BYE-LAWS


Society for Applied Microwave Electronics Engineering and Research
SAMEER
Mumbai

BYE-LAWS
Of
SOCIETY FOR APPLIED MICROWAVE ELECTRONICS ENGINEERING & RESEARCH

(UNDER RULE 16 OF THE RULES AND REGULATIONS FOR ADMINISTRATION AND MANAGEMENT OF THE SOCIETY)

1. Definition:

In these rules, unless there is anything repugnant to the subject or context, the following terminology and the associated meanings are used.

- **"Society"** means the Society for Applied Microwave Electronics Engineering & Research (SAMEER).
- **"Council "** means the Governing Council of the Society.
- **"Chairman"** means the Chairman of the Council / Committee of the Society.
- "**Executive Committee** means the Executive Committee of the Society.
- **"Research Advisory Committee"** means the Research Advisory Committee of the Society.
- "**Finance & Accounts Committee"** means the Finance & Accounts Committee of the Society.
- **"Director "** means the Chief Executive of the Society.
- **"Appointing Authority"** in relation to any post in the Society, means the authority competent to make appointment to that post.
- **"Competent Authority"** means the authority indicated for various purposes in these Rules or any other Rules applicable or in force in the Society.
- **"Administrative Ministry"** means Department of Information Technology, Ministry of Communications & Information Technology, Government of India.

2. Residuary conditions of service:

The Council shall determine any matter relating to the conditions of service of the employees for which no provision is made in these rules. In exceptional circumstances, Director/Chief Executive may take decisions in consultation with Chairman of the Committee, which cannot wait for convening a meeting of the Council /Executive Committee/Research Advisory Committee/Finance & Accounts Committee. However, the matter should be placed before the Council / Committee at its next meeting and the actions taken should be sought to be ratified by the Council / Committee.

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3. Power to relax:

Notwithstanding anything contained in these rules, the Governing Council of the Society may relax any of the provisions of these rules. Relaxation should, however, be in very exceptional and rare circumstances.

4. Interpretation:

In the matter of interpretation of any rules/orders, the decision of the Chief Executive shall be final unless otherwise, specifically included in these rules.

5. Council Meetings and Procedures

5.1. Meetings:

Meetings of the Council shall be held at least twice in a year. An extraordinary meeting may also be convened at any time by the Chairman, or on a written request of at least one third of the members of the Council.

5.2. Place of meeting:

Meetings of the Council shall be held at the Headquarters of the Society unless the Chairman otherwise directs.

5.3. Notice of a meeting:

Notice of a meeting shall be given to the members at least fourteen days before the day of the meeting. In case of an extraordinary meeting, at least seven days notice shall be given.

5.4. Quorum and Procedure:

1/3rd of the total membership of the Council shall form the quorum and all issues shall be decided by a majority of votes of the members present and voting. In the event of a tie, the Chairman shall have a second or casting vote.

5.5. Adjourned meeting:

If there is no quorum at the expiration of fifteen minutes after the time fixed for a meeting, the meeting shall be adjourned to such a time and/or date as the Chairman may fix. No quorum shall be necessary for such an adjourned meeting.

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5.6. Chairman of the meeting:

The Chairman of the Council shall preside all meetings of the Council. In the absence of the Chairman, the Vice-Chairman of the Council shall preside over the meeting.

5.7. Nature of business of the meetings

The Council shall meet to consider the reports about the activities of the Society (Annual Plans and programmes, Annual Budget, Annual Accounts etc) to determine policy for the guidance of the Executive Committee/Research Advisory Committee/Finance & Accounts Committee as the case may be, to consider and pass the detailed Annual Plans, Annual Budget Estimate as well as Revised Estimate, Annual Accounts etc submitted with the recommendation Executive Committee/Research Advisory Committee/Finance & Accounts Committee as the case may be, and to consider such matters as may be brought before the Council with the permission of the Chairman.

5.8. Minutes:

The Registrar shall keep the minutes of the meetings of the Council, and send a copy of the minutes of every such meeting, as early as possible (preferably within a fortnight) to the address of every member.

5.9. Vacancy:

When a vacancy occurs in the office of the nominated members of the Council through death, resignation, or for any other reason, such vacancy shall be filled up by a person nominated by the concerned nominating authorities.

