

**BUILDING MATERIALS & TECHNOLOGY PROMOTION COUNCIL**

Ref.No.BMT/ED/RR-1/2010

15<sup>th</sup> June, 2010

Circular

As you all are aware that our Controlling Ministry was in the process of amending the existing 'Bye-Laws' for the betterment, transparency and smooth functioning of BMTPC. We have now received the duly authenticated copy of 'Bye-Laws' which are applicable with immediate effect. A copy of the 'Bye-Laws' is kept in the Library for ready reference of all the employees of BMTPC. The Bye-Laws are to be strictly enforced and all the employees are requested to follow and work within the framework of 'Bye-Laws' while discharging their duties. The Bye-laws will also be put on the web-site of BMTPC.



(Dr. Shailesh Kr. Agrawal)  
Executive Director

To : All employees of BMTPC.

No.N-12011/1/2005-AA  
Government of India  
Ministry of Housing & Urban Poverty Alleviation  
(AA Section)  
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Nirman Bhawan, New Delhi.  
Dated- 14<sup>th</sup> June 2010

To

Dr. Shailesh Kr. Agrawal,  
Executive Director,  
Building Materials and Technology Promotion Council,  
India Habitat Centre, Lodhi Road,  
New Delhi-110003.

**Subject: Bye-Laws of BMTPC**

Sir,

Reference is invited to item No. B.9.5 of the minutes of the 9<sup>th</sup> meeting of Board of Management of BMTPC held on 12.04.2010 approving the amendments to the Byelaws of BMTPC. The Byelaws as approved by the Board of Management, duly authenticated by Deputy Secretary (AA) and Under Secretary (AA) is enclosed herewith.

2. Your attention is also invited to the stipulation in the said minutes of Board of Management that the approved Byelaws should be strictly enforced. The Board will review the Byelaws after three years for any further amendment.
3. You are requested to ensure that the approved Byelaws is strictly enforced.

Encl: As above.

Yours sincerely,

*S. Sasikumar*  
(S. Sasikumar)  
Deputy Secretary to the Government of India  
Tel: 23061524

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# **BYE-LAWS**

**AS PER CLAUSE 14 OF THE RULES &  
REGULATIONS**



**Building Materials & Technology Promotion Council**

Ministry of Housing & Urban Poverty Alleviation, Government of India  
Core-5A, 1st Floor, India Habitat Centre,  
Lodhi Road, New Delhi

MAY, 2010

A handwritten signature in black ink, consisting of a stylized 'N' followed by a circle and a horizontal line.

## PREFACE

The Building Materials & Technology Promotion Council (BMTPC) is an autonomous organization under the Ministry of Housing & Urban Poverty Alleviation, Government of India. The Council receives financial support as grant-in-aid from the Ministry and as enshrined in its Memorandum of Association and Rules & Regulations, the Council is to follow General Financial Rules and Fundamental Rules of Government of India mutatis-mutandis to the Council. BMTPC has been following the Byelaws which were framed in 1993 since its inception. However, over the years it has been felt that there is need to look into these byelaws and reframe & amend the byelaws so as to follow Government rules broadly and at the same time to have operational flexibilities for deliverance of the activities being undertaken by the Council enshrined in its mandate. This also became relevant on account of two Pay Commission Revisions i.e. 5<sup>th</sup> Pay Commission and 6<sup>th</sup> Pay Commission.

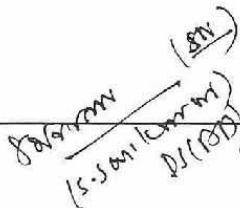
The proposal for amendment of Byelaws was placed for consideration to the Executive Committee in its 34<sup>th</sup> meeting held on February 3, 2010 which was approved and later placed in the 9<sup>th</sup> meeting of the Board of Management held on 12<sup>th</sup> April, 2010. The Byelaws have been duly approved by Executive Committee and Board of Management which has the authority to amend and reframe Byelaws from time to time.

The Byelaws broadly follows General Financial Rules and Service Rules of the Government of India applicable to Central Government Employees. However, few flexibilities are being given to the Council on account of the fact that BMTPC has limited manpower and involved in multifarious technical activities. The Byelaws incorporate new recruitment and promotion policy for BMTPC employees which is broadly recruitment and promotion policy based on Government of India. Also the Assured Career Progression Scheme applicable to Central Govt. employees has been dovetailed in the promotion policy.

The Byelaws supersedes all the earlier existing byelaws and shall be applicable with immediate effect. The Byelaws has been revised in such a way so as to have complete transparency for the smooth functioning of the Council and its related activities.

18<sup>th</sup> Day of May, 2010  
New Delhi

  
(Dr. Shailesh Kr. Agrawal)  
Executive Director

  
(S. Sanil Kumar)  
DS (AO)

  
US (AO)

## **1 GENERAL BODY, BOARD AND COMMITTEE**

### **1.1 Meetings**

#### **1.1.1 General Body / Board of Management**

Meetings of the General Body / Board of Management shall ordinarily be held at least once in a year. The General Body will consist of all the members of the Board of Management. If necessary, special meetings of the Board of Management shall be held at the written requisition of at-least five members of the Board of Management.

#### **1.1.2 Executive Committee**

Meetings of the Executive Committee shall be held at least four times in a calendar year with a gap of three months between the meetings.

### **1.2 Place of meetings**

All meetings of the General Body and the Board of Management shall be held in New Delhi at the Council's premises or at a predetermined place as may be decided by the President. Meetings of the Executive Committee shall be held at a predetermined place as may be decided by the Chairman of the Executive Committee.

### **1.3 Notice**

There shall be minimum ten working days notice for the meeting of General Body / Board of Management and minimum seven working days for the meeting of the Executive Committee. The meetings of these bodies may be held even at shorter notice as directed by the President/Chairman, if the circumstances so warrant.

### **1.4 Quorum and procedure for the meetings**

1.4.1 For meetings of the General Body / Board of Management the quorum shall be one third of its total members.

1.4.2 For meetings of the Executive Committee the quorum shall be five members.

All decisions shall be made by a majority of votes of the members present and voting. In the event of a tie, the Chairman shall have a casting vote to decide the issue.

### **1.5 Adjourned meetings**

In the case of General Body meeting, when called on the requisition of members, if within half an hour from the time given for the commencement of

meeting, a quorum is not present, the meeting shall be dissolved. In the cases of Board of Management and Executive Committee, in the absence of a quorum, it shall be adjourned to such time as may be determined by the person presiding. The adjourned meeting shall proceed to transact business even if there is no quorum.

**1.6 Chairman of the meeting**

The President/Chairman of the General Body/ Board of Management/Executive Committee, as applicable, shall preside over meeting of General Body/ Board of Management/ Executive Committee respectively. In the absence of the President/Chairman, the Vice-President/Vice-Chairman shall preside over the meeting. In the absence of the Vice-Chairman also, the members present shall elect one from amongst themselves to preside over the meeting.

**1.7 Nature of business of the meetings**

1.7.1 The General Body / Board of Management shall meet to consider the reports about the activities of the Council forwarded by the Executive Committee, to determine policy guidelines for the Council as also to consider Audit Reports, Annual Reports and such other matters as may be brought before the body with the permission of its Chairman.

