

# INDIRA GANDHI INSTITUTE OF CHILD HEALTH

## AUTONOMOUS INSTITUTE

(Registered Under Societies Registration Act. Reg.No.132/85-86)  
South Hospital Complex, Dharmaram College Post, Bangalore - 560 029.

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**MEMORANDUM OF ASSOCIATION OF**  
**INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE**

1. NAME : The name of the Institution shall be the Indira Gandhi Institute of Child Health, Bangalore \* ( herein after referred to as the Institute).
  
2. REGISTERED OFFICE: The registered office of the Institute shall be situated at the South Hospital Complex, Dharmaram College Post, Near NIMHANS, Bangalore -29.
  
3. OBJECT : Objects of the Institute are:-
  - (1) to promote, establish, maintain and develop an institute for child health with a view to provide for relief and treatment and advanced care to children and to encourage and promote research and training in child health;
  - (2) to construct the child health institute in furtherance of the objects aforementioned;
  - (3) to provide for the total and comprehensive care of children;
  - (4) to evolve, organise and supervise programmes to detect paediatric problems, educate the public regarding the control of various juvenile diseases which are prevalent in the country;
  - (5) to take such measures: as may be necessary for the improvement of health among the younger generation;
  - (6) to organise, screening programmes, for detection of the ailment of children in the vulnerable groups of the population, educate the public regarding the prevention of such diseases;
  - (7) to promote collaboration efforts between the institute and all health care organisation and institutions and all voluntary social and services organisations and institutions engaged in the care of juvenile patients;
  - (8) to offer consultative services to other hospitals, nursing homes, general practitioners and other peripheral health care units;

\* **NAME AMENDED**

AS "INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE",  
at the Special General Body Meeting dated: 22. 01.1996.

(9) to support, organise and encourage clinical and basic research programmes relating to the diagnosis and treatment of paediatric ailments.

(10) to organise teaching and training of medical undergraduates and post graduates in the science of diagnosis, treatment and rehabilitation and research in paediatric ailments, with stress on preventive aspects of such diseases in the community;

(11) to provide for undergraduate and post-graduate teaching and to prescribe courses and curricula in paediatrics and related surgery;

(12) to maintain books, journals and other lectures on paediatric diseases;

(13) to support , organise and encourage scientific meetings, seminars, symposia and workshops;

(14) to institute prize, awards, scholarships, travel grants, research grants and stipend in furtherance of the objects of the institute;

(15) to provide for publication of journals, research papers, publications, educational leaflets, brochures, handbooks and text books on various aspects of children's diseases;

(16) to educate the public on all aspects relating to the control and prevention of Children's diseases;

(17) to organise and / or to promote exhibition of paediatric diseases and controlling and preventing measures to be adopted in urban and rural area.

(18) to invite representatives of Governments, Universities and other organisations of Indian and foreign countries to fulfill the objects.

(19) To develop fruitful inter-relationship with institutions and agencies within India.

(20) To initiate and develop lines of communications of personnel, material and data among National and International institutions and agencies;

(21) to develop, co-operative efforts with International institutions or agencies engaged in similar work and objectives and establish lines of communication for interchange of expertise, personnel, material and data;

(22) 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 and otherwise of cash and securities and any property either movable or immovable;

(23) to do all such other lawful acts and things either alone or in conjunction with other organisations or persons as the institute may consider necessary , incidental or conducive to the above mentioned objectives or any of them.

#### **4. MEMBERS OF THE SOCIETY:**

a) The total number of the members of the society shall including the members of the Ist Governing Council shall not exceed 21.

b) The State Government shall have the powers to nominate the members of the society including members to hold office in the place of Ist members of the Governing Council. The session of their office due to termination of death, removal, resignation or otherwise.

#### **5. GOVERNING COUNCIL:**

a) The Administration of the Institute shall be vested in the governing Council shall be;

1. Sri.V.S.Krishna Iyer	....	Chairman
2. Sri.K.M. Nanjappa	....	Vice-Chairman
3. Smt.Vishalakshi Nagaraj	....	Member
4. Sri.B.L.S.Murthy	....	Treasurer
5. Sri.Obanna Raju	....	Member
6. President, Karnataka Film Chamber	....	Member
7. Sri.Venkataramanashetty	....	Member
8. Sri.Hari Khoday	....	Member
9. Sri.Nagaraja Rao	....	Member
10. Sri. M.R. Jayaram	....	Member
11. President, Chamber of Commerce	....	Member
12. Dr.D.G.Benakappa	....	Convenor

b) Sri.V.S.Krishna Iyer, Sri.K.M. Nanjappa and Sri.B.L.S.Murthy , specified at item 1, 2 and 4 of sub-para (a) of para 5 of this memorandum shall respectively be the Ist Chairman and Vice-Chairman of the Governing Council. Each of them shall subject to the pleasure of the State Government hold office for a term of 3 years.

c) Subject to sub-para (b) above, the Chairman and Vice-Chairman of the Governing Council shall be elected from among the members of the Governing Council, they shall subject to the pleasure of the state government hold the office for a term of 3 years respectively.

(d) In the event of a vacancy occurring during the term of Office of the Chairman or Vice-Chairman including the Ist Chairman and Vice- Chairman due to removal of death, resignation or otherwise, the member of the Governing Council shall elect Chairman and Vice-Chairman to hold office during the remaining period of the vacancy and they shall subject to the pleasure of the State Government hold the office for the remaining period.

e) The procedure for the election of the Chairman and Vice-chairman including of the person elected as Chairman and Vice-chairman during a vacancy shall be such as may be specified in the rules and regulations or by the bye-laws.

**6. PATRONS:**

a) The Minister for Health & Family Welfare, Govt. of Karnataka and the Mayor of the City Corporation of Bangalore shall be the patrons of the Institute.

b) They shall have the powers to tender advice and officer guidance in respect of the conduct of the affairs of the Institute.

7. The collection of the national history, mechanical and philosophical inventions, instruments or designs; and which intend to apply their profits if any, or other income in promotion their subjects and prohibit the payment of any dividend or distribution of any income or profits among their members.

.....

**RULES AND REGULATIONS OF**  
**INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE.**

1. TITLE: These rules and regulations shall be called the Indira Gandhi Institute of Child Health, Rules and Regulations 1985. \*

2. DEFINITIONS : In these Rules and Regulations unless there is any thing repugnant to the subject or context "ACT" means the Karnataka Societies Registration Act 1960 (Karnataka Act 17 of 1960).

b) 'CHAIRMAN' means the Chairman of the Governing Council.

c) 'VICE-CHAIRMAN' means the Vice-Chairman of the Governing Council.

d) 'TREASURER' means the Treasurer of the Governing Council.

e) 'GOVERNING COUNCIL' means the Governing Council of the Institute.

f) 'DIRECTOR' means the Convenor of the Committee.

g) 'INSTITUTE' means the Indira Gandhi Institute of Child Health.

h) 'MEETING' means a meeting of the Governing Council.

i) 'MEMBER' means a member of the Governing Council.

j) 'STATE GOVERNMENT' means the Govt. of Karnataka.

k) 'SOCIETY' means the Indira Gandhi Institute of Child Health, Bangalore.

l) 'YEAR' means the year ending on 31st March .

**\*NAME AMENDED**

AS "Indira Gandhi Institute of Child Health, Bangalore", at the Special General Body Meeting dated: 22. 01.1996.

### **3. OFFICE:**

- 1) The office of the Institute shall be at Indira Gandhi Institute of Child Health, Bangalore.
- 2) The working hours of the Institute shall be as per the requirements and as determined from time to time by the Governing Council 9AM to 4PM.

### **AUTHORITIES OF THE INSTITUTE:**

The following shall be the authorities of the Institute:

1. The Governing Council.
2. Such other authorities as may be appointed by the Governing Council, from time to time.

### **THE GOVERNING COUNCIL:**

1. The composition of the Governing Council shall be as prescribed in para 4 of the Memorandum of Association.

2. The members of the Governing Council shall subject to the pleasure of the State Government hold office for a period of three years.

provided that;

a) A member appointed by virtue of their office shall cease to be such member when he cease to hold such office;

b) A Member shall cease to hold office, if he resigns or become of unsound mind or is adjudged an insolvent or is convicted of a criminal offence involving immoral.

c) On the expiry of the term of any member of Governing Council, the State government shall nominate any of the member of the Society as a member of the Governing Council on such vacancy.

d) If a vacancy occurring in the Governing Council on account of death, removal , resignation or otherwise any members, the State Government may nominate any member of the Society, to the said vacancy and the members so nominated shall subject to the pleasure of the State Government hold office for the remainder of the term.

e) DIRECTOR: The Convenor of the Governing Council is the Director and he shall hold the office subject to the pleasure of Government for a period of 3 years provided that the Director appointed by virtue of their office shall cease to be such Director when he cease to hold such office.

i) Director shall cease to hold office if he resigns or become of unsound mine or is adjudged and insolvent or is convicted of a criminal offence involving moral turpitude.

ii) In the event of vacancy occurring on term of the office of the Director due to removal , death, resignation or otherwise the Government shall appoint a Director for the remaining period of vacancy and he shall subject to the pleasure of the State Government hold the office for the remaining said period.

iii) On the expiry of the term of office of the first Director, the State Government may nominate any person it deem fit as Director, he shall subject hold office for a period of three years subject to the pleasure of the State Government.

#### **MEETINGS:**

1. The Institute shall hold an Annual General Meeting each year, as soon as may be after the expiry of the year.

2. The business for a transaction at the Annual General Meeting shall be;

3. Confirmation of the minutes of the previous General Meeting

b. Consideration and approval of the Annual Report on the management of the Institute for the proceeding year, together with audited copy of the Balance sheet Income and expenditure Statement and the Auditor's Report.

c. Appointment of Auditors;

d. Consideration of any matter or matters brought before it with the permission of the Chairman;



3. The Institute shall hold at least four ordinary meeting in a year.
4. The Institute may also hold special general meeting whenever the Chairman thinks it necessary to convene or whenever a requisition in this behalf is made as provided in sub-section (3) of Section 11 of the Karnataka Societies Registration Act, 1960.
5. a) Written Notice of every meeting shall be sent to all members either personally or through post to the address of the members as entered in the roll of members. Where the notice is sent by post, due service shall be presumed if the cover containing the notice properly addressed is posted.
  - b) Thus Accidental omission to give notice to, or the non-receipt of notice by, any member or other person to whom it should be given shall not invalidate the proceedings of the meeting.
  - c) Every notice shall be sent:
    - i) In the case of annual General Meeting, not less than 21 days before the date fixed for the meeting;
    - ii) In the case of ordinary meetings, not less than 15 days before the date fixed for the meeting;
    - iii) In the case of special general meeting, not less than 21 days before the date fixed for the meeting.