5.10 Vacancy not to affect proceedings:

If any vacancy in the office of a member of the Council has occurred, the continuing members shall act as if no vacancy had occurred and no act or proceedings of the Council shall be deemed to be invalid merely by reason of a vacancy or of a defect in the appointment of a person acting as a member. Nothing in this rule will derogate from provision regarding quorum necessary in the meetings of the Council.

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6. General Body Of The Society

6.1 General Body

General Body shall mean all the members of the Governing Council of the Society. Chairperson of the Council will be Chairperson of the General Body. Any subsequent addition/admission of the members to the Society would be decided by the Council.

6.2 Meeting and Nature of Business:

The General Body shall meet at least once a year to consider and adopt the Annual Report and Audited Statement of Accounts. This meeting will be called as Annual General Meeting of the General Body provided, however, that no separate meeting should be required as long as the General Body is confined to members of the Governing Council only and the Council is meeting for the same purpose.

7. Executive/Research Advisory/Finance & Account Committee Meetings And Procedures

7.1. Committees

7.1.1. **Meetings:** Meetings of the Executive/Research Advisory/Finance & Accounts Committee shall be held at least twice a year. Special meetings of the Committee, if necessary, shall be convened by the Chairman or at the written request of at least one third of the members of the Committee.

7.1.2. **Place of meeting:** Meeting of the Committee shall be held at the Headquarters of the Society unless the Chairman otherwise directs.

7.1.3. **Notice of a meeting:** Notice of a meeting shall be given to the members at leas seven days before the day of the meeting.

7.1.4. **Quorum and Procedure:** 1/3rd of the total membership shall form the quorum for the Executive Committee meeting and three members shall form the quorum for the Finance & Accounts Committee meeting.

7.1.5. **Adjourned meeting:** If there is no quorum at the expiration of fifteen minutes after the time fixed for a meeting, the meeting shall be adjourned to such a time and/or date as the Chairman may fix. No quorum shall be necessary for such an adjourned meeting.

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7.1.6. **Chairman of the meeting:** The Chairman of the Executive Committee/Research Advisory Committee/Finance & Accounts Committee shall preside at all meetings of the Committee.

7.1.7. **Nature of Business:** The committee shall meet to monitor and review the activities of the Society and to take remedial measures, as deemed fit, to meet the aims and objectives of the Society and to consider such other matters as may be brought before the Committee with the permission of its Chairman.

7.1.8. **Minutes:** The Registrar shall keep the minutes of the meetings of the Executive Committee, Programme Director, Mumbai of the Research Advisory Committee and Head, Finance & Accounts of the Finance & Account Committee meetings and send a copy of the minutes of every such meeting, as early as possible to the address of every member.

7.1.9. **Vacancy:** When a vacancy occurs in the office of the nominated members of the Committee through death, resignation, or for any other reason, such vacancy shall be filled with the approval of the Chairman of the Committee.

7.1.10. **Vacancy not to affect proceedings:** If any vacancy in the office of a member of the Committee has occurred, the continuing members shall act as if no vacancy had occurred and no act or proceedings of the Committee shall be deemed to be invalid merely by reason of a vacancy or of a defect in the appointment of a person acting as a member. Nothing in this rule will derogate from provision regarding quorum necessary in the meetings of the Committee.

8. Business By Circulation Of Papers

The Council/Committee may dispose off urgent matters by circulation of papers in such cases where the decision cannot wait for formal convening of the meeting.

9. Powers, Functions And Duties Of The Council

The Council shall be the apex policymaking body of the Society, for fulfillment of the aims and objectives set forth for the society within the parameters of policy framework prescribed by the Department of Information Technology.

10. Powers, Functions and Duties of the Executive Committee

Subject to the overall control of the Council, and within the powers delegated, the Executive Committee shall perform the following functions:

i. Consider and submit for approval of the Council / Government, where necessary, the proposals for alteration, addition and modification to the Bye-laws made under the rules of the Society.

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ii. Propose from time to time alteration and modifications to the Rules and Regulations to meet the aims and objectives of the Society for approval of Council / Government, where necessary.
iii. Exercise powers delegated to the Committee with the approval of the administrative ministry.
iv. Approve foreign travels of all staff except Chief Executive
v. Approve functional designations to staff at various levels.
vi. Appoint, from time to time, subcommittees from amongst its members and/or staff of the Society and assign specific responsibilities.
vii. Publish and/or to finance the publications, as it may deem fit, from time to time work carried out on behalf of the Society.
viii. Consider and submit the Annual Report of the Society for the consideration and approval of the Council.

