

## BYE-LAWS



**TECHNOLOGY INFORMATION, FORECASTING  
AND ASSESSMENT COUNCIL  
(TIFAC)**

New Mehrauli Road, New Delhi-110 016

DECEMBER, 1994

## TABLE OF CONTENTS

S.No.	Subject	Page
<b>BYE - LAWS</b>		
1.	Governing Body/Committee Meetings and Procedure	1-2
2.	Finance and Accounts	2-4
3.	Terms and Conditions of Service of the Employees of the Society	4-13
4.	Powers, Duties and Functions of the Governing Body/ the Committee and the Officers of the Society	13-18
5.	Execution of contracts	18
6.	Other Miscellaneous Matters	18
7.	Interpretation	19
8.	Schedule to Bye-law 3.3.8	19-21

**Technology Information, Forecasting and  
Assessment Council (TIFAC)**

**BYE-LAWS**

(Under Rule 14 (xv) of the Rules & Regulations)

**I. GOVERNING BODY/COMMITTEE MEETINGS AND  
PROCEDURE**

**1.1 MEETINGS**

**1.1.1 SOCIETY/COUNCIL/GOVERNING BODY**

Meetings of the **Society/Council/Governing Body** shall be held in accordance with Rules 15-21 of the Rules and Regulations of the Technology Information, Forecasting and Assessment Council (TIFAC).

**1.1.2 COMMITTEE**

Meetings of the Steering Committee shall be held in accordance with Rule 25 of the Rules and Regulations of the Society/Council.

**1.1.3 ADJOURNED MEETINGS**

If there is no quorum at the expiration of fifteen minutes after the time fixed for the meeting, the meeting shall be adjourned to a later time which the Chairman may fix. No quorum shall be necessary for a meeting adjourned for want of a quorum.

**1.2 MINUTES**

The Member-Secretary of the Society shall prepare the minutes of the meetings and after obtaining approval of the minutes from the Chairman, circulate the same to the Members, generally within 30 days of the meeting. The Registrar shall keep minutes of the meetings.

### 1.3 VACANCY

When a vacancy occurs in the office of a member of the **Society/Governing Body/Committee** through death, resignation or any other cause, the Registrar of the **Society** shall as soon as possible, notify the vacancy to the nominating authority concerned requesting it to nominate a member to fill the vacancy and the member so nominated to fill such a vacancy shall hold office for the remainder of the term of the member in whose place he has been nominated.

### 1.4 BUSINESS BY CIRCULATION OF PAPERS

The **Society/Governing Body/Committee** may dispose of any matter by circulation of papers, if so desired by the respective Chairman and shall report the same at the next meeting.

### 1.5 SUB-COMMITTEES

The **Society/Governing Body/Committee** may appoint Sub-Committees and may assign to such Sub-Committees such powers and duties as are in accordance with the Rules and Regulations and Bye-laws of the Society.

## 2. FINANCE AND ACCOUNTS

### 2.1 FUNDS OF THE SOCIETY

All moneys received for or on behalf of the **Society** shall be deposited in such bank(s) and accounted for in such manner as the COMMITTEE may decide. The funds shall be applied towards meeting the expenses of TIFAC.

### 2.2 PAYMENTS

Payments by or on behalf of the **Society** exceeding Rs.5000/- shall ordinarily be made by



cheque. All cheques shall jointly be signed by any two of the three authorised signatories, i.e. Registrar, Executive Director, Chairman of the Committee.

### 2.3 ENDORSEMENTS

All bills for payment shall bear an endorsement "Pay" or "Passed for Payment" and the endorsement shall be signed by the officer designated by the Executive Director.

### 2.4 PERMANENT & TEMPORARY ADVANCES

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

### 2.5 BUDGET

The Executive Director shall cause to prepare in such form 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 and forward the same with the recommendations of the Committee to the Governing Body for consideration and approval.

### 2.6 ACCOUNTS & AUDIT

2.6.1 The accounts of the Council shall be maintained in such manner as may be approved by the Governing Body/Committee. The Registrar shall be responsible for proper maintenance of the accounts of the Society.

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

2.6.3 The accounts of the Society shall be audited

annually by a Chartered Accountant to be appointed by the Council.

2.6.4 The accounts of the Council as audited and certified by the Chartered Accountant appointed for the purpose shall be forwarded annually to the Central Government.

2.6.5 TIFAC shall provide to the Comptroller and Auditor General of India on demand books, accounts, connected vouchers and other documents and papers and allow him to inspect the offices of the Society.

### 3. TERMS AND CONDITIONS OF SERVICE OF THE EMPLOYEES OF THE SOCIETY

#### 3.1 RECRUITMENT

The employees of the Society, other than the Executive Director are classified into four categories:-

- (a) Scientific/Technical staff comprising of Scientists and Engineers.
- (b) Administrative staff which includes Registrar, Manager (Office), Accounts Staff, Secretaries, members of the staff doing administrative work and other posts as may be included by the Executive Director under this category from time to time.
- (c) Scientific/Technical Support Staff, which includes Information Executives, Documentation Executives and such other posts as may be included by the Executive Director under this category from time to time.
- (d) Miscellaneous staff including Peons, Messengers, etc. attending to general activities like cleaning, messenger service etc.

Recruitment of staff to the above categories shall be done as per the rules approved by the Governing Body from time to time.

Administrative, Scientific/Technical support and miscellaneous staff shall be kept to the optimal minimum by :-

- (i) Use of modern office equipment and entrusting staff with multiple functional responsibilities.
- (ii) By hiring agencies on contract basis to perform administrative and support services like house keeping, security, transport and travel booking.

### **3.2 CREATION OF POSTS**

Subject to the availability of budget provision, the Governing Body may create posts and prescribe methods of recruitment. Provided that proposals for creation of posts above a specified pay scale shall have the approval of the Central Government, wherever necessary.

### **3.3 TERMS OF APPOINTMENT**

#### **3.3.1 CERTIFICATE OF PHYSICAL FITNESS**

Every employee except those who have come on deputation from other Govt. or autonomous bodies/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 service by a medical officer nominated by the Executive Director.

#### **3.3.2 SALARY**

Every employee shall be paid a salary fixed for his post, every month, so long as he effectively remains in the service of the Council and satisfactorily performs his duties.



### **3.3.3 OBEDIENCE TO RULES AND REGULATIONS**

During the period of his service every employee shall observe, obey, and abide by the Rules and Regulations of the **Society** and Bye-laws as made and as may be amended from time to time and all standing orders passed by the Executive Director under Bye-law 4.2.2.

### **3.3.4 TRANSFER/POSTING**

Every employee shall be liable to be posted at the discretion of the Executive Director, to serve at any of the **Society's** office/units or any other organisation for **Society's** work.

### **3.3.5 DETENTION ON SUNDAYS AND HOLIDAYS**

The Executive Director or an officer of the **Society** to whom the power has been delegated by the Executive Director may, for urgent work, detain any employee on Sundays and Holidays.

### **3.3.6 DISCIPLINE**

The authority which appoints an employee of the **Society** may suspend, discharge, dismiss or impose any other suitable penalty for any misconduct, disobedience or for breach of the terms and conditions of his appointment.

### **3.3.7 ORDER OF DISCHARGE OR DISMISSAL**

No order of discharge, dismissal or any other penalty shall be passed under the preceding Bye-law unless the specific charges on which such order is to be passed, are framed against the employee in writing, and given to the said employee, so that he shall have reasonable opportunity of showing cause why the proposed action should not be taken against him, 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 the person has absconded, or where it is for any reasons impractical to communicate with him. In every case where all or any other requirements of this Bye-law are waived, the reasons for so doing shall be recorded in writing.

### **3.3.8 APPEALS**

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

- (a) it shall be in writing;
- (b) it shall be couched in concise, polite and respectful language, and be free from irrelevant issues;
- (c) it shall contain all material statements and arguments relied on and shall be complete in itself;
- (d) it shall specify the relief desired;
- (e) it shall be submitted to the authority which made the order 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;

- (f) it shall not be addressed by name to the Executive Director, Registrar or any Member of the Society and any such action shall be deemed to be a breach of discipline.

### **3.3.9 - CONSIDERATION OF APPEALS**

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

- (a) whether the procedure prescribed in the Bye-laws has been complied with, and, if not whether such non-compliance has resulted in a miscarriage of justice:
- (b) whether the findings are justified; and
- (c) whether the penalty imposed is excessive, adequate or inadequate and pass orders :-
  - i) setting aside, reducing, confirming or enhancing the penalty or
  - ii) remitting the case to the 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 is given an opportunity of making any representation which he may wish to make against such enhanced penalty.

### **3.3.10 IMPLEMENTATION OF ORDERS IN APPEAL**

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

**3.3.11 ORDERS MADE BY THE GOVERNING BODY NOT APPEALABLE**

Notwithstanding anything contained in these bye-laws, no appeal shall lie against any order made by the Governing Body.

**3.3.12 REVISION**

The authority to which an appeal can be made against an order imposing any of the penalties specified in the Bye-laws 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.

