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# INDIAN COUNCIL OF PHILOSOPHICAL RESEARCH

## (Service) Regulations, 1991

### Chapter I

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#### SR. 1. Short Title and Commencement

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- (1) These regulations may be called the Indian Council of Philosophical Research *(Service) Regulations, 1991*.
  - (2) They shall come into force on the date of their approval\* by Government.

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#### SR. 2. Applications

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- (a) These regulations shall apply to every employee of the Council.
  - (b) Notwithstanding anything contained in sub-regulation (1) the Council may, following the Government guidelines, make such special provisions regarding the conditions of service as it considers necessary in the case of contract appointments.

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#### SR. 3. Definitions

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- (1) In these regulations, unless the context requires otherwise:
    - (a) "Appointing Authority" in relation to any post under the Council, shall mean the authority competent to make appointments to that post under Regulation 6;

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\* Approved by Ministry of HRD, Deptt. of Education vide letter no. 25-28/88-U.3 dt. 25 September 1991.

- (b) "Borrowed Employee" shall mean an employee of any other authority whose services are obtained by the Council on loan;
- (c) "Chairman" shall mean the Chairman of the Council;
- (d) (i) "Controlling Authority" shall mean Member -Secretary or any other officer who may be authorised by him from time to time for Head Quarter's office, New Delhi, and Director for the Academic Centre, Lucknow;  
(ii) Chairman in relation to the post of Member-Secretary.
- (e) "Council" shall mean the Indian Council of Philosophical Research;
- (f) "Director" shall mean the Director of the Council;
- (g) "Employee" shall mean any person serving the Council;
- (h) "Foreign Service" shall mean service for which an employee receives, with the approval of the Controlling Authority his pay from any source other, than the funds of the Council;
- (i) "Governing Body" shall mean the Body of the Council constituted under Rule 28 of the Rules of the Council;
- (j) "Government" shall mean the Government of India;
- (k) "Member Secretary" shall mean the Member Secretary of the Council;
- (l) "Pay" shall mean the pay admissible on the relevant date and any other emoluments which may be specially classified as pay, but shall not include any allowances, fee or honorarium;
- (m) "Schedule" shall mean the Schedule to these Regulations;
- (n) "Selection Committee" in respect of a post shall mean the Committee of that name as provided in the Rules and Regulations of the Council;
- (o) All words and expressions used but not defined in these regulations and defined in the Rules of the Council shall have the meaning respectively assigned to them in the said Rules;

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- (p) Where a question arise in regard to the interpretation of these Regulations, the decision of the Governing Body on that question will be final.

## Chapter II

### SR. 4. Creation and Grouping of Posts

Grades and categories of posts:

- (1) The posts under the Council shall be divided according to the pay scales into four Groups specified in Schedule 1.
- (2) The Governing Body may by resolution approve:
  - (i) the creation of any new grade or category of posts subject to the provisions contained in Regulation 5 hereunder.
  - (ii) the abolition of any category of posts;
  - (iii) the revision of the pay scale of any post except that carrying the scale of pay the maximum of which exceeds Rs. 4500/-  

Provided that no post shall be created in or its scale of pay revised to, scale of pay other than that prescribed by the Government. Provided further that creation of posts will be subject to such instructions as the Government may issue from time to time;
  - (iv) the schedule shall stand amended in accordance with the resolution passed by the Governing Body under this Regulation and approved by the Government.

### SR. 5. Number and Duties of Posts

Governing Body on the recommendation of the Finance Committee shall have the power:

- (i) to determine the number of posts in that category;

- (ii) to create or abolish any post in that category;
- (iii) to determine whether any post created in that category shall be temporary or permanent;
- (iv) to specify the period for which a temporary post is created;
- (y) to determine the duties attached to any post in that category; and
- (vi) to determine whether a post shall be a contract post and determine the pay and other facilities that shall go along with such posts;

Provided that the creation of any post carrying/scale of pay the maximum of which exceeds Rs. 4500/- shall be made with the prior approval of Government.

### **Chapter III**

## **RECRUITMENT**

#### **SR. 6. Appointing Authorities**

Appointment to a post under the Council shall be made

- (i) in the case of group C and D posts by the Director;
- (ii) in the case of group B posts by the Member-Secretary; and
- (iii) in the case of group A posts by the Chairman, provided that appointment to the posts in the scale of pay the maximum of which exceeds Rs. 5300/- other than Member-Secretary, shall be made by the Council with the prior approval of Government.