11. Power, function and Duties of Research Advisory Committee:

RAC among other things shall deal with:

(a) To evaluate technologies in the areas of RF/Microwave Electronics, Electromagnetics, Millimiterwave Technology, Communications, EMI/EMC and related fields.
(b) To provide directions for R&D and augmentation of performance.
(c) To consider and recommend specific R&D projects meeting the overall objectives of the Society.
(d) To consider and recommend Annual Plan of the Society.
(e) To propose and recommend long term R&D vision of the Society and provide guidelines for interaction with Industry, users and academic Institutions.
(f) Review progress of projects undertaken, projects likely to be obtained in the near future, completed etc.

11. Power, Functions and Duties of Finance & Accounts Committee

Subject to the overall control of the Council, and within the powers delegated, the Finance & Accounts Committee shall perform the following functions:

i. Recommend suitable grant of moneys or other assistance to other R&D Societies, Universities or Industries for carrying out research, development, and investigation subject to the provision in the budget.
ii. Consider the detailed Annual Budget Estimate and also Revise Estimate and forward the same with its recommendations to the Council for approval.
iii. Authorise re-appropriation to augment provision under the heads other than "Salaries, Allowances and Provident Fund Contributions" within its overall approved outlay for that year;
iv. Critically examine the financial health of each Centre and confirm that the overall activities would be smoothly undertaken with the financial limits.

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v. Recommend grant of fellowships, scholarships, awards or other monetary assistance, on such terms and conditions as it may prescribe, to such persons as it may select for carrying out any research, investigation and study on a subject in which the Society is interested.
vi. Appoint, from time to time, subcommittees from amongst its members and/or staff of the Society and assign specific responsibilities.
vii. Consider and recommend write-off losses;
viii. Consider and recommend disposal of surplus/obsolete items as per the prescribed procedure;
ix. To prescribe the Heads of Account to be adopted by the Society both for its revenue and expenditure;
x. To advise the Society from time to time in various financial matters;
xi. To scrutinize the Audited Annual Account of the Society before their submission to the Governing Council / General Body for Adoption;
xii. To recommend to Council appointment of Auditor and payment of fee;
xiii. Any other item to be specifically allotted to this Committee by the Governing Council of the Society from time to time.

12. Special Powers of the Chairman

The Chairman of the Governing Council / Committees may, in emergent cases or under special circumstances exercise the powers of the Council / Committee, in consultation with one or more members of the Governing Council / Committee and in consultation with Finance Member of the Council / Committee In case of matters involving finances and all such cases shall be reported by the Chairman to the Committees/Governing Council in its next meeting.

13. Disagreement

In the event of disagreement between the Chairman of the Committee / council and the Finance Member of the Committee / Council on any Financial matters beyond the delegated powers of the administrative ministry, the matter may be referred to the Minister-in-charge of the administrative ministry and the Ministry of Finance for a decision.

14. Voting Powers

Each member of the Council shall have one vote. Where there is no unanimity, decisions shall be taken by a majority of vote of the members present and voting. The Chairman shall have a casting vote wherever there is a tie.

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15. Management of the Society

The Society shall be managed by a four-tier structure with the Governing Council as the apex management body. The Executive Committee at the Second level discharges the administrative and Research Advisory Committee at the third level discharges technical and the Finance & Accounts Committee at the fourth level discharges the financial management responsibility of the Society under the overall guidance of the Governing Council. The Director shall be the Chief Executive of the society reposed with full responsibility to manage the Society within the guidelines issued by the Governing Council / Executive Committee and the MOA, Rules and Bye-laws of the Society.

16. Finances And Accounts

16.1 Properties and Funds vested in the Council:

The properties and funds of the Society vested in the Council shall consist of:

(a) Grants-in-aid released by the Government of India,
(b) Other grants, donations and gifts (periodical or otherwise).
(c) The income from properties and funds vested in the Council and fees, subscriptions and other annual receipts.
(d) All movable and immovable assets such as machinery, plant, equipment, computer hardware and software and instruments (whether laboratory, workshop or otherwise), books and journals, furniture, fixtures and land, buildings belonging to the Society.
(e) Remuneration received through sponsored projects, consultancy, design, development, technology transfer, contracts etc.

16.2 Acceptance of Donations etc.:

The Council may accept donations; gifts and subscriptions for specific purposes provided no onerous conditions are attached to them. Donations by agencies abroad shall require prior approval of the government.