**3.3.13 REVIEW**

Notwithstanding anything contained in Bye-law 3.3.8 to 3.3.12, the Governing Body may on its own motion or otherwise, after calling for the records of the case, review any order which is made or is appealable under these Bye-laws, and

- (a) confirm, modify or set aside the order,
- (b) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order,
- (c) remit the case to the appointing authority which made the order or to any other authority directing such further action or enquiry as it considers proper in the circumstances of the case,
- (d) pass any such other order as it deems fit, provided that an order imposing or enhancing the penalty shall not be passed unless the



person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.

#### **3.3.14 REINSTATEMENT**

In the following circumstances, an employee may be reinstated in service after suspension/dismissal/removal.

- (a) If he had been placed under suspension pending criminal proceedings against him and is acquitted by the court of law and it is decided not to proceed further departmentally.
- (b) If he had been placed under suspension pending departmental proceedings against him and if the proceedings are either withdrawn for any reason or if he is exonerated or if he is awarded a penalty other than that of removal/dismissal.
- (c) If the penalty of removal/dismissal imposed upon him earlier is set aside by the Appellate Authority.
- (d) In reinstatement, specific orders shall be issued by the reinstating authority regarding (a) treatment of absence upto reinstatement and (b) quantum of pay and allowances during the period.

#### **3.3.15 PAY AND ALLOWANCES ON ACQUITTAL**

If an employee of the Society has been discharged or dismissed and is exonerated on Appeal/Revision/Review, the appellate authority may grant to him for the period of absence from duty,

- (a) if he is fully exonerated, the full pay to which he would have been entitled had he not been discharged or dismissed, and by an order to be separately recorded, any allowances of which he was in receipt prior to his discharge or dismissal, or
- (b) if not fully exonerated, such proportion of pay and allowances as the appellate authority may decide.

The period of absence from duty will be treated as period spent on duty in case of (a). It will not be treated as period spent on duty in case of (b) unless the appellate authority directs to the contrary.

### 3.4 TENURE OF APPOINTMENT

#### 3.4.1 *PERIOD OF SERVICE*

A member of the scientific and technical staff and Scientific and Technical support staff shall be appointed on probation for a period normally not exceeding one year after which the appointment may be continued, subject to satisfactory completion of probation, till the date of superannuation (60 years) or the dissolution of the Society, whichever is earlier.

All members of the administrative and miscellaneous staff shall be appointed on probation for a period normally not exceeding one year, after which the appointment may be continued, subject to satisfactory completion of probation, till the date of superannuation (58 years) or the dissolution of the Society, whichever is earlier. The date of superannuation of Peons, Messengers will be 60 years or the dissolution of the Society whichever is earlier.

3.4.2 Notwithstanding the above, for completing specific tasks within a specified period, persons can be appointed on contract basis for a fixed tenure by offering appropriate financial and other terms to attract talents.

### 3.4.3 **EXTENSION**

Extension beyond superannuation may be granted by the Governing Body, in special circumstances, to be recorded in writing, up to the age of 65 years to a member of the scientific and technical staff. Such extension, however, be given for not more than two years at a time.

### 3.4.4 **TERMINATION OF CONTRACT**

3.4.4.1 Subject to any contract under Bye-law 3.4.2, the agreement of service of any member of the staff may 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 as specified in the letter of appointment.

#### 3.4.4.2 **CURTAILMENT OF PERIOD OF NOTICE**

Notwithstanding anything contained in 3.4.4.1

(a) the service of any employee may be terminated by giving a shorter notice than that specified on payment to him of a sum equivalent to the amount of pay and allowances for the period for which such notice falls short of the period specified,

(b) the appointing authority, or the authority to whom the power has been delegated, may accept a shorter period of notice from an employee in special circumstances.



#### **3.4.4.3 LEAVE ON TERMINATION OF CONTRACT**

Earned leave on full pay may be counted towards the period of notice required under Bye-law 3.4.4.1 and for any part not so utilised, pay and allowances may be paid at the discretion of the Executive Director or an officer of the Society to whom the power has been delegated.

#### **3.5 EMOLUMENTS, ALLOWANCES AND OTHER CONDITIONS OF SERVICE OF EMPLOYEES**

The Scales of pay, allowances and other conditions of service of the employees of the Society shall be governed by Staff Rules framed by the Governing Body and standing orders issued by the Executive Director from time to time.

### **4. POWERS, DUTIES AND FUNCTIONS OF THE GOVERNING BODY, THE COMMITTEE AND THE OFFICERS OF THE SOCIETY**

#### **4.1 GOVERNING BODY/COMMITTEE**

The Powers, duties and functions of the Governing Body and the Committee are as outlined in the Rules and Regulations of the Society.

#### **4.2 POWERS, FUNCTIONS AND DUTIES OF THE EXECUTIVE DIRECTOR**

4.2.1 Subject to the overall control of and guidelines and directions issued by Governing Body and the Committee, the Executive Director shall have the following powers, functions and duties :

- a) Exercise full powers to approve and sanction expenditure up to Rupees fifty lakhs under every head and item provided in the Annual and Supplementary Budget approved by the Governing Body.

Provided that he may sanction expenditure beyond Rs. 50 lakhs with the approval of the Committee.

- b) Re-appropriate the sanctioned funds subject to the following conditions :-
  - i) Re-appropriation to the head Salaries, allowances and Provident Fund contributions shall require prior consent of the Chairman of the Committee.
  - ii) Re-appropriation within the heads of Capital Expenditure to cover expenditure on an item not included in the budget shall require prior consent of the Committee.
  - iii) No re-appropriations shall be made from the head of the Capital Expenditure to the head of Revenue Expenditure, without the approval of the Committee..
- (c) (i) Appoint from time to time Technical, Administrative, Support and Miscellaneous staff of all scales, the maximum of which is upto Rs. 4,500.
- (ii) Appoint all staff above the scale of Rs. 3000 - 4500 upto the Scale of Rs. 5,900 - 7,300/ - with the approval of the Committee.
- ✓(d) Delegate some of his powers, functions and duties to any member of the staff.
- (e) Propose additions, alterations and modifications to the Bye-laws and any matter for consideration of the Committee and approval of the Governing Body.
- (f) Authorise purchase/import of equipments, components and other payments as provided in the sanctioned budget proposals.

- (g) Appoint Consultant(s) for carrying out items of work included in the sanctioned budget proposals.
- (h) Make suitable grant of moneys or other assistance to R&D Centers, Universities or Industry for carrying out research, development, investigation subject to the provision in the budget. Any such grant made will be noted in the next meeting of the Committee.
- (i) Grant fellowships, scholarships, awards or other monetary assistance on such terms and conditions as the Society may prescribe, to such persons as he may select for carrying out any research, investigation and study on a subject in which the Society is interested.
- (j) Publish and/or to finance the publications, from time to time of the work done or work carried out by or on behalf of the Society.
- (k) Write-off irrecoverable losses of store and moneys and waiver of recovery upto Rs.25,000/- in each case provided that:-
  - i) the loss is not due to theft, fraud or neglect and
  - ii) it does not disclose a serious negligence on the part of any employee of the Society.
- (l) Declaration of stores as surplus, obsolete or unserviceable upto book value of Rs. 25,000/-.
- (m) Submit a detailed Annual Budget Estimate under various heads for consideration of the Committee and approval of the Governing Body.



- (n) Submit the Annual Report and audited Statement of Accounts of the **Society** for the consideration of Committee and approval of the Governing Body.

**NOTE:** For major works/technology development projects, appropriate Committees such as Works Committee, Joint Boards or High Level Assessment Groups may be set up to advise the Executive Director.

#### 4.2.2 DIRECTION AND CONTROL OF THE STAFF

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

#### 4.2.3 SANCTION OF EXPENDITURE

All expenditure within the Budget grant shall be approved and sanctioned by the Executive Director, or by an officer to whom power has been delegated by the Executive Director subject to the following conditions :-

- a) All Expenditure is subject to Rules and Regulations and Bye-laws and any general or specific directions given by the Governing Body or Chairman of the Committee, and restrictions imposed by the Central Government.
- b) Expenditure on foreign travel of any employee of the **Society** shall be with the prior approval of the Chairman of the Committee.

#### 4.2.4 SUPERVISION OF WORK

The Executive Director shall exercise general supervision over the activities of the **Society**.

#### 4.2.5 ANNUAL REPORT

The Executive Director shall submit the Annual Report and audited statement of accounts of the Society, as approved by the Committee to the Governing Body as early as possible after the close of the Financial year.

#### 4.3 DUTIES OF REGISTRAR

##### 4.3.1 *ADMINISTRATIVE AND PERSONNEL WORK UNDER THE GENERAL CONTROL OF THE EXECUTIVE DIRECTOR*

In all matters concerning the Society, he shall act under the general control, direction and orders of the Executive Director.

##### 4.3.2 *CORRESPONDENCE*

The Registrar shall be in-charge of the correspondence relating to the Society subject to the instructions of the Executive Director. Any other officer also, as necessary, may be authorised by the Executive Director.