#### **SR. 7. Methods of Recruitment**

- (1) Recruitment to a post under the Council shall be made by one of the following methods, namely;
  - (i) promotion;

- (ii) direct recruitment;
  - (iii) transfer on deputation/foreign service;
  - (iv) on contract for a specified period as laid down in the relevant Recruitment Regulation for various posts.
- (2) While making appointments, the Appointing Authority shall follow the Government instruction/orders for reservation for employment of SC and ST in the Council.

#### **SR. 8. Recruitment by Promotion**

- (1) Appointment to a post by promotion shall be made in accordance with the relevant Recruitment Regulations.
- (2) Appointment by promotion whether on the basis of seniority-cum-fitness or on the basis of selection on merit shall be made on the recommendations of a departmental promotion committee as provided in the Recruitment Regulations.

#### **SR. 9. Direct Recruitment**

- (1) Appointment by direct recruitment to any post shall be made on the recommendation of a Selection Committee;
- (i) From amongst candidates recommended by the Employment Exchange on requisition; or
  - (ii) From amongst candidates employed in Government departments, autonomous or statutory organisations etc. who apply in response to any circular, or
  - (iii) From amongst candidates applying in response to an advertisement;
- (2) For the post of Director and any higher post the selection Committee may consider any person who has not applied or by invitation.

#### **SR. 10. Qualifications**

- (1) The qualifications for appointment to any post shall be such as may be prescribed in the Recruitment Regulations for the said post.

- (2) The prescribed qualifications and experience may be relaxed at the discretion of the Selection Committee/Departmental Promotion Committee in the case of candidates belonging to Scheduled Castes and Scheduled Tribes, if at any stage of selection, they are of the opinion that sufficient number of candidates from these communities possessing requisite qualifications/ experience are not likely to be available for filling up vacancies reserved for them.

#### **SR. 11. Age at Entry**

The minimum age of direct recruits to the posts in Groups 'C' & 'D' shall be 18 years and the maximum age shall be 28 years. The Chairman may relax these limits in exceptional cases on the recommendation of the Selection Committee. For posts in other groups the age limits shall be such as may be prescribed in the relevant Recruitment Regulations.

Provided, however, that the age limits for all posts are relaxable, as per Government Orders in force from time to time in respect of Scheduled Castes/Scheduled Tribe candidates and other category of candidates.

- (1) The Member-Secretary shall be appointed by The Council with prior approval of the Central Government.
- (2) The recommendation, terms and conditions of service, powers and duties and the procedure for selection of Member-Secretary shall be as specified in the "ICPR (Recruitment of Member Secretary) Regulations, 1990".

#### **SR. 12. Fitness**

No person shall be appointed to any post by direct recruitment unless:

- (i) He produces a certificate of health in prescribed form from the medical officer/medical practitioner approved by the sanctioning authority in this behalf; any fees paid by him for the production of such a certificate will be reimbursed to him if he is declared fit in the first examination, but any fees paid by him for any subsequent examination, on his being declared temporarily unfit in the first examination will not be reimbursed.

Provided, however, that no certificate of health shall be necessary in suitable cases of tenure appointments as decided upon by the Sanctioning Authority;

- (ii) The Appointing Authority is satisfied that he possesses good character and antecedents.
- (iii) He signs a declaration regarding his marital status in the prescribed form, before the Appointing Authority.
- (iv) He takes an oath of allegiance to the Constitution of India before the Appointing Authority.

**SR. 13. The Date from which the Appointments take effect**

All appointments take effect from the date on which the appointees report themselves for duty at the Council or at such other place as may be indicated by the Appointing Authority in the offer of appointment.

## **Chapter IV**

### **TENURE**

**SR. 14. Probation**

- (1) Every person appointed to a post under the Council whether by promotion or by direct recruitment, shall be on probation in such post for a period of two years provided that the appointing authority may, in any case, for reasons to be recorded in writing waive, reduce or extend the period of probation. The extension of the period of probation shall not exceed one year.
- (2) Where a person appointed to a post under the Council on probation is, during his period of probation, found unsuitable for holding that post, or has not completed his period of probation satisfactorily, the Appointing Authority may:

- (i) in the case of a person appointed by promotion, revert him to the post held by him immediately before such appointment;
  - (ii) in the case of a person appointed by direct recruitment, terminate his service under the Council at any time by a notice of one month in writing or on payment of one month's pay and allowances in lieu of such notice.
- (3) Every person appointed to a regular post, whether permanent or temporary, under the Council by promotion or by direct recruitment shall, on satisfactory completion of his period of probation, be eligible for confirmation in that post.
- (4) No employee shall be confirmed in any post unless the service of the employee under the Council is approved by the Appointing Authority on the recommendation of the Departmental Promotion Committee.