All moneys received for or on behalf of the Society, shall be deposited in a bank account or fixed deposit account with a public financial institution within the guidelines issued by the Government..

16.3 Assets/Borrowings:

The Society may purchase/acquire or lease or sell or dispose off movable or immovable assets and also make borrowings or draw short/long term loans or temporary overdrafts/advances for acquiring assets/properties or carrying out activities.

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16.4 Payments:

Payments by or on behalf of the Society exceeding Rs.10000/- shall be made by cheque. All cheques shall ordinarily be signed by the Accounts Officer and countersigned by the Head, Finance & Accounts or by any other officer duly empowered by the Director over the limit prescribed by the Council.

16.5 Endorsements:

All bills for payment shall bear an endorsement "Passed for Payment" and the endorsement shall be signed by the Director or by an officer to whom the power has been delegated by the Director.

16.6 Permanent & Temporary Advances:

Permanent and temporary advances for cash payments shall be kept by any officer of the Society as authorised by the Director or by an officer to whom the power has been delegated.

16.7 Budget:

The Society shall prepare or cause to prepare, in such form and at such time each year as may be prescribed, budget estimates in respect of the ensuing financial year and submit the same to the Council for its consideration and approval.

16.8 Accounts & Audits

The Society shall maintain such books of accounts and other books in relation to its accounts in such form and in such manner as may be prescribed. The Head, Finance & Accounts shall be responsible for the accounts of the Society.

The financial year of the Society shall be from 1st April each year to 31st March of the subsequent year.

The accounts of the Society shall be audited by such auditors as recommended by Comptroller and Auditor General of India and approved by the Council.

17. DUTIES AND FUNCTIONS OF OFFICERS OF THE SOCIETY

17.1. Duties of the Chief Executive:

The Director shall be the Chief Executive of the Society.

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17.2. **Business of the Society**: It shall be the duty of the Director to carry on the work of the Society under the direction of the Council in accordance with the Rules and Bye-laws for the administration and management of the Society. In case of an emergency, he/she may take such actions as may be necessary and get such decisions ratified by the Council.

17.3. **Direction and control of the staff**: All members of the staff of the Society shall be under the general control of the Chief Executive, who may issue Standing Orders / Office Orders on various subjects, as necessary, from time to time.

17.4. **Annual Report**: The Director shall submit the Annual Report of the Society to the Council in time each year.

18. **Duties of the Registrar**

18.1. **Secretarial work**: The Registrar shall act as Non-member Secretary to the Council and Member-Secretary to the Committee.

18.2. **Work under the general control of the Chief Executive**: In all matters concerning the Society he shall act under the general control and orders of the Director.

18.3. **Correspondence**: The Registrar shall be in charge of correspondence relating to the Society, subject to the instructions of the Director.

18.4. **Office management**: The Registrar will be in charge of the administration of the Society and discharge responsibilities under the overall supervision of the Director

18.5. **Maintenance of the premises**: The Registrar will look after the maintenance and upkeep of the premises and the property of the Society.

19. **Duties of the Head, Finance & Accounts**

The Head, Finance & Accounts shall be responsible for all matters relating to accounts, finance, budgets, audits and related matters of the Society. Similarly Heads of Finance in the units shall be responsible for all matters relating to accounts, finance, budgets, audits and related matters of the unit. All these officers shall ensure that they manage their responsibilities in the manner prescribed in the policy manual and shall also ensure that the powers exercised by various authorities are strictly in conformance to delegation of powers approved by the administrative ministry.

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20. **Duties and Functions of the other staff members**: Duties and Functions of the other staff members will be decided by the Director.

21. Execution Of Contracts On Behalf Of The Society

21.1. **Contracts with Chief Executive:** All contracts between the Society and the Chief Executive shall be signed by the Chairman of the Committee or any other person authorised by the Committee for the purpose.

21.2. **Contracts with others**: All other contracts by or on behalf of the Society shall be signed by the Chief Executive or Registrar or by an officer of the Society authorised by the Chief Executive. Contracts by or on behalf of a specific unit of the Society shall be signed by the Head of the Unit or Head of Administration or by an officer of the Society authorised by the Chief Executive

22. Terms And Conditions Of The Service Of The Staff Of The Society

The Council may frame Service Conditions from time to time and will come into force after approval by the Administrative Ministry.

23 **Leave**

Employees of the Society shall be eligible for grant of Earned Leave, Half Pay Leave, Commuted Leave, Leave Not due, Extra Ordinary Leave, Maternity Leave, Paternity Leave, Special Disability Leave, Hospital Leave, Study leave, Sabbatical Leave and Casual Leave in accordance with guidelines given in the Policy Manual.

24 **Appointments**

All appointments are initially on temporary basis. All categories of staff of the Society shall initially be appointed on contract basis for a period of 3 years, whose services may be considered for regularization in the services of the Society in due consideration to the past performance and subject to availability of vacancy. Regularisation could be considered by duly constituted Committee.

25. **Regularization in Service:**

All fresh appointments to the Society shall initially be on contract for a period of 3 years.

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The performance of the employee during the initial period of three years shall be monitored and he / she will be considered for regularization in the services of the Society only on the basis of satisfactory performance. On completion of probation period and issue of orders in writing to that effect, an employee would be treated as a regular employee unless otherwise provided under the terms & conditions of appointment. The relative seniority shall be determined with respect to the actual date of joining the Society on a particular grade.

26. **Resignation:**

The regular employee may resign from the Society by giving three month's notice. The Society may also accept three months pay or adjust balance EL in credit in lieu of notice period in case of resignations. In case of employees on probation, the notice period shall be one month. Resignations shall be accepted by the Appointing authority concerned.

27. **Superannuation:**

The age of superannuation for all categories of staff shall be 60 years. However, a special review of performance of an employee shall be conducted when he/she attains the age of 50 years, 55 years, and 58 years to assess their suitability for continued service. The age of superannuation is dependent on decision that may be taken by the Government from time to time in that respect.

28. **Working Hours:**

The Society shall work for 5 days a week with Saturdays and Sundays as weekly off days. Every employee shall work for minimum 40 hours a week. The Chief Executive of the Society shall be competent to declare any day as an off day and substitute the Saturday falling next as a working day to avoid disturbances during Bandh, strike etc. The Chief Executive shall decide the working hours of the Society. The working hours shall normally be 9.00 AM to 5.30 PM with 30 minutes lunch break, or as applicable to employees of the administrative ministry.

29. **Attendance**

Attendance shall be marked daily according to the methods prescribed from time to time. An employee who is absent from duty shall be liable for deduction of wages as provided in the Payment of Wages Act. Computerised punching attendance system will be introduced to regulate the attendance of employees.

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Absence from Station: Employees are required to take permission from their reporting officer for being absent from the station. In case of emergent situations where such sanction cannot be taken, employee shall inform their reporting officer at the earliest opportunity.

Employees not to be absent from duty without permission or be late in attendance: Employee shall not absent himself from his/her duties or be late in attending office without having first obtained the permission of the competent authority, nor shall he/she absent himself /herself in case of sickness or accident without submitting a proper medical certificate:

Provided that in the case of temporary indisposition the production of a medical certificate may, at the absolute discretion of the competent authority, be dispensed with in the case of an officer, and

shall not be insisted upon in the case of any other employee if leave to be granted does not exceed two days and the competent authority is satisfied with the bonafides of the reasons for any such leave.

An employee who absents himself from duty without leave or overstays his/her leave or attends office late, except under circumstances beyond his/her control for which he/she must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances during such absence or overstayal, and shall further be liable to such disciplinary measures as the competent authority may impose. The period of such absence or overstayed may, if not allowed by discharge or termination of services-or dismissal-be treated as period spent on extraordinary leave.

An employee has to put in 40 hours in a 5-day week. A employee who has a habitual shortfall in attendance shall, in addition to such other penalty as the competent authority may deem fit to impose, have one day casual leave forfeited for every two days of such late attendance in a month but late attendance up to an hour, on not more than two occasions in a month may be condoned if this is due to unavoidable reasons. Where such an employee has no casual leave due to him/her, the period of leave to be so forfeited may be treated as earned leave.

30. **Holidays**

The Holidays prescribed by the Central Government for its offices will be followed by SAMEER

31. **Grievance**

The Society shall have an open door policy and members of staff at all levels are expected to discuss their grievances, personal / official difficulties with their immediate supervisors. There shall be Consultative machinery in place the details of which may be seen in the Policy Manual.

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32. Posting / Transfer

Members of staff of the Society are liable to be posted at the discretion of Director to serve at any of the other offices / units of the Society.

