



NATIONAL INSTITUTE OF UNANI MEDICINE BENGALURU

**(An autonomous Body Under
*Ministry of AYUSH, Govt. of India)**

MEMORANDUM OF ASSOCIATION, RULES & REGULATIONS, BYE-LAWS 1984

(As amended upto 28th Feb,2015)

(Erstwhile Ministry of Health & Family Welfare)*

(*Letter No. F.No. Z.28015/140/2014-NI dated 28th November,2014 of Ministry of AYUSH.)

FORM NO. 14
S. No. 375/84-85
Bangalore City Corporation

Government of Karnataka

CERTIFICATE OF REGISTRATION

I hereby certify that the òNational Institute of Unani Medicine, Bangaloreö, Administrative Block, Directorate of Indian Systems of Medicine and Homeopathy, Ananda Rao Circle, Bangalore, is this day registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act No. 17 of 1960)

Fee paid, Rupees Fifty only. Given under my hand at Bangalore the 19th Day of December One Thousand Nine Hundred and Eighty Four.

Seal

The Registrar
of Societies Bangalore
City Corporation

Sd/-
(N.G. HAVANUR)
For Registrar of Societies
in Karnataka

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NATIONAL INSTITUTE OF UNANI MEDICINE, BENGALURU

I. MEMORANDUM OF ASSOCIATION

1. The name of the Institute is -National Institute of Unani Medicine, Bengaluru, herein after referred to as the -Instituteø
2. The Registered office of the Institute shall be situated at Bengaluru.
3. The objects for which the National Institute of Unani Medicine is established are:
 - (i) To promote the growth and development of Unani Medicine in the country;
 - (ii) To produce graduates and post-graduates of the Unani Medicine;
 - (iii) To undertake research on different branches and to provide and assist in providing services and facilities for research, evaluation, education training, consultation and guidance in respect of Unani Medicine;
 - (iv) To provide medical relief through Unani Medicine to the suffering Humanity on -No profit no Lossøbasis;
 - (v) To conduct experiments and develop patterns of teaching in under graduate and post graduate education in all branches of the Unani Medicine;
 - (vi) To conduct refresher courses for Unani under graduate and post graduate teachers;
 - (vii) To take over grants of money, securities and properties of any kind offered by the State Government of Karnataka for the furtherance of the objectives enumerated in the paragraph 3 above;
 - (viii) To arrange refresher courses for training of Hakims and paramedical staff;

- (ix) To seek affiliation of the Institute with Rajiv Gandhi University of Health Sciences, Karnataka and other Institutions;
- (x) The grant certificates, diplomas, degrees and other academic distinctions and titles as may be provided for in the regulations;
- (xi) To undertake and provide for the publication of journals research papers, leaflets and text books and augment and maintain libraries and information services in furtherance of the objects;
- (xii) To invite representatives of the Government, Universities and of organizations of foreign countries and prominent scientists to participate in the programme of the Institute.
- (xiii) To provide advanced training in professional techniques and theory.
- (xiv) To subscribe to, or become a member of, or cooperative or coordinate with any other association or society whose objects or similar;
- (xv) To cooperate with international and national agencies engaged in research and training in Unani Medicine and arrange for interchange of personnel, materials and data;
- (xvi) To create administrative, technical, ministerial and other posts under the Institute and make appointments thereto in accordance with the rules and regulations of the Institute;
- (xvii) 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, Wages, gratuities, provident fund and other allowances or remuneration in accordance with the rules and regulations of the Institute;

- (xviii) To accept grants of money, securities and properties of any kind and / or procure capital, financial assistance or accommodation on such terms as may be expedient;
- (xix) 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 privilege to the donors, subscribers and other benefactors as the Institute may consider fit and proper;
- (xx) To invest and deal with funds and money of the Institute;
- (xxi) To acquire by gift, purchase, exchange, lease, hire or otherwise, however any property, movable or immovable, which may be necessary or convenient for the purpose of 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;
- (xxii) 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, subjects to prior approval of the Central Government;
- (xxiii) To accept and undertake the managements of any endowment or trust fund or donation to further the objectives of the Institute;
- (xxiv) To grant prizes, awards, scholarships, travel grants, research grant and stipends, and
- (xxv) To do all such other lawful acts and things either along or in conjunction with other organizations or persons as the Institute may consider necessary, incidental or conducive to the attainment of all or any of the above mentioned objects.

II. RULES AND REGULATIONS

Title and Definition

1. These rules and regulations may be called the National Institute of Unani Medicine, Bengaluru, Rules
2. In the Rules, unless there is anything repugnant in the subject or context:
 - (i) Institute means the National Institute of Unani Medicine, Bengaluru.
 - (ii) The Government body means the governing body of the National Institute of Unani Medicine, Bengaluru.
 - (iii) Director means the director of the National Institute of Unani Medicine, Bengaluru

Governing Body

*3. The Institute shall be controlled by, and management of its affairs entrusted to, a Governing Body. The composition of the Governing Body will be as follows:

- | | |
|---|----------------|
| 1) **Minister incharge of AYUSH | President |
| 2) Minister Incharge of Medical Education
(ISM) Govt. of Karnataka | Vice President |
| 3) Secretary, Ministry of AYUSH,
Govt. of India | Member |
| 4) Joint Secretary, Ministry of AYUSH,
Govt. of India | Member |

- | | |
|---|------------------|
| 5) Financial Advisor, Incharge of AYUSH
Govt. of India | Member |
| 6) Secretary, Medical Education,
Govt. of Karnataka | Member |
| 7) Secretary, (Finance)
Govt. of Karnataka | Member |
| 8) Vice Chancellor, Rajiv Gandhi University
of Health Sciences, Bengaluru | Member |
| 9) Advisor (Unani)/Deputy Advisor (Unani)
Ministry of AYUSH, Govt. of India | Member |
| 10) Principal of a Post Graduate college of Unani
Medicine, to be nominated by the president | Member |
| 11) Chairman, Unani Committee,
Central Council of Indian Medicine, | Member |
| 12) Director, Central Council for Research in
Unani Medicine, | Member |
| 13& 14) Two Teachers/Researchers to be
Nominated by the President | Member |
| 15) Director, National Institute of
Unani Medicine, Bengaluru | Member Secretary |

** Amended in the 6th Governing Body meeting held on 07.01.99*

*** Amended in the 11th Governing Body meeting held on 28.02.2015*

4. The Property of the National Institute shall vest in the Governing Body and in any proceedings, civil or criminal, may be described as the property of the Governing Body. In any proceedings the Institute may sue or be sued in the name of the Secretary or such other members as shall in reference to the matter concerned be appointed by the Governing Body for the occasion.
5. The director of Institute shall be the Secretary of the Governing Body. The Director shall be appointed by the Governing Body. Till such time as the Director is appointed, the President is authorized to make arrangement for an officer to function as the Secretary of the Governing Body.

Duration of Appointment of Members

6.
 - (i) Unless their membership of the Governing Body is previously terminated as in Sub-Rule (2) the term of office of the members of the Governing Body will be three years, except that, when a person has been appointed member of the Governing Body by reason of the office of appointment he holds, his membership shall terminate when he ceases to hold the office or appointment and the vacancy in the Governing Body shall be filled in by appointment of his successor in office. The vacancy of the nominee of the State Government/Government of India shall be filled in by nomination by the State Government/Government of India, as the case may be.
 - (ii) A member of the Governing Body shall cease to be such member if he resigns, or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude.
 - (iii) Resignation of membership shall be tendered to the Chairman of the Governing Body in person through the Secretary and shall not take effect until it has been accepted, on behalf of the Governing Body, by the Chairman.

- (iv) Any vacancy in the membership of the Governing Body by death or by any of the reason mentioned in these sub-rules shall be filled by the Government of India when moved to do so by the Secretary acting on behalf of the Governing Body.

Proceedings of the Governing Body

7 (i) The Governing Body shall meet at least once a year at such time and place as the Chairman shall decide. Other meetings of the Governing Body may be held at any time during the year as the Chairman may decide and shall be called forthwith on a requisition signed by not less than one-third members of the Governing Body. Such extra meeting shall be held at such time and place as the Chairman may decide.

- (ii) The first annual general meeting shall be held by the Institute within eighteen months of its registration. The next annual meeting of the Institute shall be held within nine months after the expiry of the year in which the first annual general meeting was held; and thereafter at least one annual general meeting shall be held
With nine months after the expiry of each year.

Provided that the Registrar of Societies may, for special reasons, extend the time within which an annual general meeting shall be held, by a further period not exceeding six months.

Provide further that except in the case referred to in the preceding proviso not more than eighteen months shall elapse between the date of the one general meeting and that of the next.

- (iii) A special general meeting may be convened at any time on the requisition of the chairman, of the Governing Body, or on the requisition of not less than one third of the total number of members of the Society, entitled to vote who shall state in writing the business for which they wish the meeting to be convened and the Governing Body shall within then days from the date of the receipt of the requisition, proceed duly to call a meeting for the consideration of the business started on a day not later than forty days from the date of the receipt of other requisition.

- (iv) If a member has no registered address in India and has not supplied to the society an address within India for giving notice to him, a notice advertised in a newspaper in Kannada and in a newspaper in English or any other language circulating in the neighbourhood of the registered office of the society shall be deemed to duly given to him on the day on which the advertisement appears in the newspapers.
8. At the annual meeting of the Governing Body, the following business shall be brought forward and disposed of:
- a. The annual report of the previous year;
 - b. The Audited copy of the balance sheet, income and expenditure account and the auditor's report for the past year;
 - c. The Budget for the next year;
 - d. Other business on the agenda;
 - e. Other business brought forward with the assent of the President.
9. Every notice calling a meeting of the government Body shall state the date, time and place at which such meetings will be held and shall be served upon every member of the Governing Body not less than 21 clear days, in the case of annual meeting and not less than 7 clear days in the case of other meeting, before the day appointed for the meeting. Such notice shall be under the hand of the secretary and shall be accompanied by the agenda of the business to be placed before the meeting.
10. The President or in his absence, the Vice-President, shall take the chair at meetings of the Governing Body. If the President/Vice-President be not present, the Governing Body may elect one of their members to act as Chairman of the meetings.
11. Seven members of the Governing Body, in addition to the President/Vice-President, present in person shall constitute a quorum at any meeting of the Governing Body.

12. All disputed questions at meetings of the Governing Body shall be determined by votes and the opinion of the majority shall prevail.
13. Each member of the Governing Body, including the president, shall have one vote and in case of equality of votes, the Chairman shall have a casting vote.
14. Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the secretary not less than 7 days before in case of annual meeting and 5 days in case of other meeting before the day of such meeting.
15. Any business which it may be necessary for the Governing Body to perform except such as may be placed before the annual meeting, may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the members present in the country at that time shall be as effectual, and binding as if such resolution had been passed at a meeting of the Governing Body.

Powers of the Governing Body

16. The Governing Body 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, consistent with the aims and objects of the Institute.
17. The Governing Body shall have powers to create posts, subject to specific provision in the budget on scales of pay applicable to similar posts under the Government of India or on scales of pay approved by Government of India, classify into grades and specify their designations. The Governing Body shall have full powers in the matter of expenditure from the funds of the Institute, save in the matter of pay, allowances and concessions to Government servants on foreign service, which shall be no greater than those admissible under the service rules of the Central Government.

18. (i) The Governing Body shall have full powers to make such by-laws as they shall think essential for the regulations of the business of the Institute and, in particular with reference to (i) the keeping of account (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 and (vi) any other purpose that may be necessary.

(ii) Subject to the prior approval of the Central Government the Governing Body may alter, modify, rescind or add to the rules and regulations of the Institute at any time by a resolution passed by a majority of the members present and voting at any meeting of the Governing Body which shall have been convened for the purpose after giving due notice of such resolution to the member of the Governing Body.

19. The Governing Body may accept the management and administration of any endowment or trust fund or any subscription or donation provided that the same is unaccompanied by any condition inconsistent or in conflict with the nature and object for which the Institute is established.

20. The Governing Body may by resolution delegate to the President and to the Member-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 Member-Secretary shall be reported for confirmation at the meeting of the Governing Body.

21. In the event of any business the president may take decision on behalf of the Governing Body. Such decisions shall be reported to the Governing Body at the next meeting for ratification.

Standing Finance Committee

*22. There would be a standing finance committee consisting of the following:-

- | | | |
|----|---|------------------|
| 1) | Joint secretary, Ministry of AYUSH,
Government of India | Chairman |
| 2) | Financial adviser, Incharge of
AYUSH | Member |
| 3) | Secretary, Medical Education,
Govt. of Karnataka | Member |
| 4) | Secretary, (Finance) or his nominee
Not below the level of Deputy Secretary
Govt. of Karnataka | Member |
| 5) | One expert in unani medical education
who is already a member of the governing body. | Member |
| 6) | One member of faculty not below
the rank of professor in NIUM to be
nominated by the Director of the Institute. | Member |
| 7) | Director,
National Institute of Unani of Medicine,
Bengaluru | Member Secretary |

*Note: * Substituted vide the resolution of the Governing Body meeting dated 08.11.1996*

The committee will consider and recommend all matters concerning finance of NIUM to the governing body/ executive committee. It will decide all such matters as may be delegated to it by the executive committee.

The Standing Finance Committee shall have the following functions

- (i) To consider and recommend for approval of the governing body the annual budget estimates of the institute.
- (ii) To consider and recommend for approval the annual audited account of the institution.
- (iii) To consider and recommend for approval new financial proposals which may arise during the course of the year which may not be already provided for under the budget, and to approve re-appropriation between previously approved major heads.
- (iv) To consider quarterly report submitted by the Director for information, to examine from time to time adequacy of institute, and to make appropriate for recommendation to the governing body.
- (v) All proposal for creation of new posts &
- (vi) All matters relating to invitation and acceptance of tenders.

****Scientific Advisory Committee***

**22(A).There would be a Scientific Advisory Committee consisting of the following:-

- | | | |
|----|---|------------------|
| 1) | An eminent Scientist having experienced in Research on Unani Medicine | Chairman |
| 2) | One Member of Governing Body | Member |
| 3) | Dean of a P.G. Unani Faculty | Member |
| 4) | One Pharmacologist having experienced in Research on Unani Drugs | Member |
| 5) | One Scientist having experienced in Standardization of Crude Drugs. | Member |
| 6) | One Scientist from NIMHANS Involved in Clinical Research | Member |
| 7) | Director, CCRUM | Member |
| 8) | Adv./ Dy. Adv .(U) | Member |
| 9) | Director, NIUM | Member Secretary |

**The nomenclature of the Scientific& Academic Committee has been changed as Scientific Advisory Committee in the 10th Governing Body meeting held on 2.03.2009*
*** Substituted vide the resolution of the 9th Governing Body meeting dated 04.04.2007*

23. The Governing Body may also appoint one or more committee or sub- committee for proper functioning of the institute and delegate to them such function and powers as it deems necessary.
24. The Director shall be the head of the department in terms of S.R.2 (1) and shall exercise the powers of Head of the Department and inter-alia, discharge the duties mentioned below.
- a) He shall be Incharge 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 the rules and regulations.
 - b) He shall be also exercise the powers as may be specified as power 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 Body.

Funds of the Institute

25. The funds of the Institute will consist of the following:
- 1) Grant made by the central government and the state government of Karnataka for the furtherance of the objects of the institute.
 - 2) Contribution from other sources
 - 3) Income from investment and
 - 4) Receipts of the institute from other sources

Application of the Income and Property

26. The income and property of the institute shall be appointed solely towards the promotion of the objects of the institute as specified in the memorandum of association and expenditure incurred shall be subject to such restrictions as the central government may from time to time impose in respect of grants or donation made by them . No part of the income or property of the institute shall be spent or transferred directly or indirectly by the way of dividends, bonus, or otherwise however to persons who at any time have been member of the institute, except by way of remuneration for services to the institute or as travelling allowances, daily allowances or other similar compensatory allowance.

* 26A. The Institute shall follow the rules and regulation of the government of India in all matters.

**26B. Proposal relating to emolument structure, i.e. adoption of pay scales, allowances and revision thereof and creation of post etc. would need the prior approval of the Govt. of India in consultations with the Ministry of Finance, Dept. of Expenditure.

27. The Bankers shall be the State Bank of India or any other nationalized Bank. All funds shall be paid into the Institute's account with the Bank and shall not be withdrawn except on the Cheque signed by Director or by such officer as may be duly empowered by the President.

28. The office of the Institute shall be situated at Bengaluru.

29. For the purpose of these Rules and Regulations as year shall be taken to mean the twelve months commencing on the 1st April, and ending on the 31st March.

*Note: * Inserted vide the resolution of the Governing Body meeting dated 06.10.1995
* * Inserted vide the resolution of the Governing Body meeting dated 4.04.2007*

30. The accounts of the Institute shall be audited by the comptroller and Auditor General of India or by any other persons appointed by him in this behalf. The Auditor General shall have the right to demand the production of all books, accounts, vouchers and other necessary documents and papers. The Auditors shall submit a copy of the Audit Report to the *Ministry of AYUSH.
31. The Annual Report of the proceedings of the Institute and of all work undertaken during the year shall be prepared by the Governing Body for information of the Government of India.
32. The Annual Report including Annual Accounts and Audit Report of the Institute shall be made available to the *Ministry of AYUSH, Government of India within 8 months from the close of the financial year for laying it on the table of parliament.
33. The annual balance sheet and revenue account when accepted and passed at the annual meeting of the Governing Body shall be sent to the Government of India.
34. (i) No propositions for altering, extending or abridging the objects and purposes for which the Institute is established or amalgamating the Institute with any other Association, etc., shall be processed unless a special general meeting of the Governing Body has been convened for its consideration according to the Rules and Regulations of the Institute.

(ii) No such proposals shall be carried into effect unless proposals for altering, extending or abridging the object, etc., has been delivered or sent by post to every member of the Governing Body of the Institute 10 days previous to the special general meeting of the Governing Body for the consideration thereof, nor unless such proposals have been agreed to by the vote of the two thirds of the members delivered in person or by proxy confirmed by the votes of the 2/3 of the members present at a second special meeting convened by the Governing Body at an interval of one month after the former meeting.

(iii) The Governing Body may with the consent of not less than three fourth of its members by a resolution passed at a special general meeting convened for the purpose in accordance with the rules and regulations of the Institute and subject to the provisions of the rule 34 (iv), change its name.

(iv) Notice in writing of every change in name, signed by the Secretary and seven members of the Governing Body changing its name, shall be sent to the Registrar of Societies, Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960) within 30 days after passing of the resolution under Rule 34(iii) for necessary action.

35. Three fourth of the members of the Governing Body of the Institute may determine that it shall be dissolved and there upon it shall stand dissolved forthwith at or at the time then agreed upon and all necessary steps shall be taken for the disposal and settlement of the property of the Institute and its claims and liabilities according to the Rules and Regulations of the institute applicable thereto, if any and if not, then as the Governing Body in respect of matters affecting the winding up of the institute shall find expedient provided that.

- (i) In the event of any dispute among the members of the Governing Body or if it has been replaced by a special committee as aforesaid, among the members thereof, the adjustment of its affairs shall be referred to the principal court of original civil jurisdiction at Bengaluru and the court shall make such order in the matter as it shall deem requisite.
- (ii) Any matter decided by three-fourth of the members of the Governing Body or any special committee formed to replace the Governing Body for the purpose of winding up the affairs of the Institute present either in person or by proxy at any meeting of the Governing Body or the special committee shall not be deemed to be a matter of dispute within the meaning of sub-rule (i) above.

- (iii) The Institute shall not be dissolved without the consent of the Government of India and Government of Karnataka and unless three-fourth of the members of the Governing Body of the Institute shall have expressed a wish for such dissolution by their votes delivered in person or by proxy at a special general meeting convened for the purposes.
36. If, upon the dissolution of the Institute, there shall remain after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be disposed of in accordance with the agreement as may reach between the Government of India and the Government of Karnataka.
37. Notwithstanding the provisions of these Rules, the provisions of the Karnataka societies Registration Act, 1960 (Karnataka Act 17 of 1960) and the Rules made there under will apply to this Institute.

III. BYE-LAWS

Preparation and Sanction of Budget Estimates

1. The Director shall prepare, each year, before the annual meeting of the Governing Body, detailed estimates 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 Governing Body.
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 Body 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 Govt. 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 Body.
5. One copy of the finally sanctioned estimated 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 Body is necessary to all schemes proposed to be financed from the funds of the Institute.
7. An additional or approved scheme or new emergent expenditure for the purposes and objects of the Institute can be sanctioned upto the following financial limits:

President	:	Rs. 60,000/-
Vice President	:	Rs. 40,000/-
Director	:	Rs. 25,000/-

Appropriation

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

Re-appropriation and Expenditure Sanction

10. The Director shall have the power to re-appropriate 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 Body 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 re-appropriation 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 authorized by the Director on his behalf, shall have the power to sanction an expenditure of a miscellaneous or contingent nature up to 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 Governing Body and the Institute all agreements, contracts etc. which may be necessary for proper conduct of business and the Institute. The drafts of all contracts involving consideration exceeding *Rs. 5,00,000/- shall be submitted to the solicitor to the Govt. of India or such other officer dealing with conveyance matter in the Ministry of Law of his advice as to its correctness of their form.

(*approved vide Ministry letter No. R 14011/7/2008-NI dated 12.02.2009)

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:
- a. In Promissory Notes, Treasury Deposit Certificates or other Securities of any State Government or Govt. of India.
 - b. In Fixed Deposits with any nationalized Bank for a specific period as would earn maximum rate of interest under Rules of the Reserve Bank of India.

Or

- c. In such other manner as the Governing Body may authorize.
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 the Director on behalf of the Institute. The safe custody of receipt will remain in the personal charge of the Director and will be verified 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 maintain a register of securities held by the Institute in which transaction affecting the securities shall be recorded.

Drawl of Funds

20. Funds will be drawn from the Bank in the manner laid down in rule 25. Cheque Books will remain in the personal custody of Director or an Officer as may be authorized 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 authorized by the Director. The contingent and travelling allowances bills will be countersigned by the Director or by any officer authorized by him on his behalf before these are passed by DDO for payment. The monthly pay and allowance bill shall be received directly by DDO and passed by him. Payments 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 maintain proper accounts and other relevant records and prepare annually an income and expenditure account for the year ending and balance sheet as on 31st March in such form as may be prescribed by the Governing Body and acceptable to the Auditors. The Director will be assisted by the Accounts Officer/DDO who will advise the Director for the accuracy and completeness of the accounts of the Institute.

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 Pension 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 form:

10. Establishment Audit Register
11. Register of Pay & Allowances of Officers and Staff
12. Travelling Allowances/LTC Registers
13. Contingent Register
14. Objection Book relating to irregular payments
15. Adjustment Register
16. Register of financial orders, delegations, etc.
17. Budget Control Accounts Register
18. 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 in 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 his behalf.
26. The Comptroller and Auditor General of India and any person appointed by 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 paper 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 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 an 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 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 Governing 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.

Disposal of Property

31. 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

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

Group-A A post carrying a pay or a scale of pay with a maximum of not less than 13,500.

Group-B A post carrying a pay or a scale of pay with a maximum of not less than 10,500 but less than 13500.

Group-C A post carrying a pay or a scale of pay with a maximum over 4,000 but not less than 10,500.

Group-D A post carrying a pay or a scale of pay with a maximum 4,000 or less.

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

(e) The Appointing Authority for various posts in the Institute shall be as specified in the National Institute of Unani Medicine Service Rules, 1984.

Tenure of Appointment

33. 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 on the case of Promotion provided probation shall apply to promoted persons only once in each Group of post at the time of this entry to that Group. In case an official is considered not fit 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 atleast 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 provision of CCS (TS) Rules, 1965. The services 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 Govt. of India and after following the said procedures in this regard.

34. The period of probation, seniority, etc. shall be as specified in the National Institute of Unani Medicine Service Rules and as per the guidelines/orders/rules issued by the Govt. of India, from time to time.

Employees to be whole-time Servants

35. 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

36. The Rules governing retirement of employees of the Govt. 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 Governing Body and Govt. of India may decide.

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

Private Practice

38. 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

39. 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 Department of AYUSH.

De-factor Permanent and Temporary Status of the Institute Employees

40. The employees of the Institute with three years of continuous service or more will, for the purpose of drawl 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.

NOTE: Bye-Laws 41 and 42 are not applicable to Government Servants employed in the Institute on Foreign Service terms.

Deputation in India and abroad

41. 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 mutates mutandis by the orders issued on the subject by the Govt. of India, from time to time with the approval of the Ministry.
42. 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

43. The Central Civil Service (Leave) Rules, 1972, as amended from time to time, shall apply mutates 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 Govt. of India.

Medical Facilities

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

Scale of Pay of various posts

45. The scale of pay and allowances applicable to various posts in the service of the Institute shall be those prescribed by the Govt. of India for similar personnel under them.

Allotment of Institute Residence to Employees

46. 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

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

Other Conditions of Service

49. In respect of matters not provided for in these Bye-Laws, the rules as applicable to the Central Government servants regarding general conditions of service, pay, allowances, 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, mutates mutandis, to the employees of the Institute.
50. Any alteration in these Bye-Laws shall require prior approval of the Governing Body of the Institute.

IV. POWERS & FUNCTIONS

ANNEXURE-A

Powers and functions of Director

(Bye-Law 30)

1. The Director shall be the Chief Executive of the Institute and shall be responsible for the co-ordination 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 his behalf.
 - (d) He shall also be Member (ex-officio) of all the Committees appointed by the Governing Body 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 Governing Body or by the President;
 - (f) The Director shall sign and execute on behalf of the Governing Body all agreements, contracts, etc. which may be necessary for the proper conduct of the business of the Institute. The drafts to all contracts involving consideration exceeding *Rs.5,00,000/- shall be submitted to the Solicitor to the Govt. 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;(*approved vide Ministry letter No. R 14011/7/2008-NI dated 12.02.2009)

- (g) He shall sign and verify complaints, written documents, statements, affidavits, petitions and tabular statements and institute or defend suits, actions, and other legal proceedings on behalf of the Institute/Governing Body.
- (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 (Admn.)/Administrative Officer/Accounts Officer and Disbursing Officer, as the case may be, to exercise powers up to 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 up to the amount not exceeding Rs. 5,000/- in each case.

NOTE: In the event of any authorization by the Director under items (i), (j) and (k) above, the authorized officers shall be responsible for the correctness, regularity and propriety of the decisions taken by them. However, the Director shall continue to be responsible for all such decisions taken by the authorized officers.

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, Govt. of India.
4. 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. 25,000/- in each case per year.
8.	To permit teaching staff of the Institute to accept fee for examiner-ship, invigilator-ship, paper setting Valuation of answer book etc.	Full powers subject to the provision of Service Rules-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 provide 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 authorize 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	Full powers where the cancellation was done in the interest of the Institute.
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 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).	Full powers
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 employee is declared his own controlling officer.

21.	To purchase raw and prepared drugs, dressings, medicals stores hospital equipment, dietary articles, furniture, other stores etc. for working of the Institute/Departments, Hospitals 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.	Up to the limit of budget provision for such Charges within budget limits. 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 of Ordinary offices and hostel accommodation.	Rs.15, 000/- per annum. Subject to the Recommendation of the Finance Committee in principle, for hiring such Accommodations.
27	Maintenance of building and petty works repairs and alternations to hired and requisitioned buildings.	For ordinary repairs to Institute own building ófull 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 advance 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 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.	Up to three months.

38	Power to sanction Children Education Allowance and reimbursement of Tuition Fees in accordance with the Central Govt. 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 a member of the 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 Body	Director are empowered to make suitable arrangements for providing medical facilities to the staff in areas which are not covered under CGHS provided that such agreements if they are more liberal than the Central Civil Service (Medical Attendance) Rules, 1944 will require prior approval of the Department.
40	Power to sanction the purchase of typewriter.	This will henceforth include purchase of Computers, Printers, Fax machines, Photocopiers etc., subject to observance of laid down procedure.
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.	Up to a limit of Rs.10,000/- in each case. Full powers with the approval of the Finance Committee.
41. a.	Contractual appointment against approved Posts.	Director may appoint contractual Staff for one year or till such time Regular appoints are made, Whichever is earlier, against approved Posts, subject to proper selection procedure. This also applies to selection on part-time basis.

42.	Power to order destruction of records.	Full powers subject to observance of periods or retention of records as Prescribed by the Government of India.
43.	To order, sale by auction or otherwise in the interest of Institute of unserviceable Stores or Perishable articles.	Full powers
44	Power to give gift items / medicine to visiting Dignitaries or public bodies at his discretion.	Up to Rs.1,000/- in each case.
45	Power to countersign his own travelling Allowance bills.	Full powers
46	Power to grant all kinds of leave excluding Study leave to staff of the Institute as per CCS Leave Rules.	Full powers
47	Power to grant upto five advance Increments in respect of Group C & D staff on the basis of the Recommendation of the Selection Committee.	Full powers
48	Printing and binding.	Full powers subject to codal formalities.
49	Power to incur expenditure on miscellaneous items or contingent nature.	Powers of Director limited to Rs.1.00 Lakh each time.
50	Power to purchase stationery for Offices / Hospital etc.	Powers according to necessity subject to budget provision.
51	Repair of motor vehicles.	Full powers to the Director.
52	*Emergent Expenditure Rs. 25,000/- expenditure (Generally). (*amended vide letter No. R.14011/7/2008-NI dated 28.01.2009 of Dept. of AYUSH)	The financial limits of incurring expenditure in emergent cases are subject to the following limits: a) Rs. 10,00,000/- Head of Governing Body / SFC by whatever name called in the MOA (depending on the clauses of the MOA) b) Rs. 5,00,000/- Chairman of the Governing Council or equivalent authority as laid down in the MOA. c) Rs. 2,00,000/- Director of the Institute. These powers must be exercised keeping in mind the definition of emergent expenditure viz, expenditure which is unforeseen and cannot be postponed.

ANEXURE – B
(Bye 6 Law 49)

Particulars of post	Authority empowered in impose Penalties And the Penalties which May be imposed		Appellate Authority	
	Minor	Major	Minor	Major
Group A-I	President	Governing Body	Governing Body	Governing body
Group A-II	President	President	Governing Body	Governing Body
Group B	Director	President	President	Governing Body
Group C	Dy. Director (Admin)	Director	Director	President
Group D	Admin Officer	Dy. Director (Admin)	Dy. Director (Admin)	Director

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

Group A-II Includes posts carrying a pay or a scale of pay with a maximum of not less than 14,300 but less than 18,00

Group B Includes posts carrying a pay or a scale of pay with a maximum of not less than 10,500 but less than 13,500

Group C Includes posts carrying a pay or a scale or pay with a maximum over 4,000 but less than 10,500

Group D Includes posts carrying a pay or a scale or pay with a maximum of 4,000 or less

V. CADRE & RECRUITMENT RULES

NOTIFICATION

PREAMBLE

In exercise of the powers conferred by Rule 18 (I) of the Rules & Regulations attached to the Memorandum of Association, the National Institute of Unani Medicine hereby makes the following Rules regulating recruitment and conditions of persons appointed to the service of the National Institute of Unani Medicine, namely:

THE NATIONAL INSTITUTE OF UNANI MEDICINE SERVICE RULES

PART I

Short Title, Commencement and Scope

1. Short Title and Commencement

These Rules may be called as National Institute of Unani Medicine Service Rules 1984

They shall come into force with effect from 19.12.1984*

2. Scope

The Scope of these rules shall extend to all the branches of the National Institute of Unani Medicine.

3. Definition:

In these rules unless otherwise expressly provided or unless anything repugnant in the subject or context-

- a) "Appointing authority" means the President for the post of the Director and all Group A & B posts and the Director for all the Group C & D Posts
- b) "Direct recruitment" means recruitment according to procedure laid down in part IV of these Rules.

(*Amended vide Ministry Letter No. R.13015/28/2003-Unani Desk dated 23.04.2004)

- c) "Director" means the Director of the National Institute of Unani Medicine, Bengaluru.
- d) "Department" means the Department or discipline of Unani Medicine as may be declared by the Governing body.
- e) "Discipline" means a discipline of Unani constitutes whole or part in NIUM
- f) "Experience" means the actual experience gained practically in the feeder cadre whenever applicable and where details are not spelled out.
- g) "Equivalent post" means the post, the pay scale which are identical and Nature of duties similar.
- h) "Governing body" means the Governing body of the National Institute of Unani Medicine, Bengaluru.
- i) "Government" means the Government of India.
- j) "Group post" means the post categorize as Group A, Group B, Group C & Group D as per Government norms.
- k) "Institute" means the National Institute of Unani Medicine.
- l) "Members of the Service" means a person appointed to a post in a Substantive capacity under the provisions of these Rules.
- m) "President" means the president of the Governing Body of the National Institute of Unani Medicine.
- n) "Regular appointment" means an appointment made under the provisions of these Rules after due selection by any one of the method of recruitment prescribed under these rules.

- o) "Schedule" means the schedule attached to these rules.
- p) "Service" means the National Institute of Unani Medicine Service.
- q) "State Government" means the Government of Karnataka.
- r) "Year" means financial year commencing from 1st of April every year.

4. Application

These rules shall apply to all the employees of NIUM holding posts mentioned in Column 2 of the Schedule 1

5. Interpretation

Unless the context otherwise required all doubts arising relating to the application Interpretation and scope of these rules shall be referred to the president of the Governing Body whose decisions thereon shall be final.

PART II – CADRE

6. Composition Nature and Strength of Service

(1) Service shall consist of the following divisions namely:

- (a) Teaching and Research Division
- (b) Administrative Division
- (c) Technical Division
- (d) Miscellaneous Division

(2) Strength of the posts in each Division of the Service shall be may be determined by the Governing Body, from time to time, subject to such concurrence of Government as may be required.

7. Constitution of Service

The Service shall consists of all employee 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

Method of Recruitment

8. Source of Recruitment

Subject to the provisions hereinafter contained in Rules, recruitment to posts in each Division of the Services 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 transfer on deputation.

PART I V

Essential Features 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 subject of Bhutan; or
- d) 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 ó I against each post on the first day of January next following the last date fixed for receipt of applications, provided that ó

- (a) the upper age limit prescribed above shall be relaxed in the case of persons in service and candidates belonging to the Scheduled Castes and Scheduled Tribes, OBC candidates, the blind candidate and physically handicapped candidates as per the Government of India orders amended from time to time.
- (b) However, the appointing authority may grant extra age relaxation to any candidate for reason 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 / services under the Institute for Scheduled Caste, Scheduled Tribe, Other Backward Classes, Physically Handicapped persons, etc., shall be as per the orders / instructions of the U.G.C. for the University System.

13. Academic and Technical Qualifications and Experience

The Academic and technical qualifications and experience shall be as provided in Column No.4 & 7 of Schedule -1 for Direct Recruitment & for promotion respectively. The essential qualifications are not relaxable. 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 other than that required under the Rule shall be taken into consideration. Any 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 which have been tampered with or of making statements which are incorrect or false or to 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 three leading national English newspaper and equal number of Hindi / Kannada/ **Urdu newspapers and in Employment News except Group C&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.

***Substituted vide the resolution of the 8th Governing Body meeting dated 23.03.2004*

18. Form of Application

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

19. Scrutiny of Applications

For the post of Director, *Ministry of AYUSH, Government of India shall scrutinize the applications and for all other posts, Director shall cause all applications received in response of 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 be not more than five times the number of vacancies to be filled up on objective criteria to be recorded on file.

20. Selection of Candidates

The selection Committee / Departmental promotion Committee for various groups of posts in the service shall be as follows:

Direct Recruitment

For the post of Director:

- | | |
|---|----------|
| 1. Secretary / Joint Secretary Ministry of AYUSH,
Government of India, New Delhi | Chairman |
| 2. Secretary (Medical Education), Government of Karnataka | Member |
| 3. (4) & (5) Three Vice Chancellors / Sr. Professors to be
nominated by the Chairman | Members |
| 6. One Unani Expert to be nominated by the Chairman | Member |

***For the post of Dy. Director (Admn):**

- | | |
|---|----------|
| i. Joint Secretary (AYUSH) Incharge of Unani Division | Chairman |
| ii. Director, NIUM | Member |
| iii. Nominee of Secretary (AYUSH) from amongst
Officers of the level of Director /Joint Secretary
(*as per Letter No. R13015/19/2009-UD dated 30.09.2009 of Dept. of AYUSH) | Member |

For Group A & B Posts:

- | | |
|---|-------------------|
| 1. Secretary, AYUSH or his nominee not below the rank of
Joint Secretary, *Ministry of AYUSH,
Government of India, New Delhi | Chairman |
| 2. Secretary (Medical Education), Government of Karnataka | Member |
| 3. Advisor (Unani) Ministry of AYUSH , Govt. of India | Members |
| 4. **Two Professor of the concerned subject (Retd. Or Serving)
from a recognized institution having PG course | Member |
| 5. One expert of Unani / Modern Medicine belonging to SC/ST | Member |
| 6. Director, NIUM
(Members at Sl. No. 4 & 5 to be nominated by the Chairman)
(* Amended in the 8 th Governing Body meeting held on 23.03.2004) | Member -Secretary |

*****For Group B post i.e. AO/PA to Director**

- | | |
|------------------------------------|----------|
| 1. Joint Secretary, GOI, New Delhi | Chairman |
| 2. Director, NIUM | Member |
| 3. Deputy Director (Admin),NIUM | Member |

*****For Group C& D posts**

- | | |
|---|----------|
| 1. Deputy Director (Admin),NIUM | Chairman |
| 2. Reader, NIUM representation SC/ST | Member |
| 3. An officer nominated by Ministry of AYUSH not below
the rank of Under Secretary | Member |

(* **vide letter No. R 13015/7/2014-NI/NIUM dated 10th October,2014 of Dept. of AYUSH)

Departmental Promotion Committee for Promotion

***For Group A & B Posts:**

1. Secretary, AYUSH or his nominee not below the rank of Joint Secretary Chairman
2. Director, NIUM Member Secretary
3. One expert of the concerned subject (one step higher) Member
4. An officer belonging to SC/ST to represent the reservation policy Member
(Note : 3-4 to be nominated by the Chairman)

(*letter No. R 13015/1/2012-NI/NIUM dated 2nd March,2012 of Dept. of AYUSH)

****For Group B post i.e. AO/PA to Director**

1. Joint Secretary, GOI, New Delhi Chairman
2. Director, NIUM Member
3. Deputy Director (Admin),NIUM Member

****For Group C& D posts**

1. Deputy Director (Admin),NIUM Chairman
2. Reader, NIUM representation SC/ST Member
3. An officer nominated by Ministry of AYUSH not below the rank of Under Secretary Member

(** letter No. R 13015/7/2014-NI/NIUM dated 10th October,2014 of Dept. of AYUSH)

PART VII

Procedure for Recruitment for Promotion

21. Eligibility

The holders of the post enumerated in col. 6 of the schedule 1 shall be eligible for promotion to the extent as mentioned in col. 5 to the post specified in col. 2 subject to their possessing the minimum qualifications and experience as specified in col. 7 of the schedule 1.

22. Criteria

- (1) Persons who are regularly appointed on the post of enumerated in col. 6 of Schedule 1 shall be considered for promotion. (Discipline wise in teaching division).
- (2) Promotion shall be made on the basis of merit cum seniority to the Group A & B posts and for Group C & D posts, it will be on the basis of seniority cum merit.

23. Procedure of Selection

- (1) In selection of the candidate regard shall be had to their:
 - (a) seniority (Discipline wise in Teaching Division)
 - (b) previous record of service.
- (2) As far as possible in the beginning of each year Director shall initiate process of filling the posts required to be filled up by promotion for all the posts expected to become eligible and required to be filled up by promotion. However more DPCs may be held if required during the year.
- (3) 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 the post shall be in accordance with the instructions of the Department of Personal and Training for Government Departments.

24. Appointment to the Services

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

25. Temporary Appointment

If there is a vacancy against various sanctioned posts which is not likely to be filled up soon but is required to be filled up immediately for 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 a qualified person provided such appointment shall not be for more than six months in a year and shall not be repeated. Such appointment will be only a consolidated monthly payment equal to the gross emoluments payable to a person of that category at the minimum of pay scale.

26. Appointment by Deputation

If a particular post has been attempted to be filled up by promotion / direct recruitment but no suitable candidate could be selected, the 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 *õfrom recognized Unani Colleges having PGõ by a person possessing the prescribed academic qualification and experience and holding equivalent posts or one level below. The duration of deputation shall be maximum 5 yrs shall not be extendable.

**Substituted vide the resolution of the 8th Governing Body meeting dated 23.03.2004*

PART VIII

Probation, Confirmation and Seniority

27. Probation

- (1) A person appointed against the regular vacancy in 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 promoted candidates only once in each group A, B, C & 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) Period of probation of a person if he dies or retires 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.
- (4) If it appears to the Appointing Authority at any time during or at the end of the period of probation that the candidate has not made sufficient use of his opportunity or that he failed to give satisfaction the appointing authority may cancel his appointment / promotion.

28. Confirmation

A candidate appointed on probation shall be confirmed by the DPC only in the service on his initial appointment at the end of 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 promotion.
- (d) The candidate whose probation period has ended and within next three months the appointing authority 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.

29. Seniority

- (a) The Institute must maintain and published the seniority list of each category of post atleast once in every 2 yrs.
- (b) In the teaching posts, the benefit of past teaching / research services will be available to the concerned on their joining the Institute, in accordance with the guidelines of the UGC provided however, such an advantage limited to post retirement benefits only and will not influence the original seniority of such a person which shall count from his date of appointment in the Institute on that post.
- (c) That the seniority interest of the persons appointed to the services by direct recruitment to a particular cadre of the post on the basis of one and the same selection except those who do not join the services within a period of 6 months when a vacancy is offered to him shall follow the orders in which they have been placed in the list prepared.

PART IX

30. 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 the government from time to time.

31. 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.

32. Regulation of Pay & allowances and other service conditions

Except as provided in these rules, the pay and allowances, leave, provident fund and other services conditions not covered under this rule shall be regulated in accordance with the rule inforce in Govt. from time to time till such rules are made in the institute.