#### **SR. 15. Confirmation**

- (1) Confirmation will be made only once in the service of the employee which will be in the entry grade and seniority will be determined on the basis of confirmation in that grade.
- (2) Lien which represents the right/title of the employee to hold a regular post, whether permanent or temporary, either immediately or on termination of the periods of absence will be enjoyed by the employees who are confirmed in the grade of entry or who have been promoted to a higher post declared as having completed the probation. The right/title will, however, be subject to the condition that the junior most employees in the grade will be liable to be reverted to the lower if at any time the number of employees is more than the posts available in that grade.
- (3) The above rules shall not apply to persons appointed on ad-hoc basis or against posts/establishments for specific and purely temporary periods.

#### **Sr. 16. Temporary and Permanent Service**

- (1) An employee shall be a temporary employee of the Council till he is confirmed in a regular post under the Council.



- (2) An employee employed and confirmed in a post under the Council shall be a permanent employee of the Council.

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### SR. 17. Termination of Service

- (1) The services of a temporary employee may be terminated by the Appointing Authority without assigning any reason by notice of one month in writing to the employee or on payment of one month's pay and allowances in lieu of such notice.
- (2) Without prejudice to the provisions of Sub-Regulation (i) the services of the temporary employee shall stand terminated:
- (i) if his appointment is made for a specified period on the expiry of such period, unless the appointment is extended for a further period, or
  - (ii) if his appointment is made against a temporary post, on the abolition of the post, or on the expiry of the period for which the post is created; or
  - (iii) if he falls to resume duty on the expiry of the maximum period of extra-ordinary leave granted to him under Regulation 30 and after his explanation, if any, in reply to a show cause notice, which should be given in all such cases, has been taken into account.
- (3) The services of a permanent employee may be terminated by a notice of three months, or on payment of pay and allowances for such period as the notice falls short of three months, or without notice on payment of three months, pay and allowances, if the post in which he is confirmed is abolished.
- (4) An employee who is given notice of termination of service under sub-regulation (3) may be granted during the period of notice such earned leave as may be admissible to him, and where the leave so granted is more than three months, his service shall be terminated on the expiry of such leave.

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### SR. 18. Retirement

- (1) An employee shall retire from the service of the Council:
- (i) on his being declared medically unfit for service by a

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Medical Board to be designated by the Governing Body in this behalf; or

(ii) on the imposition of the penalty of compulsory retirement; or

(iii) on the last day of the month in which he attains the age of superannuation, which will be as follows:

(a) 60 years if he is holding a Group 'D' post as given in Schedule; 1

(b) 58 years in all other cases.

Provided that in the case of a person whose date of birth is on the first of the month, he shall retire from his service on the afternoon of last of the preceding month.

(2) In exceptional cases, an employee may, with the sanction of the Governing Body, be retained in service, on extension or re-employment basis after attaining the age of superannuation on a year-to-year basis for a period not exceeding two years provided such retention is in the interest of the Council.

(3) Anything contained in Sub-regulation (1) the Appointing Authority shall, if it is of the opinion that it is in the Council's interest to do so have the absolute right to retire any employee by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice, after he has attained the age of 55 years.

(4) Any 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 55 years.

Provided that it shall be open to the Appointing Authority to withhold permission to an employee under suspension who seeks to retire under this Sub-Regulation.

#### **SR. 19. Resignation**

(1) A temporary employee may, by notice of one month in writing addressed to the Appointing Authority, resign from the service of the Council.

- (2) A permanent employee may, by notice of three months in writing addressed to the Appointing Authority, resign from the service of the Council.
- (3) The Appointing Authority may, if it deems proper in any special circumstances, permits an employee to resign from the service of the Council by notice of less than a month or three months, as the case may be.
- (4) The resignation shall be effective from the date of its acceptance by the Appointing Authority.
- (5) The Appointing Authority may, if it deems proper, permit an employee to withdraw the resignation which has not become effective.

## Chapter V

### PAY

#### **SR. 20. Scales of Pay**

The scales of pay for the posts under the Council shall be as specified in Schedule 1, as amended from time to time.

#### **SR. 21. Initial Pay**

An employee shall, on his appointment to a post on a time-scale of pay, draw pay at the minimum of the time-scale unless higher pay is admissible under Regulation 22.

#### **SR. 22. Fixation of Initial Pay, Drawal of Increments, Leave, Salary, etc.**

Government rules regarding fixation of initial pay, Special Pay, Personal Pay, drawal of increments, and salary and allowances during leave of various kinds or suspensions shall apply *mutatis-mutandis* to employees of the Council.

