire on being superannuated during such period, shall be deemed to have expired on one day earlier than the date of his death or retirement, as the case may be, and the condition of passing any examination or undergoing any training shall also be deemed to have been waived.

28. Unsatisfactory Progress during Probation:

If it appears to the appointing authority at any time during or at the end of the period of probation that a member of the service has not made sufficient use of this opportunities or that he has failed to give satisfaction, the appointing authority may cancel his appointment/promotion.

29. Confirmation:

A candidate appointed on probation shall be confirmed by the DPC only once in the Service on his initial appointment at the end of the period of probation, if

- (a) he has passed the departmental examination, if any,
- (b) he has successfully completed the prescribed training, if any and
- (c) the appointing authority is satisfied that his integrity is beyond doubt and he is fit for confirmation.
- (d) a candidate whose probation period has ended and within next 3 months, the appointing authority has neither extended the probation nor confirmed him nor cancelled his probation/appointment, then he will automatically be deemed to have been confirmed on the post.

30. **Seniority:**

(a) The Institute shall maintain and publish the seniority list for each category of posts at least once every 2 years.

(b) In teaching posts, the benefit of past teaching/research service will be available to concerned persons on their joining the Institute in accordance with the guideline of UGC provided however, such an advantage will be limited to post retirement benefits only and will not influence the original seniority of such a person which shall count from the date of his appointment in the Institute in that post.

(c) That the seniority interse of the persons appointed to the Service by direct recruitment to a particular cadre of post on the basis of one and the same selection except those who do not join the service within a period of six months when a vacancy is offered to them shall follow the order in which they have been placed in the list prepared under Rule 20.

PART IX
Other Conditions

31. Scale of Pay:

The scale of pay of a person appointed to a post in the Service shall be such as may be sanctioned by Government from time to time.

32. Increment during Probation:

A probationer shall draw the first increment in the scale of pay admissible to him after the completion of the first year of probation and thereafter on completion of the satisfactory probation.

33. Regulation of Pay and other Conditions:

Except as provided in these Rules, the pay, allowances, leave, provident fund(CPP) and other service conditions not covered under these Rules shall be regulated in accordance with the rules in force in Government from time to time, till such rules are made in the Institute.

34. Notwithstanding anything contained in these Rules, the Director

National Institute of Siddha shall appoint any person to any posts on outsourcing basis with the approval of the Governing Council.

Explanation: The National Institute of Siddha Service Rules 2004 shall not applicable to the posts filled up on outsourcing basis.

(See Rule 16)

Annexure – A

**DECLARATION TO BE OBTAINED FROM THE NEW ENTRANTS TO
NATIONAL INSTITUTE OF SIDDHA SERVICE.**

1. I, Shri/Smt/Kum/..... declare as under:
 - a) that I am unmarried / a widower / a widow.
 - b) that I am married and have only one spouse living,
 - c) that I have entered into or contracted a marriage with a person having a spouse living (Application for grant of exemption is enclosed)
 - d) that I have entered into and contracted marriage with another person during the life time of my spouse (Application for grant of exemption is enclosed)
2. I solemnly affirm that the above declaration is true and I understand that in the event of the declaration being found to be incorrect after my appointment, I shall be liable to be dismissed from the service.

Place:

Name:

Date:

Signature: