



**MEMORANDUM OF ASSOCIATION OF THE**

**NATIONAL INSTITUTE OF HOMOEOPATHY**

**KOLKATA**

1. The name of the Institute is “The National Institute of Homoeopathy” hereinafter referred to as “The Institute”.
  2. The Registered Office of the Institute originally located at 118, Amherst Street, Calcutta-9. Since 13<sup>th</sup> January 1982 The Registered Office has been relocated at GE Block, Sector-III, Salt Lake, Kolkata-700106 vide NIH Deed.
  3. The objects for which the National Institute of Homoeopathy is established are:
    - 3.1 To promote the and development of Homoeopathy;
    - 3.2 To produce graduates and post-graduates in Homoeopathy;
    - 3.3 To conduct research on various aspects of Homoeopathy;
    - \*3.4 To provide medical care through Homoeopathy to the suffering humanity;
    - 3.5 To provide and assist in providing services and facilities for research, evaluation, training, consultation and guidance related to Homoeopathy;
    - 3.6 To conduct experiments and develop patterns of teaching in under-graduate and post graduate education on various aspects of Homoeopathy.
  4. To achieve the above objectives the management may<sup>1</sup> :
    - 4.1 Take over and manage the Central Research Institute for Homoeopathy, Calcutta;
    - 4.2 Develop the Institute into, an advanced clinical, educational, training and research center;
    - 4.3 Establish and maintain centers for teaching, therapy, guidance and counseling;
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- 4.4 Undertake, organize and facilitate study courses, conferences, lectures, seminars and the like to promote the objects;
- 4.5 Arrange refresher courses for training of homoeopaths and para-medical staff;
- 4.6 Train para-medical staff, nurses, pharmacists, and other health workers in Homoeopathy;
- 4.7 Grant certificates, diploma and other academic distinctions and titles in Homoeopathy;
- 4.8 Undertake and provide for the publications of journals, research papers, leaflets and text-books and augment and maintain libraries and information services in furtherance of the objects;
- 4.9 Invite representatives of the Government, Universities and of organizations of foreign countries and prominent scientists to participate in the programmes of the Institute;
- 4.10 Provide advance training in professional techniques and theory;
- 4.11 Subscribe to, or become a member of or co-operate or co-ordinate with any other association or society whose objects are similar;
- 4.12 Create administrative, technical, ministerial and other posts under the Institute and make appointments thereto in accordance with the rules and regulations of the Institute;
- 4.13 Co-operate with international and national agencies engaged in homoeopathic research and training and arrange for interchange of personnel, material and data;
- 4.14 Appoint and hire services or discharge/terminate the services of the personnel and to pay them in return for the services rendered to the Institute, salaries, wages, gratuities, provident fund and other allowances or remuneration in accordance with the rules and regulations of the Institute;
- 4.15 Accept grants of money, securities and properties of any kind on such terms as may be expedient;
- 4.16 Issue appeals and apply for money and funds in the furtherance of the objects of the Institute and to raise or collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either movable or immovable and grant such rights and privileges to the donors, subscribers and other benefactors as the Institute may consider fit and proper;
- 4.17 Invest and deal with funds and money of the Institute;



- 4.18 Acquire by gift, purchase, exchange, lease, hire or otherwise howsoever any property movable or immovable which may be necessary or convenient for the purpose of the Institute and build, construct, improve, alter, demolish and repair such buildings, works and constructions as may be necessary for carrying out the objects of the Institute;
- 4.19 Sell, mortgage, lease, exchange and otherwise transfer or dispose of all or any property, movable or immovable, of the Institute for the furtherance of its objects or any of them;
- 4.20 Accept and undertake the management of any endowment or trust fund or donation to further the objects of the Institute;
- 4.21 Grant prizes, awards, scholarships, travel grants, research grant and stipends; and
- 4.22 Do all such lawful acts and things either alone or in conjunction with other organizations or persons as the Institute may consider necessary, incidental or conducive to the attainment of all or any of the above mentioned objectives; including transfer of employees, teachers/doctors/researchers to other autonomous organization(s) under the same Ministry i.e. Ministry of AYUSH, Govt. of India as per decision of the Secretary to the Govt. of India/Joint Secretary to the Govt. of India, Ministry of AYUSH<sup>1</sup>.
5. The names, address and occupations of the members of the Governing Body to whom the management of the affairs of the Institute is entrusted as required under West Bengal Society Act, XXVI of 1961, are as follows:

| Sl. No. | Name                    | Occupation / Address  |
|---------|-------------------------|---|
| 1.      | Smt. Mohsina Kidwai     | Union Minister of Health & Family Welfare, Govt. of India, Nirman Bhawan, New Delhi - 110011    |
| 2.      | Sri Ram Narayan Goswami | Health Minister, Govt. of West Bengal, Calcutta – 700001  |
| 3.      | Sri P.K. Umashankar     | Additional Secretary, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi – 110011  |
| 4.      | Sri R.M. Bhargava       | Financial Adviser to the Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi – 110011 |
| 5.      | Sri B.C. Mukherjee      | Secretary, Department of Health, Govt. of W.B., Calcutta – 700001                               |
| 6.      | Sri P.K. Sarkar         | Secretary, Department of Finance, Govt. of W.B., Calcutta – 700001                              |
| 7.      | Sri S. Bhattacharya     | Vice-Chancellor, Calcutta University, Calcutta  |

<sup>1</sup> As amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, Page-1



8. Dr. M. Kutumba Rao  
Principal, Dr. Gururaju Homoeopathic Medical Collage & Hospital, Gudivada, Krishna Dist., Andhra Pradesh
9. Dr. D.P. Rastogi  
Principal, Nehru Homoeopathic Medical College & Hospital, Defence Colony, New Delhi
10. Dr. Anil Bhatia  
Principal, Bombay Homoeopathic Medical College, Ville Parle Bombay
11. Dr. B. N. Chakravarty  
5, Subal Koley Lane, Howrah (W.B.)
12. Dr. A. M. Shaikh  
Director, Homoeopathic Medical College, Belgaum, Karnataka
13. Dr. S. R. Wadia  
Alipur Building (3<sup>rd</sup> Floor), Colaba, Bombay
14. Dr. Diwan Harishchanda  
Adviser in Homoeopathy, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi – 110011
15. Dr. N. R. Chakravarty  
Director, National Institute of Homoeopathy, 118, Amherst Street, Calcutta – 700009

6. We, the undersigned, are desirous of forming a Society, named the National Institute of Homoeopathy, under the West Bengal Society Registration Act of XXVI of 1961, in pursuance of this Memorandum of Association:

| Sl. No. | Name, occupation and address  | Signature |
|---------|---|-----------|
| 1.      | Dr. Karan Singh,<br>Union Minister of Health and Family Planning, Government of India,<br>Nirman Bhavan New Delhi –110011 | Sd/-      |
| 2.      | Shri A. K. Panja,<br>Health Minister, Government of West Bengal, Calcutta – 700001  | Sd/-      |
| 3.      | Shri Gian Prakash,<br>Secretary Ministry of Health & Family Planning, Nirman Bhavan, New<br>Delhi – 110011                | Sd/-      |
| 4.      | Shri Prem Nath,<br>Financial Adviser to the Ministry of Health & Family Planning, Nirman<br>Bhavan, New Delhi – 110011    | Sd/-      |
| 5.      | Shri A. Sen,<br>IAS, Secretary, Department of Health, Government of West Bengal,<br>Calcutta – 700001                     | Sd/-      |



6. Dr. Jugal Kishore,  
Adviser in Homoeopathy Ministry of Health & Family Planning, Nirman  
Bhavan, New Delhi – 110011 Sd/-
7. Dr. K. P. Mazumdar, Director, National Institute of Homoeopathy, 118,  
Amherst Street, Calcutta – 700009 Sd/-

Witnesses to all the above signatories:

1. Sd/- P.V. Hariharasankar, Deputy Secretary, Ministry of Health  
& F.P., New Delhi
2. Sd/- Dr. R. Ganapathy, Assistant Adviser (Homoeopathy),  
Ministry of Health & Family Planning, Department of Health  
Nirman Bhawan, New Delhi

Dated the 9<sup>th</sup> April, 1976



## THE NATIONAL INSTITUTE OF HOMOEOPATHY

### KOLKATA

### RULES AND REGULATIONS

#### 1. Title

This Rules and Regulations may be called the National Institute of Homoeopathy Rules and Regulations.

#### 2. Definitions

In these Rules, unless there is anything repugnant to subject or context:

- 2.1. “Administrative Officer” means the Administrative Officer of the National Institute of Homoeopathy;
- 2.2. “Director” means the Director of the National Institute of Homoeopathy;
- 2.3. “Government” means the Central Government;
- 2.4. “Governing Body” means the Governing Body of the National Institute of Homoeopathy;
- 2.5. “The Institute” means the National Institute of Homoeopathy;
- 2.6. “President” means the President of the National Institute of Homoeopathy;
- 2.7. “Vice-President” means the Vice-President of the National Institute of Homoeopathy; and
- 2.8. “Year” means the year ending on 31<sup>st</sup> of March,

#### 3. Authorities of the Institute

There shall be a Governing Body of the Institute which will control and manage the affairs of the Institute.



#### 4. Governing Body

4.1 The Governing Body will consist of not less than seven (07) and not more than fifteen (15) members and will be composed of:

|     |  |                   |
|-----|--|-------------------|
| 1.  | Union Minister, Ministry of Ayush  | President         |
| 2.  | Minister of State, Ministry of Ayush   | Vice-President-I  |
| 3.  | Secretary, Ministry of Ayush, Govt. of India   | Vice-President-II |
| 4.  | Joint Secretary, Ministry of Ayush, Govt. of India   | Member            |
| 5.  | Joint-Secretary & Financial Adviser to the Govt. of India, Ministry of Health & Family Welfare.  | Member            |
| 6.  | Secretary, Department of Finance, Govt. of W.B.  | Member            |
| 7.  | Joint-Secretary, Department of ISM, Govt. of West Bengal.  | Member            |
| 8.  | Vice-Chancellor of West Bengal University of Health Sciences or his nominee  | Member            |
| 9.  | <b>Three members to be nominated by the President</b> for a period of three years from amongst Homoeopaths attached to the Homoeopathic Medical Colleges or Research Institute or Organization.<br>(i) Dr. Anup Mohan Nigwekar – Head-Administration, Director – Projects Dr. M. L. Dhawale Memorial Group of Organization, Maharashtra.<br>(ii) Dr. Dasu Laji- Deputy Director of Health Services (Ayush), Government of Arunachal Pradesh, Naharlagun, A.P.<br>(iii) Dr. Girish Gupta – Chief Consultant, Gaurang Clinic and Centre for Research, B-1/41, Sec-A, Aliganj, Near Novelty Cinema, Kapoorthala, Lucknow - 226024 | Member            |
| 10. | <b>Three members to be nominated by the President</b> for a period of three years from amongst eminent Homoeopaths who have contributed to the development of Homoeopathy.<br>(i) Prof. (Dr.) S. Praveen Kumar (Retd.) Principal & HoD, Deptt. of Medicine, J.S.P.S Govt. Homoeopathic Medical College, Ramantapur, Hyderabad.<br>(ii) Prof. (Dr.) Shreepad Hegde – Former Professor and HoD, Govt. Homoeopathic Medical college & Hospital.<br>(iii) Dr. Bhakt Vatsal – Consultant Physician, Dhruv Dham, 61A, Khatri Tola, Azamgarh, UP-276001.  | Member            |
| 11. | Adviser (Homoeopathy), Govt. of India  | Member            |
| 12. | Director, National Institute of Homoeopathy, Kolkata.  | Member-Secretary  |

4.2 The persons mentioned above in (a) to (g) and (j) and (k) are ex-officio and shall be members of Governing Body by virtue of the office or appointment they hold.



- 4.3 Any vacancy in the Governing Body may be filled by appointment by the authority concerned and the term and office of a member so appointed shall continue only for the remainder of the terms of the member in whose place he has been appointed.
- 4.4 Duration of appointment of members:
- 4.4.1 When a person becomes a member of the Governing Body by reason of the office or appointment he holds, his membership of the Governing Body shall terminate when he ceases to hold that office or appointment.
- 4.4.2 The tenure of the nominated members shall be at the discretion of the respective nominating authority. The nominating authority may at any time cancel the Nomination of any person appointed by it even though he may have been appointed for a fixed period and appoint another person in his place.
- 4.4.3 Termination of the membership: Any member of the Governing Body shall cease to be a member of the Governing Body if he resigns by letter addressed to the President, or he absents himself from three consecutive meetings of the Governing Body without excuse, sufficient in the opinion of the Governing Body; or he is convicted in an offence in connection with formation, promotion, management or conduct of the affairs of a society or of a body corporate, of any offence involving moral turpitude.

## 5. Proceedings of the Governing Body

- 5.1. The Governing Body shall meet at least once a year at such time and place as the President shall decide. Other meetings of the Governing Body may be held at any time during the year as the President may decide and shall be called forthwith on a requisition signed by four members of the Governing Body. Such extra meetings shall be held at such time and place as the President may decide.
- 5.2. At the annual meeting of the Governing Body, the following business shall be brought forward and disposed of:
- (i) The Annual Report
  - (ii) The Balance Sheet for the past year
  - (iii) The Budget for the next year
  - (iv) Other Business on the agenda
  - (v) Other Business brought forward with the assent of the Chairman.
- 5.3. Every notice calling a meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than 21 clear days in the case of annual meeting and not less than 7 clear days in the case of other meeting, before the day appointed for the meeting. Such notice shall be under the hand of the Secretary and shall be accompanied by the agenda of the business to be placed before the meeting.





5.4. The President shall take the chair at meetings of the Governing Body. If the President/Vice-President be not present, the Governing Body may elect one of their members to act as President of the meeting.

## 6. Quorum

6.1. Six members of the Governing Body, in addition to the President, present in person shall constitute a quorum at any meeting of the Governing Body.

6.2. If at any meeting of the Governing Body, there is no quorum the meeting shall stand adjourned meeting to a date to be fixed by the President/Vice-President. If at any adjourned meeting, there is no quorum, the members present shall constitute a quorum.

## 7. Voting

7.1. Each member of the Governing Body including the President shall have one vote and in case of equality of votes the President shall have a casting vote.

7.2. All disputed questions at meetings of the Governing Body shall be determined by votes and the opinion of the majority shall prevail.

8. Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Secretary not less than 7 days in case of annual meeting and 5 days in case of other meeting before the day of such meeting.

9. Any business which may be necessary for the Governing Body to perform except such as may be placed before the Annual Meeting may be carried out by circulation among all its members and any resolution so circulated and approved by a majority of the members present in the station at that time shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body.

## 10. Powers of the Governing Body

10.1. The Governing Body shall have general control of the affairs of the Institute and shall have Authority to do, exercise and perform all the powers, acts deeds for the planning, Establishment and running of the Institute, consistent with the aims and objects of the Institute.

**The Governing Body shall have powers to create posts, subject to specific provision in the budget on scales of pay applicable to similar posts under the Government of India or on scales of pay approved by Government of India, classify them into grades and specify their designations, provided that no post carrying an initial salary of Rs. 1,100/- or more may be created except with the previous approval of the Government of India. In all other matters, the Governing Body shall have full powers in the matter of expenditure from the funds of the Institute save in the matter of pay, allowances and concessions to Government servants on foreign service which shall be no greater than those admissible under the code rules of the Government. The services of the employees/teachers/doctors may be transferred by the Secretary to the Govt. of India/Joint Secretary to the Govt. of India, Ministry of AYUSH to other Autonomous organization(s) under the same Ministry i.e. Ministry of AYUSH in interest of Public Service.**



- 10.2. The Governing Body shall have full powers to make such Bye-Laws as they shall think essential for the regulation of the business of the Institute and in a particular with reference to (i) the keeping of accounts, (ii) the preparation and sanction of budget estimates, (iii) the sanctioning of expenditure, (iv) entering into contracts, (v) the appointment of staff and determination of their conditions of service and (vi) any other purpose that may be necessary.
  - 10.3. Subject to prior approval of the Government, the Governing Body may alter, modify, rescind or add to the Rules and Regulations of the Institute at any time by a resolution passed by a majority of three-fifths of members present and voting at any meeting of the Governing Body which shall have been convened for the purpose after giving due notice of such resolution to the members of the Governing Body.
  - 10.4. The Governing Body may accept the management and administration of any endowment or trust fund or any subscription or donation provided that the same is unaccompanied by any condition inconsistent or in conflict with the nature and object for which the Institution is established.
  - 10.5. The Governing Body may by resolution delegate to the President and to the Secretary such of its powers for the conduct of business as the Governing Body deem fit, subject to the condition that action taken by the President or by the Secretary shall be reported for confirmation at the meeting of the Governing Body. Such ratification may be obtained by circulation also in the interest of Institute and in public interest.<sup>1</sup>
  - 10.6. Nothing in the rules and regulations of the National Institute of Homoeopathy, Calcutta, shall prevent the President from exercising any or all the powers of the Governing Body in case of emergency for the furtherance of the object of the National Institute of Homoeopathy and the action taken by the President on such occasions shall be reported to the Governing Body subsequently for ratification.
  - 10.7. Secretary to the Govt. of India, Ministry of AYUSH, shall be the disciplinary authority and GB shall be the appellate authority in case of Group-A employees of the Institute. In emergent situation Director, NIH, being delegated with such powers & authority by the Secretary/Governing Body act on their behalf. The Director, NIH shall have authority to frame necessary regulations, Rules of Discipline related to the students/employees (Group- B, C, & D) and take appropriate administrative and disciplinary action as and when deemed to be necessary in the interest of the Institute and public interest.<sup>2</sup>
11. The Governing Body shall appoint a Standing Finance Committee (SFC) consisting of the following to execute its resolutions:
    - (a) Joint Secretary to the Govt. of India, Ministry of AYUSH
    - Chairman.
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|-----|--|------------------|
| (b) | Joint Secretary Financial Adviser to Govt. of India, Ministry of Health & F.W.                                     | Member           |
| (c) | Secretary, Dept. of Health & F.W./Director of Homoeopathy, Govt. of West Bengal                                    | Member           |
| (d) | Secretary, Dept. of Finance, Govt. of W.B.   | Member           |
| (e) | Two experts in Homoeopathy from amongst the members of the G.B. to be nominated by the Chairman.                   | Member           |
| (f) | One member of the faculty in NIH not below the rank of Professor to be nominated by the Director of the Institute. | Member           |
| (g) | Director, N.I.H.   | Member-Secretary |

11.1 The Governing Body may also appoint one or more sub-committee for proper functioning of the Institute.

12. The Director shall exercise the powers of 'Head of Department' as defined under Supplementary Rules 2(10) and inter-alia, discharge the duties mentioned below:

- (i) He shall be in-charge of the administration of the Institute. He shall allocate duties to officers and employees of the Institute and shall exercise such supervision and executive control as may be necessary subject to the rules and the regulations;
  - a. He shall also exercise such powers delegated to him by the Governing Body under Rules 10(6) and 10 (8).
  - b. He shall also have powers to delegate any of his powers to the officer on the administrative side subject to such limitations as may be imposed by the Governing Body.

### 13. Funds of the Institute:

13.1. The funds of the Institute will consist of the following:

- (a) Grant made by the Central Government and the State Government for the furtherance of the objects of the Institute;
- (b) Contributions and donations from other sources;
- (c) Income from investment; and
- (d) Receipts of the Institute from other sources.

13.2. The Bankers shall be **any nationalize banks as decided by the Ministry of AYUSH, Govt. of India. On following codal formality.** All funds shall be paid into the Institute's account with the Bank and shall not be withdrawn except on a cheque signed by Director or by such officer as may be duly empowered by the President.

13.3. The Institute shall maintain proper accounts including a Balance Sheet in such forms as may be



prescribed under the Bye-Laws.

- 13.4. The accounts of the Institute shall be audited by the Comptroller and Auditor General of India or by any other persons appointed by him in this behalf. The Auditors shall have the right to demand production of all books, accounts, vouchers and other necessary documents and papers and to inspect the office of the Institute. The auditors shall submit a copy of the Audit Report to the Government.
  - 13.5. An annual report of the proceedings of the Institute and all work undertaken during the year shall be prepared by the Governing Body for information of the Government of India.
  - 13.6. The annual balance sheet and revenue account when accepted and passed at the annual meeting of the Governing Body shall be sent to the Government of India.
  - 13.7. The books of the accounts and other statutory books shall be kept at the registered office and shall be open to inspection of the members of the Governing Body during usual office hours and the same shall be open to inspection of the members at such time and place as the Governing Body directs on a written request made by any member.
14. No propositions for altering, extending or abridging the objects and purposes for which the Institute is established or amalgamating the Institute with any other association etc. shall be processed unless a special general meeting of the Governing Body has been convened for its consideration according to the Rules and Regulations of the Institute.
- 14.1. No such proposal shall be carried into effect unless proposal for altering, extending or a bridging the object etc. has been delivered or sent by post to every member of the Governing Body of the Institute ten days previous to the special general meeting of the Governing Body for the consideration thereafter, nor unless such proposals have been agreed to by the vote of the two-thirds of the members delivered in person or by proxy and confirmed by the votes of the two-thirds of the members present at a second special meeting convened by the Governing Body at an interval of one month after the former meeting.

#### **15. Dissolution of the Institute**

Subject to the prior approval of the Government, the Institute may be dissolved by a resolution to the effect passed by three-fourths of the members of the Governing Body present at the meeting convened for the purpose and thereupon the Institute shall stand dissolved forthwith or at the time agreed upon. Such meeting shall also decide the manner or disbursement of the funds and the assets of the Institute, if any, after dissolution. "In the event of dissolution, the asset of the society remaining on the date of dissolution shall under no circumstance be distributed among the Members but the same must be transferred to other trust(s) or Institution having similar objective as per the instructions of the Ministry of AYUSH, Govt. of India."

#### **16. Grant of Homoeopathic diplomas, etc. by the Institute**

Institute shall have power to grant certificates, diplomas and other academic distinctions and titles in Homoeopathy.

#### **17. General**

17.1. All contracts shall be executed on behalf of the Institute by the Director in consultation with the



President/Vice-President as per rules defined in Extant Financial Bye Laws. (Rules/GFR/SRFR, Govt. of India.)

17.2. All suits and legal proceedings by or against the Institute shall be in the name of the Director or by such person as shall be appointed by the Governing Body for the occasion.

**All administrative action in the interest of the Institute and in public interest.**

We, the undersigned, being three of the members of the Governing Body of the National Institute of Homoeopathy, certify that the above is a correct copy of the Rules and Regulations of the Institute.

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| Sl. | Name              | Signature | Designation      |
|-----|-------------------|-----------|------------------|
| 1.  | Shri Gain Prakash | Sd/-      | Member           |
| 2.  | Dr. Jugal Kishore | Sd/-      | Member           |
| 3.  | Dr. K.P. Mazumdar | Sd/-      | Member-Secretary |

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Dated the 9<sup>th</sup> April, 1976



## **BYE-LAWS OF THE NATIONAL INSTITUTE OF HOMOEOPATHY**

### **Power of the Finance Committee (Under Rule 11.1)**

The Finance Committee shall have the following powers:

1. To scrutinize the budget, the Annual Accounts and make recommendation for allocation under various heads after reviewing the expenditure in a financial year.
2. To sanction of posts and new schemes and expenditure of extra-ordinary nature which is not provided in the budget.

### **Bye-Laws on Maintenance of Account and Payment of Funds (Under Rule 10.3)**

1. The Director wills each year prepare detailed estimates of the receipts and expenditure and the anticipated opening and closing balances of the Institute for the ensuing financial year.
2. No provision may be included in the budget estimates for any scheme, which has not been duly approved by the competent authority under these Bye-Laws.
3. Should it be proposed during the course of a financial year to finance any scheme, which has not been included in the estimates for that year, the sanction of the Governing Body shall be obtained to the method proposed for financing it whether that be by means of supplementary grant, from the balances or by re-appropriation within the sanctioned estimates. The Director shall maintain in his office a Budget Register in which he will enter the grants received from the Government of India and any money received from other sources and shall show all amounts allotted for expenditure on specific heads or for specific purpose. The Director shall furnish an annual certificate to the Auditor as to the correctness of the Annual balance.

### **Sanction of Budget Estimates**

4. The Director shall be responsible for submitting the Budget Estimates for the ensuing financial year for approval of the Finance Committee and the Governing Body at its annual meeting.
5. One copy of the finally sanctioned estimates shall be supplied to the Auditor. All variations in the estimates sanctioned by the competent authority during the year shall be similarly communicated.
6. The approval of the Governing Body or the Finance Committee on behalf of the Governing Body is necessary to all schemes proposed to be financed from the funds of the Institute.
7. In pursuance of the letter of communication from the Ministry of AYUSH vide No. R.14011/7/2008-NI dated 16-02-2009 – The Financial limits of incurring expenditure in emergent case are subject to the following limits:
  - a) Rs. 10,00,000/- (Rupees Ten Lakh only) Head of Governing Body/ SFC by whatever name called in the Ministry of AYUSH, Govt. of India (depending on the clauses of the Ministry of AYUSH, Govt. of India)
  - b) Rs. 5,00,000/- (Rupees Five Lakh only) Chairman of the Governing Council/ equivalent authority as laid down in the Ministry of AYUSH, Govt. of India.
  - c) Rs. 2,00,000/- (Rupees Two Lakh only) Director of the Institute These powers must be exercised keeping in mind the definition of emergent expenditure viz. expenditure which is unforeseen and cannot be postponed.

**Appropriation**

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

**Re-appropriation**

10. The Director shall have the power to re-appropriate funds from one primary unit of appropriation to another or from one secondary unit of appropriation to another within a primary unit.

**Expenditure Sanction**

11. The Director shall keep a watch over expenditure against the grants sanctioned by the Governing Body and in cases where expenditure has exceeded or is likely to exceed the sanctioned grant, take steps to provide an additional grant or make a re-appropriation from anticipated saving under other units of appropriation, with the approval of the Vice-President/President.
12. No expenditure from the funds of the Institute shall be incurred without the sanction of the competent authority.
13. The Director shall have full powers to sanction the details of expenditure on any item included in the budget.
14. The Director, Administrative Officer or any other Group-A Officer of the Institute authorized by the Director on his behalf, shall have the power to sanction an expenditure of a miscellaneous or contingent nature up to an amount not exceeding Rs. 500 (Rupees Five Hundred only) in each case.
15. A sanction to expenditure will not become operative until there has been an appropriation of funds under these Bye-Laws to cover it.
16. On behalf of the Governing Body and the Institute, the Director, NIH shall sign and execute, all agreements contracts, all suits and proceeding including appointment of Advocate on the agreed terms and conditions etc. which may be necessary for the proper conduct of the business of the Institute. The draft of all contracts, involving considerations exceeding Rs. 50,000 (Rupees Fifty Thousand only) shall be submitted to the Solicitor to the Government of India for his advice to the correctness of their form.

**Disposal of Property**

17. The Director shall have the power to dispose of the nonexpendable and other articles and to write off all the unserviceable and condemned articles.

**Investments**

18. The fund of the Institute may be invested only in the following manner;
  - a) In Promissory Notes, Debentures, Stocks, Treasury Deposit Certificates or other Securities of any State Government or of the Government of India.
  - b) In any nationalize banks as decided by the Ministry of AYUSH, Govt. of India. On following codal formality. In such other manner as the Governing Body may authorize.
19. All investments of the funds of the Institute shall be made in the name of the Institute. All purchase, sales or alterations of such investment shall be affected and all contracts, transfer deeds or other documents necessary for purchasing, selling or altering the investments of the Institute, shall be



executed by the Director on behalf of the Governing Body. The safe custody of receipts will remain in the personal charge of the Director and will be verified once in six months with the Registers of Securities and a certificate of verification will be recorded by the Director in the Register.

20. The Director shall maintain a register of securities held by the Institute in which any transactions affecting the securities shall be recorded.

### **Drawal of Funds**

Under Rule 13.2

21. Funds will be drawn from the Bank in the manner laid down in Rules 13.2. Cheque Books will remain in the personal custody of the Director or other person, as may be authorized by the Director on his behalf.
22. The various officers employed under the Institute will submit all new charges and any demand of funds to the Director of the Institute. The claims for pay and allowances and traveling allowances of officers and contingent bills will be drawn in the prescribed form and submitted to the Director for payment. All bills will be checked and passed for payment by the Administrative Officer. The contingent and traveling allowance bills will be countersigned by the Director or by any other officer authorized by the Director on his behalf, before these are passed by the Administrative Officer for payment. The monthly pay and allowances bills shall be received directly by the Administrative Officer and passed by him. Payment will be made by means of demand drafts or cheques, as the case may be.
23. The Director of the Institute shall maintain proper accounts and other relevant records and prepare annually an income and expenditure account for the year ending and balance sheet as on 31st March of the Institute in such form as may be prescribed by the Institute in consultation with the Comptroller and Auditor General of India. The Director will be assisted by an Administrative Officer, who will advise the Director for the accuracy and completeness of the accounts of the Institute.
24. The primary accounts of the Institute will be maintained in the following forms;
  - Form 1 The Cash Book.
  - Form 2 The Register of Securities.
  - Form 3 The Receipt book.
  - Form 4 The Register of stock of cheque books.
  - Form 5 The Register of stock of receipt books.
  - Form 6 The Register of stock of non-expendable articles.
  - Form 7 The Register of Leave and pensionary contributions.
  - Form 8 The Register of advances, permanent and temporary.
  - Form 9 The Annual Accounts.





## **Audit**

25. The functions of the Auditor of the Institute will be exercised by the Comptroller and Auditor-General of India or any person appointed by him in this behalf.
26. The Administrative Officer will apply a check of the nature of pre-audit to all payments from the funds of the Institute and will maintain register in the following forms;
  - Form 10 Establishment Audit Register.
  - Form 11 Register of pay and allowances of officers of the Institute who are treated on par with Gazetted Officers of the Government of India.
  - Form 12 Travelling Allowances Register.
  - Form 13 Contingent Register.
  - Form 14 Register of special charges.
  - Form 15 Objection book relating to irregular payment.
  - Form 16 Adjustment Register.
  - Form 17 Register of Financial orders, delegations etc.
27. The Comptroller and Auditor General of India and any person appointed by him in connection with audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor General of India has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of books of accounts, connected vouchers and other documents and papers and to inspect any of the officers of the Institute.
28. If expenditure from the funds of the Institute consists of a grant to any authority or individual under the audit of any officer, the Auditor will satisfy himself that the purpose of the grant-in-aid is within the scope of the objects of the Institute as set out in the Memorandum of Association and will call for and accept a certificate of the audit of that audit officer of the expenditure from the grant. The Director will arrange to obtain and produce such certificates of audit.

## **Annual Accounts and Results of Audit**

29. The accounts of the Institute shall be subject of audit annually by the Comptroller and Auditor General or by any person authorized by him in this behalf and any expenditure incurred in connection with such audit shall be payable by the Institute to the Comptroller and Auditor General.
30. The accounts of the Institute, as certified by the Comptroller and Auditor General of India or any other person appointed by him in this behalf together with the audit report thereon, shall be forwarded annually to the Ministry of Health and Family Planning and to the Governing Body of the Institute.
31. The Director, National Institute of Homoeopathy, shall exercise the powers similar to those of a Department of the Central Government specified in Appendix I attached to these Bye-laws, subject to the restriction mentioned in the said Appendix.
32. The Director may subject to such restrictions as he may think fit to impose, authorize the Administrative Officer to exercise, up to the extent indicated in the attached schedule (Appendix II), powers conferred upon him under the Bye-laws.
33. All sanctions, orders, or delegations of Competent Authorities under the Rules and Regulations or these bye-laws affecting the Institute's account shall be reduced to writing and communicated to audit.
34. Any alteration in the Bye-laws shall require the prior approval of the Governing Body.



## **Bye-Laws Governing the Conditions of Service**

### **Under Rule 10.3**

1. Service under the Institute shall be temporary, renewable on a yearly basis subject to the sanction of the Governing Body, unless an officer has been appointed on a contract basis for a specified number of years on special terms. The services of an employee, can, however, be terminated earlier if necessary, by the Governing Body, the finance Committee and the Director (according to their powers of making appointments) by one month's notice on either side. The Institute, however, reserves the right of terminating the services of the employee forthwith or before the expiration of one month period of notice by making payment to him of a sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof. The employee however, cannot surrender his pay and allowances in lieu of the period of notice or for any unexpired portion thereof and he may be required to serve for the full period of the notice. The services of the employees/teachers/doctors/researchers may be transferred by the Secretary/Joint Secretary of the Ministry of AYUSH, Govt. of India to any other Autonomous organization under the same Ministry i.e. Ministry of AYUSH, Govt. of India.
2. Unless anything to the contrary is stated, all appointments will be on probation for periods ranging from six months to two years, as may be laid down in the recruitment rules. The employees of the Institute so appointed on probation will, however, be eligible for admission to the National Institute of Homoeopathy Contributory Provident Fund on completion of service in the Institute of one year.
3. Service under the Institute shall qualify for Death-cum-Retirement gratuity from the funds of the Institute to the employees, who would join CPF, subject to the rules and regulations made in this regard in CCS (Pension) Rules 1972.

Service under the Institute shall qualify for Pension-cum-DCRG-cum-GPF including Family Pension from the date of amendment i.e., 23-12-98 subject to the rules and regulations made in this regard in CCS (Pension) Rules, 1972 as amendment from time to time. However, the employees appointed prior to 23-12-98, who are not willing to switch over to the Pension Scheme will be continued to be covered by the existing CPF rules. The employees joining the services in the Institute on or after 23-12-98 will be covered under Pension Scheme only.

All such employees who have joined the Institute on or after 01-01-2004 will be compulsorily governed by the new Pension Scheme.

4. The rules governing the retirement of employees of the Government of India, as amended from time to time, shall normally apply to the employees of the Institute. An employee can be retained in service after the date of superannuation up to the age of 60 years, provided he continues to be physically fit and efficient and it is in the interest of the Institute to retain him in service.

The employees, who after attaining the age of superannuation are retained in the service of the Institute, or are re-employed will be governed by the Extant Rules of Govt. of India in this matter as amended from time to time. under, it, can contribute to the Institute's Contributory Provident Fund provided that where the term of re-employment is initially for a period of one year or less but is latter extended so as to exceed one year the Institute's contribution with interest will be credited only after the completion of one year's re-employed service. The Institute's contribution with interest shall be payable for the entire period for which the re-employed officer is allowed to contribute to the Contributory Fund if such period exceeds one year.



5. The supplementary Rules of the Government of India shall apply for the grant of traveling allowance to officers and establishments in the service of the Institute.
6. Remuneration of contractual Teaching Faculty, Physicians and on-call physicians (who are not regular employees of the Institute) shall be as per the rate fixed by the Institute in consultation of Ministry of AYUSH, Govt. of India from time to time. Sitting Fee in respect of Non-officials of committees/ panel/Boards etc. shall be as per the Govt. of India Rules.
7. The employee of the Institute, with three years of continuous service or more, will, for purposes of drawl of increments, fixation of pay, grant of personal advances etc. be treated in the same manner and shall be subject to the same rules as are applicable to permanent government servant and to the staff with less than three years' service, rules as for temporary government servants shall apply.
8. Such employees of the Institute as have completed five years of service and are awarded fellowships for higher studies or training in India or abroad, may be granted deputation-cum-special leave terms. The grant of these terms will be regulated *mutatis mutandis* by the orders issued on the subject by the Government of India from time to time.
9. The Central Civil Services (conduct) Rules and also the (Classification, Control and Appeal) Rules of the Government of India will *mutatis mutandis* apply to the employees of the Institute.
10. The grant of leave to employees of the Institute under Bye-laws shall not debar the employment of temporary substitutes provided the nature of duties performed requires that a substitute should be engaged.
11. Employees appointed on a contract basis under the National Institute of Homoeopathy shall be granted leave under the same rules as are applicable to contract officers of the Central government.
- \* 12. The Central Civil Service (Conduct) Rules and also (Classification Control and Appeal) Rules of the Government of India will *mutatis mutandis* apply to the employees of the National Institute of Homoeopathy.  
Appeals orders imposing any of the penalties specified in the CCS (Conduct) Rules and CCA Rules shall be made to the authority specified in column 4 or 5 as the case may be of the Annexure whose decision shall be final.

**(BYE-LAW 12)**

| Particulars of the post | Authority empowered to impose penalties and the penalties which may be imposed |                 | Appellate authority |                 |
|-------------------------|--|-----------------|---------------------|-----------------|
|                         | Minor Penalties  | Major Penalties | Minor Penalties     | Major Penalties |
| (1)                     | (2)  | (3)             | (4)                 | (5)             |



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|                                     |                             |                |  |                |
|-------------------------------------|-----------------------------|----------------|--|----------------|
| Group A (I) in the Institute        | President                   | Governing Body | Governing Body                               | Governing Body |
| Group A (II)                        | Director                    | President      | President                                    | Governing Body |
| Group B, C & D in the Head-quarters | Director all penalties      |                | Secretary, Ministry of AYUSH, Govt. of India |                |
| Group B in the Units                | Director all penalties      |                | Vice-President all penalties                 |                |
| Group C & D in the unit             | Project Heads all penalties |                | Director all penalties                       |                |

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Group A (I) includes posts the maximum of the pay scale of which is not less than Rs. 1,600/- of the scale of pay.

Group A (II) includes posts the maximum of the scale of pay of which does not exceed Rs. 1,300/- .

Group B includes posts carrying a pay or a scale of pay with a maximum not less than Rs. 900/- but less than Rs. 1,300/-.

Group C Includes posts carrying a pay or a scale of pay with a maximum of over Rs. 290/- but less than Rs. 900/-.

Group D includes posts carrying a pay or a scale of pay the maximum of which is Rs. 290/- or less.



## APPENDIX I

### Power and Functions of Director

1. The Director shall be the Chief Executive of the Institute and shall be responsible for the co-ordination of policies, planning and execution of various programmes under the Institute. Without prejudice to the generality of the foregoing provisions, the Director shall exercise such powers and discharge such functions as specified in Schedule I and also those laid down below subject to any direction under the relevant rules as issued by the Government of India from time to time:
  - (a) He shall do all such acts as may be required for the proper conduct of the ordinary current administrative and business duties and affairs of the Institute.
  - (b) He shall allocate duties to officers and employees of the Institute and shall exercise such supervising and executive control as may be necessary subject to the rules and these regulations.
  - (c) All the correspondence shall be over his signature or of an officer (s) authorized by him in this behalf.
  - (d) He shall also be a Member (Ex-Officio) of all the Committee appointed by the Governing Body and shall attend at his discretion all or any meetings of such Committees.
  - (e) He shall exercise such of the financial and administrative powers as may be delegated by the Governing Body or by the President.
  - (f) On behalf of the Governing Body, Director shall sign and execute all agreements, contracts, all suits and proceedings including appointment of Advocate on agreed terms and conditions, etc. which may be necessary for the proper conduct of the business of the Institute. The drafts of all contracts involving consideration exceeding Rs. 50,000/- (Rupees Fifty Thousand only) shall be submitted to the solicitor to the Government of India for his advice to the correctness of their form.
  - (g) He shall sign and verify plaintiff, written documents statements, affidavits, petitions and tabular statements and institute of defend suits, actions and other legal proceedings on behalf of the Institute/Governing Body.
  - (h) He shall have the power to compromise, settle or refer to arbitration any dispute relating to the Institute after taking competent legal advice.
  - (i) The Director may, subject to such restrictions as he may think fit to impose, authorize the Departmental Heads/Deputy Director (Admn.) / Administrative Officer / Accounts Officer and Disbursing Officer as the case may be to exercise powers up to the extent indicated by him.
  - (j) The Director may, subject to such restrictions as he may think fit to impose, authorize the Heads of the Projects to exercise such of the powers conferred upon him under the Bye-Laws.
  - (k) The Drawing and Disbursing Officer or any other Officer of Group A or B authorized by the Director on his behalf shall have the power to sanction an expenditure of contingent nature up to an amount not exceeding Rs. 500/- (Rupees Five Hundred only) in each case.



- (l) All administrative actions should be carried out in the interest of the Institute as well as public interest.
- (m) Secretary; Ministry of AYUSH shall be Appellate Authority for (Gr. B, C & D) officials of the Institute. In case of Gr.-A officers of the Institute, Secretary to Govt. of India, Ministry of AYUSH shall be the Disciplinary Authority and Governing body shall be the Appellate Authority. All power and authority to frame the necessary Rules & Regulations relating to the administration Rules of discipline and conduct relating to the students/employees (Gr-B, C & D) and to take appropriate Administrative and disciplinary action on behalf of the Govt. of India as and when deemed to be necessary in the interest of the Institute and public interest. In Emergent situation, Director, on being delegated such power & Authority by the Secretary/Governing Body may act on their behalf.

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- Note :* (1) In the event of any authorization by the Director under items (i) (j) and (k) above, the authorised officers shall be responsible for the correctness, regularity and propriety of the decisions taken by them. However, the Director shall continue to be responsible for all such decisions taken by the authorised officers.
- (2) Power of the Director in regard to writing off the irrecoverable value of stores, money, advances etc. shall not be re-delegated.
- (3) In case of any doubt the matter should be referred to the Ministry of Health & Family Welfare of the Govt. of India.
- (4) The word 'the Government' in the Schedule I means the Govt. of India.
- (5) Serial no. (l) and (m) New Clause added, as amended in the Meeting of the 19th Governing Body, held at NIH, Kolkata on 20th December 2016 Volume-1, Annexure-III, page-6

**SCHEDULE I****Schedule of Powers vested in Director**

| <b>Sl. No.</b> | <b>Power</b>  | <b>Extent</b>   |
|----------------|---|---|
| 1.             | To declare an Institute employee to be a ministerial servant.   | Full powers   |
|                | (A) To take All Administrative measures in the interest of the Institute and public.  | Full power  |
|                | (B) All power and authority to frame necessary Rules & Regulations relating to the administration Rules of discipline and conduct relating to the students/employees (Gr.-B, C & D) and to take appropriate Administrative and disciplinary action on behalf of the Govt. of India as and when deemed to be necessary in the interest of the Institute and public interest. |   |
| 2.             | To dispense with a medical certificate of fitness before appointment (in individual case).  | Full powers in respect of the categories of the posts for which Director is the appointing authority.                                   |
| 3.             | To suspend a lien.  | Full powers provided he is authorized to make appointments to the post in question.   |
| 4.             | To transfer a lien.   | Full powers provided that he is authorized to make appointments to both the posts concerned.  |
| 5.             | To transfer for an employee from one post to another.   | Full powers.  |
| 6.             | To appoint an employee to held a dual charge and to fix-emoluments.   | Full powers provided he has power to make appointment in each post.   |
| 7.             | To sanction grant or acceptance of honorarium.  | Up to a maximum of Rs. 500/- (Rupees Five Hundred only) in each case.   |
| 8.             | To permit teaching staff of the Institute to accept fee for examinership, invigilatorship, paper setting, valuation of answer book etc.   | Full powers subject to the provision of SR-12 and maximum of Rs. 2,500/- (Rupees Two Thousand & Five Hundred only) in a financial year. |
| 9.             | To permit undertaking of private work and acceptance of fee.  | Up to Rs. 500/- (Rupees Five Hundred only) in case of each employment per year.   |
| 10.            | To decide the shortest of two or more routes.   | Full powers   |
| 11.            | To allow mileage allowance by a route other than the shortest.  | Full powers provided selection of the route is in the Institute's interest.   |
| 12.            | To define the limits of an employee's sphere of duty for the purpose of T.A.  | Full powers.  |



| Sl. No. | Power   | Extent  |
|---------|---|---|
| 13.     | To decide whether a particular absence is absence or duty for the purpose of T.A.   | Full powers.  |
| 14.     | To authorize an employee to proceed on duty to any part of India.   | Full powers.  |
| 15.     | To restrict the frequency and duration of journey.  | Full powers.  |
| 16.     | To reimburse cancellation charges on unused air / rail tickets.   | Full powers where the cancellation was done in the interest of the Institute.   |
| 17.     | To allow actual expenses for carriage of personal assets by road between station connected by Rail.   | Full powers.  |
| 18.     | Power to declare an officer of Group A or B to be Head of an office (powers of Head of Office-sign bills and cheques, last pay certificates consignment registers etc. He can also delegate such powers in certain cases to any other gazetted officer subordinate to him). | Full powers.  |
| 19.     | Power to permit on officer to countersign T.A. advance bills where permanent T.A. advances have been sanctioned to that officer.  | Full powers   |
| 20.     | To declare who shall be the controlling officer and to make rules for his guidance.   | Full powers provided the employee is declared his own controlling officer.  |
| 21.     | To purchase raw and processed drugs, dressings, stores, hospital equipment, dietary articles, furniture, other stores etc. for the working of the Institute, or any of its Units.   | Up to the limit of budget provision for such purchase according to usual rules and prescribed procedures.   |
| 22.     | Power to sanction non-recurring contingent charges within budget limits.  | Up to the limit of budget provision for such purchase according to usual rules and prescribe procedure (only in respect of approved scheme).              |
| 23.     | Power to sanction recoupment of permanent advance.  | Full powers.  |
| 24.     | Power to sanction Municipal or cantonment taxes.  | Full powers.  |
| 25.     | Power to purchase within budget limits Govt. and Non-Govt. publication required by him or by officers Under his control.  | Full powers.  |
| 26.     | Power to sanction the renting of ordinary office and Hostel accommodations.   | Rs.15,000/- (Rupees Fifteen Thousand only) per annum, subject to the recommendation of the finance committee in principle, for hiring such accommodation. |
| 27.     | Maintenance of buildings and petty works of repairs and alterations of hired and requisitioned buildings.   | For ordinary repairs to Institute's own buildings- Full powers subject to budget provision.   |
| 28.     | Power to sanction fixed recurring charges of a Contingent character.  | Full powers.  |
| 29.     | Power to sanction telephone rents.  | Full powers.  |