1.7.2 The Executive Committee shall meet to review and plan the activities of the Council such as project activities, funds, delegation of financial powers, budget, action plan in the light of decision(s) of Board of Management/ Governing Body, release of funds, decision taken in emergency situations, to approve agenda papers for the meetings of the General Body and also to give effect to their decisions.

**1.8 Minutes**

The Executive Director who is the ex-officio Member Secretary to the General Body/Board of Management/Executive Committee shall draft and finalise minutes of the meetings at the earliest with the approval of President of General Body/Board of Management and Chairman, Executive Committee, as the case may be, and circulate copies of the approved minutes to each member of the respective body.

**1.9 Vacancy**

When a vacancy occurs in the Board of Management/Executive Committee on account of death, resignation or any other cause, the Executive Director of the Council shall, as soon as possible, take necessary action to fill up the said vacancy.

**1.10 Business by circulation of papers**

The Board of Management / Executive Committee may dispose off urgent matters by circulation of papers as per the direction/approval of the President of the Council and the Chairman of the Executive Committee as the case may be.

**1.11 Sub-Committees**

The Board of Management/Executive Committee may set up sub-committees from its own members or staff of the Council or experts in the relevant field and may assign to such sub-committees such powers and duties as are in accordance with the Rules & Regulations of the Council.

**2 FINANCE AND ACCOUNTS**

**2.1 Funds of the Council**

The Council shall raise funds through grants, donations, gifts, income from investments, publications, remunerations received through consultancy/design/development, technology transfer, contracts, training programmes, seminars etc. and all payments by the Council shall be made therefrom.

**2.2 Receipts**

All moneys received for or on behalf of the Council shall be placed in a current and/or savings or fixed deposit account with a scheduled bank(s) in the name of the Council.

**2.3 Payments**

Payments by or on behalf of the Council for and above Rs.25,000/- shall normally be made by Cheque. In cases of payments by cheque, the cheque shall be signed jointly by two signatories, as authorised by the Executive Committee, to the Bank(s). One of the signatories necessarily shall be the Executive Director.

**2.4 Endorsements**

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

**2.5 Interest Free and Interest Bearing Advances**

All interest free and interest bearing advances may be regulated as per the rules/guidelines applicable to the Central Government employees as notified by the Government of India from time to time. Sanctions shall be issued with the approval of the Executive Director or an officer to whom the power has been delegated by the Executive Director.

**2.6 Budget**

The Executive Director shall cause to prepare, in such form, manner and at such time each year as may be prescribed, a budget in respect of the ensuing financial year showing the estimated receipts and expenditure under various 'Heads' and forward the same, with the recommendations of the Executive Committee, to the Board of Management for its consideration and approval.

**2.7 Accounts & Audits**

2.7.1 The Council shall cause to be maintained such books of accounts and other books in such form and in such manner as may, in consultation with the auditors of the Council, be prescribed. The designated Finance Incharge shall be responsible for maintenance of financial books and designated Administration Incharge shall be responsible for other than financial books.

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

2.7.3 The accounts of the Council shall be audited by such auditors as approved by the Board of Management who are empaneled with the Comptroller and Auditor General of India.

**3 TERMS AND CONDITIONS OF SERVICE OF THE STAFF OF THE COUNCIL**

**3.1 Recruitment of staff**

The employees of the Council, other than the Executive Director, are divided into three categories:-

3.1.1 Technical staff comprising of Scientists, Technologists, Architects, Engineers, Qualified professionals & Planners in different activity areas of the Council, such as Building Materials, Construction Management and Practices, Technology Development & Dissemination, Demonstration Construction, Design and Planning, Disaster Mitigation and Management, Documentation & Information Services, Performance Appraisal Certification, Industrial promotion, Marketing-Management, Business/ Industrial management, International Cooperation, Investment promotion, etc.



- 3.1.2 Administrative and Accounts staff, comprising of personnel handling personnel and administrative matters, finance and accounts, purchase, office automation, library, stores, and other members of the staff doing administrative work.
- 3.1.3 Miscellaneous and Supporting staff, comprising of Exhibition attendant, Library attendant, Office attendant, house keeping staff; security staff, etc. deployed in the Council or for servicing the offices of President of Board of Management, Chairman & Members of Executive Committee.
- 3.1.4 Recruitment of staff to all the sanctioned posts in the Council shall be done as per the BMTPC Recruitment & Promotion Rules and recruitment rules for individual post notified with the approval of the Board of Management from time to time.
- 3.1.5 All categories of staff particularly Administrative, supporting and miscellaneous categories shall be kept to minimum by adoption of large scale modern office management equipment and entrusting staff with multiple functional responsibilities.

The Council may in special circumstances hire personnel temporarily on project to project basis from Placement Agencies on consolidated payment .

### **3.2 Terms of appointment**

#### **3.2.1 Certificate of physical fitness**

Every employee, except those officials who join the Council from Central Government/State Governments or public sector organisations and who have already undergone pre-employment medical examination, shall prior to taking up his or her appointment, be medically examined and be certified fit for services by a medical officer nominated by the Executive Director.

#### **3.2.2 Agreement**

Every employee of the Council with a minimum Pay of Rs. 4440/- in the relevant Pay Band plus Grade Pay of Rs.1300 per month or more shall undertake in writing the terms and conditions of appointment before joining the Council.

#### **3.2.3 Salary**

The scales of pay of the employees of the Council shall be as per the scales of pay for different categories of posts applicable to the Central Government employees as notified by the Department of Personnel & Training, Government of India from time to time and the same as adopted by the Council.

#### 3.2.4 Obedience to Rules & Regulations

During the period of his/her service every employee shall abide by the Rules and the Bye-laws of the Council as existing from time to time and also the orders passed by the Executive Director or such officer to whom the power is delegated by Executive Director.

#### 3.2.5 Specific work

Every employee shall perform such duties as may be entrusted to him/her and shall, to the best of his/her ability, carry out the lawful directions of the Council, Executive Director, or any other person to whom he is reporting, according to the Rules/ Bye-laws of the Council and instructions of the Executive Director.

#### 3.2.6 Whole time service

All employees of the Council shall devote whole time to the service of the Council and are subject to the BMTPC Conduct, Discipline and Appeal Rules issued with the approval of the Board of Management from time to time.

#### 3.2.7 Transfer/Posting

Every employee of the Council shall be liable to be posted, at the discretion of Executive Director, at any of the Council's offices/units or at any other organisation for Council's work anywhere in India or Abroad.

#### 3.2.8 Performing duty on Saturdays, Sundays, holidays and outside office hours

The normal working hours of the Council shall be as applicable to the Ministry of Housing and Urban Poverty Alleviation. The Executive Director or an officer to whom the power has been delegated by the Executive Director, may for urgent work, ask any employee of the Council to come before normal working hours or to perform duty after office hours and on Saturdays, Sundays and holidays. In such cases necessary arrangements for refreshment, conveyance, compensatory off, overtime allowance etc., wherever considered necessary and admissible, shall be made with the approval of the Executive Director.

#### 3.2.9 Discipline

The authority which appoints a member of the staff of the Council may suspend, discharge, dismiss or otherwise punish him/her for any misconduct or disobeying the office order or for breach of the terms and conditions of his/her appointment as per the BMTPC Conduct, Discipline & Appeal Rules issued with the approval of the Board of Management from time to time.