## **6. QUORUM AND PROCEDURE:**

- a) The quorum for any meeting shall be five;
  - b) If within half an hour from the time appointed for holding a meeting, a quorum is not present, the meeting shall stand adjourned to a later hour on the same day or to any other hour of any other date, as the person presiding fixes.
  - c) In the case of Special Meetings, If within half an hour from the time appointed for holding a meeting, a quorum is not present, the meeting shall stand dissolved.
7. Every meeting shall be presided over by the Chairman and in the absence of the Chairman, the Vice-chairman or in the absence of both of them by any other member as the members personally present at the meeting shall elect.

8. Every member including the Chairman, shall have one vote. In the case of equality of votes in respect of any matter, the person presiding shall have a casting or second vote.

9. If a vacancy in the office of members occurs, the remaining members shall act as if no vacancy had occurred. No action or proceeding of the Governing Council shall be decided invalid merely by reason of a vacancy on the Governing Council or of a defect in the appointment of a person acting as a Member of the Governing Council.

10. In the event of dispute, as to whether any member is validly appointed or any other dispute relating to the constitution of the Governing Council, the decision of the Chairman of the Governing Council shall be final.

#### **11. REGISTER OF MEMBERS:**

The Institute shall maintain a register wherein the address of the members and their occupation shall be entered. Changes of the address shall be notified by the member concerned to the Director who shall enter the new address in the Register. If a member fails to notify his new address, the address in the Register of members shall be deemed to be his correct address.

#### **12. RESOLUTIONS OF THE GOVERNING COUNCIL BY CIRCULATION:**

Except where otherwise expressly provided, all resolutions of the Governing Council may be passed by circulation from member to member and it shall not be necessary to call a meeting for the purpose.

#### **13. POWERS AND FUNCTIONS OF THE GOVERNING COUNCIL:**

1. Subject to the provisions of the Karnataka Societies Registration Act, 1960, the Governing Council shall manage the Institute so as to promote its objects. It shall have full powers and authority to deal with all matters, things and deeds which are necessary and expedient to carry out the said objects;

2. The Governing Council shall have the powers to add, to amend, alter, or abridge all or any of the objects of the society consistent with Societies Registration Act 1960 and subject to approval of the Govt. of Karnataka.

3. The Governing Council shall have the powers to add, to amend , to alter the Rules and Regulations and Bye-laws of the Society consistent with the Societies, Registration Act and subject to approval of the Government of Karnataka.

4. Without prejudice of the generality of the foregoing, the following powers and functions, namely;

- a) the framing of broad policies and procedures to carry out the objects of the Institute;
- b) to make such Bye-laws as they shall think essential for the regulations of the business of the Institute;
- c) to consider and sanction the budget estimates;
- d) Sanction of expenditure in accordance with the financial bye-laws;
- e) to invest the funds of the Institute in Nationalised Banks or Trusted Securities;
- f) to borrow money on such terms and conditions as are deemed expedient;
- g) to enter into agreement or contracts with any Government or local authority to obtain from such Government or authority any right, privilege, concession affectually or otherwise for purpose of carrying out the objects of the Institute;
- h) to draw, accept, endorse discount, execute assign unsue and otherwise deal with cheques, hundies, drafts, certificates, receipts, Government securities, promissory notes, bills of exchange or other instruments whether negotiable or not for the purpose of the Institute.
- i) to prescribe course of study at the Institute, add or omit any course thereto or therefrom and to award degrees, diplomas and certificates;
- j) The conduct of business and the procedure to adopted at the meetings of the Governing Council;
- k) The duties and functions of the Director, other officers and employees of the Institute;
- l) The discipline, suspension and dismissal of the officers and employees of the Institute;
- m) the admission of the students, trainees and research workers to the Institute;
- n) establishment and maintenance of pension, gratuity, provident fund or other funds for the benefit of the officers and employees of the Institute;
- and
- o) such other matters as may be necessary for the efficient administration and management of the Institute.

## **CORPUS FUND**

1. The Corpus fund of the Institute shall consist of such amount as the State Government may release or grant for the said purpose.
2. The Corpus fund shall be invested or utilised in such manner as may be provided for the Bye-laws made by the Governing Council.

## **15. PROPERTY AND FUNDS:**

1. The Institute shall be the owner of all its properties, immovable and movable, including;
  - a) Corpus Funds;
  - b) Grants, Subventions, contribution, donation and gifts from the Central Government or State Government or a Local authority or from the Central Government or State Government or a Local Authority or any individual or body or person whether incorporated or not, for all or any of the purpose or objects of the Institute.
2. The Governing Council shall be the custodian of the properties and funds of the Institute and shall manage the same prudently for the purpose of the Institute.

## **16. APPLICATION OF THE INCOME OF PROPERTY:**

The Income and Property of the Institute shall be applied solely towards the promotion of the objects of the Institute as a specified in the Memorandum of Association and any such expenditure incurred shall also be subject to such restrictions as the Central Government or the State Government may from time to time impose in respect of grants of donations made respectively by them.

## **17. BUDGET AND ACCOUNTS:**

- a) The Governing Council shall frame the Annual Budget estimate for the ensuring year at its meeting to be held in or around August and shall forward copies to the Government. The budget estimates shall give under the various heads of the following information in respect of receipts and expenditure namely;
  - a) The actual for the proceeding year;
  - b) The approved estimates for the current year;
  - c) The revised estimates for the current year ; and
  - d) The estimates for the following year

b) Money forming part of the funds of the Institute shall be deposited in the name of Institute in an account or accounts in a scheduled Bank of India Act; 1934 (II of 1934) or invested in any Trust securities or investments authorised by-law and approved by the Governing Council. Withdrawal therefrom shall be by cheques signed by such persons or in such other manner as the Governing Council may from time to time authorise or specified in Bye-laws made for this purpose. Accounts of the Society will be submitted to Registrar Society under Section-13.

**18. AUDIT:**

The accounts of the Institute shall be audited annually by Chartered Accountant or Accountants as defined in Chartered Accountant or Accounts Act 1949 (XXXVIII of 1949) appointed by the Governing Council, provided that Government may, at anytime, direct that the accounts be audited by auditors of the State Accounts Department of Government.

**19. REPORTS:**

The Governing Council shall submit annually to the Government Institute's report on the working of the Institute. Such report shall contain particulars regarding work of the Institute during the previous year and shall be accompanied by a balance sheet duly audited showing the income and expenditure of the institute during the said year.

**20. DISSOLUTION AND WINDINGUP:**

The Institute may be dissolved and wound-up in accordance with the provisions of Section 22 of the Act and the property of the institute shall be applied on such dissolution in the manner provided by the Act.

**21. AMENDMENTS:**

No amendment in the Name, Memorandum of Association or Rules of the Society shall be made except in accordance with the provisions of Section 9 and 10 of Karnataka Societies Registration Act 1960.

22. Any points which are not covered in this rule, the same will be followed as per Society Registration Act 1960.

**23. AUTHORISATION:**

The President is hereby authorised to correspond with the Registrar of Societies regarding the Association activities.

**INDIRA GANDHI INSTITUTE OF CHILD HEALTH,  
BANGALORE.**

**GENERAL BYE-LAWS**

In exercise of the powers conferred by Rule 13(3) and (4) (b) of the Rules and Regulations of Indira Gandhi Institute of Child Health, Bangalore, hereby makes the following Bye-laws namely:-

**1. TITLE AND COMMENCEMENT:**

These Bye-laws shall be called the Indira Gandhi Institute of Child Health, Bye-laws 1993. They shall come into force from the date of their approval by the Governing Council.

**2. DEFINITIONS:**

In these Bye-laws unless the context otherwise requires:

- a) 'INSTITUTE' means the Indira Gandhi Institute of Child Health, Bangalore.
- b) 'GOVERNING COUNCIL' means the Governing Council of Indira Gandhi Institute of Child Health, Bangalore.
- c) 'CHAIRMAN' means the Chairman of the Governing Council.
- d) 'VICE-CHAIRMAN' means the Vice-Chairman of the Governing Council.
- e) 'DIRECTOR' means the Director of the Institute.
- f) "APPOINTING AUTHORITY" in relation to the post of Director, the Governing Council and in respect of other Group 'A' and Group 'B' posts the Board of Appointment and the Director in respect of posts under Group 'C' and 'D'.

(g) "CONTROLLING AUTHORITY" means the authorities in relation to categories of posts as specified below:-

POST	AUTHORITY
Director	Chairman
Group A & B Posts	Board of Appointment
Group C & D Posts	Director

NOTE: The Director is the controlling authority in respect of travelling allowances, daily allowances and medical claims for all the employees of the Institute.

(h) "EMPLOYEES" means a person in the service of Institute in any post and includes the Academic Staff;

(i) "ACADEMIC STAFF" means any member of the staff engaged wholly or partly in teaching and /or research and so declared by the Director;

(j) Group A, Group B, Group C and Group D posts in the Institute shall correspond to the State Civil Services Group A, Group B, Group C and Group D respectively.

(k) "Rules" means the Rules and Regulations of the Institute;

(l) "Year" means year commencing from 1st April of a year and ending on 31st March next year;

(m) "Chairman of the Division" means the Chairman of the Division of Paediatric Medicine/Surgical Paediatric etc., of the institute;

(n) "Head of the Department" means Head of the concerned Department of the Institute;

(o) "Board of Appointment" means the Board of Appointment consisting of the following officers:

- (1) The Chairman of the Governing Council.
- (2) The Vice-Chairman of the Governing Council.
- (3) The Director, Indira Gandhi Institute of Child Health, Bangalore.

### **3. WHOLE TIME SERVICE:**

Unless in any case it be otherwise distinctly provided, an employee shall be twenty-four hours employee of the Institute and may be called upon to perform any functions, as required by the authority concerned.

4. The specialist staff may be permitted to offer their services to other institutions, medical colleges, hospitals, nursing homes and such other institutions outside the working hours of the institute provided that all material/monetary gains of such services shall be credited to the accounts of the institute. The Institute may give to the employee concerned such percentage of his or her earning as the Governing Council may decide from time to time.

### **5. PERMANENT AND TEMPORARY POSTS:**

1) The posts created by the Governing Council in accordance with clause 3 sub-clause (27) of the Memorandum of Association and Rule 10 sub-Rule (4) (g) Rule 18 and 19 of Rules and Regulations of the Institute may be either permanent or temporary as the Governing Council may specify from time to time.

2) Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director.

3) Notwithstanding anything contained in Rules and Regulations or in the Bye-laws or in the Cadre & Recruitment Rules of the Institute, the Governing Council may invite a person of high academic distinction and professional attainment to accept post of Professor. surgeon/ specialists/dentists on such terms and conditions as the Governing Council may approve from time to time.

4) The Governing Council may appoint a person of high academic distinction or professional attainment in any other University, or Institute or organisation in India or abroad for undertaking a joint project in accordance with clause 3 sub-clause (23 ) of the Memorandum of Association of the Institute.

5) The Governing Council, if it deems fit, may create honorary consultant posts to fill such specialist lacunae in the interest of delivery of satisfactory patient services or in the interest of furtherance of research, basic or clinical as the case may be;



## **6. PROBATION:**

- 1) Unless otherwise decided by the appointing authority in any case, every employee shall be on probation for a period of two years, provided that such probation is not applicable in the case of an employee who has undergone probation while in Government service and such probation had been declared to the satisfactory.
- 2) During the period of probation, the employee shall be required to put in satisfactory service failing which his services shall be liable to termination at any time without any prior or without any reason being assigned for the same by the appointing authority.

## **7. TERMINATION:**

- 1) All appointments shall be terminable on a notice in writing either by the appointing authority or the employee without assigning any reason as set out below:-
  - (a) During the period of probation - 1 Month;
  - (b) After completion of the period of probation - 3 months ;
- 2) The Notice referred to in Bye-law 7 sub-bye-law (1) above shall not be necessary if in lieu thereof an amount equal to the pay and allowance for the period of notice is paid.
- 3) In the case of permanent appointment if the order of termination is passed by any authority other than the Governing Council, an appeal shall lie to the Governing Council, against the order within a period of 30 days from the date.

## **8) RETIREMENT ON MEDICAL GROUNDS :**

- 1) Notwithstanding anything contained elsewhere in these Bye-laws, the appointing authority may retire an employee on 3 months prior notice from the service of the Institute on account of permanent physical or mental disability incapacitating him/her for further service, if so, certified by the Medical Board appointed by the Governing Council.
- 2) The decision of the appointing authority shall be final and binding on the employee concerned.
- 3) The notice referred in Bye-law 8 sub-bye-law- (1) shall not be necessary if in lieu thereof an amount equal to the pay and allowances for three months is paid.

**9) RETIREMENT ON MORAL GROUNDS :**

- 1) Notwithstanding anything contained in these Bye-laws, the appointing authority may retire an employee on 3 months prior notice from the service of the Institute on account of moral turpitude or malpractice if so proven by an enquiry instituted by the appointing authority.
- 2) The decision of the appointing authority shall be final and binding on the employee concerned.
- 3) The notice referred to in Bye-law 9 sub-bye-law- (1) above shall not be necessary if in lieu thereof an amount equal to the pay and allowances for three months is paid.

**10. PERFORMANCE OF DUTIES:**

Every employee shall perform such duties as have been entrusted to him and shall, to the best of his ability, carry out the lawful directions of the Governing Council, of the Director or of any other authority he may be subject to.

**11. QUALIFICATION FOR APPOINTMENT:**

1. Age, Experience and other qualifications for appointment to all posts in the Institute shall be as prescribed under the Cadre and Recruitment Rules, Relaxation's, if any, may be approved for in the said Rules.
2. No person who does not possess any Medical Qualification shall be appointed to the posts of Director, Medical Superintendent and Resident Medical Officer.
3. While making appointments to any of the posts in the Institute, the appointing authority shall take into consideration the interests of the members of the Scheduled Castes and Scheduled Tribes consistent with the maintenance of efficiency of administration and teaching at the Institute.
4. As far as may be practicable, the percentage of reservation prescribed by the State Government for the candidates belonging to the Scheduled Castes and the Scheduled Tribes and Backward classes in the matter of appointment to posts in the State Government shall be observed.

5. Such application fee up to rupees Ten as may be decided by the appointing authority for each category of post may be charged from candidates applying for appointments, Remission of 75% of fees shall be made in the case of Scheduled Castes and Scheduled Tribes.

**(12) CONSTITUTION OF SELECTION COMMITTEES FOR APPOINTMENTS:**

There shall be the following Selection Committee to make recommendations to the Appointing Authority for recruitment to the various posts in the Institute.

**(a) FOR THE POST OF DIRECTOR:**

- |  |       |                  |
|--|-------|------------------|
| 1. The Chairman of the Governing Council   | ....  | Chairman         |
| 2. The Vice-Chairman of the Governing Council                                    | ....  | Member           |
| 3. The Director of Medical Education   | ..... | Member           |
| 4. Two experts in the concerned subject to be nominated by the Governing Council | ..... | Member           |
| 5. Director, IGICH., where Director himself is not a candidate                   | ....  | Member-Secretary |

**(b) FOR THE POST OF PROFESSORS/SURGEONS/SPECIALISTS/CHIEF RESEARCH OFFICER/CHIEF ADMINISTRATIVE OFFICER.**

- |   |       |                  |
|---|-------|------------------|
| 1. The Vice-Chairman of the Governing Council   | ....  | Chairman         |
| 2. The Director of Medical Education  | ..... | Member           |
| 3. One expert in the concerned subject to be nominated by the Chairman of the Governing Council | ..... | Member           |
| 4. Vice-chancellor of Bangalore University or his nominee                                       | ..... | Member           |
| 5. Head of the concerned Division   | ..... | Member           |
| 6. The Director, IGICH.   | ....  | Member-Secretary |

**(c) FOR THE POST OF ASST. PROFESSORS/LECTURERS/ RESEARCH ASSISTANTS/RESIDENTS.**

- |   |       |                  |
|---|-------|------------------|
| 1. The Director   | ....  | Chairman         |
| 2. A Nominee of the Director of Medical Education   | ..... | Member           |
| 3. A nominee of the Vice-chancellor of Bangalore University                                     | ..... | Member           |
| 4. Dy.Secretary to Government of Karnataka, Health & Family Welfare                             | ..... | Member           |
| 5. One expert in the concerned subject to be nominated by the Chairman of the Governing Council | ..... | Member           |
| 6. Head of the Department in the concerned Subject of the Institute                             | ..... | Member           |
| 7. Administrative Officer , IGICH.  | ..... | Member-Secretary |

**(d) FOR GROUP B,C AND D POSTS:**

- |  |       |                  |
|--|-------|------------------|
| 1) The Director  | ..... | Chairman         |
| 2) An Officer of the rank of Dy. Secretary to the Govt. nominated by the Government. | ..... | Member           |
| 3) Medical Superintendent .  | ..... | Member           |
| 4) Administrative Officer .  | ..... | Member-Secretary |

**(e) P.G. SELECTION COMMITTEE:**

- |  |       |                  |
|--|-------|------------------|
| 1) The Director  | ..... | Chairman         |
| 2) Nominee of the Bangalore University                   | ..... | Member           |
| 3) Nominee of the Director of Medical Education.         | ..... | Member           |
| 4) One concerned Head of the Department of the Institute | ..... | Member           |
| 5) Administrative Officer .                              | ..... | Member-Secretary |

(2) The posts may be filled by invitation/promotion/ open advertisement or deputation from State Government as may be deemed fit by the appointing authority .

(3) The Selection Committee shall meet at Bangalore. It shall examine the credentials of all persons who are being considered for appointment to the post.

(4) The Selection Committee shall decide its own procedure for conducting the selection. It shall prepare a panel of names in order of merit.

5) Where a candidate has applied for any post, it shall be open to the Selection Committee to recommend him/her for appointment to any other post whether it be equivalent or higher or lower than the post applied for.

6) When a vacancy occurs in any post owing to death, resignation or any other reason within 6 months of the incumbent joining duty, the appointing authority may offer the appointment to the next candidate, if any, recommended by the Selection Committee.

### **13. ADVANCE INCREMENTS ON INITIAL APPOINTMENT:**

1) The Selection Committee may recommend advance increments not exceeding seven on initial appointment in particular case having regard to the qualification, attainments and such other similar aspects of the candidates.

2) The appointing authority shall take every such recommendation into consideration while fixing the initial pay of the person appointed.

### **14. APPOINTMENTS TO POSTS IN ADDITION TO SANCTIONED CADRE:**

Notwithstanding anything contained in these Bye-laws:

1) The Governing Council may take appointment to posts other than those in sanctioned cadres on such terms and conditions as it may decide in each case.

2) Specialists and scholars may be invited by the Director to participate in the work of the Institute for specific period on such honoraria as may be fixed by the Governing Council.

**15. APPOINTMENT DATE FROM WHICH APPOINTMENT TAKES EFFECT:**

All appointments shall take effect from the date of on which the appointee reports himself /herself for duty at the Institute.

**16. DEPUTATION AND PERMISSION TO VISIT / WORK AND STUDY OUTSIDE THE INSTITUTE:**

- 1) The Director may depute members of the Academic and other staff to any place outside the Institute but within India, for the work of the Institute or for any other specified purpose, If the period is in excess of six months, approval of the Governing Council shall be obtained.
- 2) The Governing Council may require in such class or classes of cases as it may consider necessary, that the members of the Academic staff concerned shall furnish an undertaking in writing to serve the Institute on return for such period as it may prescribe.

**17. PROVIDENT FUND, PENSION AND GRATUITY BENEFITS;**

- 1) The Governing Council may with the approval of the State Government constitute schemes providing benefits like Provident Fund, Gratuity, Pension etc., to the employees of the Institute. The Governing Council may frame rules for these schemes and may from time to time add to , amend, alter or vary the same.
- 2) Till such time a comprehensive scheme for those benefits is prepared, the employees shall continue to enjoy the benefits to which they were admitted.
- 3) Any employees who has been absorbed in service of the Institute at the time of establishment and who prior to such absorption was serving in the erstwhile Indira Gandhi Institute of Child Health, Research and training Institute under State Government, on deputation may opt for the benefits available under the Institute or the earlier employer.

**18. LIMIT OF TOTAL ABSENCE FROM DUTY:**

A permanent employee shall cease to be in the service of the institute if he is continuously absent from duty for five years whether with or without leave, unless such absence is on foreign service in India or because of suspension.

In respect of the temporary employee and staff against temporary post, the limit of absence shall not be more than 3 months except in case of illness.

**19. CONDUCT , DISCIPLINE AND PENALTIES:**

Till appropriate rules are framed by the Governing Council in this behalf of the Karnataka Civil Services Vol.I and II 1957 as amended from time to time and Karnataka Civil Service (Classification, Control and Appeal) Rules, 1957 as amended from time to time shall apply mutatis mutandis to the employees of the Institute provided that for purposes of this bye-law:

1. Group-A, Group-B, Group-C and Group-D posts in the Institute shall correspond to the Karnataka Civil Services Rules Group-A, Group-B, Group-C and Group-D posts respectively;
2. The appointing authority, the Disciplinary Authority for the penalties that may be imposed and the appellate authority in respect of several posts in the Institute shall be as provided in the Schedule appended to these Bye-laws.
3. In respect of State Government Servants borrowed by the Institute, the provisions of rules of Karnataka Civil Services (Classification, Control and Appeal ) Rules, 1957 shall apply and the Institute shall exercise the functions of the State Govt. for the purpose of the said rules.

**20. SENIORITY:**

1) The Administrative Officer shall prepare and maintain in respect of each category of posts a complete and up-to-date seniority list in accordance with the provisions therein after contained.

2) Seniority of employees in each category shall be determined by the order of merit in which they were selected for appointment to the grade in question, those selected on or earlier occasion being ranked senior to those selected later.

3) Where two persons are appointed on the same date, seniority between them shall be determine as follows:-

- i) A member recruited by direct appointment shall be senior to a member recruited otherwise;
- ii) In case of members appointed by promotion, seniority shall be determined according to the seniority of such members in the Cadres from which they are promoted;
- iii) In case of members appointed by promotion from different cadres, their seniority shall be determined according to scale of pay , preference being given to a member who was drawing higher scale of pay in his previous appointment and if the scale of pay drawn are also the same, they by their length of service in those cadres from which they are promoted and if the length of service is also the same, an older member shall be senior to a younger member.
- iv) If two members join on same day in the same position, the older one shall be senior.

4) In case any dispute arises over the seniority list, the Chief Administrative Officer on his own or at the request of any such person submit the matter to the Governing Council whose decision thereon shall be final.



**21. SUPPERANNUATION:**

- 1) The date of superannuation for all the regular employees of the Institute shall be on their attaining the age of 58 years.
- 2) The appropriate authority, if it is of the opinion that it is in the Institute's interest, shall have the absolute right to retire any employee by giving him/her notice of not less than three months in writing or three months pay and allowances in lieu of such notice after he/she attained the age of 50 years.
- 3) An employee may by giving notice of not less than three months in writing to the appointing authority, retire from service after he has attained the age of 50 years or has completed 20 years of satisfactory services, provided that it shall be open to the appointing authority to withheld permission to an employee under suspension who seeks to retire under;

**22. ABSORPTION OF STAFF:**

- 1) The Institute shall, subject to the sub-clause(3) herebelow, give to all the present employees of the Institute to seek an option from the Institute to continue an absorption in the Institute or to get repatriated;
- 2) The option to continue in the Institute or to get repatriated to Government service shall be subject to the decision of the screening committee constituted by the Governing Council and the availability of the particular post;
- 3) It shall be lawful to the Institute to retain and continue the services of such of the staff in the interest of satisfactory working of the institute time as the decision of the screening committee are given effect to or until such time as the Institute recruits staff of its own in accordance with the rules, Bye-laws, to be framed by the Governing Council;
- 4) It shall be lawful for the Institute to obtain at any time after the commencement of these Rules, the services of any servant from the Government on deputation or to absorb in its service any servant of the Government provided that for absorption into the services of the Institute, the officers/employees shall be found suitable by a Screening Committee to be constituted by the Governing Council.

Provided that the terms and conditions which any servant of the Government may be so absorbed shall not in any way be less advantageous than the terms and conditions obtaining to him immediately before the date of his absorption in the service of the Institute.

5) It shall be lawful for the Institute to recommend to the Government as decided by the Governing Council for withdrawal of the services of any official who is on deputation from the Government on the expiry of the term of deputation or during the period of deputation.

**23) INTERPRETATION:**

- 1) In the case of any doubt or difficulty, the Governing Council shall interpret these Bye-laws.
- 2) The decision of the Governing Council in this regard shall be final and binding on the employee.

**24. OTHER CONDITIONS OF SERVICES:**

In respect of matters not provided for in the rules as applicable to State government Servants such as general conditions of service, travelling and daily allowance, leave salary, joining time, foreign service terms and orders and decisions issued in this regard by the State Government from time to time shall be applicable mutatis mutandis to the employees of the Institute till the rules in this regard are framed by the Governing Council.

(As approved at the Governing Council Meeting held on 10th September 1993).

**INDIRA GANDHI INSTITUTE OF CHILD HEALTH,  
BANGALORE.**

**FINANCIAL BYE-LAWS**

There shall be a standing Financial Committee. The composition of the Finance Committee shall be:

- |   |       |                      |
|---|-------|----------------------|
| 1. Commissioner and Secretary ,<br>Finance Department,<br>Government of Karnataka<br>Vidhana Soudha,<br>Bangalore - 560 001.          | ..... | Chairman             |
| 2. Commissioner and Secretary<br>Health & Family Welfare Department,<br>Government of Karnataka<br>M.S.Building, Bangalore – 560 001. | ..... | Member               |
| 3. Director,<br>Medical Education<br>Anandarao Circle, B'lore-9.  | ..... | Member               |
| 4. Director<br>Man Power & Employment,<br>Planning Department (M&E)<br>M.S.Building, Bangalore.                                       | ..... | Member               |
| 5. Director,<br>Kidwai Memorial Institute of<br>Oncology,<br>Hosur Road, Bangalore.   | ..... | Member               |
| 6. Director,<br>Jayadeva Institute of Cardiology<br>Bangalore.  | ..... | Member               |
| 7. Director,<br>Indira Gandhi Institute of Child Health,<br>Bangalore.  | ..... | Member-<br>Secretary |

**QUORUM:**

Three members present at the meeting shall constitute the quorum.

**1. FUNCTIONS OF THE FINANCE COMMITTEE:**

The functions of the Finance Committee shall be :-

(a) to consider the recommend for approval of the Governing Council the annual budget estimates of the Institute after fully taking into consideration inter alia the financial commitments of the Government of Karnataka to the Institute.

The Budget Estimates approved by the Governing Council on the recommendations of the Finance Committee shall be subject to availability of funds. The Budget proposals shall be forwarded to the Government of Karnataka with a request to make necessary provision for funds.

(b) to consider and recommend for approval, the annual audited accounts of the Institute;

(c) to consider and recommended for approval, new financial proposals which may arise during the course of the year whether already provided for or not in the budget; and to approve re-appropriations between previously approved major heads;

(d) to consider quarterly reports of receipts and expenditure submitted by the Director for information; to examine from time to time, the adequacy of resources of funds and the general financial position of the Institute and to make appropriate recommendations to the Governing Council;

(e) to consider all proposals for creation of new posts.

\* (f) to consider and recommend for approval of the Governing Council, all important proposals involving major financial implications which exceeds the delegated powers of the Director.

\* **(f) incorporated - As approved at the Governing Council Meeting dated 18.10.1994.**

## **2. BUDGET ESTIMATES:**

The annual budget showing the estimates receipts and expenditure of the Institute shall be prepared in two parts- Part I relating to standing charges, and part - II relating to fresh charges. The budget estimates shall be prepared well in advance so that they may be examined by the Finance Committee and approved by the Governing Council not later than first October before being forwarded to the Governing latest by 15th October of every year.

## **3. FINANCIAL POWERS OF DIRECTOR:**

The Governing Council may delegate suitable Financial Powers to the Director subject to such restrictions and conditions as it may think fit to impose.

## **4. ALLOTMENT OF FUNDS:**

The Director shall regulate and operate the budget as approved by the Governing Council.

## **5. FUNDS OF THE INSTITUTE:**

All moneys received for and on behalf of the Institute shall be paid into an account opened in the name of the Institute in one or more nationalised banks authorised by the Governing Council. All payments exceeding Rs.500/- shall ordinarily be made by cheques except in the following payments to be made in cash :-

1. Salaries and allowances of Class III & IV staff
2. Other classes of payments specifically authorised to be made in cash by the Director.

## **6. CHEQUES:**

All cheques on the Bank shall be signed on behalf of the Institute by any two of the following three officers:

- 1) Director.
- 2) Administrative Officer
- 3) Financial Adviser

Alternatively, the Director shall specify the officers who shall sign the cheques. All cheques, bills, notes and other negotiable instruments payable to the Institute may be endorsed on behalf of the Institute by any one of the officers mentioned above.

## **7. CONTRACTS:**

The Director or the Chief Administrative Officer/ Administrative Officer, if so authorised by the Director shall sign and execute on behalf of the Institute all Agreements/ contracts etc., which may be necessary for the appropriate conduct of business.

## **8. DRAWAL OF FUNDS:**

Funds shall be drawn from the Bank on presentation of claims by the Director in the prescribed forms/bills. All bills will be scrutinised and passed for payment by the Finance Officer. The pay and allowances bills of the employees may be signed by an Officer declared to be the drawing and disbursing officer by the Director. The contingent and TA will be countersigned by the Director or any other officer authorised by the Director before these are passed by the Finance Officer for payment. The monthly pay and allowance bills shall be received directly by the Finance Officer and passed for payment by him.

## **9.\*\*\* ACCOUNTS:**

The Institute shall prepare annual statements of accounts including balance sheet in the form appended on these bye-laws. The Accounts Officer of the Institute shall advise the Director on all matters concerning audit and accounts. He shall ensure the accuracy and completeness of the accounts of the Institute in accordance with the bye-laws of the Institute.

The annual statement of accounts shall separately indicate the funds received from sources other than the Government.

The annual statement of accounts shall be accompanied by an income and expenditure statement of accounts including depreciation on fixed assets.