### **SR. 23. Pay of Re-employed Persons**

- (1) The pay of the persons who are re-employed after retirement from Government Service or service of a University or Public Sector undertaking or Government aided autonomous organisations shall be fixed in accordance with the Government instructions governing fixation of pay, contained in Central Civil Service (Fixation of Pay of Re-employed Pensioners) Rules, 1986, as amended from time to time.

### **SR. 24. Special Pay, Personal Pay, Honorarium and Fee**

The terms "Grant of Special Pay", "Personal Pay", "Honorarium" and "fee" will be regulated in accordance with the relevant Fundamental Rules applicable to Government employees and the Government of India's decision and instructions on the subject.

### **SR. 25. Drawal of Pay**

- (1) An employee shall be entitled to the pay of the post to which he is appointed from the date on which he assumes charge of the post.
- (2) Pay in respect of any month shall become payable on the last working day of the month. But the Member-Secretary may, if necessary, direct that the pay be disbursed, before the last working day of the month.
- (3) An employee resigning from the service of the Council without the notice prescribed under Regulation 19 shall not, unless the Controlling Authority directs otherwise be allowed to draw pay due but not drawn. Provided that the pay so not allowed to be drawn shall not exceed the pay for 1 month.

### **SR. 26. Crossing of Efficiency Bar**

An employee shall be allowed to cross the efficiency bar only on the basis of assessment of confidential records of performance. The Appointing Authority shall be assisted in this matter by the recommendations of the DPC appointed by it.

## Chapter VI

# ALLOWANCES

### **SR. 27. Kinds of Allowances**

- (1) The following allowances shall be admissible to an employee:
  - (a) Dearness Allowances
  - (b) City Compensatory Allowance
  - (c) House Rent Allowance
  - (d) Leave Travel Concession
  - (e) Travelling and Daily Allowances
  - (f) Children's Education Allowance
  - (g) Any other allowance admissible to Government Employees the benefit of which are extended to the Council employees by Government order.
- (2) The admissibility, the rates, terms and conditions etc, of the allowances specified in sub-regulation (1) shall be governed by the relevant orders of the Government issued from time to time for their employees.

### **SR. 28. Drawal of Allowances**

- (a) Dearness Allowances, City Compensatory Allowance and House Rent Allowance admissible to an employee for any month shall be payable along with his pay;
- (b) Travelling Allowances and Daily Allowance shall ordinarily be payable on the return of the employee to his head quarters. Provided that the Controlling Authority may sanction payment in advance of such sum as it deems fit towards as such allowance.
- (c) An employee resigning from the service of the Council without the notice prescribed under Regulation 19 shall not, unless the Controlling Authority is satisfied and directs otherwise, be al-

lowed to draw the allowances due but not drawn; provided that the allowances so not allowed to be drawn shall not exceed the allowances for one month.

## Chapter VII

### LEAVE

#### SR. 29. Kinds of Leave

- (1) The following kinds of leave shall be admissible to an employee:
  - (a) Earned Leave;
  - (b) Half pay Leave;
  - (c) Commuted Leave;
  - (d) Leave not due;
  - (e) Extraordinary Leave;
  - (f) Maternity Leave;
  - (g) Quarantine Leave;
  - (h) Study Leave; and
  - (i) Special Disability Leave.
- (2) The admissibility and the grant of different kinds of leave mentioned in sub-regulation (1) shall be regulated in accordance with the provisions of the Central Civil Services (Leave), Rules, 1972, as amended from time to time.

#### SR. 30. Casual Leave, Special Casual Leave, etc.

An employee may be granted Casual Leave, Special Casual Leave, Compensatory Leave, etc. as per Government Rules.

### **SR. 31. Procedure for Grant of Leave**

- (1) An employee shall, before proceeding on leave, make an application in prescribed form and shall also state in writing his address while on leave and shall keep the Council's office informed of any subsequent changes in such address.
- (2) An application for leave other than study leave shall be considered and disposed of by the Controlling Authority.
- (3) An application for study leave shall be considered and disposed of by the Chairman.
- (4) The Administrative Officer in the Headquarter's Office and the Programme Officer in the Academic Centre shall maintain a leave account in respect of every employee.

### **SR. 32. Encashment of Leave on Retirement**

The employees of the Council may be paid cash equivalent of leave salary in respect of the period of leave as per Government Rules.