### 3.2.10 Order of discharge or dismissal

No order of discharge or dismissal of an employee of the Council shall be passed under the preceding Bye-law (3.2.9) unless the specific charges on which such order is to be passed, are framed against the person in writing, and given to the said person, so that he/she shall have reasonable opportunity of showing cause as to why the proposed action should not be taken against him/her, and submitting an explanation in writing within such time as may be prescribed by the appointing authority; provided that the requirements of this Bye-law may be waived if the facts, on the basis of which action is to be taken, have been established in a Court of Law, or where it is impractical, to communicate with him/her or where administrative expediency warrants resorting to such action. In every case where all or any of the requirements of this Bye-law are waived, the reasons for doing so shall be recorded in writing.

### 3.2.11 Appeals

An employee who has been discharged or dismissed shall have the right of appeal against any order passed by the appointing authority to the authority to which the appointing authority is immediately subordinate, hereinafter referred as "appellate authority", vide "Schedule" to these bye-laws. Every appeal shall comply with the following requirements:-

- 3.2.11.1 it shall be in writing;
- 3.2.11.2 it shall be couched in concise, polite and respectful language, and be free from any irrelevant matter;
- 3.2.11.3 it shall contain all materials statements and arguments relied on and shall be complete in itself;
- 3.2.11.4 it shall specify the relief desired.
- 3.2.11.5 it shall be submitted to the authority whose order has been appealed against within a period of three months from the date on which the appellant receives a copy of the order appealed against, provided further that a copy of the appeal may be submitted direct to the appellate authority;
- 3.2.11.6 it shall not be addressed by name of the President/Vice President of the Council, Chairman of the Executive Committee or Executive Director or to any Member of the Council, and any such action shall be deemed a breach of discipline.

### Schedule-1

Description of Posts	Appointing Authority	Selection Committee for Appointment	Disciplinary Authority	Appellate Authority
Executive Director	President, Board of Management with approval of Appointment Committee of Cabinet (ACC).	1. Secretary, MoHUPA - <i>Chairman</i> 2. Joint Secretary (H), MoHUPA - <i>Secretary</i> 3. DG, CPWD or an officer nominated by him not below ADG - <i>Member</i> 4. One representative of Deptt. of Personnel & Training - <i>Member</i> 5. Three experts in the field (senior level), particularly one each from industry, academia & eminent expert - <i>Members</i>	President, Board of Management	Board of Management
Officers in the Grade Pay of Rs.7600 & above but below Executive Director	President, Board of Management	1. Joint Secretary(H)/Joint Secretary&FA, MoHUPA - <i>Chairman</i> 2. Executive Director, BMTPC- <i>Member Secretary</i> 3. C.E., CPWD/Chief Controller of Accounts, MoHUPA, - <i>Member</i> 4. Three experts in the field (senior level) - <i>Members</i> (Nominated by Chairman,EC) 5. One representative of SC/ST/OBC (senior level) - <i>Member</i> (Nominated by Chairman, EC)	President, Board of Management	Board of Management
Officers in the Grade Pay below Rs.7600 but above Rs.5400	Chairman, Executive Committee Management	1. Joint Secretary(H), MoHUPA - <i>Chairman</i> 2. Executive Director, BMTPC- <i>Member Secretary</i> 3. C.E., CPWD - <i>Member</i> 4. Two experts in the field (senior level) - <i>Members</i> (Nominated by Chairman, EC) 5. One representative of SC/ST/OBC (senior level)- <i>Member</i> (Nominated by Chairman, EC)	Chairman, Executive Secretary Committee	President, Board of Management Committee
Staff in the Grade Pay of Rs.5400 & below	Executive Director	1. Executive Director, BMTPC- <i>Chairman</i> 2. Chief, BMTPC - <i>Member Secretary</i> 3. Chief (Finance), BMTPC - <i>Member</i> 4. One representative of SC/ST/OBC- <i>Member</i> (Nominated by Chairman, ED)	Executive Director	Chairman, Executive Committee

### 3.2.12 Consideration of appeals

In the case of an appeal against an order of discharge or dismissal the appellate authority shall consider:-

- 3.2.12.1 whether the procedure prescribed in the preceding bye-laws has been complied with, and, if not, whether such non-compliance has resulted in a miscarriage of justice, and
- 3.2.12.2 whether the findings are justified, and
- 3.2.12.3 whether the penalty imposed is excessive, adequate or inadequate, and pass order:-

3.2.12.4 setting aside, reducing, confirming or enhancing the penalty or

3.2.12.5 remitting the case to the appointing authority or to any other authority with such direction as it may deem fit in the circumstances of the case; provided that the appellate authority shall not impose any enhanced penalty unless the appellant has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.

3.2.13 Implementation of orders in appeal

The authority which made the order appealed against shall give effect to the orders passed by the appellate authority;

3.2.14 Board's power to review

Notwithstanding anything contained in bye-laws 3.2.11 to 3.2.13, the Board of Management may at its own or otherwise, after calling for the records of the case, review any order passed by it and may

3.2.14.1 confirm, modify or set aside the order,

3.2.14.2 impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order,

3.2.14.3 remit the case to the appointing authority which made the order or to any other authority directing such further action or inquiry as it considers proper in the circumstances of the case, or

3.2.14.4 pass any such other order as he 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.

3.2.14.5 No appeal shall lie against any order made by the Board of Management.

3.2.15 Review of orders in disciplinary and vigilance cases

The authority to which an appeal can be made against an order imposing any of the penalties specified in BMTPC Conduct, Discipline and Appeal Rules may, of its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order passed in such a case, and pass such orders as it deems fit, as if the employee had preferred an appeal against such an order; provided that no action under this bye-law shall be initiated more than six months after the date of the order to be reviewed.

### 3.2.16 Pay and allowances on acquittal

If a member of the staff of the Council has been discharged or dismissed and the charges are not proved against him, the appellate authority may grant pay and allowances to him for the period of absence from duty, if,

3.2.16.1 he/she is fully exonerated, the full pay to which he/she would have been entitled had he/she not been discharged or dismissed, and by an order to be separately recorded, any allowances of which he/she was in receipt prior to his discharge or dismissal, or

3.2.16.2 not fully exonerated, such proportion of pay and allowances as the appellate authority may prescribe.

The period of absence from duty shall be treated as period spent on duty in case 3.2.16.1. It shall not be treated as period spent on duty in case 3.2.16.2 unless the appellate authority directs to the contrary.

### 3.2.17 References

Before initial appointment in the Council, every candidate shall be required to give two references for the purpose of verification of his character and antecedents.

## 3.3 Tenure of appointment

### 3.3.1 Period of Service

Appointment by direct recruitment to a post in the Council shall initially be on probation for a period of two years which is extendable for reasons to be recorded in writing. His/her confirmation in the post shall be subject to successful completion of the probation period. On the satisfactory completion of probation period, he/she shall be confirmed in the post. Provided, however, that no such appointment shall extend beyond the age of superannuation (60 years) or the dissolution of the Society, whichever is earlier.