33. Appointment of Scientific & Technical Staff

Subject to the provisions of Rule 19, the appointment of engineers and scientists for the Centre above a certain grade (to be specified by the Committee) shall be approved by the Council and below the specified grade, shall be made by the Chief Executive or by an Officer to whom the power has been delegated by him under Bye-law no.54 for a period normally not exceeding three years at a time for all grades.

34. Whole time Service

An employee shall devote his whole time to the service of the Society and shall not take active part in politics, or without the previous permission of the Council in the case of the Director, and Director in the case of others, engage directly or indirectly, in any trade, business, or occupation or enter into any remunerative commitment, or absent himself from duty except in the case of accident or sickness certified by a competent medical authority. Members of the staff shall not stand for election or accept nomination to any other body or authority without the previous permission of the Council in the case of the Director and of the Director in the case of others.

35. Attendance at scientific conferences

Members of the Committee and staff of the Society shall be allowed to attend scientific conferences, congresses, seminar workshop etc. and may be deputed for specialized training or for the work of the Society.

Members of the Committee, and the staff of the Society when deputed by the Society under the above bye-law shall be eligible for Daily and Traveling allowances as laid down by the Council from time to time. In addition, the members as deputed shall be entitled to draw salary and dearness allowances, and eligible for house rent and city compensatory allowances etc.

Deputation abroad for attending scientific congress etc. by the Director shall be approved by Chairman, Governing Council, while in the case of all staff, it shall be by the Chief Executive.

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36. Contribution to professional / technical journals / periodicals.

Contributions to technical journals resulting from work carried on in the Society by members of the staff of the Society shall contain the Society name and shall have prior approval of the Chief Executive/Executive Director. A copy of every such contribution shall also be sent to the chief Executive/ as soon as it is published / presented. It shall be ensured and certified by the author that no classified / confidential material is contained in such contribution. Members of the staff of the Society may, with the prior permission of the Director, accept invitations to deliver lectures in their field of work at universities or learned Societies, Scientific Conferences etc. and also act as expert members on the committees / bodies set up by Government or similar other agencies, provided that such assignment does not affect the work of the society.

37. Intellectual Property Rights

Patents/Copyrights

All work of intellectual nature whether in the form of reports, charts, paper analysis, design, software or hardware etc; carried out by a employee shall be owned by the society without exception.

- The society encourages its employees to actively pursue research. All the innovations and discoveries must be documented and reported to their reporting officers forthwith. the society shall obtain patents or copyrights on ideas, design, research, etc if it deems fit. Employees may be suitably rewarded at the discretion of the Society in accordance with the mechanisms and the guidelines existing at that time. Intellectual Property generated at any place including office, home, or any other place during or beyond his office hours shall be owned by the society.

- The society may consider sharing commercial consideration received on sale of patent to a third party with the employee concerned in the proportion and within the mechanism as may be decided by the Society from time to time.

38. Publishing of books and research papers

- No employee shall except with the previous sanction of the competent authority publish or cause to be published any book or any similar printed matter of which he is the author, or deliver talk or lecture in any public meeting or otherwise provided that no such sanction is however, required, if such broadcast or contribution or publication is of a purely literary, cultural, spiritual, religious or social character.

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- the society encourages publishing of books and research papers by employees in the areas of interest provided, the employee has acknowledged the sources used in the society and its contributions appropriately. Suitable and appropriate approvals from the Executive Director must be sought by the employee before publishing his work.

The society is entitled to share the royalty or the honorarium received by the employee on publication of a book or a research paper within the mechanism and according to the guidelines as prevalent at the time, where the employee has used his work or activity involved in the society.

39. **Consultancy**

The society shall not permit its employees to engage in part-time consultancy /teaching with other organizations. The Consultancy Service shall be carried on Institutional basis only.

40. **Private Trading**

No employee shall engage in any commercial business or pursuit either on his/her own account or as agent for others, nor act as an agent for or canvass business in favour of another organization.

Explanation: Canvassing by an employee in support of the business of other or similar Information Technology Company or activities carried on or managed by a employee of his family shall be deemed to be a breach of this sub-rule.

41. **Press, Publicity Coverage, etc.**

Chief Executive / Head of the Unit/Registrar is the spokesperson on behalf of the Society for any Print Or Electronic Media, except when explicit permission has been given to any employee to speak on their behalf.