**\*\*\*\* 9 . ACCOUNTS - 'AMENDED' - As approved at the Governing Council Meeting held on 03.07.2001.**

**10. FORM OF ACCOUNTS AND OTHER FINANCIAL RULES:**

The Governing Council shall have power to prescribe the form in which the accounts shall be kept and frame rules regulating the finance and accounts matters. Till such time these rules are framed, the accounts of the Institute shall be maintained in the existing form and the Director is authorised to present the budget and accounts in a suitable form keeping in view the requirements of the Institute and its future pattern of development.

**11. CUSTODY OF CASH AND VALUABLE DOCUMENTS:**

The Drawing and Disbursing Officer shall be responsible for each safe custody of cash and valuable documents such as cheque books, security deposits, agreements and contracts, fixed deposit receipts, Government Securities, cash book etc.,

**12. AUDIT:**

The annual accounts of the Institute shall be audited by a certified Auditor appointed by the Governing Council. The accounts may also be subject to audit by the Accountant of General of Karnataka.

**13. FINANCIAL AND OTHER POWERS:**

The Financial and other power as provided in the schedule to the Financial bye laws shall be exercised by the Director. The Director may with the approval of the Governing Council delegate any of his powers to the officers subordinate to him.

.....

**INDIRA GANDHI INSTITUTE OF CHILD HEALTH,  
BANGALORE.**

**BUILDING COMMITTEE**

There shall be a standing Building Committee. The composition of the Building Committee shall be:

- |   |       |                      |
|---|-------|----------------------|
| 1. Secretary to Government<br>Health & Family Welfare Department,<br>(Medical Education), Government of Karnataka<br>M.S.Building, Bangalore – 560 001. | ..... | Chairman             |
| 2. Superintending Engineer<br>P.W.D. Building Circle, K.R.Circle,<br>Bangalore.   | ..... | Member               |
| 3. Deputy Secretary to Government<br>Finance Department<br>Vidhana Soudha,<br>Bangalore.  | ..... | Member               |
| 4. Architects,<br>In-charge of works  | ..... | Member               |
| 5. Director,<br>Indira Gandhi Institute of Child Health,<br>Bangalore.  | ..... | Member-<br>Secretary |



**QUORUM:**

Three members present at the meeting shall constitute the quorum.

**FUNCTIONS OF THE BUILDING COMMITTEE:**

(1) is to monitor construction activity in terms of qualitative, quantitative and physical progress;

(2) is to scrutinise specifications, finishes, Data rates of deviated items against the sanctioned estimates and recommend to the Governing Council;

(3) to consider the recommend for approval of the Governing Council, the Building plans and estimates etc.,

**(As approved at the Governing Council Meeting held on 20th December 2008).**

**INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE.**

**PURCHASE COMMITTEE**

There shall be a standing Purchase Committee. The composition of the Purchase Committee shall be:

- |   |       |          |
|---|-------|----------|
| 1. Director<br>Indira Gandhi Institute of Child Health,<br>Bangalore. | ..... | Chairman |
| 2. Medical Superintendent of the<br>Institute                         | ..... | Member   |
| 3. Head of the Department<br>concerned.                               | ..... | Member   |
| 4. Administrative Officer   | ..... | Member   |

**QUORUM:**

Three members present at the meeting shall constitute the quorum.

**FUNCTIONS OF THE PURCHASE COMMITTEE:**

Is to scrutinise the Tenders/Quotations other than rate contract invited for the supply of stores as per Purchase Rules of the State Government and to recommend for approval of the Governing Council.

(As approved at the Governing Council Meeting held on 9th September 1993).

**INDIRA GANDHI INSTITUTE OF CHILD HEALTH,  
BANGALORE.**

**PAY AND RECRUITMENT RULES**

**AND**

**CONDITIONS OF SERVICE RULES**

**AND**

**MISCELLANEOUS PROVISIONS**

# **INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE.**

## **I N T R O D U C T I O N**

"INDIRA GANDDDHI INSTITUTE OF CHILD HEALTH" Bangalore is an autonomous body established by the Government of Karnataka, vide Govt. Order No. HFW 430 MMC 90, dated: 30.7.1991 and registered as a Society under the Karnataka Societies Registration Act 1969 on 6.8.1985. The Governing Council Instituted by the Government of Karnataka is the authority responsible for the achievements of the objectives for which the Institute is created.

Since becoming an Autonomous Institution, the consolidation of the existing facilities and progress on all fronts physical staff, patient care, research and community oriented programmes have been phenomenal. This has been possible with the financial support from the Government of Karnataka and the Governing Council.

At present a good number of employees to be recruited. It is necessary in the Larger interest and future development of the institute as a comprehensive child health center offering good child health services in this region of the country to absorb or recruit specialists and other personnel truly interested and dedicated to work in the cause of alleviation of the suffering of child patients in the community and to develop research, teachings, training orientation activities in the field of Paediatrics. Towards this purpose, it is essential to have a set of the officers and staff of the Institute.

- 1) Pay and Recruitment Rules.
- 2) Conditions of service rules and Miscellaneous provisions.

# **INDIRA GANDHI INSTITUTE OF CHILD HEALTH, BANGALORE.**

## **1. SHORT TITLE**

- 1) These rules may be called the INDIRA GANDHI INSTITUTE OF CHILD HEALTH (Pay and Recruitment Rules, Conditions of service rules and Miscellaneous provisions) Rules 1993.
- 2) They shall come into force with immediate effect.

## **2. APPLICATION:**

- 1) These rules shall apply to the persons appointed to the service of INDIRA GANDHI INSTITUTE OF CHILD HEALTH on a regular basis and whose pay is debited to the funds of INDIRA GANDHI INSTITUTE OF CHILD HEALTH.
2. These Rules shall not apply to:
  - a) Person not in whole-time employment
  - b) Persons appointed on Adhoc basis.
  - c) Persons paid otherwise than on monthly basis
  - d) Persons specially excluded wholly or in part by the Governing Council from the operation of these rules.

## **3. DEFINITIONS:**

- 1) 'INSTITUTE' means the Indira Gandhi Institute of Child Health.
- 2) 'GOVERNING COUNCIL' means the Governing Council of the Institute.
- 3) 'CHAIRMAN' means the Chairman of the Governing Council.
- 4) 'VICE-CHAIRMAN' means the Vice-Chairman of the Governing Council.
- 5) 'DIRECTOR' means the Director of the Institute.

6) 'APPOINTING AUTHORITY' in relation to the post of Director is the Governing Council and to any post in Group 'A' and Group 'B' posts, "Board of Appointment" and the "Director" in respect of posts in Group 'C' and Group 'D'.

7) "CHAIRMAN OF THE DIVISION" means the Chairman of the Division of the Paediatric Medicine and Paediatric Surgery.

8) 'PRO-CHAIRMAN' means the Pro-Chairman of the Governing Council.

9) "HEAD OF THE DEPARTMENT" means the Head of the concerned "Head of the Department".

NOTE: (a) The Board of Appointment shall consist of :-

1) The Chairman of the Governing Council.

2) The Vice-Chairman of the Governing Council.

3) The Director.

b) The appointing authority concerned shall make appointments from among the candidates selected by the concerned selection committee as provided by these rules separately.

10. " SELECTION COMMITTEE" means the Selection Committee as specified under rule 6 of Annexure- I :-

11. "CONTROLLING AUTHORITY" means the authorities in relation to categories of posts as specified below:-

POST	AUTHORITY
Director	Chairman
Group A & B Posts	Board of Appointment
Group C & D Posts	Director

NOTE: The Director is the controlling authority in respect of travelling allowances, daily allowances and medical claims for all the employees of the Institute.

12. "EMPLOYEES" means a person in the service of Institute in any post and includes the Academic Staff;

13. "ACADEMIC STAFF" means any member of the staff engaged wholly or partly in teaching and /or research and declared as such by the Director;
14. "ADHOC EMPLOYEE" means a person appointed temporarily against a sanctioned post in the exigencies of Institute service, but not appointed regularly as per rule/s of recruitment to that service.
15. "Rules" means the Rules and Regulations of the Institute;
16. "Year" means the Financial Year ending 31st March.
17. "STATE" means the Karnataka State.
18. "PAY" means the pay admissible, for a post held by the employee and includes "Personal Pay" . "Special Pay" or any allowance specially included in the term "PAY" by the Governing Council but shall not include any other allowance, fee or honorarium.

Other terms not specifically defined here shall have the same meaning assigned to them in the KCS General Recruitment Rules 1957. Karnataka Civil Service Rules and the Karnataka Financial Code 1958 and other rules as are applicable to State Government Employees.

#### **4. PAY AND RECRUITMENT RULES:**

Pay and Recruitment Rules of the Indira Gandhi Institute of Child Health shall be as specified in Annexure 1 of these Rules.

#### **5. CONDITIONS OF SERVICE RULES AND MISCELLANEOUS PROVISIONS:**

Rules relating to conditions of service and miscellaneous provisions shall be as specified in Annexure - 2 these rules.

ANNEXURE - 1

**PAY AND RECRUITMENT RULES**

**1. CLASSIFICATION METHOD OF RECRUITMENT OF POSTS Etc.,**

- a) The Institute shall have posts of Group 'A', Group 'A', Group 'B', Group 'C' and Group 'D' of such number and carrying such pay scale for each category of such posts as indicated in the Schedule I appended to these rules.
- b) The method of recruitment, the qualifications prescribed for appointment and age limits for such recruitment for such categories has shall be as indicated in Schedule II appended to these rules.

**2. APPOINTMENT TO THE POST:**

The Governing Council shall make appointment to the Post of the Director. The Board of Appointment shall make appointment to the other posts under Group 'A' and Group 'B' and the Director in respect of posts under Group 'C' and Group 'D'.

**3. MEDICAL QUALIFICATION:**

No person who does not possess any Medical Qualification shall be appointed to the posts of Director, Medical Superintendent and the Resident Medical Officer.

**4. RESERVATION OF POSTS;**

The appointing authority shall make reservation in the recruitment to the posts in the Institute for candidates belonging to Scheduled Caste and Scheduled Tribe and other Backward classes. As per the orders of the State Government issued from time to time for reservation under Article 16(4) of the constitution.

**..5.**



**5. APPLICATION FEE:**

The appointing authority shall fix the rate of application fee for each category of post not exceeding Rs.50/-. But in case of the candidates belonging to Scheduled Caste and Schedule Tribe and Group 'A', it shall be 25% of the fee prescribed for others.

**6. SELECTION COMMITTEE**

There shall be the following Selection Committee to make recommendations to the Governing Council, Board of Appointments, and to the Director for recruitment to the various posts of the Institute.

**(a) FOR THE POST OF DIRECTOR:**

- |  |       |                  |
|--|-------|------------------|
| 1. The Chairman of the Governing Council   | ....  | Chairman         |
| 2. The Vice-Chairman of the Governing Council                                    | ....  | Member           |
| 3. The Director of Medical Education   | ..... | Member           |
| 4. Two experts in the concerned subject to be nominated by the Governing Council | ..... | Member           |
| 5. Director, IGICH., where Director himself is not a candidate                   | ....  | Member-Secretary |

**(b) FOR THE POST OF PROFESSORS/SURGEONS/SPECIALISTS/CHIEF RESEARCH OFFICER/CHIEF ADMINISTRATIVE OFFICER.**

- |   |       |                  |
|---|-------|------------------|
| 1. The Vice-Chairman of the Governing Council   | ....  | Chairman         |
| 2. The Director of Medical Education  | ..... | Member           |
| 3. One expert in the concerned subject to be nominated by the Chairman of the Governing Council | ..... | Member           |
| 4. Vice-chancellor of Bangalore University or his nominee                                       | ..... | Member           |
| 5. Head of the concerned Division   | ..... | Member           |
| 6. The Director, Indira Gandhi Inst. of Child Health.   | ....  | Member-Secretary |

**(c) FOR THE POST OF ASST. PROFESSORS/LECTURERS/ RESEARCH ASSISTANTS/RESIDENTS.**

1. The Director IGICH	....	Chairman
2. Director of Medical Education or his nominee	.....	Member
3. A nominee of the Vice-chancellor of Bangalore University	.....	Member
4. An Officer of the rank of Dy.Secretary to Government nominated by the Government	.....	Member
5. One outside expert in the concerned subject to be nominated by the Director .	.....	Member
6. Head of the Department in the concerned Subject of the Institute	.....	Member
7. Administrative Officer , IGICH.	.....	Member- Secretary

**(d) FOR GROUP B,C AND D POSTS:**

1) The Director	.....	Chairman
2) An Officer of the rank of Dy. Secretary to the Govt. nominated by the Government.	.....	Member
3) Medical Superintendent .	.....	Member
4) Administrative Officer .	.....	Member-Secretary

**(e) RESIDENT & RESEARCH ASSISTANTS:**

1) The Director	.....	Chairman
2) Chairman of the Division	.....	Member
3) Head of the Department	.....	Member
4) Administrative Officer .	.....	Member-Secretary

**(f) P.G. SELECTION COMMITTEE:**

1) The Director	.....	Chairman
2) Nominee of the Bangalore University	.....	Member
3) Nominee of the Director of Medical Education.	.....	Member
4) Chairman of the Division Head of the Department	.....	Member
5) Medical Superintendent	.....	Member-Secretary

## **7. MODE OF THE FILLING UP OF POSTS:**

The posts in the Institute may be filled by invitation/promotion/open advertisement or by deputation from State Government as may be deemed for by the appointing authority in the interest of Institution service.

## **8. FUNCTIONS OF THE SELECTION COMMITTEE;**

- a) The Selection Committee shall meet at Bangalore.
- b) It shall decide the procedure for conducting the selection and examine the credentials of the all applicants, who are being considered for appointment to the posts.
- c) It shall prepare a panel of names in the order of merit having due regard to the reservation of posts for SC and ST and other backward classes.
- d) Where a candidate has applied for any post, it shall be open to the Selection Committee to recommend the candidate for appointment to any other post whether it will be equivalent or higher or lower than the post applied for,

## **9. VACANCY DUE TO DEATH:**

Where a vacancy occurs in any post owing to death, resignation or any other reason within six months of the incumbent joining duty, the appointing authority may offer the appointment to the next candidate if any, recommended by the selection committee.

## **10. PERMANENT AND TEMPORARY POSTS:**

- 1) The posts created by the Governing Council in accordance of Rules and Regulations of the Institute, may be either permanent or temporary as the Governing Council may specify from time to time.
- 2) Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director.
- 3) Notwithstanding anything contained in Rules and Regulations or in the Bye-laws or in the Cadre & Recruitment Rules of the Institute, the Governing Council may invite a person of high academic distinction and professional attainment to accept post of Professor. surgeon/ specialists/dentists on such terms and conditions as the Governing Council may approve from time to time.

4) The Governing Council may appoint a person of high academic distinction or professional attainment in any other University, or Institute or organisation in India or abroad for undertaking a joint project in accordance with clause 3 sub-clause (18 ) of the Memorandum of Association of the Institute.

5) The Governing Council, if it deems fit, may create honorary consultant posts to fill such specialists lacunae in the interest of delivery of satisfactory patient services or in the interest of furtherance of cardiac research, basic or clinical as the case may be;

#### **11. DIRECT RECRUITMENT:**

The Governing Council may from time to time and notwithstanding the anything to the contrary in these rules at its discretion, arrange direct recruitment at any level to meet the demands of specialisation and or to attract highly qualified personnel for the service of the Institute. The Governing Council at its discretion any relax the prescribed qualification and experience in special circumstances, where the candidate with the qualification provided are not available.

#### **12. ADVANCE INCREMENTS ON INITIAL APPOINTMENT:**

a) The Selection Committee may recommend advance increments not exceeding five on initial appointment in particular case having regard to the special qualification, attainments, experience and such other similar aspects of the candidates.

b) The appointing authority shall take into consideration such recommendation while fixing the initial pay of the person appointed.

#### **13. APPOINTMENTS TO POSTS IN ADDITION TO SANCTIONED CADRE:**

Notwithstanding anything contained in these Rules:

a) The Governing Council may take appointment to posts other than those in the sanctioned cadres on such terms and conditions as it may decide in each case.

b) Specialists and scholars may be invited by the Director to participate in the work of the Institute for specific period on such honoraria as may be fixed by the Governing Council.

#### **14. PROBATION:**

- a) Unless otherwise decided by the appointing authority in any case, every employee shall be on probation for a period of two years, provided that such probation is not applicable in the case of an employee who has undergone probation while in Government service in an equivalent post and such probation had been declared to the satisfactory.
- b) During the period of probation, the employee shall be required to put in satisfactory service failing which his services shall be liable for termination at any time without any prior notice or without any reason being assigned for the same by the appointing authority.
- c) The period of probation may, for reasons to be recorded in writing, be extended by the appointing authority.

#### **\*\*\*\* 15. PROMOTION TO HIGHER POSTS:**

Subject to the provisions of the recruitment rules of the Institute and in cases where the Governing Council has decided that a post be filled by promotion from among the qualified members of the staff, the appointing authority shall consider the names of members of the staff recommended for promotion by a review committee.

NOTE: The review committee shall consist of the following Members:

<b>Promotion Review Committee</b>		
<b>1</b>	<b>Principial Secretary Health and Family Welfare Dept. (Medical Education Govt.Karnataka)</b>	<b>... Chairman</b>
<b>2</b>	<b>Deputy Secretary Health and Family Welfare Dept. (Medical Education Govt.Karnataka)</b>	<b>.... Member</b>
<b>3</b>	<b>The Director , Medical Education.</b>	<b>.... Member</b>
<b>4</b>	<b>The Medical Superintendent, IGICH</b>	<b>.....Member</b>
<b>5</b>	<b>The Director, IGICH</b>	<b>....Member Secretary</b>

**\*\*\*\* 15. PROMOTION TO HIGHER POSTS review committee: 'AMENDED' - As approved at the Governing Council Meeting held on 22.07.2016.**

#### **16. OTHER PROVISION**

In respect of matters not specifically provided here relating to pay, Recruitment and promotion, the appropriated rules of the State Government will mutatis mutandis apply to the employees of the Institute.

#### **17. INTERPRETATION:**

In case of any doubt or difficulty, the Governing Council shall interpret these rules and the decision of the Governing Council shall be final and binding on the concerned.

ANNEXURE - 2

CHAPTER -1

CONDITIONS OF SERVICE RULES

**1. SENIORITY:**

The Director shall prepare and publish a seniority list of all the staff the Institute both Intra and interdepartmental in accordance with the provisions of the Seniority Rules of the State Government or such rules to be framed by the Governing Council from time to time.

**2. COMPULSORY INSURANCE**

An employee who has completed one year of approved service, shall within one year, thereafter, insure his/her life with LIC of India/PLI for a policy maturing at the age of superannuation for an amount for which the premium of 6 1/2% of the mean pay of the time scale of the post held by the employee on the date of Insurance. The recovery of the premium shall be by deduction from the salary of the employee to be paid from Indira Gandhi Institute of Child Health funds.

An employee who has already taken out such a policy either from KGID or LIC or PLI need not take out a fresh policy, if the policy taken earlier is alive and unencumbered. If the maximum of the scale of pay of the post of an employee is increased due to promotion or revision of the scale of pay he/she shall within six months of such change, effect additional insurance to cover the differences.

The provisions of Insurance is not applicable to any employee who is declared in eligible for insurance under the relevant rules and to the employees shall subscribe to the Public Provident Fund at 6% of the basic pay of the employees belonging to the religious order may nominate the Head of the respective Religious congregations as nominee;

**3. TOTAL ABSENCE FROM DUTY:**

A permanent employee shall cease to be in the service of the Institute, if he/she is continuously absent from duty for five years without leave unless such absence is on foreign service in India or because of suspension. In respect of a temporary employee and staff against temporary post, the limit of absence shall not be more than 3 months except in case of illness.

#### **4. TERMINATION:**

1) All appointments shall be terminable on a notice in writing either by the appointing authority or the employee without assigning any reason as set out below:-

- (a) During the period of probation - 1 Month;
- (b) After completion of the period of probation - 3 months ;

2) The Notice referred to in Rule (1) above shall not be necessary if in lieu thereof an amount equal to the pay and allowance for the period of notice is paid.

3) In the case of permanent appointment if the order of termination is passed by any authority other than the Governing Council, an appeal shall lie to the Governing Council, against the order within a period of 30 days from the date.

#### **5. OTHER PROVISIONS:**

In respect of the following matters, the rules and order applicable to the State Government employees shall apply to the employees of Indira Gandhi Institute of Child Health, subject to such modification as may be made by the Governing Council from time to time.

1. Medical Fitness
2. Leave, hours of duty and holidays.
3. Dearness Allowance, CCA, HRA, Washing Allowance, Uniform Allowance, Risk Allowance, Conveyance Allowance, Special pay.
4. Travelling Allowance, Daily Allowance, Leave Travel Concession (Home Town and any place in India).
5. Termination of service and Resignation
6. Loans and advances to employees
7. Medical Attendance
8. Probation Rules

In the applicability of the above rules to the employees of the Institute, references to Government of Karnataka shall be deemed to be the references to the Governing Council.

## **6. LEAVE TO ADHOC EMPLOYEES:**

Adhoc employees are entitled to only one day casual leave for each completed month of services in addition to General Holidays.

## **7. SUPPERANNUATION**

"The age of Superannuation for all regular employees of the Institute shall be 58 years and it shall be 60 years for the Scientific and Technical staff".

## **8. RETIRING PENSION:**

1) An employee of the Institute may retire from service any time after completing 20 years of qualifying service provided that he shall give in this behalf a notice in writing to the appropriate authority, atleast three months before the date on which he wishes to retire subject to the following conditions:

a) Employee retiring under this scheme shall be entitled to retiring pension/gratuity.

b) While granting the retiring Pension/Gratuity to an employee retiring under this scheme, weightage upto 5 years shall be given as an addition to the qualifying service actually rendered by him. The grant of such weightage shall however be subject to the condition that the total qualifying service after allowing the weightage shall not in any case, exceed the qualifying services which the employee would have had, if he had retired on attaining the age of superannuation.

c) The weightage given under this scheme shall be only an addition to the qualifying service, if purposes of pension and gratuity and shall be entitle an employee retiring voluntarily to national fixation of pay for purpose of calculation of pension and gratuity.

d) The amount of pension/gratuity to be granted after giving the weightage shall be subject to the right of the institute or any competent authority to make reduction there in accordance with the provisions of the Karnataka Civil Service Rules, if his service is not satisfactory.

e) The scheme of voluntary retirement under these orders shall not be applicable to employees who propose to get absorbed in autonomous bodies/public section undertakings etc.,



f) The voluntary retirement shall not become effective merely on the ground that a notice to that effect has been given by the employee, unless it is duly accepted by the appointing authority. Such acceptance may be generally given in all cases except those:-

i) in which disciplinary proceedings are pending on the employee concerned for the imposition of a major penalty and the disciplinary authority having regard to the circumstances of the case, is of the view that the imposition of the penalty of dismissal or removal from services would be warranted in the case, or

ii) in which prosecution is contemplated or may have been launched in a court of Law against the employee concerned and, where it is proposed to accept the notice of voluntary retirement in such cases, prior approval of Governing Council in case of staff under Group 'A' , Group 'B' should invariably be obtained.

Governing Council may on the recommendation of the Director for the reasons to be recorded in writing, by order, retire any employee after he has completed twenty years of qualifying service or after he has attained fifty years of age. If such retirement is in their opinion necessary in the interest of the Institute service provided that an employee concerned is given notice of three months before the date of retirement, or in lieu of such notice, a sum equivalent to the amount of his salary is paid in lieu of notice the period in respect of which the employee is paid salary shall be treated as duty and any increment that accrues during the said period shall be taken into account for determining the salary payable in lieu of notice and the amount of pension.

#### **9. PENSION:**

1) The employee retiring from service from Indira Gandhi Institute of Child Health, shall be eligible for pension. pension is payable :

a) On retirement by reason of attaining the age of superannuation.

b) On voluntary retirement after completing the prescribed period of qualifying service;

c) On retirement before the age of superannuation under a medical certificate of permanent incapacity for further services;

d) On discharge due to the abolition of the post or other causes not due to the fault of the employee.

2. An employee may also be permitted to retire on proportionate pension at any time , after attaining the age of 50 years provided no enquiry is pending against him/her and no proposal for holding an enquiry is under consideration, provided that he shall give in this behalf a notice in writing to the Director atleast three months before the proposes to retire. In regard to retirement under Medical Certificate under rule 9(1) (c) above, the corresponding rules in the KCSRs shall apply mutatis mutandis.

The amount of pension or service gratuity and DCRG admissible will be according to the scale prescribed by the State Govt. from time to time.

3. In respect to previous qualifying service, if any under State Government rendered by an employee, proportionate pensionary benefits as prescribed in G.O.No. FD 70 SRS 77, dated 27.10.1977 will be sanctioned and paid by Government.

4. The leave is treated as qualifying service to the extent to which it would be treated as qualifying service according to the provision of KCSRs.

5. Unauthorised absence from duty other than as per Rule 106 A 162 of KCSRs constitutes interruption of service entailing forfeiture of past service; other interruptions in the service of the employee shall not entitle forfeiture of past service. The period/periods of such interruptions will not count as service qualifying as service for pension.

**6. EXPLANATION:**

A strike of the employee as defined in Karnataka Civil Service (Prevention of strikes) Act 1966, including refusal or abstaining from doing work though physically present at the place of duty by resorting to pen-down strike or stay-in strike or unauthorised absence from duty for purpose of this rule.

**6. Commutation of pension is** permissible in the same manner and subject to the same conditions as prescribed in the Rules in chapter XXIII of Part IV of the KCSR and as amended by the Government Orders issued from time to time.

7. The formal application for pension in the appropriate form of the KCSRs shall be made to the Director. The pension admissible shall be sanctioned by the Director.

Note: The payment of Pension/Family Pension shall be arranged through Banks.

8. The Pensioners under these Rules are also eligible to draw Dearness Allowances and any other allowances in accordance with the orders issued by the State Government, from time to time in respect of the State Pensioners.

9. Whenever the delay in the sanction of the pension is anticipated, the Director may sanction an anticipatory pension not exceeding the amount specified in Government Order No.FD (Spl) 59 CPP 80 , dated 29.06.1981.

NOTE: The anticipatory pension shall be sanctioned by the Director from the date of retirement and payment shall commence with effect from the date on which the employee finally quits the service. The payment of pension shall commence only with effect from the date on which the employee finally quits the service.

#### **10. FAMILY PENSION:**

a) The Karnataka Government Family Pension Rules 1964 shall apply mutatis mutandis to the employees of the Institute as amended from time to time.

#### **11. PENSION FUND**

Pension Fund of the Institute shall consist of the Annual contribution by the Institute to the made either in monthly installments or in a single installment at any time before the close of the financial year, equal to 10% of the total pay drawn by the employees governed by these rules during the year.

A separate account shall be opened for the pension fund. The Director or any other officer authorised by him shall operate the fund and maintain accounts of the Fund including the disbursements of the pension and Family Pension.

Pension fund shall be invested with the approval of the Chairman in the Fixed Deposit in the Scheduled Banks, National Savings Certificates, Time Deposits in the Post Office or any other scheme and Government Securities to obtain maximum return on the investments.

## **12. RECOVERY OF DUES:**

Institute further reserve themselves the right of with holding of withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from pension of the whole or part of any pecuniary loss causes to Institute if in departmental or judicial proceeding the pensioner is found quality of grave misconduct or negligence during the period of his service, including service, including service rendered upon re-employment after retirement.

### **PROVIDED THAT:**

a) Such departmental proceeding, if instituted while the officer was in service, whether before his retirement or during his re-employment, shall after the final retirement of the officer, be deemed to be a proceeding under this rule shall be contained and concluded by the authority by which it was commenced in the same manner as if the officer has continued in service.

b) Such departmental proceeding, if not instituted while Officer was in service, whether before his retirement or during his re-employment.

i) Shall not be institute save with the sanction of Governing Council.

ii) Shall not be in respect of any event which took place more than 4 years before such institution; &

iii) Shall be conducted by such authority and in such place as Governing Council may direct and in accordance with the procedure applicable to departmental proceedings in which an order is dismissal from service could be made in relation to the employer during his service.

c) No such judicial proceedings, if not instituted while the employee was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which across or an event which took place more than 4 years before such institution.

12. 1) Where any departmental or judicial proceedings is instituted under rule 12, or where a departmental proceedings is continued under clause (a) of the provisions there to against the employee who was retired on attaining the age of compulsory retirement or otherwise he shall be paid during the period commencing or from the date of his retirement to the date on which upon conclusion of such proceeding final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service upto the date of retirement or if he was under suspension on the date of retirement upto the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

2. Payment of provisional pension made under clause (1) shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or with held either permanently or for a specified period.

13. In cases not governed by the provisions of rule 12, the following rules shall govern the recoveries from pension and compassionate allowances;

1) A claim may become known and the question of recovery may arise.

a) When the calculation of pension is being made and before the pension is actually sanctioned or;

b) After the pension has been sanctioned.

2) The claim and the recovery may be one or other of the following:

a) Recovery of penitive measure in order to make good the loss caused to Institute as a result of negligence of fraud on the part of the person concerned while he was in service.

b) Recovery of other Institute dues such as over issues of pay, allowances or leave salary or admitted and obvious dues such as house rent, life insurance premia, outstanding motor car, house building, travelling and other advances.

c) Recovery of non-Institute dues.

3) In case falling under clause (1) (a) above, none of the recoveries mentioned in Clause (2) (a) to (c) above may be effected by a reduction of the pension about to be sanctioned except in the following circumstances:

a) When the service of a Government servant can be held to have been not thoroughly satisfactory, a reduction in the amount of pension may be made by a competent authority although no direct penal recovery from pension is permissible.

b) When the pensioner by request made or consent given has agreed that the recovery may be made (provided such recovery is restricted to the amount of pension which has already become payable on the date of the agreement or consent ). If such request is not made or consent is not given by the Pensioner, even sums admittedly due to Institutes such as house rent, outstanding advances etc., may not be recovered from pension.

In such cases, however, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from person, for example by being to a Court of Law, if necessary.

4) In cases falling under clause (1) (b) above none of recoveries mentioned in clause (2) (a) to (c) above may be effected by deduction from the pension already sanctioned except at the request or with the express consent of the pensioner;

1 (Provided such recovery is restricted to the amount of pension which has already become payable on the date of such agreement or consent). In cases where the pensioner does not agree to recovery being made even sums admittedly due to Institute action as indicated in the last sentence of clause (3) may be taken.