### 3.3.2 Extension

Extension beyond superannuation may be granted by the Executive Committee, in special circumstances up to the age of 62 years to a member of the technical staff, if the Executive Committee is satisfied that the member is competent and fit in all respects to render further service and no alternative arrangements could be made. However, such appointments shall be purely on a contract basis only for a period not exceeding 2 years or

alternative arrangement is made, whichever is earlier, on payment of a consolidated amount at the minimum of the scale of pay plus allowances at the time of his/her superannuation. However, in case of official tour by the contract employee for the purpose of the Council DA/TA/ accommodation facilities shall be allowed, as being applicable to him/her on the basis of last pay drawn at the time of superannuation in the Council. During the period of the said contract appointment he/she shall also be eligible to medical and leave facilities as applicable to the regular employees of the Council.

### 3.3.3 Termination of contract

#### 3.3.3.1 Technical Staff

Subject to any contract under bye-law 3.3.1, the agreement of service of any member of the technical staff shall be terminated by either party giving to the other not less than three months' notice in writing except during the period of probation when the period of notice shall be one month's notice in writing.

#### 3.3.3.2 Administrative, supporting and miscellaneous staff

The services of any member of the administrative, supporting and miscellaneous staff shall be terminated by either party giving to the other a period of notice of not less than three months in writing. Such period of notice shall be relaxed, for the reasons to be recorded in writing, by Executive Director or a member of the staff to whom the power has been delegated.

#### 3.3.3.3 Curtailment of period of notice

Notwithstanding anything contained in 3.3.3.1 and 3.3.3.2

3.3.3.3.1 the service of any member of the staff may be terminated by giving a shorter notice than that specified in paragraphs 3.3.3.1 or 3.3.3.2 on payment to him of a sum equivalent to the amount of pay plus allowances for the period by which such notice falls short of the period specified, for the reasons to be recorded in writing.

3.3.3.3.2 the appointing authority, or the authority to whom the power has been delegated, may accept a shorter period of notice from a member of the staff in special circumstances, for the reasons to be recorded in writing.

#### 3.3.3.4 Leave on termination of contract

Earned leave on full pay may be counted towards the period of notice required under bye-laws 3.3.3.1 and 3.3.3.2, if so directed

by ED and for any part not so utilised, pay and allowances may be paid at the discretion of the Executive Director or a member of the staff to whom the power has been delegated by the Executive Director.

**3.4 Reservations in Direct Recruitment/Promotion for SC/ST/OBC/ Minorities/Physical Handicapped**

As per directives of the Government of India from time to time for Central Government employees.

**3.5 Pay and allowances**

With the approval of the Executive Committee, the Council shall adopt the scales of pay and allowances for its personnel as applicable to the Central Government employees as notified by the Government of India from time to time.

**4 DUTIES OF THE EXECUTIVE DIRECTOR**

**4.1 Business of the Council**

It shall be the duty of the Executive Director to carry on the work of the Council under the control of the Board of Management and the Executive Committee in accordance with the Rules and Bye-laws for the administration and management of the Council. In the case of an emergency, he may take such action as may be necessary and report it to the Executive Committee, the Board of Management and the General Body immediately thereafter.

**4.1.1 Direction and control of the staff**

All members of the staff of the Council shall be under the general control of the Executive Director, who may issue standing orders/instructions from time to time.

**4.1.2 Sanction of expenditure**

All expenditure within the budget grant shall be sanctioned by the Executive Director, or a member of the staff to whom power has been delegated, as per the Delegation of Powers approved by the Executive Committee/Board of Management, subject to the following conditions:-

4.1.2.1 Expenditure on foreign travel of any employee of the Council shall be with the prior approval of the President, Board of Management.

4.1.2.2 No reappropriation shall be made between provisions under various heads of the budget grants except as approved and directed by the Executive Director, for the reasons to be recorded in writing.

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#### 4.1.3 Supervision of work

The Executive Director shall exercise general supervision over the programme of the Council.

#### 4.1.4 Annual Report

The Executive Director shall finalise the Annual Report of the Council, with the approval of the Executive Committee/Board of Management by the end of June each year, so that the same may be laid on the Tables of both the Houses of Parliament.

The Executive Director shall be responsible for the maintenance of Accounts, Records and submitting Audit Reports as laid down in Memorandum of Association and Rules & Regulations of the Council.

#### 4.2 Duties of Designated Administration Incharge

4.2.1 The designated Administration Incharge shall be responsible for all administrative and personnel administration including conduct, disciplinary matters, etc. of the Council, subject to the general control of the Executive Director.

4.2.2 The designated Administration Incharge shall assist the Executive Director in performing his functions as the Member Secretary of Executive Committee/Board of Management /General Body.

4.2.3 The designated Administration Incharge shall be responsible for administrative correspondence relating to the Council, subject to the instructions of the Executive Director wherever given/necessary.

4.2.4 The designated Administration Incharge shall be in-charge of the administrative and miscellaneous staff of the Council, subject to general control/instructions of the Executive Director.

4.2.5 The designation Administration Incharge shall look after the maintenance and upkeep of the premises and the property of the Council.

#### 4.3 Duties of designated Finance Incharge

4.3.1 The designated Finance Incharge shall deal with all matters relating to Finance and Accounts of the Council. He/she shall analyse the proposals related to projects/activities and provide financial advice/concurrence thereto.

4.3.2 The designated Finance Incharge shall be responsible for maintenance and upkeep of accounts of the Council.

4.3.3 The designated Finance Incharge shall be responsible for managing the funds of the Council. He shall see that all moneys received by the Council through grants, consultancies, donations, gifts or other activities etc. are deposited in the Bank Accounts of the Council and arrange payments on behalf of the Council therefrom.

4.3.4 The designated Finance Incharge shall prepare the Annual Budget, supplementary Budget Estimates of the Council and submit to the Executive Director for further consideration of the Executive Committee/Board of Management.

4.3.5 The designated Finance Incharge shall be responsible for the banking operations, preparation, maintenance and submission of Annual Accounts, internal audits, audit reports, replies to audit paras, etc. of the Council, in accordance with the instructions of the Executive Committee and as per the directive of Comptroller and Auditor-General of India.

4.3.6 The designated Finance Incharge shall be the Drawing & Disbursing Officer in the Council.

#### **4.4 Duties of Chiefs/Deputy Chiefs**

All Chiefs and Deputy Chiefs in the Council shall discharge such duties and functions as may be assigned to them by the Executive Director from time to time.

### **5 EXECUTION OF CONTRACTS ON BEHALF OF THE COUNCIL**

#### **5.1 Contracts to be signed in case of contract appointments in the Council**

In the case of appointment of Executive Director, shall be between Chairman of the Executive Committee of the Council and Executive Director.  
In the case of appointments other than Executive Director, shall be between the person concerned and the Executive Director.

#### **5.2 Contracts/agreements other than appointments**

All other contracts/agreements by or on behalf of the Council shall be signed by the Executive Director.

### **6 OTHER MISCELLANEOUS MATTERS**

#### **6.1 Travel allowances, Daily Allowances and Accommodation during official Tours**

6.1.1 Travelling Allowances, Daily Allowances, Accommodation, etc. for all employees of the Council including Executive Director, shall be regulated

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under the Government of India rules applicable to the Central Government employees as notified from time to time.