##### 4.3.3 *OFFICE MANAGEMENT*

The Registrar will be in-charge of the administrative and miscellaneous staff of the Society as well as supervision of the work of the Accounts officer.

##### 4.3.4 *MAINTENANCE OF PREMISES*

The Registrar shall be responsible for the maintenance and upkeep of the premises and the property of the Society.

#### 4.4 DUTIES OF THE ACCOUNTS OFFICER

##### 4.4.1 The Accounts Officer shall deal with all matters relating to Finance and Accounts of the Society.



He shall be responsible for proper maintenance and upkeep of Accounts.

4.4.2 The Accounts Officer shall be responsible for managing the funds of the **Society**. He shall see that all moneys received by the **Society** through grants, donations, gifts etc. are deposited in the Bank Accounts (including current, savings, fixed) of the **Society** and arrange payments on behalf of the **Society** therefrom.

4.4.3 The Accounts Officer shall prepare the Annual Budget, Revised Estimates and Supplementary Budget Estimate for consideration.

4.4.4 The Accounts Officer shall be responsible for the banking operations of the **Society** and for the maintenance of Annual Accounts, monitoring and control of expenditure, etc.

## 5. EXECUTION OF CONTRACTS

### 5.1 CONTRACTS WITH EXECUTIVE DIRECTOR

All contracts between the **Society** and the Executive Director shall be signed by the Chairman of the Governing Body or any other person authorised by the Governing Body for the purpose.

### 5.2 CONTRACTS WITH OTHERS

All other contracts by or on behalf of the **Society** shall be signed by the Executive Director or by an officer of the **Society** empowered by him.

## 6. OTHER MISCELLANEOUS MATTERS

### 6.1 TRAVEL ALLOWANCES

Travelling and Daily Allowances for the Chairman and members of the Governing Body/Committee and for the employees of the **Society** shall be paid in accordance with the Staff Rules of the **Society**.



## 6.2 ATTENDANCE AT SCIENTIFIC CONFERENCES

6.2.1 Employees of the **Society** may be allowed to attend scientific conferences and congress and may be deputed for special training or for the work of the **Society** at the discretion of (i) the Governing Body in the case of the Executive Director and (ii) Executive Director or any other officer to whom the power has been delegated by the Executive Director, in the case of others.

6.2.2 Members of the Governing Body, Executive Director and the employees of the **Society** when deputed by the **Society** under Bye-law 6.2.1 shall be eligible for Daily and Traveling Allowances as laid down by the Governing Body from time to time. The employees as deputed shall be treated as on TIFAC duty.

## 6.3 CONTRIBUTIONS TO TECHNICAL PERIODICALS

Contribution to technical journals resulting from work carried on in the **Society** by employees of the **Society** shall contain the **Society's** name and shall have prior approval of the Executive Director.

## 7. INTERPRETATION

Where any doubt arises as to the interpretation of these Bye-laws and Rules, the decision of the Executive Director shall be final in respect of all employees of TIFAC other than Executive Director and in respect of matters relating to the Executive Director the decision of the Chairman of the Council shall be final.

8. The Central Government may, from time to time, appoint committees to review the work and progress of the Council and to hold enquiries into the affairs thereof and to report thereon in such manner as the Central Government may stipulate. Upon receipt of such reports, the Central Govern-

ment may take such action and issue such directions as it may consider necessary in respect of any of the matters dealt with in the report and the Society/Council, shall be bound to comply with such directions.

9. The Society/Council shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of the Society.
10. If in, or in connection with, the exercise of its powers and discharge of its functions by the Society/Council, any dispute arises between the Society/Council and the Central Government, the decision of the Central Government on such dispute shall be final.
11. The Society/Council shall furnish to the Central Government such reports, returns and other information as that Government may require from time to time.

SCHEDULE TO BYE-LAW 3.3.8

Sl. No.	Description of posts	Appointing authority	Authority Competent to impose penalties	Nature of penalties	Appellate authority
1.	Executive Director	Governing Body	Governing Body	All	Governing Body
2.	Employees, other than Executive Director, in the scale of pay the maximum of which is above Rs. 7300 but upto Rs. 8000/- or those with special contracts above these levels	Chairman, TIFAC	Chairman, TIFAC	All	Governing Body
3.	Employees in the scale of pay, the maximum of which is above Rs. 4500 and upto Rs. 7300	Chairman of the Committee	Chairman of the Committee	All	Chairman, TIFAC
4.	Employees in the scale of pay, the maximum of which is upto Rs. 4500	Executive Director	Executive Director	All	Chairman of the Committee