| Sl. No. | Power   | Extent  |
|---------|---|---|
| 30.     | Power to sanction advances of pay to an officer under transfer.   | Full powers.  |
| 31.     | Power to grant advance of T.A. to himself and to other employees.   | Full powers.  |
| 32.     | Power to sanction advances and final withdrawal from C.P. Fund /G.P. Fund in accordance with the Government rules as amended from time to time.   | Full powers.  |
| 33.     | Power to sanction Festival Advance in accordance with the Government Rules as amended from time to time.  | Full powers.  |
| 34.     | Power of sanction advance for the purchase of conveyance in accordance with the Govt. rules as amended from time to time.   | Full powers.  |
| 35.     | Power to incur expenditure and sanction advances for law suits to which the Institute is party, in accordance with the Govt. rules as amended from time to time.  | Full powers.  |
| 36.     | Power to vary the terms of repayment of advances.   | Full powers.  |
| 37.     | Power to order extension of undisbursed pay and Allowances.   | Up to three months.   |
| 38.     | Power to sanction children education allowance and reimbursement of tuition fees in accordance with the Central Government rules as amended from time to time.  | Full powers.  |
| 39.     | Power to sanction reimbursement of medical expenses incurred by an employee for himself or in respect of a member of his family in accordance with the central Government rules as amended from time to time or Institute's own rules / scheme on medical attendance as approved by the Governing Body.   | Empowered to make suitable arrangements for providing medical facilities to the staff in areas which are not covered under CGHS, provided that such agreements if any are more liberal than the Central Civil Services (Medical Attendance) Rules 1944 will require prior approval of the Department. |
| 40.     | Power to sanction the purchase of typewriters.  | This will hence forth includes purchase of computers, printers, fax machines, photocopiers, etc., subject to observance of laid down procedure.   |
| 41.     | Power in regard to writing off the irrecoverable value of stores, money, advances, etc. provided that (i) the loss is not due to theft (ii) it does not disclose a defect of system or serious negligence on the part of some individual servant of the Institute which might possibly call for disciplinary action requiring the orders of a higher authority. | Up to a limit of Rs. 2,500/- (Two Thousand Five Hundred rupees only) in each case. Full powers with the approval of the Standing Finance Committee (SFC).   |
| 42.     | Power to order destruction of records.  | Full powers subject to observance of period of retention of records as prescribed by the Govt. of India.  |



| Sl. No.  | Power   | Extent   |
|--|---|--|
| 43.  | To order, sale by auction or otherwise in the interest of the Institute of unserviceable stores or perishable articles.   | Full powers.   |
| 44.  | Power to give gifts to visiting dignitaries or public bodies at his discretion.   | Up to Rs. 100/- in each case.  |
| 45.  | Power to countersign his own traveling allowance bills.   | Full powers.   |
| 46.  | Power to grant all kinds of leave excluding study leave to staff of the Institute as per CGS leave rules.   | Full powers.   |
| 47.  | Power to grant up to five advance increments in respect of Group 'C' and 'D' staff on the basis of the recommendations of the Selection Committee.  | Full powers.   |
| 48.  | Printing and binding.   | Full powers subject to codal formalities.  |
| 49.  | Power to incur expenditure on miscellaneous items.  | Maximum limit up to which the expenditure may be sanctioned on each individual item:<br>Recurring Rs. 200/- a year<br>(Example – Payment on Training of Staff etc.)<br>Non-Recurring Rs. 1,000/- a year.<br>(Example-Laying of foundation stone, opening of new building etc.) |
| 50.  | Power to purchase stationery for official/hospital use.   | Full powers according to necessity subject to budget provision.  |
| 51.  | All Power of frame Rules & Regulations relating to the administration and Rules of discipline and conduct of the students and to take administrative action in the interest of the Institute and in Public interest - | Full power   |
| In pursuance of the communication vide No. R.14011/7/2008-NI date 16/02/2009 from the Ministry of Health & Family Welfare, Dept. of AYUSH, Govt. of India, subject- delegation of financial powers to Directors of National Institutes under the administrative controls of the Department of AYUSH the following financial powers shall vested with the Director, NIH in additions to the earlier powers. |   |  |
| 52.  | The Financial limits incurring expenditure in emergent cases are subjected to the following limit   | Rs.2 lakh  |
| 53.  | To execute contracts, agreements, etc.  | Up to Rs.5 lakh  |
| 54.  | Power to sanction an expenditure of a miscellaneous or contingent nature  | Limited to Rs.1 lakh each time   |
| 55.  | Repair of Motor vehicle   | Full powers to the Director  |



| Sl. No.  | Power  | Extent  |
|--|--|---|
| 56.  | Contractual appointment against approved posts | Director may appoint contractual staff for one year or till such time as regular appointments are made, whichever is earlier, against approved posts, subject to proper selection procedure. This also applies to selection on part-time basis.   |
| 57.  | Provision of Medical facility to the staff     | Empowered to make suitable arrangements for providing medical facilities to the staff in areas which are not covered under CGHS, provided that such agreements if any are more liberal than the Central Civil Services (Medical Attendance) Rules 1944 will require prior approval of the Department.   |
| The above powers are subject to following conditions |  | i. The exercise of the delegated powers shall be in strict conformity with the General Financial Rules.<br>ii. They do not apply to new schemes powers do not be used for starting any scheme and they also do not apply to re-appropriation of funds.<br>iii. They are subject to economy instructions in force.<br>iv. They are subject to availability of funds. |

Notes: In Schedule I, Schedule of powers vested in Director

1. New Clauses added in serial no. 1 as (A) and (B) [As New Clause amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, page-7.]
2. In serial no. 39 and 40 change of under heading Extent has some changes. [As amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, Page-7]
3. Serial no. 51 is inserted and a new clause is added. [As New Clause amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, page-7.]
4. After serial no. 51 up to serial no 57 are added as new. [As amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, Page-7 and 8.]
5. After serial no. 57 four (i., ii., iii., iv.) new conditions are added for the above powers. [As amended in the Meeting of the 19<sup>th</sup> Governing Body, held at NIH, Kolkata on 20<sup>th</sup> December 2016 Volume-1, Annexure-III, page-8.]

**APPENDIX II****Delegation of powers made under the Bye-Laws  
to the Administrative Officer**

| <b>Sl. No.</b> | <b>Power</b>   | <b>Extent</b>   |
|----------------|--|---|
| 1.             | Power to make small monthly payments to class IV servants for supplying drinking water, and for dusting offices in addition to their own duties.   | Full  |
| 2.             | To make purchases of stationery, rubber stamps and other petty articles of miscellaneous nature.   | Full, provided the budget provision is not exceeded.                            |
| 3.             | Power to sanction expenditure of miscellaneous or contingent character.  | Up to an amount not exceeding Rs. 100/- (One Hundred Rupees only) in each case. |
| 4.             | Sanctioning advances for authorized contingent expenditure.  | Up to Rs. 500/- (Five Hundred Rupees only)                                      |
| 5.             | Passing pay, traveling allowance and other allowances bills of the institute's staff.  | Full.   |
| 6.             | Sanctioning traveling allowance advances for approved tours.   | Up to Rs. 500/- (Five Hundred Rupees only)                                      |
| 7.             | Passing and countersigning bills for contingent expenditure.   | Full.   |
| 8.             | Countersigning traveling allowance bills for approved tours of staff.  | Full.   |
| 9.             | Countersigning traveling allowance bills for approved tours of officers. three month   | Full.   |
| 10.            | Attesting entries in cash book.  | Full.   |
| 11.            | Checking monthly cash balance.   | Full.   |
| 12.            | Countersigning traveling allowance bills of non-officials and officials (where traveling allowance payable by the National Institute of Homoeopathy) invited to attend meetings convened by the Institute. | Full.   |



**ANNEXURE I \***

- \*12. (a) The penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon the officials serving under the National Institute of Homoeopathy by the authority specified in column 2 of the Annexure.
- (b) Appeals from orders imposing any of the above penalties shall be made to the authority specified in column 4 of the Annexure, whose orders shall be final.

| <b>Particulars of the Post</b>   | <b>Authority Empowered to Impose Penalties</b> | <b>Penalties which may be imposed</b>   | <b>Appellate Authority</b>     |
|--|--|---|--------------------------------|
| <b>(1)</b>   | <b>(2)</b>                                     | <b>(3)</b>  | <b>(4)</b>                     |
| Class III Posts  | Director                                       | 1. Censure.   | Director<br>Vice-President     |
| Class IV Posts   | Director                                       | 1. Withholding of increments or promotions.<br>2. Reduction to a lower post or time-scale or to a lower stage in a time-scale.<br>3. Suspension.<br>4. Removal from service under Institute with or with disqualification for future employment under the Institute.                | Director<br>Vice-President     |
| Class II Posts.  | Director                                       | 1. Censure.   | Director<br>President          |
|  | Director                                       | 1. Withholding of increments or promotions.   | President                      |
|  |  | 2. Reduction to a lower post or time-scale or to a lower stage in a time-scale.   |                                |
|  |  | 3. Suspension.  |                                |
| 4. Removal from service under Institute with or with disqualification for future employment under the Institute. |  |   |                                |
| A. Class I Posts with scales of pay with the maximum of Rs. 1,249 and below                                      | (a) Director<br>(b) President                  | 1. Censure.   | President of<br>Governing Body |
|  | President                                      | 1. Withholding of increments or promotions.<br>2. Reduction to a lower post or time-scale or to a lower stage in a time-scale.<br>3. Suspension.<br>4. Removal from service under Institute with or without disqualification for future employment under the Institute.             | Governing Body                 |
| B. Officers the maximum of whose scale of pay is Rs. 1,250 & above   | Finance Committee                              | 1. Censure.<br>2. Withholding of increments or promotions.<br>3. Reduction to a lower post or time-scale or to a lower stage in a time-scale.<br>4. Suspension.<br>5. Removal from service under Institute with or with disqualification for future employment under the Institute. | Governing Body                 |



**ANNEXURE II**  
**Schedule of powers vested in the Director,**  
**National Institute of Homoeopathy**

| <b>Sl. No.</b> | <b>Power</b>  | <b>Extent</b>  |
|----------------|---|--|
| 1.             | To declare a Institute employee to be a ministerial servant.  | Full powers.   |
| 2.             | To dispense with a medical certificate of fitness before appointment individual cases.                  | Full powers.   |
| 3.             | To suspend a lien   | Full powers, provided he is authorized to make appointments to the post question.        |
| 4.             | To transfer a lien  | Full powers, provided he is authorized to make appointments to both the posts concerned. |
| 5.             | To transfer a worker from one post to another.  | Full powers.   |
| 6.             | To sanction grant or acceptance of honorarium.  | Up to a maximum of Rs. 500/- (Rupees Five Hundred only) in each case.                    |
| 7.             | To appoint a worker to hold a dual charge and to fix emoluments.  | Full powers, provided he has power to make appointment in each post.                     |
| 8.             | To retain technical staff of the Institute in service after the age of 58 and not beyond the age of 60. | Full powers, provided that extensions are limited to a period                            |
| 9.             | To permit undertaking of private work and acceptance of fee.  | Up to Rs. 500/- (Rupees Five Hundred) in each case.                                      |
| 10.            | To decide the shortest of two or more routes.   | Full powers for journeys within his jurisdiction.  |
| 11.            | To allow mileage allowance by a route other than the shortest.  | Full powers provided selection of the route is in the Institute interest.                |
| 12.            | To define the limits of workers' sphere of duty.  | Full powers.   |
| 13.            | To Decide whether a particular absence is absence on duty.  | Full powers  |
| 14.            | To restrict the frequency and duration of journeys.   | Full powers.   |
| 15.            | To grant exemption from the ten days halt rule.   | Up to a limit of 90 days.  |



| <b>Sl. No.</b> | <b>Power</b>  | <b>Extent</b>   |
|----------------|---|---|
| 16.            | To allow the exchange of daily for mileage allowance.   | Full powers.  |
| 17.            | To impose restrictions on exchange of daily for mileage allowance on particular days by superior workers of the Institute.                                  | Full powers.  |
| 18.            | To impose restrictions on exchange of daily for mileage allowance by non-gazetted ministerial or menial servants traveling in a public or hired conveyance. | Full powers.  |
| 19.            | To allow actual expenses for carriage of personal effects by road between stations connected by rail.   | Full powers.  |
| 20.            | To purchase working stores, tools and plants etc.   | Up to the limit of budget provision for such purchase according to usual rules and prescribed procedure.  |
| 21.            | Power to sanction non-recurring contingent charges within budget limits.  | Up to the limit of budget provision for such purpose according to the prescribed procedure.   |
| 22.            | Power to sanction permanent advance.  | Full powers.  |
| 23.            | Power to sanction Municipal or Cantonment taxes.  | Full powers.  |
| 24.            | Power to Purchase with budget limits official and non-official publications required by him or by officers under his control.                               | Full powers.  |
| 25.            | Power to sanction the renting of ordinary office accommodation.   | When the accommodation is provided in a separate building, up to Rs. 500/- (Rupees Five Hundred) a month. When the accommodation is provided in a building partly used as a private residence, one half of the total rent subject to maximum of Rs. 150/- (Rupees One Hundred Fifty) p.m. |
| 26.            | Power to sanction fixed recurring charges of a contingent character.  | Full powers.  |
| 27.            | Power to sanction telephones rent.  | Full powers.  |
| 28.            | Power to sanction advance of pay to an officer under transfer.  | Full powers.  |



| Sl. No. | Power   | Extent  |
|---------|---|---|
| 29.     | Power to grant advance of traveling allowance to himself and to other gazetted and non-gazette staff.   | Full powers.  |
| 30.     | Power to vary the terms of repayment of advances.   | Full powers.  |
| 31.     | Power to sanction the purchase of type-writers.   | Full powers.  |
| 32.     | Power in regard to writing off the irrecoverable value of stores etc. provided that<br><br>(i) the loss is not due to theft and<br><br>(ii) it does not disclose a defect of system or serious negligence on the part of some individual servant or servants of the Institute which might possibly call for disciplinary action requiring the orders of a higher authority. | Up to a limit of Rs. 2,500/- (Two Thousand Five Hundred only) value in each case.<br><br>Full powers with the approval of the Finance Committee.  |
| 33.     | Power to order destruction of records.  | Full powers.  |
| 34.     | Power to write off irrecoverable money, advances etc.   | Up to Rs. 1,000/-   |
| 35.     | To order sale, by auction or otherwise, in the interest of the Institute, of unserviceable stores or perishable articles.   | Full powers.  |
| 36.     | Power to appropriate sums out of supply allotted to him in each primary unit of appropriation to meet expenditure falling under that supply must not be appropriate to meet any item of expenditure which has not been sanctioned by any authority empowered to sanction it.  | Full powers.  |
| 37.     | Powers to countersign his own traveling allowance bills.  | Full powers.  |
| 38.     | Power to grant leave to gazetted and non-gazetted staff of the Institute.   | Full powers.  |
| 39.     | Power to appoint to Class III and IV posts subject to prescribed procedure.<br><br>Power to appoint to Class II posts.<br><br>Power to appoint to Class I posts.  | Full power subject to budget provision.<br><br>With the approval of Vice-President<br><br>With the approval of the President.                     |
| 40.     | Power to employ in an officiating capacity in vacancies caused by the grant of leave to, or officiating promotion to gazetted post of incumbents of non-gazetted post for which there is no leave reserve.  | Full power, subject to budget provision and approval of Vice-president in regard to posts the initial pay of which is Rs. 1,100/- p.m. and above. |





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| <b>Sl. No.</b> | <b>Power</b>   | <b>Extent</b> |
|----------------|--|---------------|
| 41.            | Power to create temporary posts in the subordinate service for a period not exceeding three month. | Full powers.  |

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Note: Exercise of those powers (40-41) shall be reported to Finance committee for information.