- 6.1.2 In the case of official tours/travels on behalf of the Council by the President/Vice-President/Members of the Board Management and Chairman/Members of the Executive Committee of the Council, the Council shall provide travel allowances, daily allowances, accommodation, etc. as per the Government of India rules from time to time keeping in view their status/official grades.

**6.1.3 Travel allowances, etc. on Transfer**

- 6.1.3.1 The eligibility and entitlements in such cases shall be regulated under the Government of India rules applicable to the Central Government employees as notified from time to time.

- 6.1.3.2 Where expenditure on travel/incidental etc. are to be met from funds placed at the disposal of the Council, the Executive Director shall permit appropriate mode of travel in view of exigencies of work for the reasons to be recorded in writing.

**6.1.4 Procurement of Tickets on Official Tours/Transfers/LTC including through credit cards**

Such matters shall be regulated under the Government of India rules applicable to the Central Government employees as notified from time to time.

**6.1.5 International travel:**

- 6.1.5.1 By members of the Board of Management and Executive Committee including Executive Director and other employees of the Council shall require the prior approval of the President of the Board of Management on recommendation by the Chairman, Executive Committee.

- 6.1.5.2 The per-diem rate and other allowances during international travel shall be regulated under the relevant Government of India rules as notified from time to time.

**6.1.5.3 International travel entitlement:**

Shall be regulated under the Government of India rules applicable to the Central Government employees as notified from time to time.

**6.1.6 Official Tour/Travel within India:**

6.1.6.1 By members of the Board of Management and Executive Committee shall require the prior approval of the President of the Board of Management and in the case of Executive Director, Chairman, Executive Committee.

6.1.6.2 By the employees of Council shall be approved by the Executive Director.

6.1.6.3 The Travel entitlements shall be regulated under the relevant Government of India rules as notified from time to time.

**6.1.7 Journey by Sea or by River Steamer:**

6.1.7.1 The Travel entitlements and facilities shall be regulated under the relevant Government of India rules as notified from time to time.

**6.2 Attendance at scientific conferences**

6.2.1 Members of the Board/Committee and the staff of the Council may be allowed to attend scientific conferences and congresses, and may be deputed for specialized training or for work related with activities of the Council at the discretion of (i) the President of the Board of Management in the case of the Chairman or Members of Executive Committee, (ii) the Chairman, Executive Committee in case of Executive Director and of (iii) the Executive Director, or a member of the staff to whom the power has been delegated by the Executive Director, in the case of others subject to provision of Government Travelling Allowance rules.

**6.2.2 Contributions to technical periodicals**

Contributions of articles/papers for publication in the outside journals, based on the work carried out in the Council by members of the staff of the Council, shall be with the prior approval of the Executive Director and such contributions should be attributed to the Council's name.

**6.3 Consultancy and Advisory Assignments**

6.3.1 The Council may undertake consultancy/advisory assignments from national/international agencies for survey, training, study, etc., and such other activities which may be in the interest of technology transfer/sharing and technical cooperation. The Council may charge consultancy fee from sponsoring organisations. Out of the fee or funds so received by the Council, a honorarium can be paid to those officers and staff who would be associated with such programmes. Amount of honoraria in case of officers/staff other than Executive Director shall be decided by Executive Director. In case where honorarium is also proposed to be paid to Executive Director or members of the Executive Committee, distribution of honorarium

to the team in such cases shall be decided with the approval of the Chairman, Executive Committee.

#### **6.4 Promotion**

6.4.1 The promotions of employees in the Council to the next promotional posts shall be according to the vacancies in the sanctioned posts in the promotional grades in accordance with the Recruitment & Promotion Rules of BMTPC.

6.4.2 The suitability for consideration for promotion of an employee to the next higher grade shall be based on the benchmark performance of the employee concerned as reflected in his/her Annual Confidential Reports for last 5 preceding years and interview by the Departmental Promotion Committee in accordance with BMTPC Recruitment & Promotion Rules and recruitment rules for the relevant post. The Departmental Promotion Committee shall ordinarily meet once in a year.

6.4.3 The benchmark to be obtained for promotion in the Annual Confidential Reports for consideration to the next higher grades are given below:

For Promotion below Grade Pay of Rs.7600 - Good

For Promotion above Grade Pay of Rs.7600 onwards - Very Good

6.4.4 The Council shall adopt formats for Annual Confidential Reports and evaluation criteria as applicable to the Central Government employees with suitable modifications keeping in view the nature of work in the Council.

#### **6.4.5 Assured Career Progression Scheme**

6.4.5.1 In order to deal with the problem of genuine stagnation and hardship faced by the employees due to lack of adequate promotion avenues, the Council shall adopt the Assured Career Progression Scheme as applicable to the Central Government employee from time to time.

6.4.5.2 Screening Committees shall be constituted in the Council to consider the cases for grant of financial upgradations under the ACP scheme. The relevant Screening Committee shall consist of a Chairperson and two members. The members of the Committee shall comprise officers holding posts which are at least one level above the grade in which the ACP is to be considered and not below the Scale of Pay of Under Secretary equivalent in the Government. The Chairperson should generally be a grade above the members of the Committee.

#### **6.5 Reviewing and Reporting Authority for Annual Confidential Reports**

6.5.1 The reviewing and reporting authority for the Annual Confidential Reports in the Council shall be:

Category of Staff	Reporting Authority	Reviewing Authority
For Executive Director	Chairman, Executive Committee	President, Board of Management
For and above the grade pay of Rs.8700/-	Executive Director	Chairman, Executive Committee
Upto the grade pay of Rs.7600/- from grade pay of Rs.4200/-	Chief/Dy.Chief	Executive Director
Below the grade pay of Rs.4200	Dy.Chief	Chief

6.5.2 The schedule for completion of the Annual Confidential Reports of the employees of the Council shall be as under:

Nature of Action	Date by which to be completed
Distribution of blank CR forms	31st March
Submission of self-appraisal to Reporting Officer by officer to be reported upon	15th April
Submission of report by Reporting Officer to Reviewing Officer	15th May
Report to be completed by Reviewing Officer and sent to Administration	15th June

## 7 SCALES OF PAY, ALLOWANCES AND PERKS

7.1 The Council shall adopt the scales of pay and allowances for its employees as applicable to the Central Government employee notified by the Government of India from time to time. The scales of pay as per the recommendations of the 6th Pay Commission and notified by the Department of Personnel & Training, Government of India and adopted by the Council are as under:

Name of Post	Name of Pay Band/ Scale	Corresponding Pay Band/ Scales	Corresponding Grade Pay
Executive Director	PB-4	37400-67000	10000
Chief (Building Materials / Technology Marketing / Project Monitoring & Training/Human Settlements & Building Design)	PB-4	37400-67000	8900