Notwithstanding the pension rules applicable to an Institute servant, it is permissible to make recovery of Institute dues and any pecuniary loss found to have been caused to Institute in an departmental or judicial proceedings instituted against such institute servant under rule 12 from the death-cum-retirement gratuity or any other gratuity payable to the Institute servant without obtaining his consent and when the Institute servant is dead without obtaining the consent of the members of his family.

**14. RESIDENTIAL ACCOMMODATION:**

1. The Director, The Medical Superintendent and the Resident Medical Officer of the Institute (Subject to availability), will be provided with free houses in the campus of the Institute, in which they will be required to reside and they are not entitled to get HRA at the prescribed rates.
2. Other employees of the Institute may be provided houses in the campus of the Institute, in which they are required to reside if so desired by the Director subject to payment of License fee as per rules of the State/Institute in the matter.
3. The occupants of the houses shall pay extra for water, electricity and other services made available to them.
4. The other rules with regard to occupation vacation, eviction, and levy of penal License fee etc., shall be as prescribed by the State Government.

....20.

## CHAPTER - II

### CONDUCT AND DISCIPLINARY PROCEEDINGS RULES

#### **1. DISCIPLINARY AND APPELATE AUTHORITY:**

The particulars of the appointing, Disciplinary and Appellate authority in respect of particular category of posts or holders of such posts shall be as specified in Schedule - III.

#### **2. NATURE OF PENALTIES:**

One or more of the following penalties for good and sufficient reasons may be imposed on the employees, namely;

- i) Fine in the case of the employees belonging to Group 'D'
- ii) Censure
- iii) "Withholding of increments; (iii-a)  
"Withholding of promotion (iii-b)
- iv) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders of Indira Gandhi Institute of Child Health, Bangalore or to any pension, body or authority, to whom the service of the employee had been lent
- iv -a) "reduction to a lower stage in the time scale of pay for specified period, with further directions as to whether or not the Government servant will earn increments or pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay";
- v) "reduction to a lower time scale of pay, grade, post or service which shall unless otherwise, directed, be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced with or without further directions regarding;



- v- a) Seniority and pay in the scale of pay grade, post or service to which the employee reduced;
  - b) Conditions of restoration of the scale of pay grade or post of service from which the employee was reduced and his seniority and pay on such restoration to that scale of pay, grade, post or service".
- vi) Compulsory retirement :
- vii) Removal from service which shall not be disqualified for future employment;
- viii) Dismissal from service which shall ordinarily be a disqualification for future employment. "Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the order of the disciplinary authority, no penalty other than those specified in clause (vi) to (viii) shall be imposed for an established charge of corruption.

### **3. SUSPENSION:**

1. The Director in the case of members of the staff appointed by him, and the Board of Appointment in the case of others may place a member of the staff under suspension;
  - a) Where a disciplinary proceeding against him is contemplated or is pending: or
  - b) Where a case against him in respect of any criminal offence is under investigation or trial.
2. Subsistence allowance at an amount equal to 75% of the pay which the employee was in receipt of or which would have received but for his proceeding of being on leave immediately prior to the date of suspension and in addition, dearness allowance, if admissible on the basis of the amount of such subsistence.

Provided that where the period of suspension exceeds twelve months, the authority which made or deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first twelve months as follows:

- i) the amount of subsistence allowance may be increased to an amount equal to 90% of the pay drawn or which he would have drawn but for proceeding or being on leave immediately prior to the date of suspension, if in the opinion of the said authority, the periods of suspension has been prolonged for reasons, to be recorded in writing not correctly attributable to the employee;
- ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first twelve months, if in the opinion of the said authority the period of suspension has prolonged due to the reasons to be recorded in writing, directly attributable to the employee;
- iii) the rate of dearness allowance will be based on the increased or as the case may be, the decrease amount of subsistence allowance admissible under sub-clause (i) or (ii).

3. If as a result of the enquiry the charge framed against a member of the staff is proved the Director in the case of those appointed by him, and the Board of Appointment in the case of any member of the staff, may at their discretion, inflict any of the following penalties;

- a) Censure
- b) Recovery from pay of the whole or part of any pecuniary loss caused to the Institute by negligence or breach or orders;
- c) Withholding of increments or promotion.
- d) Reduction in rank i.e., reduction to lowest post or a time scale or to a lower stage in a time scale;
- e) Removal from service.

Provided, however, no such member of the staff as aforesaid shall be reduced in rank, removed or dismissed from the service of the Institute until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Provided further that no such enquiry as aforesaid shall be necessary if reduction in rank, removal or dismissal is proposed on the ground of conviction by a criminal court.

4. A member of the staff aggrieved by any order imposing penalty passed by the Director against him shall be entitled to prefer an appeal to the appropriate authority against the order and there shall be no further appeal on the decision of the Governing Council.

No appeal under these rules shall be entertained unless it is submitted within a period of 3 months from the date on which the appellant received a copy of the order appealed against; provided that the Governing Council may entertain the appeal after the expiry of the said period if it is satisfied that the appellant has sufficient cause for not submitting the appeal in time.

5. In the case of an appeal against an order of removal or dismissal from service the Governing Council shall consider;

- a) Whether the procedure prescribed in the proceeding rules has been complied with, and if not, whether such non-compliance has resulted in a miscarriage of justice; and
- b) Whether the findings are justified; and
- c) Whether the penalty imposed is excessive, adequate or inadequate and pass orders,
  - i) Setting aside, reducing, confirming or enhancing the penalty or
  - ii) remitting the case to the Directory or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that the Governing Council shall not impose any enhanced penalty unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty.

6. When a member of the staff of the Institute has been dismissed, removed or suspended from service on certain charges and if the charges are not proved against him in appeal Governing Council may grant to him for the period of his absence from duty.

- a) If he is honorably acquitted - the full pay and allowance to which he would have been entitled if he had not been dismissed, removed or suspended from service: or
- b) If otherwise : such proportion of such pay and allowances as the Governing Council may prescribe.

In a case falling under Clause (a), the period of absence from duty shall be treated as a period spent on duty. In a case falling under clause (b), it shall not be treated as a period spent on duty unless the council so directs.

7. When an order imposing penalty not amounting to an order of removal of service under the rules is passed by the Governing Council, it shall be final and there shall be no further appeal.

8. Notwithstanding anything contained in these rules, the Governing Council may impose any of the penalties on the employees of the Institute and it may on its motion or otherwise, after calling for the records of the case, review any order which is made or applicable under these rules and,

- a) confirm, modify or set aside the order;
- b) impose any penalty or set aside, reduce;
- c) Confirm or enhance the penalty imposed by the order;
- d) remit the case to the Director or to any other authority, directing such further action or enquiry as it considered proper in the circumstances of the case or
- e) pass any such other orders as it deems fit.

Provided that an order imposing or enhancing the penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.

#### **4. PERFORMANCE OF DUTIES:**

Every employee shall perform such duties as have been entrusted to him and shall to the best of his ability carryout the lawful directions of the Governing Council or the Director or of any other authority he be may be subject to.

#### **5. WHOLE TIME SERVICE:**

Unless in any case it be otherwise distinctly provided, an employee shall be a twenty four hours employee of the Institute and may be called up on to perform any functions as required by the authority concerned.

## **6. ATTENDANCE TO DUTY:**

An employee who absents himself from duty without leave will not be entitled to any salary for the days of absence and the period of such absence shall be debited to his leave account as though if it were a half-pay leave to the extent of the period of half pay leave falls short of period of such absence unless the leave is granted by a competent authority for the days of such absence. Absence from duty of an employee without leave granted by a competent authority, will also render such employee liable to disciplinary action for misconduct except where the employee establishes to the satisfaction of the authority competent to sanction leave that he was unable to join duty for reasons beyond his control.

## **7. SERVICES OUTSIDE THE INSTITUTE:**

The specialist staff of the rank of Professors/Surgeons/ Asst.Professors and other may be permitted by the Director to offer their services to other institutions like Medical College, Hospitals, Nursing Homes and such other Institutions subject to the following conditions;

- a) They should not be drawing Non-practising allowance.
- b) The services must be outside the working hours of the Institute and without determent to their legitimate duties in the Indira Gandhi Institute of Child Health.
- c) The borrowing Institution should pay the fees or honorarium at such rates to be fixed by the Director to the funds of the Institution and,
- d) The staff deputed will have 60% of such earnings upto a maximum of Rs.1,00,000/- per annum, out of the fee or honorarium received by the Institute on their behalf.

## **8. DEPUTATION AND PERMISSION TO VISIT/WORK AND STUDY OUTSIDE THE INSTITUTE**

1. The Director may depute members of the academic and other staff to any place outside the Institute, but within India in the interest of the Institute service or for any other specified purpose. If the period of such deputation is in excess of six months, approval of the Governing Council shall be obtained.

2. In such cases of deputation, the Governing Council may required an undertaking in writing to serve the Institute on return for such period as it may prescribe.

## **9. DEPUTATION OUTSIDE INDIA:**

The Governing Council can approve the deputation of any staff members of the Institute to outside India, on such terms and conditions as it may prescribe.

## **10. GENERAL**

In respect of matters not specifically provided here, the provisions contained in the Karnataka Civil Services (Classification, Control and Appeal) Rules 1957, shall mutatis muttandis hold good to the employees of the Indira Gandhi Institute of Child Health. The reference made there in to Governor, Government and Head of the Department shall be construed as reference to Governing Council, Board of appointment and Director respectively.

## **11. CONDUCT RULES:**

In respect of matters not provided for in the rules, the Karnataka Government Servants conduct Rules 1957, shall muttatis mutandis applicable to the employee of Indira Gandhi Institute of Child Health.

## **12. CONFIDENTIAL RULES:**

In respect of matters not specifically provided here, the provisions contained in the Karnataka Civil Services (Confidential Reports) Rules 1976, for the time being in force, shall be applicable to the members of the staff of Indira Gandhi Institute of Child Health.

sd/-  
(M.Gurappa)  
Director  
Sri Jayadeva Institute of  
Cardiology, Bangalore.

sd/-  
(N.Anantha)  
Director  
Kidwai Memorial Institute of  
Oncology, Bangalore.

sd/-  
(Dr.D.G.Benakappa)  
Director  
Indira Gandhi Institute of  
Child Health, Bangalore.