42. **Contribution to Newspapers, Radio, etc**

- No employee shall except with the previous sanction of the competent authority, own wholly or in part or conduct or participate in the editing or management of any newspaper or any other periodical/publication.

- No employee shall except with the previous sanction or except in the bonafide discharge of his/her duties, provided that such approval is taken from the Director, participate in any radio broadcast or TV programme or contribute any article or write any letter either his/her own name or anonymously or in the name of any other person to any newspaper or periodical or make public, or publish or cause to be published or pass on to others any document, paper or information which may come into his/her possession in his official capacity.

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43. Official Language Implementation Act:

The instructions in regard to the Official Language Implementation Acts will be followed as per the Government guidelines.

44. CONDUCT, DISCIPLINE AND APPEAL RULES

Employees of SAMEER shall be governed by the provisions of CCS (Conduct) Rules, 1964 and CCS (Classification, Control and Appeal) Rules, 1965 of the Government of India in force and amended from time to time.

45. Forwarding of applications

Subject to the rules in force from time to time in this regard, no employee shall make any application for employment elsewhere, except through proper channel.

An employee shall not make an application for the award of a fellowship, scholarship etc., directly to the authority concerned unless he is sponsored or permitted by the Society to take up such scholarship or fellowship.

46. Association of employees with activities not connected with official duties

An employee, with the previous sanction of the Society, may join an educational institution or a course of study outside normal office hours, provided that such pursuit does not detract from the efficient discharge of his official duties.

Subject to any other conditions, which may be prescribed, an employee may join;

i) Home guards,
ii) National Voluntary Corps.
iii) Panchayat Raksha Dal and other officially sponsored Police Organisalion
iv) Shramdhan
v) St. Jhon. Ambulance Brigade
vi) Territorial Army: and
vii) Auxiliary Air Force.

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47. **Return of Society's property, equipment, tools, Library books etc**

Every employee leaving the service, of the Society shall, before leaving the service, return any of the property or equipment or tools or Library books belonging to the Society, issued or lent to him in connection with his employment in the Society. The cost of such property, equipment or tools not so returned shall be liable to be deducted from his pay or the amount due to him.

48. **Sexual harassment of working women**

No employee shall indulge in sexual harassment of workingwomen by unwelcome sexually determined behavior, whether directly or by implication, such as:

- Physical contact and advances
- Demand or request for sexual favours
- Sexually coloured remarks
- Showing pornography
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Explanation :

Any acts of sexual harassment of women employees attracts the provisions of Conducts as an act unbecoming of an employee of the Society and amounts to misconduct.

If such an act of sexual harassment amounts to any specified offence under the Indian Penal Code or under any other law, complaint should be made to appropriate authority for taking criminal actions for such misconduct.

49. **Congruence of interest and conflict of interests:**

Liability to abide by the Rules and Orders

Every employee shall conform to and abide by these Rules and shall observe, comply with and obey all orders and directions which may from time to time be given by any person or persons under whose jurisdiction, superintendence or control he/she may for the time being be placed.

50. **Review:**

Notwithstanding anything contained in these rules, the Chief Executive of the Society may call for the record of the case within six months of the date of the final order and after reviewing the case pass such orders thereon as it may deem fit.

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Provided that if the enhanced penalty, which the Reviewing Authority proposes to impose is a major penalty and an inquiry as provided under the Rules has not already been held in the case, the Reviewing Authority shall direct that such an enquiry be held and thereafter consider the record of the enquiry and pass such orders as it may deem proper. If the Appellate Authority decides to enhance the punishment but an enquiry has already been held in accordance with the provisions, the Reviewing Authority shall give show cause notice to the employee as to why the enhanced penalty should not be imposed upon him. The Reviewing Authority shall pass final order after taking into account the representation, if any submitted by the employee within such time as may be specified.

51. **Service of orders, notices etc.:**

Every order, notice and other process made or issued under these rules shall be served in person on the employee concerned or communicated to the employee by registered post at his last known address.

52. **Premature retirement**

An employee who has attained the age of 50, 55 and 58 years and who is considered to be medically unfit, inefficient or of doubtful integrity may be prematurely retired with the approval of the Competent Authority. The Competent Authority for premature retirement will be the same as appointing authority.

The criteria for judging the medical unfitness, inefficiency or doubtful integrity will be as under:

i) Inefficiency: To be evaluated on the basis of Appraisal Reports. An employee Securing below average ratings, in the appraisal reports for two successive years may be deemed to be inefficient.

ii) Doubtful Integrity: An employee who gets adverse comments on integrity in the appraisal report consecutively for two years may be considered for premature retirement for doubtful integrity.

(iii)Medical unfitness; If an employee has been continuously on leave on medical grounds for a period of 12 weeks (including Sundays and holidays) or he has been on leave for reasons of sickness for a total period of 120 days (including Sundays and holidays) or more during a continuous period of six months or if a person though attending duties but is found to be mentally deranged, Society may refer him to a medical Council/Committee for his thorough medical check-up and report: -

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- The disease he is suffering from;
- Whether it is curable or incurable whether the disease is Infectious/contagious;
- in case of curable disease whether the person is likely to be fit to resume his normal duties within a period of 12 months.

If the person is not fit to resume his duties within a period of 12 months and in cases of employees suffering from incurable and infectious/contagious disease or suffering from lunacy or mental derangement and whose services cannot be utilised by the Society or whose attendance is likely to pose health hazard to others as may be certified by the Medical Board, premature retirement will be considered.

This premature retirement on medical grounds is independent of and without prejudice to the right of the Society under the contract of employment to dispense with the services of an employee of one month/three months notice inter-alia on grounds of medical unfitness in case of an employee who might not have attained the age of 50 years, on due process of the proceedings as required by law.

Employees who are retired prematurely may be allowed:

i) Pay for the notice period of one month/three months as may be applicable to him under his terms and conditions of service, plus leave salary for unavailed earned leave. The quantum of leave salary will not exceed the maximum limit to which earned leave can be accumulated under the Leave Rules applicable to the employees.

ii) Full provident fund contribution of the employer with accretions thereto in the account of the employee subject to the provision of the Provident Fund Rules applicable to him.

iii) Gratuity for each completed year of service or part thereof as admissible under the Gratuity Rules.

iv) Transfer TA benefits for self and family for proceeding to hometown or to the place where he intends to settle in India as admissible under the TA Rules.

53. **Power to relax time limit and to condone delay**:

Save as otherwise expressly provided in these rules the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown extend the time specified in these rules for anything required to be done under these rules or condone any delay.

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54. Disciplinary Authority

Disciplinary authority as specified below or authority higher than it, may impose any of the penalties specified:

Sl. No.	Level	Appointing Authority	Disci-plinary Authority	Extent of power of Disciplinary Authority to impose penalties	Appellate Authority
A	B	C	D	E	F
1	Director	Vice Chairman, Governing Council	Vice-Chairman, GC	All penalties	Chairman, GC
2	Executives with pay scale Rs. 8,000 - 13,500 and above	Director	Director	All penalties	Vice Chairman, GC
3	Executive in the scale of pay Rs 5500-175-9000 and 6500-200-10500,	Registrar,	Registrar,	All penalties	Director
4	Others	Registrar,	Registrar,	All penalties	Director

55. PERIODICAL REVIEW BY ADMINISTRATIVE MINISTRY

Performance review meetings shall be held by the Administrative ministry where the Chief Executive of the Society shall give a presentation on the projects in hand, and those in the offing. A critical analysis shall be made of timely completion of projects; technology content and administrative matters shall not be taken up in these meetings.

56. DELEGATION OF POWERS

With a view to facilitate smooth functioning of the society, powers have been delegated to Chief Executive and are in Schedule-I to the Bye-Laws. All matters for which specific provision has not been made shall be referred to Chairman for approval. The Chief Executive may delegate any of his powers, functions and duties to any member or employee of SAMEER.

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57. POLICY MANUAL

The policy manual spell out the administrative norms and procedure, service conditions, facilities and other information that the employees of the Society should be aware of. The major purpose of these rules, however, is to provide a ready reference. While the emphasis has been to cover maximum aspects to satisfy general queries with focus on accurate and up-to-date information, it cannot substitute a direct interaction with Administration/Finance/Personnel whenever detailed clarification is required on anything pertinent to respective functions Bye-laws, Minutes of Governing Council, Executive Committee can be referred to for detailed rules wherever applicable.

The Society aims to promote efficiency, creativity, innovation and initiative. Society lays greatest emphasis on flexibility, communication, participation, teamwork and infrastructure creation.

Certified that this is a true copy of the bylaws of the Society as amended in the meeting of the Governing Council held on

1.

2.

I certify the aforesaid signatures.

Gazetted Officer

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