Name of Post	Name of Pay Band/ Scale	Corresponding Pay Band/ Scales	Corresponding Grade Pay
Chief (Finance)	PB-4	37400-67000	8900
Deputy Chief (Information & Documentation/ Standardisation & Product Development/ Technology Demonstration, Extension & International Cooperation/ Human Settlements & Building Design/Management Information systems)	PB-4	37400-67000	8700
Deputy Chief (Financial Planning)	PB-4	37400-67000	8700
Development Officer (Building Materials - Product Development / Building Materials - Product Evaluation / Engineering Design & Performance Evaluation / Cost Analysis & Estimation/ Management Information Systems)	PB-3	15600-39100	7600
Senior Field Officer (Demonstration, Construction & Exhibition / Demonstration Construction / Exhibitions & Extension/ Architecture)	PB-3	15600-39100	6600
Field Officer (Product Evaluation)	PB-3	15600-39100	5400
Personnel Officer	PB-3	15600-39100	5400
Systems Analyst	PB-3	15600-39100	5400
Library Officer	PB-3	15600-39100	5400
Principal Private Secretary	PB-3	15600-39100	5400
Senior Programmer	PB-3	15600-39100	5400

Name of Post	Name of Pay Band/ Scale	Corresponding Pay Band/ Scales	Corresponding Grade Pay
Liaison Officer (Information & Public Relations)	PB-3	15600-39100	5400
Asstt. Field Officer/ Project Officer - Technical	PB-2	9300-34800	4600
Private Secretary	PB-2	9300-34800	4600
Asstt. Accounts Officer	PB-2	9300-34800	4600
Assistant (Technical)	PB-2	9300-34800	4200
Assistant (Administrative)	PB-2	9300-34800	4200
Junior Technical Assistant	PB-1	5200-20200	2400
Draftsman	PB-1	5200-20200	2400
Junior Stenographer	PB-1	5200-20200	2400
Junior Assistant - Administrative & Accounts	PB-1	5200-20200	2400
Lower Division Clerk	PB-1	5200-20200	1900
Messenger-cum-Attendant	-1S	4440-7440	1650
Office Attendant	-1S	4440-7440	1300

## **8 DEARNESS ALLOWANCES**

The Dearness Allowances shall be paid at the rates applicable to the Central Government employees notified by the Government of India from time to time.

## **9 HOUSE RENT ALLOWANCE**

The HRA shall be paid at the rates applicable to the Central Government employees notified by the Government of India from time to time.

## **10 LEASED ACCOMMODATION**

- 10.1 The norms for leased accommodation for the Executive Director, BMTPC shall be at the rates notified by the Government of India for CEO of Autonomous Organisations of Government of India from time to time.



**11 CHILDREN'S EDUCATION ALLOWANCE**

Reimbursement of tuition fees and grant of Hostel Subsidy shall be provided to the employees of the Council at the rates as notified by the Government of India for Central Government employees from time to time.

**12 INCENTIVES FOR PROMOTING SMALL FAMILY NORMS**

A special allowance in the form of "Family Planning Allowance" shall be provided to Council's employees for undergoing sterilisation operation as notified by the Government of India for Central Government employees from time to time.

**13 ANNUAL INCREMENT**

Grant of annual increments to the employees of the Council shall be provided as notified by the Government of India for Central Government employees from time to time.

**14 REIMBURSEMENT OF MEDICAL EXPENSES**

- 14.1 As BMTPC employees are not covered under Central Government Health Scheme (CGHS) or any other Medical Scheme, BMTPC shall reimburse the medical expenses incurred for the illness of an employee of BMTPC or any dependent member of his/her family (family includes (i) Spouse and (ii) dependent parents, un-married sisters, widowed sisters, widowed daughters, minor brothers and children provided their income from all sources does not exceed the specified limit by the Central Government for their employees). The reimbursement shall be limited to one month's pay in the Pay band plus Grade pay plus Dearness pay (as on 1st July) for each financial year on production of self declaration for expenditure. A person joining the Council in the midst of the financial year are entitled for prorata financial limit only. In case of hospitalization, actual expenditure shall be reimbursed. For this purpose hospitals empanelled by the Department of Health for CGHS beneficiaries may be empanelled by the Council and the list may be reviewed by Finance Department of the Ministry and those hospitals, which are known to overcharge may be deleted from the list. Medical facilities are not extended to retired BMTPC employees.

**15 REIMBURSEMENT OF TELEPHONE EXPENSES**

**15.1 Landline Phone**

- 15.1.1 The Council shall provide landline telephone facility to President, Board of Management or Chairperson, Executive Committee of BMTPC or their officers and Executive Director for official purposes at their residence or office on a written request, as the case may be. The actual expenditure on these telephones shall be reimbursed by the Council.

- 15.1.2 The other officers of the Council, if there is written request, shall avail the facility of telephone (landline/mobile/broadband connection) at the residence and reimbursement shall be made as per Government rules applicable for central government employees from time to time. Executive Director shall take decisions for providing this facility keeping in view the functional requirement of the official(s).

**15.2 Mobile Phone**

- 15.2.1 The Council shall provide mobile phone facility to President, Board of Management or Chairperson, Executive Committee of BMTPC or their officers and Executive Director for official purposes, on a written request, as the case may be. The actual expenditure on these telephones shall be reimbursed by the Council.

- 15.2.2 Executive Director shall allow reimbursement of mobile phone connection to the officers eligible for phone as admissible to Central Government employees.

- 15.2.3 The Executive Director shall also sanction the expenditure of landline/mobile to other officers of the Council in case of exigency and functional nature of work.

**16 CONVEYANCE ALLOWANCE**

**16.1.1 Hiring of Staff Cars**

On requisition basis and for the work of the Council, vehicles shall be provided for official purpose to:

- President of Board of Management
- Vice-President of Board of Management
- Chairman, Executive Committee
- Members of the Board of Management and Executive Committee (from the Controlling Ministry)

- 16.1.2 Executive Director of the Council shall be provided with one official vehicle for his official use. In case of private use of official vehicle by the Executive Director, deductions shall be made as per Government Rules. Apart from this, Executive Director may hire vehicles as per requirement for the use of its senior officers/consultants/ experts/foreign delegates/officers from the concerned Ministries/Deptts. for official purposes. In case Executive Director uses official conveyance for travel between his residence and office and vice versa, no Transport Allowance shall be admissible.

**16.2 Transport Allowances**

The Transport Allowance shall be paid to the employees of the Council at the rates and conditions as applicable to the Central Government employees notified by Government of India from time to time.

**17 LEAVE TRAVEL CONCESSIONS**

The Leave Travel Concessions including leave encashment shall be as applicable to the Central Government employees notified by Government of India from time to time.

**18 OVERTIME ALLOWANCE**

The Overtime Allowance shall be provided to the employees of the Council as applicable to the Central Government employees notified by Government of India from time to time.

**19 ADVANCE**

**19.1 Conveyance Advance**

The Conveyance Advances shall be provided to the employees of the Council as applicable to the Central Government employees notified by Government of India from time to time, subject to availability of budget provision.

**19.2 House Building Advance**

The House Building Advances shall be provided to the employees of the Council as applicable to the Central Government employees notified by Government of India from time to time, subject to availability of budget provisions.

**19.3 Other Advances**

Executive Director may sanction other advances to the employees of the Council as per Government of India Rules for Central Government employees, subject to availability of budget provision.

**20 PROVIDENT FUND SCHEME**

**20.1** Provident Fund subscription shall be deducted from the salary of the employee of the Council as per Contributory Provident Fund (CPF) rules from time to time.

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20.2 A matching contribution equal to the sum mentioned in item 20.1 subject to maximum as stipulated in CPF rules shall be made by BMTPC in respect of each employee.

20.3 Rate of interest applicable on provident fund at the credit of employees of the Council shall be as stipulated by RPF commissioner/ Govt. of India from time to time.

## **21 GRATUITY**

BMTPC shall be governed by Payment of Gratuity Act of Government of India.

## **22 DEPOSIT/GROUP SAVINGS - LINKED INSURANCE SCHEME/ SUPERANNUATION SCHEME /EX GRATIA LUMP SUM COMPENSATION**

Council staff members shall be covered by Employees Deposits/ Group Savings linked Insurance schemes/ Superannuation Scheme/ *Ex gratia* lumpsum compensation by Schemes of National Insurance Company/LIC of India as shall be worked out by the Council.

## **23 LEAVE RULES**

### **23.1 Right to Leave**

Leave cannot be claimed as a matter of right. When the exigencies of the Council so require, discretion to refuse or revoke leave of any kind is reserved to authority competent to grant leave.

### **23.2 Authority competent to grant leave**

Application for leave shall be addressed to the Chairman, Executive Committee by the Executive Director and to the Executive Director by other members of the staff or to an officer to whom the power has been delegated by the Executive Director.

### **24.3 Kinds of leave due and admissible**

#### **24.3.1 Casual Leave**

Employees of the Council shall be entitled to Casual leave, as per Government of India rules, in a calendar year subject to the condition that not more than 5 days casual leave at a time shall, ordinarily, be allowed. The Executive Director or any member of the staff to whom the power has been delegated by the Executive Director to grant leave, may waive this condition in exceptional circumstances. Saturdays, Sundays and Holidays preceding or succeeding or intervening the period of casual leave shall not be debited

to any leave account. Unutilised casual leave shall lapse at the end of the calendar year. Combination of casual leave with any other kind of leave is not admissible.

- 24.3.2 Members of staff shall be entitled to avail any of the two Restricted Holidays per calendar year announced by Government of India for Central Government employees.

**24.3.3 Earned Leave**

Employees of the Council shall be entitled to Earned Leave as admissible to Central Government employees:

- 24.3.3.1 The leave account of every employee of the Council shall be credited with earned leave, in advance, in two instalments of 15 days each on the first day of January and July of every calendar year.
- 24.3.3.2 The leave at the credit of every employee of the Council at the close of the previous half year shall be carried forward to the next half year subject to the condition that the leave carried forward does not exceed the maximum limit of 300 days.
- 24.3.3.3 During the period of earned leave, leave salary equal to the pay drawn immediately, before proceeding on earned leave shall be payable.
- 24.3.3.4 In case of a newly appointed employee, earned leave shall be credited to his leave account at the rate of two and half days for each completed calendar month(s) of service which he is likely to render in the year in which he is appointed. In case of an employee who is due to retire or who resigns from the service of the Council, the credit of earned leave at the rate of two and half days per completed calendar month upto the date of retirement or resignation would be given to him. In case of dismissal, removal or death of an employee, credit of earned leave would be given at two and half days per completed calendar month up to the end of the calendar month proceeding the calendar month in which he is dismissed, removed or expired. If any employee avails extraordinary leave without pay, such leave shall not count for earning any kind of leave under any circumstances.
- 24.3.3.5 Saturdays, Sundays and holidays preceding or following the period of earned leave shall be excluded from leave sanctioned but those intervening in the leave period shall be treated as part of leave.

24.3.3.6 No leave shall be granted to any employee beyond the date of his retirement or the date of his final cessation of duties or the date on which he retires by giving notice to the Council or he is retired by the Council by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service or the date of his service or the date of his resignation from service of the Council. On cessation of service, the authority competent to grant leave shall issue an order granting cash equivalent of leave salary for leave, if any, at the credit of the employees of the Council calculated upto last working day of his service, subject to a maximum, of 300 days. The cash equivalent shall be calculated of Pay in the Pay Band plus Grade Pay plus Dearness Pay and no House Rent Allowance or City Compensatory Allowance shall be included. The leave encashment as per Govt. rules shall be applicable. However, the employees may encash leave out of prevalent govt. rules in their service any time.

#### 24.3.4 Half Pay Leave

24.3.4.1 As notified by the Government of India for Central Government employees from time to time.

24.3.4.2 Earned Leave and Half Pay leave shall be considered for encashment of leave subject to overall limit of 300 days. The cash equivalent for half pay leave component shall be calculated in the manner indicated below:

	Half pay leave salary Admissible on the date of retirement plus Dearness Allowance admissible on that date	Number of days of half pay leave at credit subject to the total of earned leave and HPL at credit not exceeding 300 days
Cash payment in lieu of half pay leave component	= ..... X 30	

#### 24.3.5 Commuted leave

As notified by the Government of India for Central Government employees from time to time.

#### 24.3.6 Leave not Due

Leave not Due may be granted by the Executive Director or by a member of the staff to whom the power has been delegated by the Executive Director, to a member of the staff for a period of not exceeding 360 days during his/her entire service, out of which not more than 90 days at a time and 180 days in all without medical certificate. Such leave shall be debited against the half pay leave which he/she is likely to earn thereafter;

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NOTE 1: Leave not Due shall be granted only if the authority competent to sanction leave is satisfied that there is a reasonable prospect of the employee returning to work on the expiry of the Leave not Due and the period of this leave should be limited to the half pay leave he/she is likely to earn thereafter.

NOTE 2: In the event a member of the staff who has been granted Leave not Due under this Rule applies for permission to resign, permission shall be granted subject to following conditions:

- i. The period remaining to be availed by the employee concerned out of the Leave not Due sanctioned is cancelled.
- ii. Salary for the period of Leave not Due, which has been granted otherwise than medical certificate, already enjoyed, shall become refundable to the Council and may be deducted by the Council while arriving at the final settlement of his account.

#### **24.3.7 Leave without pay (Extraordinary Leave)**

Leave without pay shall be granted, as per Government of India rules, to an officer of the Council who does not have any leave to his credit. This discretion shall be exercised in the Council only on grounds of prolonged illness or any other exceptional circumstances.

#### **24.3.8 Maternity leave**

24.3.8.1 As per Government of India rules, a female employee of the Council with less than two surviving children shall be granted maternity leave by an authority competent to grant leave for a period not exceeding 180 days from the date of its commencement. During such period she shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

24.3.8.2 Maternity leave may also be granted in case of miscarriage, including abortion or pregnancy is terminated on medical grounds, subject to the conditions that

24.3.8.2.1 The total leave does not exceed 45 days in the entire service and

24.3.8.2.2 The application for the leave is supported by a medical certificate duly issued by a competent Medical Attendant.

24.3.8.2.3 Leave of the kind due and admissible (including commuted leave for a period not exceeding 60 days and leave not due) that can be granted in continuation with Maternity Leave shall be increased to 2 years.

24.3.8.2.4 Maternity leave may be combined with leave of any other kind.

24.3.8.2.5 Maternity leave shall not be debited against the leave account.



#### **24.3.9 Paternity leave**

24.3.9.1 As per Government of India rules, a male employee of the Council with less than two surviving children shall be granted paternity leave for a period of 15 days from the date of its commencement. During such period he shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

24.3.9.2 The leave not to be debited to the leave account. May be combined with any other kind of leave except Casual Leave.

24.3.9.3 Not to be ordinarily refused.

24.3.9.4 To be applied upto fifteen days before or upto six months from date of delivery.

#### **24.3.10 Leave to female employee on adoption of child**

24.3.10.1 A female employee of the Council with less than two surviving children, on valid adoption of a child below the age of one year, shall be granted leave for a period of 135 days immediately after the date of valid adoption. During such period she shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

24.3.10.2 This leave shall not be debited to the leave account and it shall be combined with any other kind of leave.

24.3.10.3 In continuation of Child Adoption Leave, leave of the kind due and admissible (including leave not due and commuted leave not exceeding 60 days without production of Medical Certificate) for a period up to one year reduced by the age of the adopted child on the date of legal adoption without taking into account the period of Child Adoption Leave.

24.3.10.4 This leave facility shall not be admissible to a female employee already having two surviving children at the time of adoption.

#### **24.3.11 Child Care Leave**

24.3.11.1 As per Government of India rules, women employees having minor children shall be granted Child Care Leave by the Executive Director to grant leave for a maximum period of 730 days during their entire service for taking care of upto two children, whether for rearing or to look after any of their needs like examination, sickness, etc.

24.3.11.2 Child Care Leave shall not be admissible if the child is eighteen years of age or older. During the period of such leave, the women employees shall



be paid leave salary equal to the pay drawn immediately before proceeding on leave.

24.3.11.3 Child Care Leave may be availed only if the employee concerned has no Earned Leave at her credit.

24.3.11.4 Child Care Leave may be availed of in more than one spell. Child Care Leave shall not be debited against the leave account.

24.3.11.5 Child Care Leave may also be allowed for the third year as Leave not Due (without production of medical certificate). It shall be combined with leave of the kind due and admissible.

24.3.11.6 Women employees of the Council with disabilities shall be paid Rs.1000/- per month as Special Allowance for Child Care. This allowance shall be payable from the time of the child's birth, and till the child is two years old. This Special Allowance shall be payable for a maximum of two children.

#### 24.3.12 Study Leave

24.3.12.1 As per Government of India rules, Study Leave may be granted to an employee with not less than five years' service for undergoing a special course consisting of higher studies or specialized training in a professional or technical subject having a direct and close connection with the sphere of his/her duties or being capable of widening his mind in a manner likely to improve his/her ability as Council's employee.

23.3.12.2 In the event the studies to be pursued by the Council official shall have a direct bearing on his/her work, to be recorded in writing, he/she shall be paid his entitled salary during the study leave. Grant of study leave for this purpose is also subject to the condition that the official concerned shall execute a bond to the Council as prescribed by it.

23.3.12.3 The maximum period of Study Leave shall not ordinarily be for more than 24 months in the entire service and shall be granted at a stretch or in different spells. The study leave shall be granted to an officer only if he/she has already rendered five years service in the Council and also he/she is in a position to render five more years of service in the Council after completion of his Study Leave.

23.3.12.4 The Study Leave shall not be debited to the leave account of the official. Shall be combined with any other leave due, but maximum period of continuous absence, including vacation, if any, but excluding extraordinary leave, should not exceed 28 months generally, and 36 months for study leading to Ph.D. degree.

23.3.12.5 Cost of fees paid for study shall ordinarily be met by the concerned officer, but in exceptional cases the President, BMTPC may sanction the grant of

such fee. In no case the cost of fees shall be paid, if he/she is in receipt of scholarship or stipend from whatever source or if he is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

23.3.12.6 An official, who after availing of study leave resigns from service or otherwise quits within three years after return to duty or does so without returning to duty at all from study leave, or fails to complete the course of study, such refund (i) the actual amount of leave salary, study allowance, cost of fee, TA, and other expenses, if any, incurred by the Council, and (ii) the actual amount, if any, of the cost incurred by other agencies such as Foreign Governments, Foundations, Trusts in connection with the course of study, with interest thereon at the prescribed rates. In exceptional cases, the President, BMTPC may waive or reduce such recoveries.

23.3.12.7 Study Leave without pay may be granted to an officer who wants to pursue further studies which might not have a direct bearing on the work in which he is engaged, but might be in the overall interest of the Council.

**23.3.13 Special Casual Leave**

Special Casual Leave may be granted to staff of the Council by the Executive Director, or by a member of the staff to whom the power has been delegated by him, as per Government of India notification for Central Government employees from time to time.

**23.4 Drawl of leave salary**

The leave salary payable under these rules shall be drawn in rupees in India.

**23.5 Leave salary advance**

As per Government of India rules, an employee of the Council proceeding on leave for a period not less than thirty days shall be allowed an advance in lieu of leave salary up to a month's pay and allowances admissible on that leave salary subject to deductions on account of Income-tax, Provident Fund, House Rent, Recovery of advances etc. The advance salary shall be recovered in three equal instalments from subsequent salaries.

**23.6 Officers appointed on contract**

23.6.1 Earned Leave, Half Pay Leave, and Commuted Leave shall be admissible as admissible to the regular employees.

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23.6.2 Extraordinary leave:

Tenure up to 1 year	Nil
Tenure for more than 1 year up to 5 years	Total limited to 90 days for whole tenure.
Tenure indefinite	As for permanent officials

23.6.3 Encashment of Earned Leave at credit shall be allowed suo motu on termination of contract as mentioned below subject to the condition that the total EL for which encashment is allowed together with EL for which encashment had been allowed in previous appointments, if any, under the Government, an autonomous body or bodies/public sector undertaking(s) does not exceed 300 days.

Period of contract	Maximum EL encashment
2 years or less	No encashment
More than 2 years up to 5 years	50 days
More than 5 years up to 10 years	100 days
More than 10 years up to 15 years	150 days
More than 15 years up to 20 years	200 days
More than 20 years up to 25 years	250 days
More than 25 years	300 days

**24 CONCESSIONS TO EMPLOYEES POSTED IN THE NORTH EASTERN REGION**

The concessions to the employees when posted in the North Eastern Region shall be as per Govt. of India for central govt. employees.

**25 MEMBERSHIP IN PROFESSIONAL INSTITUTES**

The technical officer shall be reimbursed membership fee of one professional institute related to the field of activity of the Council in one calendar year.

**26 IMMEDIATE RELIEF TO THE FAMILY OF AN EMPLOYEE WHO DIES WHILE IN SERVICE**

As per the Government of India rules applicable to the Central Government employees as notified from time to time.

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**27 MATTERS NOT COVERED IN THE BYELAWS**

- 27.1 In the event of any other financial or technical matters, which are of exceptional nature but not covered under the clauses given in this byelaws, the Executive Director shall take appropriate decision(s) with the approval of the Chairman, Executive Committee, and the matter shall subsequently got ratified by the Executive Committee.
- 27.2 The Rules which are not covered in the existing bye-laws, shall be governed by the Central Government Rules applicable for the Central Government employees, so far as they are not inconsistent in the provisions laid down in the Rules.

**28. AMENDMENT OF BYE-LAWS**

Any alteration in the bye-laws shall require the prior approval of the Government of India.