## **Chapter VIII**

# **RETIREMENT AND OTHER BENEFITS**

### **SR. 33. Pension**

- (1) An employee other than a borrowed employee or an employee on contract shall be entitled to the liberalised pension, Death-cum-Retirement Gratuity, and family pension benefit as admissible to employees of the Government from time to time.
- (2) Alternatively, such an employee may opt to join in lieu of the pension scheme, the Provident Fund Scheme of the Council with the benefit of the Council's contribution, subject to and in accordance with the provisions of the ICPR (Provident Fund) Regulations. He shall also have the option to get the benefits of

the Death-cum-Retirement Gratuity as admissible to the employees of the Government from time to time, in which case, however, the Council's contribution shall be reduced from 8 1/2 to 8 percent.

- (3) The option shall be exercised after the satisfactory completion of probation and shall have retrospective effect from the date the employee joined the Council; the option once exercised shall be final and cannot be changed.
- (4) An employee on contract shall be eligible to join the Contributory Provident Fund of the Council and will also have the benefit of the Council's contribution in terms of his contract. All provisions of the ICPR (Provident Fund) Regulations shall apply to him except in so far as they are inconsistent with his contract.

#### **SR. 34. Contributory Provident Fund**

An employee other than a borrowed employee or an employee on contract shall be entitled to the benefits of Provident Fund of the Council, subject to and in accordance with the provisions of the ICPR (Provident Fund) Regulations.

#### **SR. 35. Benefits to the Dependants of the Employees who Die while in Service**

In case an employee dies while in service, his dependants shall be entitled to such benefits as are admissible in the case of Government employees.

### **Chapter IX**

## **GENERAL CONDITIONS OF SERVICE**

#### **SR. 36. Whole-time Employment**

- (1) The whole time of an employee shall be at disposal of the Council



and he may be employed by the Council for the performance of such duties as may be assigned to him.

- (2) Without prejudice to the generality of clause (1)
  - (i) an employee may be required to undergo a course of study or Instruction with or outside India;
  - (ii) an employee may be required to serve the Council at any place and in any post not lower than the post in which he is confirmed or to which he is reduced as a measure of punishment in accordance with the provisions of these Regulations; and
  - (iii) an employee may be transferred to foreign service or sent on deputation whether within or outside India.

## **Chapter X**

### **CONDUCT AND DISCIPLINE**

#### **SR. 37. Conduct**

- (1) Every employee shall at all times:
  - (i) Serve the Council with Integrity and devotion;
  - (ii) abide by and comply with the Rules & Regulations of the Council and all orders and directions of his superior authorities;
  - (iii) endeavour to promote the interest of the Council and not in manner prejudicial thereto, and act;
  - (iv) extend utmost courtesy and attention to all persons with whom he has to deal in the course of his duties.
- (2) The other matters relating to conduct of the employees of the Council shall be regulated in accordance with (the provisions of

the Central Civil Services (Conduct) Rules, 1964, as amended from time to time and the orders and decisions of the Government issued thereunder with *mutatis-mutandis* changes made therein.

**SR. 38. Discipline**

The matters relating to discipline of the employee shall be regulated in accordance with the provisions of the Central Civil Services (Classifications, Control & Appeal) Rules, 1965, as amended from time to time and orders and decisions issued thereunder with *mutatis-mutandis* changed made therein. Appointing Authority, the disciplinary authority and appellate authority in respect of various posts shall be as in Schedule II.

**Chapter XI**

**MISCELLANEOUS**

**SR. 39. Special Provision for Existing Employees**

Every person holding a post under the Council at the commencement of these Regulations shall, on such commencement, be deemed to have been appointed under the provisions of these Regulations to the corresponding post in the schedule, and shall continue to draw the same pay as drawn by him immediately before such commencement.

**SR. 40. Authentication**

All orders and decisions of the Council and of the Governing Body shall be authenticated by the signatures of the Member-Secretary or such other officer as may be specified by the Council in this behalf.

**SR. 41. Holidays**

The Council shall observe such holidays as are observed by the Governed offices.

**SR. 42. Service Books and Character Rolls**

The Council shall be maintain a Service Book and a Character Roll of each employee in such form and setting out such particulars as prescribed by the Government for its employees.

**SR. 43. Residuary Conditions of Service**

Any matter relating to the conditions of service of an employees of which no provision is made in these Regulations, shall be determined in accordance with Government Rules./Orders, if any.

**SR. 44. Government Rules to be Applicable to Uncovered Cases**

Cases not covered by these Regulations shall be decided in accordance with the corresponding Government Rules and orders obtaining on date.

**SR. 45. Power to Relax**

Where the Governing Body is satisfied that the operation of any of the relevant Regulations causes undue hardship or difficulty in any particular cases, it may, for reasons to be recorded in writing, and with the prior approval of the Central Government, dispense with or relax the requirements of the regulation or remove the difficulty to such an extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner.