

EXPOSURE DRAFT

Insurance Regulatory and Development Authority of India

Staff (Officers and Other Employees) Regulations, 2015

2.9.2015

Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2015

Table of Contents

Chapter I – Preliminary	
Regulation	
1	Short Title and Commencement
2	Application
3	Definitions
Chapter II – Classification of employees, Recruitment and Probation	
	Section 1 - Classification of employees
4	Classification of employees, departments and hierarchy
	Section 2 - Recruitment
5	Recruitment
6	Recruitment of employees by way of temporary employment, contractual employment
7	Certificate of health
8	Appointments to be made on minimum pay
	Section 3 - Probation
9	Probation on first appointment
Chapter III – Commencement of duty and notice period, Termination, Retirement	
	Section 1- Commencement of duty
10	Commencement of duty
	Section 2 - Termination
11	Discontinuing/ leaving the service, Termination due to disciplinary proceedings
	Section 3 - Retirement

12	Retirement
Chapter IV – Record of service, Seniority, Promotion and Reversion	
13	Maintenance of record of service
14	Seniority of employees
15	Promotion against sanctioned post
16	Transfers/Reversions a) Transfer of an employee on promotion b) Reversion of an employee
Chapter V – Pay, Allowances and other benefits	
17	The admissibility of pay, allowances and other benefits
18	Increment payable
19	Fixation of pay on promotion
20	Declaration of hometown
Chapter VI – Holidays, Leave and Joining Time	
21	Kinds of leave
22	Grant of leave – general conditions
23	Casual leave
24	Earned leave
25	Sick leave
26	Maternity leave
27	Child Care leave
28	Paternity Leave
29	Extraordinary leave

30	Joining time and special leave in lieu of joining time
31	Any other leave as may be specified from time to time
Chapter VII – Conduct, Discipline and Appeals	
32	Conduct and obligation of employees
33	Restriction on employment in certain cases
34	Evidence before Committee/s or any other Authority
35	Canvassing of non-official or outside influence
36	Prohibition of private trade and employment in certain cases
37	Absence from station
38	Acceptance of gifts
39	Prohibition of engaging in commercial business, etc
40	Speculation in Stocks, Shares, Investments etc.
41	Lending or borrowing
42	Investment
43	Demonstration
44	Joining association prejudicial to the interests of the country
45	Subscription
46	Consumption of intoxicant drinks or drugs
47	Employees in debt
48	Prohibition of sexual harassment of women employees at work place
49	Submission of returns of movable, immovable and valuable properties
50	Restriction in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.
51	Restriction regarding marriage

52	Competent Authority to institute proceedings
53	Suspension
54	Imposition of penalties
55	Penalties
56	Procedure for imposing major penalties
57	Procedure for imposing minor penalties
58	Action on inquiry report
59	Communication of orders
60	Common proceedings
61	Special procedure in certain cases
62	Vigilance cases
63	Orders against which appeal lies
64	Appellate Authority
65	Period of limitation of appeals
66	Form and contents of appeal
67	Consideration of appeal
68	Implementation of orders in appeal
69	Revision
70	Review
71	Service of orders, notices, etc.
Chapter VIII – Deputation	
72	Deputation
Chapter IX – Miscellaneous	
73	Medical facilities
74	Travelling and halting allowances
75	Criticism of the Authority or Government

76	Provident fund
77	Insurance scheme or fund
78	Grievance redressal and welfare
79	Declarations to be signed by employees
80	Residuary powers
81	Power to relax
82	Interpretation

Insurance Regulatory and Development Authority of India
Staff (Officers and Other Employees) Regulations, 2015

Preamble

F. No. IRDAI/Reg./--/2015, dated --/--/2015

Whereas it is necessary to frame Regulations defining the terms and conditions of officers and other employees of the “Insurance Regulatory and Development Authority of India”, the Authority, in exercise of the powers conferred by clause (c) of sub-section (2) Section 26 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), and in consultation with the Insurance Advisory Committee, hereby makes the following regulations.

Notified in Gazette of India, _____, dated _____

CHAPTER I

Preliminary

1. Short title and commencement

- (i) These regulations may be called the Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2015.
- (ii) They shall come into force on the date of their publication in the Official Gazette.

2. Application

- (i) These regulations shall apply to every employee of the Authority (IRDAI) unless otherwise provided by the terms of any contract, agreement or letter of appointment.

Provided further that they shall not apply, except as otherwise provided in these regulations or to such extent as may be otherwise specifically or generally decided by the Chairperson, to persons employed temporarily or on short term contracts.

Provided, that in the case of officers and other employees holding posts in the Authority at the time of the commencement of the Insurance Regulatory and Development Authority (Conditions of Service of Officers and other Employees) Regulations, 2000, they were deemed to have been appointed to such posts till such time the Authority absorbed them on such posts and scales of pay as determined and that the salary, allowances and other benefits of such officers and other employees deemed to have been appointed shall not be varied to their disadvantage.

Provided further that the salary, allowances, and other benefits of the officers and other employees absorbed in to the service of the Authority by virtue of redeployment or otherwise shall not be varied to their disadvantage.

Provided further that the salary, allowances, and other benefits of the officers and other employees appointed in to the service of the Authority prior to coming in to force of these regulations shall not be varied to their disadvantage.

- (ii) On and from the date of commencement of these regulations, the terms and conditions of the service of the existing officers and other employees of the Authority shall stand modified in accordance with the provisions of these regulations.

- (iii) The Insurance Regulatory and Development Authority (Conditions of Service of Officers and other Employees) Regulations, 2000 and the amendments thereto as also the Executive Rules for Staffing the IRDA, 2009 and the amendments thereto hereby stand repealed.

Notwithstanding such repeal, anything done or any action taken under the “The Insurance Regulatory and Development Authority (Conditions of Service of Officers and other Employees) Regulations, 2000” or under the Rules framed including “The Recruitment Rules 2005” and “The Executive Rules for Staffing the IRDA, 2009” shall remain valid.

3. Definitions

1. In these regulations, unless the subject or context otherwise requires,—
 - (a) **“Act”** means the Insurance Regulatory and Development Authority Act, 1999, as amended from time to time;
 - (b) **“Authority”** means the Insurance Regulatory and Development Authority of India established under sub-section (1) of Section 3 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999); renamed as IRDAI after adding the words “of India” after the words “Development Authority” vide amendment through Gazette notification dated 25.3.2015 to the IRDA Act, 1999;
 - (c) **“Appellate Authority”** means the authority specified in Schedule XI;
 - (d) **“Absorbed employee”** means an employee of the Insurance Regulatory Authority, and/or the employee belonging to TAC, GIC, etc., who were on deputation to IRA, and absorbed in the services of the Authority consequent on the establishment of the Insurance Regulatory and Development Authority of India or redeployed from TAC with effect from 27-04-2011;
 - (e) **“Appointment”** means appointment to any of the posts of a Grade within the sanctioned strength by means of
 1. Direct recruitment (or)
 2. On promotion (or)
 3. Deputation (or)
 3. On contract

- (f) **“Appointing Authority”** means the Authority specified in Schedule XI of these Regulations;
- (g) **“Chairperson”** means the person appointed by the Central Government under Section 4 of the IRDA Act, 1999;
- (h) **“Competent Authority”** means,—
1. in relation to matters specified under column (2) of the Schedule XI, the authorities specified under column (3) of that Schedule,
 2. in relation to matters not specified under column (2) of the Schedule XI, the Chairperson;
- (i) **“Dependent”** means a person who is wholly dependent upon the employee and whose monthly income does not exceed the limits as may be specified by the Chairperson, from time to time;
- (j) **“Direct recruit”** means a person
1. recruited through written examination and/or group discussion and/or interview on an all India basis by open competition, or
 2. recruited through Group discussion and/or interview on all India basis otherwise than by open competition, or
 3. both;
- (k) **“Dies-non”** means a day, which cannot be treated as duty for any purpose. The period of absence treated as ‘dies non’ does not qualify as service for pension benefits, if any, or increment.
- (l) **“Duty”** includes—
- (i) service as a probationer;
 - (ii) period during which an employee is on joining time or training, administratively authorised;
 - (iii) period spent on leave, duly authorized by the Competent Authority;
- (m) **“Employee”** means Officers in Class I and Class III employees specified in these Regulations [Officers and other employees as defined in Section 12, Section 26 (2) (c) of IRDA Act, 1999];
- (n) **“Employee on deputation”** means an employee who is on transfer from Central/State Government or from any public sector insurance company or from

financial Regulatory bodies, having knowledge and experience in insurance matters for a temporary period as may be decided by the Chairperson;

(o) **“Family”** means

(i) in the case of male employee, his wife, whether residing with him or not, but does not include a legally separated wife and in case of a woman employee, her husband, whether residing with her or not, but does not include a legally separated husband,

(ii) children or step child/children of the employee whether residing with him or not and dependent wholly on such employee but does not include child/children or step child/children of whose custody the employee has been deprived of by or under any law, and

(iii) any other person related by blood or marriage to the employee or to his spouse and wholly dependent upon such employee;

(p) **“Grade”** means any of the Grades of employees specified in these regulations;

(q) **“Inquiry Officer”** means the officer appointed by the Competent Authority in the disciplinary proceedings to conduct inquiry against the charge sheeted employee or against whom allegations /complaints have been received;

(r) **“Leave pay”** means the monthly pay which the employee would have drawn while on duty but before proceeding on leave. Pay during leave shall be drawn at full, half or appropriate rate of leave pay, according to the kind of leave availed of by the employee, with no pay being admissible during extraordinary leave;

(s) **“Lien”** means the title an employee holds on a permanent post to which he has been appointed substantively, either immediately or on termination of a period or periods of absence, or held in a permanent capacity;

(t) **“Merit”** in relation to any promotion of person means the performance of a person in the previous Grade assessed by means of (a) performance in any examination, if conducted for the purpose and/or (b) review by the Competent Authority of the confidential reports and/or (c) performance in the interview for the Grade and/or (d) any other measure of performance so prescribed by the Authority;

(u) **“Officer”** means Class I officer referred to in these regulations;

- (v) **“Pay”** means the amount drawn by an employee as
- (i) pay which had been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a Grade;
 - (ii) special pay and personal pay;
 - (iii) grade pay;
 - (iv) any other emoluments which may be specially classified as pay by the Chairperson but does not include allowances/incentives granted for acquiring qualifications;
- (w) **“Permanent employee”** means a person who has been confirmed in the service of the Authority;
- (x) **“Personal pay”** means an additional pay granted to an employee—to save him from a loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or in exceptional circumstances, on other personal considerations;
- (y) **“Presenting Officer”** means the officer appointed by the Competent Authority to present the case in support of the articles of charge against the charge sheeted employee on behalf of the Competent Authority before an Inquiry Officer;
- (z) **“Post”** in relation to any Grade of the service means a Grade post held by an employee of the service on a substantive basis in any post;
- (aa) **“Public servant”** means the Chairperson, Members and employees of the Authority as defined under Section 21 of the IRDA Act, 1999 with provisions thereunder applicable;
- (bb) **“Recruitment”** means appointment by way of direct recruitment, promotion, deputation and excludes contract;
- (cc) **“Regular vacancy”** means in relation to a Grade, includes vacancy arising out of death, retirement, promotion, resignation, or transfer or long leave of incumbents;
- (dd) **“Salary”** means the basic pay, addition to basic pay after reaching maximum of the scale of pay, dearness allowance, special functional allowance, if any,

functional allowance, house allowance, local allowance, family allowance, allowance for passing examinations wherever payable which does not count for dearness allowance, HRA, CCA etc., and superannuation benefits and any allowances as may be decided from time to time, but excludes all other allowances and overtime payments.

- (ee) “**Sanctioned strength**” means in relation to any Grade, the strength of posts or number of posts in that Grade, against which appointments are made;
- (ff) “**Scales of pay**” means the scales of pay attached to various Grades of the service as per the rules made by the Authority from time to time;
- (gg) “**Schedules**” means schedules annexed to these regulations;
- (hh) “**Select list**” in relation to a Grade means the select list prepared in accordance with rank by the office and approved by the Chairperson or by any other officer duly authorized by the Chairperson (also known as the panel of candidates based on eligibility, etc., and prepared for calling the eligible candidates for interview/group discussion);
- (ii) “**Seniority list**” means the seniority list of officers serving in the Authority in each Grade as on the appointed day in that Grade and revised annually as on 1st January and approved by the Chairperson;
- (jj) “**Service**” includes the period during which an employee is on duty as well as on leave duly authorised by the Competent Authority, but does not include any period during which an employee is absent from duty without permission or overstays his leave, unless specifically permitted or condoned by the Competent Authority;
- (kk) “**Special allowance**” means an addition, in the nature of an allowance, to the emoluments attached to a post of an employee, granted at the discretion of the Chairperson in consideration of the specially arduous nature of the duties attached to the post or required to be performed by the employee;
- (ll) “**Special pay**” means an addition, in the nature of pay, to the emoluments of an employee, granted at the discretion of the Chairperson in consideration of a

specific addition to the work or responsibility;

(mm) “**Substantive pay**” means the pay to which an employee is entitled to on account of a post to which he has been appointed substantively or by reasons of his substantive position in a Grade;

(nn) “**Staff**” means Officers and other employees on rolls as defined in Section 12 and Section 26 (2)(c) of IRDA Act, 1999, and including officers on deputation;

(oo) “**Staff Regulations**” means Insurance Regulatory and Development Authority of India Staff (Officers and other Employees) Regulations, 2015, notified by the Authority;

(pp) “**Suitability**” in relation to any promotion of an employee, means the person meeting the eligibility criteria required for the Grade to which the employee is considered for promotion;

(qq) “**Transfer**” means transfer of an employee from one Department or Station to another Department or Station as per detailed guidelines specified in Schedule VIII – Transfer Policy.

(rr) “**Whole time Members and Part time Members**” mean those persons appointed by the Central Government under Section 4 of the IRDA Act, 1999;

(ss) “**Year**” means a continuous period of twelve months commencing from the 1st day of January of a year and ending with the 31st day of December of the year concerned.

2. All words and expressions used herein and not defined in these regulations but defined in the Insurance Act, 1938 (4 of 1938), the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013, Lokpal and Lokayuktas Act, 2013 and any other Act that may be applicable shall have the meanings respectively assigned to them in those Acts unless otherwise provided in the contracts of service.

3. For the purposes of these regulations, the terms ‘he’ and ‘his’ shall also refer to “him”,

“she” and “her” wherever circumstances warrant and singular will also include plural.

4. The Chairperson may delegate to the Whole-time Member of the Authority or Committee of Whole-time Members or Executive Director or Committee of Executive Directors or any Officer subject to such conditions as he may think fit to impose, all or any of the powers conferred upon him by these regulations.

(a) The power to implement these regulations vests in the Chairperson who is also empowered to issue such administrative instructions as may be necessary to give effect to and carry out the purposes of these regulations or otherwise to secure effective control of the employees and the decision of the Chairperson shall be final and binding on the employees.

(b) The powers exercisable by an authority under these regulations shall also be exercisable by any authority superior to such authority.

(c) The Authority, may at its discretion waive or relax the strict application of any the provisions of the regulations in exceptional cases.

CHAPTER II

Classification of employees, recruitment, probation

Section 1 – Classification of employees, departments and hierarchy

4. Classification of employees

(1) The employees of the Authority shall be classified as follows:—

Class I Officers;

Class III Secretarial Staff, General Assistant, Senior Assistant, Receptionist-cum-Telephone Operator

(2) The Authority shall specify from time to time the number of Grades in each class, pay of each grade and shall grant approval for sanction of grade-wise staff strength. The class wise, grade wise list of designations is given in Schedule II – Composition of service – Class, Grade and Designations.

(3) All appointments/promotions in any Grade shall be made by the Competent Authority at its discretion and no person shall have a right to demand to be appointed/promoted to any particular Grade.

(4). **Classification of departments** –The employees of the Authority shall be organized into various departments based on the functions carried out by them.

(i) The Departments shall be broadly organised into four groups (1) Regulatory which includes licensing/product approvals/other approvals (2) Supervision which includes both offsite and onsite and also analysis based on the analytics on the data received and (3) Development and (4) Support functions.

(ii) The Chairperson, with the previous approval of the Authority shall, by notification/administrative order, depending on need, requirement and necessity of the functioning of the Authority, may create new departments or merge some departments into others or redefine functions of any department for administrative convenience.

(iii) However, Chairperson's Secretariat, in addition to Corporate Services Department, shall oversee International affairs to bring focus on international financial diplomacy and assist in formulation of global regulatory standards for deliberations in international forums.

- (5) **Hierarchy and activity levels** – In the hierarchy of the organization with classification of departments, middle level functionaries shall guide the cutting edge functionaries at the bottom and together shall assist the top level functionaries in decision making.

Executive Director/s/ Chief General Manager/s shall be the Head of the Department and in case of non-availability of such a senior officer; General Manager may also be made HOD temporarily by Chairperson.

The hierarchy for control and levels of activity shall be as per Schedule III - Control in the Hierarchy and Activity levels.

Section 2 - Recruitment

5. Recruitment

- (1) All recruitments shall be made against the vacancies in sanctioned posts within the sanctioned strength and the Authority may appoint such employees as are necessary for the efficient discharge of its duties.
- (2) The number of grades, their classification, scale of pay, age limit, education and other qualifications, method of recruitment, composition of interview/screening committee, the method and criteria for selection for recruitment to each Grade and syllabus, marks for examination and period of probation, shall be such as may be determined by the Authority from time to time.
- (3) Direct recruitment shall be made at the entry level of each class as stipulated in these regulations.

Provided that, in special circumstances, where exigencies of work require, direct recruitment may also be made in any higher Grade in Class I with prior approval of Chairperson.

- (4) **Training:** There shall be an Induction training program for the new recruits followed by practical and on the job training to all the new recruits as per guidelines issued from time to time.
- (5) **Composition of the service** -- There shall be Grades in the service which is classified into two classes as given in the Schedule II - Composition of Service – Class, Grades and Designations.
- (6) **Sanctioned strength:** (i) Sanctioned strength, in relation to any Grade is the

number of posts in that Grade, against which regular appointments may be made. The sanctioned strength shall be determined by the Authority from time to time basing on the assessment of workload and expansional needs of each department/Organization as a whole.

(ii) Further, depending on office exigencies and necessities, there shall be a separate deputation reserve of 15% and leave reserve of 2% by way of an addition to and over and above the sanctioned strength in Class I and shall not exceed 17% put together thereafter.

(iii) To ensure best regulatory practices, the need for identifying existing skills, experience and projected requirements over short to medium term, review and implementing measures such as more flexible hiring policies, schemes for secondment of staff to industry and other supervisory authorities (National or International) shall be addressed periodically by the Authority to bridge any gaps in numbers and/or skill-sets.

(iv) The need to ensure the availability of skilled, competent, independent and experienced actuaries, accountants and auditors, whose work complies with transparent technical and ethical standards set and enforced by official or professional bodies in line with international standards subject to appropriate control mechanism, shall be addressed by the Authority while deciding the staff strength.

(7) Method of recruitment and Appointing Authority

(i) Mode of recruitment, educational qualifications, age limit, experience and other allied matters related to the recruitment in the Authority's service shall be as specified in Schedule IV – Qualifications, Experience and Age required for various grades by way of Direct Recruitment, Schedule V – Quota of vacancies and Schedules VI -- Criteria for Promotion, Qualifications and Age required for various posts by way of deputation.

(ii) Qualifications for direct recruitment of employees: The qualifications required for recruiting employees to serve in different departments are described in Schedule IV – Qualifications, experience and Age required for various posts by way of direct recruitment. Generally, those persons recruited having prescribed qualifications shall be posted initially in Actuarial, life and non-life insurance, IT, F&I departments. In all other departments, employees recruited will be considered for posting irrespective of qualifications and experience. All employees irrespective of initial posting are liable for inter-departmental and inter-office transfers as per extant guidelines and policy as may be brought as per needs with the approval of the Authority.

- (iii) Minimum experience for direct recruitment: No person shall be eligible for appointment by direct recruitment to the grade/s to which he is being recruited unless he has experience in relevant functional area/s as specified in Schedule IV - Qualifications and Age required for various posts by way of direct recruitment.
- (iv) Minimum experience for deputation: No person shall be eligible for appointment by deputation to the grade/s to which he is being considered unless he has experience in relevant area/s of work as specified in Schedule X A - Qualifications and Age required for various posts by way of deputation.
- (v) Cut-off date: The cut-off date for qualifications shall be reckoned in accordance with the last date for receipt of applications, while for cutoff date for age, the first of the month in which the recruitment notification is issued will be reckoned.
- (vi) Quota of vacancies:** Subject to other provisions in these regulations, the method of appointment for several classes and grades within shall be as per Schedule V – Quota of vacancies by way of recruitment and promotion.
- (vii) The Competent Authority for the purpose of recruitment to different Grades shall on its own hold an objective test and/or descriptive written examination and/or group discussion, or entrust the same to be conducted by an outside agency and conduct interviews for the final selection of candidates.
- (viii) All appointments to any class or Grade shall be made by the Competent Authority.
- (ix) The Competent Authority shall be the appointing authority as prescribed in Schedule XI – Competent Authorities/Appellate Authorities.
- (8) Screening/Interview Committee:** The Chairperson may appoint a Screening/Interview committee consisting of at least three members of which at least one member shall be an outside expert as part of recruitment process. The extant instructions and provisions issued by Government of India pertaining to composition of the committee for interview by inclusion of different categories of members in the committee shall be followed scrupulously.
- (9) Reservations:** The Authority provides that, Government of India orders on reservation of different categories like, SC, ST, OBC, Persons with disabilities, ex-

servicemen in direct recruitment shall be complied under each category as applicable while undertaking such recruitments.

However, reservations shall be as applicable to the direct recruitment by open competition on an All India basis or otherwise than by open competition.

Explanation 1: Nothing in these regulations shall affect reservations, relaxation and other concessions required to be provided as per Government of India orders for the Scheduled Castes, Scheduled Tribes, OBCs and other special categories of persons.

Explanation 2: The extant orders of Govt. of India on reservations to different categories in promotions shall be complied under each category, as applicable while undertaking such promotion exercises.

- (10) **Transfers:** The transfer/s of employees shall be guided by the transfer policy as per Schedule VII and the list of sensitive posts shall be as per Schedule VIII. The services of every employee shall be at the disposal of the Authority and the employee shall serve the Authority in performing its duties in such capacity and at such place or places as he may, from time to time, be directed.

6. Recruitment of employees by way of temporary employment or contractual employment

- (1) **Temporary employment** - Notwithstanding anything contained in these regulations, the Chairperson may appoint persons on temporary basis due to exigencies of work, on suitable terms and conditions, subject to such general or special directions, if any, issued by the Chairperson from time to time.

The terms and conditions of service of the temporary employees shall be specified by the Chairperson but in no case shall the terms and conditions specified be more favourable than those laid down in regulations for an appointment carrying equivalent status or responsibility nor contrary to general principles followed by PSU Insurers/Financial Regulators/Government in this regard.

- (2) **Contractual employment** - Notwithstanding anything contained in these regulations, the Chairperson may appoint person/s on contract basis due to exigencies of work on suitable terms and conditions.

The terms and conditions of service of the contractual employees shall be specified by the Chairperson but in no case shall the terms and conditions specified be more favourable than those laid down in regulations for an appointment carrying equivalent status or responsibility nor contrary to general principles followed by PSU Insurers/Financial Regulators/Government in this regard.

- (3) **Appointment of Advisors/consultants** - The Chairperson, as per need may appoint Advisors/ Consultants who have enough experience in different areas of the functions of the insurance industry on the terms and conditions that may be framed.

7. Certificate of health

No person shall be appointed to the service of the Authority unless he has been certified by a qualified medical practitioner, approved by the Chairperson, to be of sound mind and body constitution and medically fit to discharge his duties.

8. Appointments to be made on minimum pay

All first appointments shall be made on the minimum basic pay of the Grade to which the appointment is made.

Provided that on the representation and in deserving cases, the Chairperson may authorize the grant of advance increments with reference to the circumstances and merits in each case.

SECTION 3 - Probation

9. Probation on the first appointment

- (1) An employee directly appointed to any of the Grades in Class I and Class III shall, on the first appointment in the Authority's service, be required to be on probation for a period of one year from the date of appointment.
- (2) The Appointing Authority may extend probation of any employee citing sufficient grounds in advance.
- (3) Subject to the provisions of any law for the time being in force, the Appointing Authority may, at its discretion, dispense with, reduce or extend the probationary period, but in no case shall the total period of probation exceed two years.

Provided that the period of training, if any, shall be reckoned as probation period of an employee, belonging to Class III, subsequent to his selection for appointment to the service of the Authority.

- (4) Further, an employee shall be deemed to have been confirmed in the post to

which he has been appointed on successful completion of the probation period of one year unless the probation period is extended and informed to the employee in writing.

- (5) Completion of probation for confirmation in the recruited grade cannot be automatic and depends on the performance evaluation of the job during probation. If on evaluation, it is found that the employee is not suitable for the job, the Competent Authority may exercise the option of discharging the employee during probation.
- (6) During the period of probation, a directly recruited employee shall be liable to be discharged immediately without assigning any reason.

CHAPTER – III
Commencement of Duty, Termination, Retirement

Section 1 - Commencement of duty

10. Commencement of duty

The service of an employee shall be deemed to commence from the working day on which such employee reports for duty in any appointment covered by these regulations at the place and time intimated to him by the Appointing Authority.

Provided that, if he reports in the afternoon, his service shall commence from the next following working day.

Section 2 – Termination

11. Notice before discontinuing/leaving the service, termination due to disciplinary proceedings

(1) An employee including an employee on probation shall not leave or discontinue his service in the Authority without first giving notice in writing to the Appointing Authority of his intention to leave or discontinue the service.

(2) The period of notice required shall be,—

(a) in the case of employees holding the post on regular basis, three months;

(b) in the case of employees holding the post on probation, one month.

The expression “month” used in this regulation shall be reckoned according to the English calendar and shall commence from the day following that on which notice is received by the Authority or the employee as the case may be.

A notice given by an employee under sub-regulation (1) above shall be deemed to be proper only if he remains on duty during the period of the notice, and an employee shall not be entitled to set off any leave earned and not availed of by him against the period of such notice.

Provided that such notice may be waived in part or in full by the Competent Authority at its discretion.

(3) In the case of failure by an employee to give notice in accordance with the

provisions specified in sub-regulation (2), he shall be liable to pay to the Authority as compensation a sum equal to his salary for the period of notice required under these regulations:

Provided that payment of such compensation may, by reasons to be recorded in writing, be reduced or waived by the Appointing Authority.

- (4) Notwithstanding anything contained in sub-regulation (1), the resignation of an employee shall not be effective unless it is accepted by the Appointing Authority and relief shall be from such date and time accepted by the Appointing Authority.
- (5) Nothing contained in this regulation shall affect the right of the Appointing Authority in public interest to retire, discharge, remove or dismiss an employee without notice or salary in lieu thereof in accordance with the provisions of Regulation 53.
- (6) The Appointing Authority may refuse to accept the resignation from an employee, if,
 - (a) disciplinary proceedings have been instituted against or are proposed to be instituted against that employee;
 - (b) the employee is under an obligation to serve the Authority for a specified period which has not expired;
 - (c) the employee owes the Authority any sum/s of money.

Explanation 1.—for the purposes of this regulation, disciplinary proceedings shall be deemed to be instituted against an employee,—

- (a) if he has been placed under suspension under these regulations; or
- (b) any notice has been issued to him asking him to show cause why disciplinary proceedings should not be instituted against him; or
- (c) any charge-sheet has been issued to him under the regulations and shall be deemed to be pending till final orders thereon are passed by the Appointing Authority.

Explanation 2.—A notice by an employee under sub-regulation (1) shall be proper notice if he remains on duty during the period of the notice.

- (7) **Exit interview** – The Competent Authority, before considering the request of the employee for accepting his resignation, may direct him to appear for an interview for explaining the reasons behind his decision to resign along with feedback on the present employment including improvements to be made and the features of the employment he proposes to join.
- (8) **Re-employment in the Authority** – (1) No person who has ceased to be in the service of the Authority except by way of removal or dismissal or compulsory retirement may be re-employed without the specific sanction of, and on such terms and conditions as may be specified by the Authority.
 - (2) Except as otherwise provided by the Authority at the time of re-employment,

these Regulations shall apply to a person who is re-employed in the Authority, as if he had entered the service for the first time on the date of his re-employment.

- (9) The provisions of notice period etc., with regard to temporary employment, employment on contract, appointment of advisors/consultants will be governed by the terms and conditions of such appointments.

Section 3 – Retirement

12. Retirement

- (1) Except as otherwise provided in this regulation, every employee shall retire from service in the afternoon of the last day of the month in which he attains the age of sixty years:

Provided that an employee whose date of birth is the first of a month shall retire from service in the afternoon of the last day of the preceding month on attaining the age of sixty years.

Provided further that the Competent Authority may, if it is of the opinion that it is in the interest of the Authority or in public interest to do so, direct an employee to retire on completion of fifty years of age or at any time thereafter or twenty years of total service whichever is earlier, on giving him three months' notice or salary in lieu thereof and such action shall not be considered as compulsory retirement under major penalties in terms of regulation 55 (b) (iii);

Provided further that an employee shall be permitted upon request to retire before the date

of retirement specified in this sub-regulation either

- (a) on completion of twenty five years of service
- (b) on completion of twenty years of service and he has attained age of fifty; or
- (c) on completion of fifteen years of service, if he is incapacitated for further active service, or
- (d) on completion of at least ten years of service provided he has attained fifty five years of age and at the time of recruitment his age was less than fifty years of age.

Provided that it shall be open to the Competent Authority to withhold permission to an employee under suspension who seeks to retire under this clause.

Explanation.—where an employee is directed by the Competent Authority to retire as aforesaid, it shall not be deemed to be a penalty under these regulations.

Provided further that the Competent Authority may refuse to accept the retirement notice from an employee, if,—

- (a) disciplinary proceedings have been instituted against or are proposed to be instituted against that employee;
- (b) the employee is under an obligation to serve the Authority for a specified period which has not expired;
- (c) the employee owes the Authority any sum/s of money.

Explanation 1.—for the purposes of this regulation, disciplinary proceedings shall be deemed to be instituted against an employee,—

- (a) if he has been placed under suspension under these regulations; or
- (b) any notice has been issued to him asking him to show cause why disciplinary proceedings should not be instituted against him; or
- (c) any charge-sheet has been issued to him under the regulations and shall be deemed to be pending till final orders thereon are passed by the Competent Authority.

Explanation 2.—A notice by an employee shall be proper notice if he remains on duty during the period of the notice

- (2) No employee shall be granted extension in service beyond the age of retirement of sixty years.
- (3) If on a review of the case either on a representation from the employee retired prematurely or otherwise, it is decided to reinstate the employee in service, the Competent Authority ordering reinstatement may regulate the intervening period between the date of premature retirement and the date of reinstatement by grant of leave of the kind due and admissible, including extraordinary leave, or by treating it as dies non depending upon the facts and circumstances of the case.

Provided that the intervening period shall be treated as a period spent on duty for all purposes including pay and allowances, if it is specifically held by the Competent Authority ordering reinstatement that the premature retirement was itself not justified in the circumstances of the case, or, if the order of premature retirement is set aside by a court of law.

- (4) Where the order of premature retirement is set aside by a court of law with specific directions in regard to regulating the period between the date of premature retirement and the date of reinstatement and no further appeal is proposed to be filed, the aforesaid period shall be regulated in accordance with the directions of the court.

- (5) An employee referred to in sub-regulation (5) may make a request in writing to the Competent Authority to accept notice of less than three months giving reasons therefor.
- (6) On receipt of a request under sub-regulation (6), the Competent Authority may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice shall not cause any administrative inconvenience, the Competent Authority may relax the requirement of notice of three months.
- (7) An employee who has elected to retire under this regulation and has given the necessary notice to that effect to the Competent Authority shall be precluded from withdrawing his option subsequently except with the specific approval of such Authority:

Provided that the request for withdrawal shall be within the intended date of his retirement.

CHAPTER IV

Record of service, seniority, promotion and reversion

13. Maintenance of record of service

A record of service shall be maintained in respect of each employee at such place or places and in such form or manner as may be determined from time to time by the Chairperson.

14. Seniority of employees

The seniority of the employees shall be determined as per the policy at Schedule VIII – Seniority Policy.

15. Promotion against sanctioned posts

- (1) All promotions of the employees shall be against vacancies in sanctioned strength approved by the Authority and shall be based on merit, suitability of the candidate for a particular post and seniority and falls within the zone of consideration.

The merit and suitability may be judged by review of Confidential Reports and/or interview and/or examinations as may be decided by administrative orders issued from time to time with the approval of the Authority.

Provided that, in the case of promotions to the post of Executive Director, the Committee shall consist of Chairperson and two Whole-time Members of the Authority.

Provided that the minimum marks to be obtained shall be 50% in the written examination to become eligible for interview and shall be 50% in the interview for selection.

- (2) **Minimum service for promotion:** No employee of the Authority shall be eligible for promotion to the next higher grade unless he has put in minimum years of service (as specified in Schedule V – Quota of vacancies – method of filling in the Grade from which promotion is made.

For all purposes of eligibility, 1st January of the year will be the cutoff date except for

direct recruits where cutoff date for eligibility depends on industry practices in this regard.

- (3) Screening/Interview Committee: The Chairperson may appoint a Screening/Interview Committee consisting of at least three members of which at least one member be an outside expert as part of promotion process.
- (4) Zone of consideration: The zone of consideration for promotion shall be strictly maintained at 1:1.5 of notified vacancies for freshers. Repeated candidates, if any, will fall outside the zone of consideration and will be called for selection process. In case candidates equal to the number of anticipated vacancies are not available by keeping zone of consideration at 1:1.5 times the declared notified plus repeater vacancies, the zone of consideration may be extended by the Chairperson to the ratio to get candidates equal to the category of candidates.
- (5) An employee promoted to any of the Grades in Class I and Class III shall be required to be on probation for a period of one year from the date of such promotion.
- (6) Save as otherwise provided in this regulation, an employee shall be deemed to have been confirmed in the post to which he has been promoted, on successful completion of the probation period of one year unless the probation period is extended and informed to the employee in writing in advance.
- (7) Non acceptance of promotion: No employee shall refuse to accept promotion except under compelling circumstances such as chronic or debilitating ill health, continuous hospitalization or any such other justifiable reason which shall have to be approved by the Chairperson. If the Chairperson is not satisfied, he may not accept the refusal request of promotion of the employee and may initiate such steps as deemed fit in the circumstances including transfer of the employee concerned.
- (8) Supernumerary positions: The Chairperson shall have powers to create supernumerary positions for award of scale of pay on promotion for those retiring in the next one year or to take decisions in such matters.

16. Transfers and reversions

- (1) Transfers on promotion: The transfer of employees on promotion shall be guided by the transfer policy as per Schedule VII and the list of sensitive posts as per extant instructions in this regard shall be as per Schedule VIII. The services of every employee shall be at the disposal of the Authority and the employee shall

serve the Authority in pursuance of its duties in such capacity and at such place or places as he may, from time to time, be directed.

- (2) Reversion of an employee: An employee promoted from one Grade to another may be reverted during the probation period specified in Regulation 15 (5) above without any notice by the Competent Authority after recording the reasons therefor.

CHAPTER V

Pay, allowances and other benefits

17. The admissibility of pay, allowances and other benefits

(1) The Authority shall provide for adequate resources, financial or otherwise, sufficient to enable it to conduct effective supervision and its staffing policies shall enable it to attract and retain highly skilled, competent and experienced staff.

The Chairperson shall at his discretion, determine from time to time the pay and allowances applicable to different grades of employees.

The Authority, may at its discretion, from time to time frame such schemes and allow such other benefits for the welfare of the employees at such terms and conditions as it may determine.

(2) The pay, allowances and other benefits shall not be payable for a part of a month to an employee who leaves or discontinues his service without due notice during the month, unless such notice has been waived by the Chairperson.

(3) The pay, allowances and other benefits shall cease to accrue to an employee from the date,—

- (a) he ceases to be in service; or
- (b) he is dismissed, removed or compulsorily retired from the service; or
- (c) following the date on which he dies.

(4) Pay and allowances shall only be payable to employees who are actually at that time fulfilling the conditions subject to which they are admissible.

(5) Where on an appeal or a representation by an employee, his removal, discharge or suspension from service is revoked after due process, the entitlement to allowance and other benefits shall accrue to him in terms of the order of revocation, passed by the Competent Authority.

18. Increment payable

(1) An increment in a scale of pay shall accrue on the completion of one year's period of

service in that scale:

Provided that the benefit of increment shall be admissible from the first day of the month in which it accrues, irrespective of the actual date of its accrual.

Provided further that the annual increment may be postponed due to extraordinary leave or break in service in respect of an employee.

(2) The officiating service in a higher Grade shall count for increment/s in an employee's substantive Grade as well as in the higher Grade in which he is officiating and, if there is an intermediate Grade between the two in which he would have officiated had he not been appointed to officiate in the higher Grade, also in the intermediate Grade, but the period during which an employee is on leave without pay shall not count for increment unless so authorised by the Competent Authority for reasons to be recorded in writing.

(3) The sanction to draw increments shall be given by the Competent Authority.

Provided that no increment shall be withheld except as a disciplinary measure under these regulations and each order withholding an increment shall state the period for which it is withheld and also whether the postponement shall have the effect of postponing future increments:

Provided further that if in an incremental scale there is an efficiency bar, an employee shall not draw increments above that bar until he has been cleared to cross the efficiency bar by the Competent Authority:

Provided also that on each occasion on which an employee is allowed to cross an efficiency bar which has previously been enforced against him, he shall be placed in the incremental scale at such stage as the Appointing Authority to remove the bar may fix:

Provided also that such stage shall not be higher than that at which he would draw his pay if the bar had not been enforced against him and further that no increments granted on the removal of a bar shall have a retrospective effect.

19. Fixation of pay on promotion

The pay of an employee on appointment on promotion from one Grade to another shall be initially fixed at a stage in the higher Grade which is next above his substantive pay in the old scale as on the date of promotion, if such pay be higher than the pay drawn

by him at the time of promotion.

20. Declaration of home town

(1) Every employee shall on his appointment declare his home town in writing in the form prescribed by the authority.

(2) The home town so declared may be changed, only once during the service of an employee, for reasons recorded in writing.

CHAPTER VI

Working hours, holidays, Leave and Joining time

The working hours of the Authority shall be from 10.00 am to 6.00 pm; 5 days a week from Monday through Friday with a lunch break of 30 minutes between 1.30 pm to 2 pm.

All employees of the Authority shall be entitled to those holidays which are declared by the Chairperson every year at the beginning of the calendar year and also those holidays declared by the Central Government as holidays under the Negotiable Instrument Act, 1881, but excluding such holidays as are expressly declared for the purpose of enabling banks to close their accounts.

21. Kinds of leave

Subject to the provisions of these regulations, the following kinds of leave may be granted to an employee,—

- (a) casual leave;
- (b) earned leave;
- (c) sick leave;
- (d) maternity leave;
- (e) child Care Leave
- (f) paternity leave
- (g) extraordinary leave;
- (h) Joining time and special leave in lieu of joining time
- (i) any other leave as may be specified by the Authority from time to time.

22. Grant of leave – general conditions

- (1) The power to grant leave shall vest in the Competent Authority.
- (2) All applications for grant of leave shall be addressed to the Competent Authority before leave is sought to be availed of.
- (3) Leave shall not be claimed as a matter of right.
- (4) When the exigencies of the service so require,—
 - (a) the Competent Authority may refuse leave or revoke leave of any kind already granted;
 - (b) an employee already on leave may be recalled to duty by the Competent Authority.
- (5) Lapsation of leave - Leave of an employee lapses on the date on which he ceases to

be in service whether it be by discharge, dismissal, resignation or termination for any reason whatsoever.

(6) An employee is expected to avail himself of leave granted, fully, before resuming duty. An employee on leave cannot return to duty before the expiry of such leave except with the permission of the Competent Authority.

(7) An employee who remains absent after the end of his leave is not entitled to leave salary for the period of such absence and the period of overstay will be treated as extraordinary leave by the Competent Authority, if such absence is treated as a breach of these Regulations.

(8) Leave may be prefixed and/or suffixed to a holiday subject to Sub-regulation (10).

(9) Leave ordinarily begins on the day from which charge is handed over and ends on the day preceding that on which charge is resumed.

(10) Combination of leave: Casual leave cannot be availed of in conjunction with any other kind of leave except special leave. Subject to this condition any kind of leave under these regulations can be granted in combination with or in continuation of any other kind of leave.

(11) The last day of an employee's leave is the working day preceding the day on which he reports for duty.

(12) Pay during leave - Pay during leave shall be drawn at full or half rate of leave pay, according to the kind of leave availed of by the employee, but no pay shall be admissible during extraordinary leave.

(13) Leave address to be intimated - An employee shall, before proceeding on leave, intimate his address while being on leave to the Competent Authority, and shall keep the said authority informed of any change in the address previously furnished.

(14) Report of duty after leave - An employee on leave shall, unless otherwise instructed to the contrary, return for duty to the place at which he was last stationed.

(15) Production of medical certificate for leave on medical grounds – (a) The Competent Authority may require an employee, who has availed himself of leave on medical grounds to produce a medical certificate of fitness to the satisfaction of the Competent Authority before he resumes duty even though such leave was not initially granted on a medical certificate.

(b) If the medical certificate produced by an employee is not found acceptable by the Competent Authority, it shall refer the case to the doctor approved by the Competent Authority for advice.

(16) Suspension and disciplinary proceedings: Leave will not be granted to an employee under suspension or against whom disciplinary proceedings are pending.

(17) Employees not to be absent from duty without permission or be late in attendance:

(1) An employee shall not absent himself from his duties without having obtained the permission of the Competent Authority, nor shall he absent himself in case of sickness or accident without submitting a medical certificate to

the satisfaction of the Competent Authority.

Provided that in case of unforeseen emergency, an employee may be allowed to avail of one day's casual leave without prior sanction, subject to the condition that the Competent Authority is promptly informed of the circumstances in which prior sanction could not be obtained.

Provided further that in the case of temporary indisposition, production of a medical certificate may, at the absolute discretion of the Competent Authority, be dispensed with.

(2) An employee who absents himself from duty without leave or overstays his leave shall not be entitled to draw any pay and allowances during such absence or overstay, and shall further be liable to such disciplinary measures as the Competent Authority may deem necessary and initiate.

Provided, however, that the Competent Authority may treat such period of absence or overstay, if not followed by termination of service, as period spent on earned, sick, special or extraordinary leave, but the employee shall not be entitled as of right to such treatment.

Provided further that notwithstanding anything contained in Regulation 29, the Competent Authority may treat such absence or overstay as period spent on extraordinary leave irrespective of whether the employee has any other leave to his credit or not.

(3) An employee who is habitually late in attendance shall, in addition to such other penalty as the Competent Authority may deem fit to impose, have one day of casual leave forfeited for every three days he is late in a month. Where such an employee has no casual leave due to him, the period of leave to be so forfeited may be treated extraordinary leave as the Competent Authority may determine.

Explanation: The Competent Authority may, at its absolute discretion, condone late attendance by any employee up to two days in a month, provided the circumstances under which the employee had to attend late were beyond his control and in that case such late attendance will not be taken into consideration for debiting the casual leave account in accordance with sub-regulation 17(3).

23. Casual leave

(1) An employee shall be eligible for casual leave up to a maximum of twelve working days in each calendar year;

Provided that no employee shall take casual leave for more than five working days at any one time;

Provided further that public holidays may not be combined with such leave in such a way as to increase the absence at any one time beyond ten days.

(2) Casual leave shall not be suffixed or prefixed to any other kind of leave.

(3) No casual leave may be availed of, except with the prior permission of the Competent Authority:

Provided that if for any sufficient reason, it is not possible for an employee to obtain such permission in advance, he shall intimate his absence to such Competent Authority within twenty-four hours;

Provided further that, such Competent Authority may condone the delay, if any, in this behalf if he is satisfied that an employee was not in a position to intimate his absence for reasons beyond his control;

Provided further that, where the Competent Authority is not satisfied and does not condone the delay, such absence shall be treated as extraordinary leave on loss of pay.

(4) When an employee joins the service of the Authority at any time during a calendar year, his entitlement to casual leave shall be at the rate of one day per month for the period of service remaining in that calendar year.

24. Earned leave

(1) Every employee shall be entitled to earned leave at the rate of thirty days for every completed year of service.

(2) The leave so earned shall be credited to the leave account of the employee half-yearly in each respective calendar year at the rate of fifteen days for every six months of service rendered by such employee.

(3) No employee, however, shall earn earned leave when he is on leave other than casual leave.

(4) If an employee renders less than six months of service in any calendar year, he shall be credited with one day for every twelve days of duty and fractions of a day of earned leave shall be taken as full day if amounting to more than half-only.

(5) The period of earned leave, which can be taken at one time by an employee shall not be less than 5 days.

Provided that the employee may take less than 5 days when he does not have casual leave to his credit.

(6) The maximum period of earned leave, which can be taken at any one time by an employee, is ten months.

(7) An application for grant of earned leave shall normally be submitted fifteen days in advance to the Competent Authority. In the event of failure to submit the application with fifteen days advance notice, the employee shall request the Competent Authority for condoning the delay, who may consider the request on merits.

(8) An employee on earned leave shall draw pay equal to leave pay.

(9) Where an employee has to his credit, accumulated earned leave on the date of retirement or death, he or his legal heirs may be paid a lump sum amount which would be equivalent to pay as defined under these regulations as on the date of

his retirement or death, for the unavailed earned leave subject to maximum of ten months plus all allowances that shall normally be admissible to the employee concerned during earned leave but excepting allowances granted for qualifications etc.,

- (10) Encashment of earned leave - An employee may be permitted to encash earned leave once in two years for a minimum period of fifteen days and a maximum period of thirty days :

Provided that at the time of such encashment he has to his credit a balance of leave which shall not be less than the leave so encashed.

25. Sick leave

- (1) During the entire period of his service, an employee may be granted sick leave on medical grounds for a period or periods not exceeding eighteen months.

Such sick leave shall be credited to the leave account of the employee half-yearly in each respective calendar year at the rate of ten (10) days for every six months of service rendered by such employee.

The minimum sick leave that can be availed by an employee is 5 days and production of a medical certificate is compulsory.

- (2) Sick leave shall be on half-pay;

Provided that where an employee has served the Authority for at least a period of three years, he may, if he so requests, be permitted to avail himself sick leave on leave pay subject to availability of sick leave to his credit, however, subject to a maximum period of nine months of sick leave during the entire period of his service, and such leave on leave pay will be entered in his sick leave account at twice the amount of leave taken by him;

Provided further that an employee, during the first three years of service from the date of his appointment in the Authority, may, if he so requests, be permitted to avail himself, sick leave on leave pay subject to availability of sick leave to his credit for the purpose of hospitalization due to sickness, or for undergoing surgery upon production of a medical certificate from a qualified surgeon, and such leave on leave pay will be entered in his sick leave account at twice the amount of leave taken by him.

Explanation.—For the purposes of the above provisos, “service” includes

probationary service rendered by an employee prior to confirmation.

(3) An employee may be granted sick leave during the first year of his service on pro rata basis at the discretion of the Competent Authority.

26. Maternity leave

- (1) Maternity leave, which shall be on leave pay, may be granted to female employees up to a period of one hundred and eighty days on full pay for delivery of a child and convalescence.
- (2) Maternity leave should not be more than three hundred and sixty days during the entire period of service.
- (3) Female employees undergoing hysterectomy operation may also claim maternity leave for a period of not exceeding twenty days (including stay in hospital) within the overall ceiling of three hundred and sixty days.
- (4) Leave not exceeding forty-five days may be granted to female employees during the entire service of such employees, in case of abortion or miscarriage including medical termination of pregnancy on production of medical certificate within the overall ceiling of three hundred and sixty days.
- (5) The Competent Authority may grant leave of any other kind admissible to female employees in combination with or in continuation of maternity leave, if the request for the same is supported by requisite medical certificate.

27. Child care leave

Child care leave shall be admissible to the female employees as per conditions mentioned herein below:

1. A female employee confirmed in the services of the Authority and having five completed years of service in the Authority, is eligible to apply for child care leave.
2. A female employee may avail child care leave as an extension of maternity leave irrespective of completion of service of five years in the Authority.
3. Child care leave may be availed for a period not exceeding two years during the entire service, and may be availed for a minimum period of three months once in a year.
4. A female employee, eligible as mentioned under (1) and (2) above may apply for child care leave for the purposes of taking care of children.
5. Child care leave cannot be demanded as a matter of right. It shall be granted subject to administrative convenience. Decision of Competent Authority is final in

this regard.

6. Under no circumstances can employee proceed on child care leave without prior approval of the Competent Authority.
7. Such leave shall be without pay, perquisites and allowances except house allowance.
8. Application for such leave shall be submitted by the employee in the cadre of Deputy General Manager and above, at least two months before the date from which leave is to be availed and in all other cases at least one month before the date from which such leave is to be availed.
9. Child care leave may be availed irrespective of balance of leaves of any other category, and may be combined with any categories of leave except casual leave, special casual leave in lieu of joining time and special leave.
10. Other terms and conditions shall be as per detailed instructions that will be issued in this regard from time to time.

28. Paternity leave

1. Paternity leave may be granted to a male employee (natural father), with less than two surviving children, during the confinement of his wife for child birth, for a period of fifteen days per child, for fifteen days prior to the delivery or up to six months from the date of such delivery.
2. Paternity leave may also be granted to a male employee (adoptive father), with less than two surviving children, who has adopted a child through proper legal process, for a period of fifteen days per child within six months from the date of adoption.
3. During the period of paternity leave, the employee shall be paid leave pay.
4. Paternity leave may be combined with any kind of leave other than casual leave.
5. The employee has to avail the entire paternity leave at one time during the eligible period as mentioned in points (i) and (ii) above, as the case may be.
6. If paternity leave is not availed of within the period specified in point (1) and (2), such leave shall be treated as lapsed.

29. Extraordinary leave

- (1) Extraordinary leave may be granted to an employee when no other leave is due to him.
- (2) Except in exceptional circumstances, the duration of extraordinary leave shall not exceed ninety days on any one occasion and three hundred and sixty days during the entire period of employee's service. If the no. of days of extraordinary leave so granted to the employee exceeds 365 days, the Competent Authority may initiate

disciplinary proceedings which may conclude in dismissal also.

- (3) The Competent Authority may grant extraordinary leave in combination with, or in continuation of leave of any other kind admissible to the employee, and may commute retrospectively the period of absence without leave into extraordinary leave.
- (4) No pay and allowances shall be admissible during the period of extraordinary leave and the period spent on such leave shall not count for increments;
Provided that, in cases where the Competent Authority is satisfied that the leave was taken on account of illness or for any other cause beyond the employee's control, it may direct that the period of extraordinary leave may count for increments.

30. Joining time and special leave in lieu of joining time

- (1) Joining time may be granted to an employee on transfer to enable him to join a new grade to which he is appointed while on duty in his previous grade.
- (2) Joining time shall not be granted to join a new post when no change in the headquarters of an employee is involved.
- (3) Joining time which may be allowed to an employee shall not exceed five days, exclusive of the number of days actually spent on travelling.
- (4) In calculating joining time admissible to an employee, the day on which he is relieved from his old post shall be excluded but public holidays following the day of his relief shall be included in the joining time.
- (5) Joining time cannot be claimed as a matter of right. It may be curtailed at the discretion of the Competent Authority.
- (6) Where an employee on transfer from one place to another (not within the same city) does not avail of the joining time or his joining time has been curtailed due to exigencies of Authority's service, he may be allowed to avail of special leave to the extent of unavailed joining time subject to a maximum of five days, at any time after the date of reporting at the new place but before the completion of a period of six months or such other extended period as may be agreed to by the Competent Authority for submitting supplementary travelling allowance bill in respect of his family and personal effects provided he has advised the office to this effect before proceeding on transfer;
Provided that Saturdays or Sundays or holidays prefixed to special leave in lieu of joining time shall be excluded but Saturdays or Sundays or holidays intervening such special leave shall be reckoned as part of special leave.
Provided that joining time, if not availed within the permitted period as mentioned above, shall be forfeited and the employee shall not be entitled to any such joining time.
- (7) Overstay after joining time: An employee who does not join his post within the joining

time allowed to him, except under circumstances beyond his control, shall not be entitled to any pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as a breach of these Regulations for the purpose of Regulation 55.

31. Any other leave as may be specified from time to time

- (1) Notwithstanding anything contained in these regulations, the Chairperson or the person authorised by him may permit the grant of any other leave to an employee in special deserving circumstances.
- (2) In particular and without prejudice to the generality of the foregoing power, such leave may provide for all or any of the following, namely:—
 - (a) Quarantine leave:

Quarantine leave for diseases declared as infectious by the State Government/s may be granted to an employee of the Authority subject to a maximum period of 21 days or in exceptional circumstances, 30 days.

Any leave necessary for quarantine purposes in excess of this period shall be treated as extraordinary leave. Employee of the Authority on quarantine leave is not treated as absent from duty.

When the employee himself is suffering from infectious disease, he shall not be entitled to quarantine leave. He shall be entitled only to earned, sick or extraordinary leave, as the case may be.

- (b) Special leave arising out of an accident in the course of employment;
- (c) Leave where a person is called to duty in national cause;
- (d) For undergoing family planning operation, subject to production of medical certificate by:

(a) Female employees:

- (i) 14 days for tubectomy / laparoscopy
- (ii) 1 day on the day on which the husband undergoes vasectomy.
- (iii) 1 day on the day of IUD insertion / reinsertion.

(b) Male employees:

- (i) 6 days for vasectomy operation
- (ii) 7 days when the wife undergoes tubectomy/laparoscopy.

Provided that special casual leave sanctioned under this sub-regulation may be

clubbed with any other leave, except casual leave.

Explanation 1: The total period of casual leave granted and the special casual leave granted under this regulation in any one calendar year shall in no case exceed 45 days and if the grant of leave under the said regulations shall result in such total period being extended beyond 45 days, any period of absence in excess of 45 days shall be treated as earned, sick, special or extraordinary leave, as the case may be, on the request of the employee concerned and as may be admissible to him.

Explanation 2: In computing casual leave under Regulation 23 and special casual leave under this regulation, intervening public holidays shall not be reckoned as day of casual leave or special casual leave as the case may be.

CHAPTER VII

Conduct, Discipline and Appeals

32. Conduct and obligation of employees

Unless in any case it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of the Authority and he shall serve the Authority in pursuance of its duties in such capacity and at such place or places as he may, from time to time, be directed.

- (1) Every employee shall discharge his duties in a transparent and accountable manner and assist the Authority to add legitimacy and credibility in all its functions.
- (2) Every employee of the Authority shall at all times maintain absolute integrity; maintain devotion to duty, and do nothing which is unbecoming of a public servant, conduct himself at all times in a manner which will enhance the reputation of the Authority.
- (3) Every employee shall conform to and abide by these regulations and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.
- (4) Every employee shall maintain the strictest secrecy regarding the Authority's affairs and shall not divulge, directly or indirectly, any information of a confidential nature coming into his possession while working for the Authority to anyone, unless compelled to do so by judicial or other authority, or unless instructed to do so by a superior officer in the discharge of his duties.
- (5) Every employee shall serve the Authority diligently, honestly and faithfully and shall use his utmost endeavor to promote the interests of the Authority and shall show courtesy and attention in all transactions and dealings between the officers and other employees of other organizations and the Authority.
- (6) No employee shall take active part in politics or in any political demonstration, or stand for election as a member of a municipal council, district authority or any other local body or any legislative body while remaining in the service of the Authority.
- (7) No employee shall, except in accordance with any general or special order of the 'Competent Authority' or in the performance in good faith of the duties assigned to

him, communicate, directly or indirectly, any official document or any part thereof or information to any other employees, or any other person to whom he is not authorised to communicate such document or information.

- (8) No employee who is not a “workman” within the meaning of the Industrial Disputes Act, 1947 (14 of 1947), shall resort to, or in any way abet, any form of strike or participate in any violent, unseemly or indecent demonstration in connection with any matter pertaining to his conditions of service or the conditions of service of any other employee of the Authority.
- (9) No employee may contribute to the press, without the prior sanction of the Competent Authority or without such sanction make public or publish any document, paper or information which may come to his knowledge in his official capacity.
- (10) No employee shall, except with the previous sanction of the Chairperson, publish or cause to be published any leaflet, book or any similar printed matter of which he is the author or deliver talk or lecture in any public meeting or otherwise :
Provided that no such sanction is, however, required, if such a broadcast or a contribution or a publication made by him either individually or as a member of a professional body is of a purely literary, artistic, scientific, professional, cultural, educational, religious or social character.
- (11) No employee shall publish or circulate by print or electronic means any leaflet or printed matter or post any matter in any website or social media which is prejudicial to the interest and image of the Authority or its Chairperson, Members or employees.
- (12) Every employee, including those who are on contract/temporary/deputation basis shall, before entering upon his duties, make a declaration of fidelity and secrecy in the Form B in Schedule I to these Regulations.
- (14) **Misconduct**
Without prejudice to the generality of the term ‘misconduct’, the following acts of omission and/or commission shall be treated as misconduct:
- (a) Theft, fraud or dishonesty in connection with the business or property of the Authority or property of another person within the premises of the Authority.
 - (b) Taking or giving bribes or any illegal gratification.
 - (c) Possession of pecuniary resources or property disproportionate to the known sources of income by the employee or on his behalf by another person, which the employee cannot satisfactorily account for.
 - (d) Furnishing false information or suppressing information regarding name, age, father’s name, qualifications, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment.
 - (e) Acting in a manner prejudicial to the interests or image of the Authority.
 - (f) Wilful insubordination or disobedience, whether or not in combination with

others, of any lawful and reasonable order of his superior.

(g) Absence without leave or over-staying the sanctioned leave for more than four consecutive days without sufficient grounds, or proper or satisfactory explanation or bad leave record.

(h) Habitual late attendance or habitual absence without taking prior permission for leave.

(i) Neglect of work or negligence in the performance of duty including malingering or slowing down of work.

(j) Wilful damage to property of the Authority.

(k) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the Authority or outside such premises where such behaviour is related to or connected with the employment.

(l) Gambling within the premises of the Authority.

(m) Smoking within the premises of the Authority where it is prohibited.

(n) Collection without the permission of the Chairperson of any money within the premises of the Authority except as sanctioned by any law of the land for the time being in force or rules of the Authority.

(o) Commission of any act which amounts to a criminal offence involving moral turpitude.

(p) Absence from the employee's appointed place of work without permission or sufficient cause.

(q) Commission of any act subversive of discipline or of good behavior.

(r) Abetment of or attempt at abetment of any act which amounts to misconduct.

(s) Any act of sexual harassment of women employees at the place of work.

(t) Any lapse on the part of an employee in discharging his duties with regard to any official documents or part thereof of the office or in his custody.

(u) Unauthorized communication of any official information as referred to in sub regulation 32 (10) above.

(v) Any breach of any of the provisions of these regulations or instructions issued by the Authority from time to time or any other statute.

(w) Using defamatory, abusive or offensive language in reference to any employee of the Authority in his presence or otherwise.

(x) Suppression of any proceedings of criminal nature pending before any Law enforcement authority.

(y) Violation and breach of provisions of Information security policy

Note: The above instances of misconduct are illustrative in nature, and not exhaustive.

33. Restriction on employment in certain cases

- (1) No employee shall accept, solicit or seek any outside employment or office, whether stipendiary or honorary, without previous sanction of the Chairperson.
- (2) Notwithstanding anything contained in these regulations, no employee who was holding the post of an officer belonging to the grade of Deputy General Manager and above on the date of retirement from the service of the Authority shall, within a period of two years from the date when he finally ceases to be in the Authority's service, accept or undertake a commercial employment with any other entity regulated by the Authority except with the previous sanction in writing of the Authority.

Explanation: For the purpose of this regulation, "commercial employment" means:

(a) Employment in any capacity including that of an agent under a Company, Cooperative Society, firm or individual engaged in trade, or commercial, industrial or professional business and also includes a directorship of such a company and partnership of such firm but does not include employment under a body corporate wholly or substantially held or controlled by the Authority.

(b) Setting up a practice, either independently or as partner of a firm, as adviser or consultant in matters in respect of which the retired employee -

(i) has no professional qualifications and the matters in respect of which the practice is to be set up or is carried on are relatable to his official knowledge or experience, or

(ii) the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position

(c) Undertaking work involving liaison or contact with the offices of the Authority.

For the purpose of this clause, "employment under a cooperative society" includes the holding of any office, whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society.

- (3) No employee shall use his position or influence directly or indirectly, to secure an employment with any other entity regulated by the Authority, of any person related, whether by blood or marriage to the employee or his spouse, whether such a person is dependent on the employee or not .

Provided however that where such an employment of any person related to an employee has been secured before the commencement of employee's employment with the Authority or has been secured by the relative on the strength of his individual merit, then the restriction contained above shall not apply.

(4) Notwithstanding anything contained in sub-regulation (1), no employee of the Authority, including employee on contract shall within a period of two years from the date that he finally ceases to be in the Authority's service, accept or undertake an employment or be in any manner associated with any other entity regulated by the Authority, except with the prior written approval of the Chairperson.

The Chairperson, may by order in writing, on the application by an employee, grant, subject to such conditions, if any, as it may deem necessary, permission, or for reasons to be recorded in the order, refuse permission to such employee to take up the commercial employment specified in the application.

Provided, however, before refusing approval the Competent authority shall give a hearing to the concerned employee. A copy of the decision taken shall be communicated by the Competent Authority to the concerned employee.

(5) The Competent Authority while granting such approval shall satisfy itself regarding the appropriateness of granting the approval, having regard to dealing which the employee may have had with the said entity regulated by the Authority while in the services of the Authority; and may impose such conditions as may be necessary having regard to the circumstances of the case including;

(a) Prohibiting the employee from representing the entity regulated by the Authority in any manner before the Authority.

(b) Seeking a fresh approval from the Authority in the event of the employee accepting or undertaking employment or associating in any manner with any other entity regulated by the Authority, during the period of two years.

(c) The approval / refusal under this regulation shall be communicated to the employee by the Competent Authority within a period of 90 days from the date of receipt of the application for such approval, failing which the approval shall be deemed to have been granted.

No employee shall use his position or influence directly or indirectly to secure employment in any other entity regulated by the Authority, of any person related, whether by blood or marriage to the employee or to the employee's wife or husband, whether such a person is dependent on the employee or not.

Every employee shall report to the Competent Authority in case his son/daughter or any other member of his family accepts employment in any other entity regulated by the Authority with which he has official dealings or in any undertaking having official

dealings with the Authority.

(6) All the above provisions are also applicable to the employees of the Authority on deputation to other institutions/establishments/organizations/Government.

(7) The provisions under the regulations 33 (1), 33 (2) and 33 (3) shall also be applicable to employees on deputation to the Authority from institutions/establishments/organizations/Government after repatriation to their parent department/s.

(8) Prohibition against participation in politics and standing for election

(1) No employee shall take part or contest in an election to any legislature or local authority unless he resigns from the services before contesting such election and his resignation is duly accepted by the Competent Authority and communicated to him;

Provided that

(i) an employee qualified to vote at such election may exercise his right to vote but, where he does so, he shall give no indication of the manner in which he has voted;

(ii) an employee shall not be deemed to have contravened the provisions of this regulation by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation: The display by an employee on his personal vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-regulation.

(2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of or assist in any other manner any movement which tends directly or indirectly to be subversive of the Insurance Regulatory and Development Authority of India or of the Government as by law established, and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Authority.

Explanation: For the purpose of the regulations in this chapter “members of the family” in relation to an employee include

(i) wife, child or step-child of such employee whether residing with him or not, and in relation to an employee who is a woman, the husband residing with her and dependent on her; and

(ii) any other persons related, whether by blood or by marriage, to the employee or to such employee's wife or husband and wholly dependent on the Authority's employee; but does not include a wife or husband legally separated from the employee, or child or step-child who is no longer in any way dependent upon him or her or of whose custody the employee has been deprived by law.

(3) If any question arises whether any movement or activity falls within the scope of this regulation, the decision of the Competent Authority thereon shall be final under these regulations.

34. Evidence before Committee/s or any other authority

(1) Save as provided in sub-regulation (3), no employee shall, except with the previous approval of the Competent Authority, give evidence in connection with any inquiry conducted by any person, committee or authority.

(2) Where any approval has been accorded under sub-regulation (1), no employee giving such evidence shall criticise the policy or any action of the Central Government, or a State Government or the Authority.

(3) Nothing in this regulation shall apply to any evidence given,—

(a) at any inquiry before an Authority appointed by the Central Government, a State Government, Parliament or a State Legislature; or

(b) in any judicial inquiry; or

(c) at any departmental inquiry ordered by the Competent Authority.

35. Canvassing of non-official or outside influence

(1) No employee shall bring or attempt to bring any political pressure or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service in the Authority which may include transfers, postings, disciplinary matters, appointments, etc. Any employee found indulging in any of the activities mentioned above shall be liable for disciplinary proceedings under these regulations.

(2) No appeal, petition or memorial shall be addressed by any employee to the whole time members of the Authority personally or to any outside authority or any authority not prescribed in these regulations or in the IRDA Act, 1999 (as amended from time to time).

36. Prohibition of private trade or employment in certain cases

No employee shall undertake any part-time work for a private or public body or a private person, or accept any fee.

37. Absence from station

An employee shall not absent himself from his station overnight without obtaining previous permission of his superior.

Further, no employee of the Authority shall, except with the previous sanction / approval in writing of the Competent Authority undertake to visit abroad on private business.

38. Acceptance of gift

- (1) An employee shall not solicit or accept any gift or permit any member of his family or any person acting on his behalf to accept any gift from a person having dealings with the Authority or from any subordinate employee.

Explanation.—For the purposes of this regulation,—

- (a) the expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or a personal friend having no official dealings with the employee;
 - (b) a casual meal, lift or other social hospitality shall not be deemed to be a gift;
 - (c) an employee shall avoid acceptance of lavish or frequent hospitality from any individual or concern having official dealings with him.
- (2) An employee may accept gifts from his friends having no official dealing with him but he shall make a report to the Competent Authority if the value of such gift exceeds rupees five thousand.
 - (3) An employee shall not –
 - (a) give or take or abet the giving or taking of dowry; and
 - (b) demand directly or indirectly from the parents or guardians of a bride or bridegroom, as the case may be, any ‘dowry’.

In this regulation, the term ‘dowry’ shall have the same meaning as in the Dowry Prohibition Act, 1961.

Note: Any violation of this regulation shall be treated as criminal misconduct and shall attract

disciplinary proceedings under the regulations.

39. Prohibition on engaging in commercial business, etc.

- (1) No employee shall engage in any commercial business or pursuit either on his own account or as agent for others, nor act as an agent for an insurance company nor shall he be connected with the formation or management of a joint stock company carrying on insurance or insurance related business.
- (2) Canvassing by an employee in support of the business of insurance agency or commission agency carried on or managed by a member of his family shall be deemed to be a breach of this regulation.

40. Speculation in stock, shares, investments, etc.

An employee shall not trade or speculate in stock, shares or securities of a company engaged in insurance business of any description nor shall he make investments which are likely to embarrass or influence him in the discharge of his official duties.

41. Lending or borrowing

No employee shall in his individual capacity,—

- (1) borrow or permit any member of his family to borrow or otherwise place himself or a member of his family under a pecuniary obligation to a broker or a money-lender or an employee of the Authority or any person, association of persons, firm, company or institution, whether incorporated or not, having dealings with the Authority :

Provided that any loan/s on mortgage of property or on policies of insurance raised in the ordinary course shall not be prohibited;

- (2) indulge in wagering or betting or speculation activities;
- (3) guarantee in his private capacity the pecuniary obligations of another person or agree to indemnify in such capacity another person from loss except with the previous permission of the Competent authority :

Provided that an employee may give to or accept from a relative or personal friend a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee;

Provided further that an employee may obtain a personal loan from a bank or a co-operative credit society of which he is a member or stand as surety in respect of a loan taken by another member from a co-operative credit society of which he is a

member.

42. Investment

- (1) No employee shall, make or permit any member of his family to make any investment in equities in any Indian insurance company or its subsidiaries.
- (2) Any employee who buys or sells movable and/or immovable property worth rupees one lakh or above shall make a declaration to that effect to the Authority and also submit returns as per the provisions of Lokpal and Lokayuktas Act, 2013.

Explanation.—For the purpose of this regulation, the word “family” includes any relative ordinarily residing with or dependent on an employee.

43. Demonstration

No employee shall engage or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

44. Joining association prejudicial to the interest of country

No employee shall join, or continue to be a member of an association or body, the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

45. Subscription

No employee shall, except with the previous sanction of the Chairperson, ask for or accept a contribution to or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any objective whatsoever.

46. Consumption of intoxicant drinks and drugs

- (1) An employee shall strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be posted for the time being.
- (2) It shall be the duty of the employee to ensure that he,—
 - (a) takes due care that the performance of his duty is not affected in any way by the influence of any intoxicating drink or drug;
 - (b) does not appear in public place in a state of intoxication; and

(c) does not habitually use any intoxicating drink or drug to excess.

Explanation.—For the purpose of this regulation, the expression “public place” would include clubs (even exclusively meant for members where it is permissible for the members to invite non-members as guests), bars and restaurants, public conveyances and all other places to which the public have or are permitted to have access, whether on payment or otherwise.

47. Employees in debt

An employee who is in debt shall furnish to the Competent Authority a signed statement of his position half-yearly on the 30th September and 31st March and shall indicate in the statement the steps he is taking to rectify his position. An employee who makes a false statement under this regulation or who fails to submit the prescribed statement or appears to be unable to liquidate his debts within a reasonable time or applies for the protection of an insolvency court shall be liable to dismissal.

Explanation.—For the purpose of this regulation,—

(a) An employee shall be deemed to be in debt if his total liabilities exclusive of those which are fully secured exceed his substantive pay for twenty-four months;

(b) An employee shall be deemed to be unable to liquidate his debts within a reasonable time if it appears, having regard to his personal resources and unavoidable current expenses that he shall not cease to be in debt within a period of three years.

48. Prohibition of sexual harassment of women employees at workplace

(1) No employee shall indulge in any act of sexual harassment of woman at workplace.

(2) For the purpose of sub-regulation (1), “Sexual Harassment” shall mean unwelcome sexually determined behavior (whether directly or by implication), namely:-
(Sec. 2n of The Sexual harassment of women at workplace Act, 2013)

- a. physical contact and advances; or
- b. a demand or request for sexual favours; or
- c. making sexually coloured remarks; or
- d. showing pornography; or
- e. any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

(3) Any complaint of violation of sub-regulation (1) shall be dealt by the Internal

Complaints Committee constituted by the Chairperson, comprising of such no. of members as provided in the Act. The term of such committee shall be 3 years.

- (4) The committee shall abide by the provisions contained in the Act in discharging its duties and functions.
- (5) The findings of the Internal Complaints Committee shall be in the form of a report, which complies with the requirements of Regulation 57 and such report shall be deemed to be an inquiry report for the purposes of these regulations.
- (6) Nothing contained in this regulation shall be construed to prejudice the powers of the Internal Complaints Committee to provide counselling or other support services.

49. Submission of returns of movable, immovable and valuable properties

- (1) Every employee shall, on his first appointment to any service or post in the Authority, submit a return of his assets and liabilities in such form as may be specified by the Authority giving the full particulars regarding,—
 - (a) the immovable property inherited by him, or owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;
 - (b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
 - (c) other movable property inherited by him or similarly owned, acquired or held by him; and
 - (d) debts and other liabilities incurred by him directly or indirectly.
- (2) Every employee in any Grade shall submit an annual return in such form as may be specified giving full details regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family;
- (3) No employee, except with the previous knowledge of the Authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family: Provided that the previous sanction of the Chairperson shall be obtained by the employee if any such transaction is with the person or an Indian insurance company having official dealings with him.
- (4) Where the employee enters into a transaction in respect of immovable property either in his own name or in the name of the member of the family, he shall, within sixty days from the date of such transaction report the same to the Chairperson.

50. Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.

Notwithstanding anything contained in sub-regulation (3) of Regulation 49, no employee, except with the previous sanction of the Chairperson,—

- (a) acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;
- (b) dispose of, by sale, mortgage, gift or otherwise or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- (c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern—
 - (i) for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property;
 - (ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

51. Restriction regarding marriage

- (1) No employee shall enter into, or contract, a marriage with a person having a spouse living; and
- (2) No employee having a spouse living, shall enter into, or contract, a marriage with any person :
Provided that the Competent Authority may permit an employee to enter into, or contract, any such marriage as is referred to in sub-regulation (1) of sub-regulation (2), if it is satisfied that—
 - (a) such marriage is permissible under the personal law applicable to such an employee and the other party to the marriage; and
 - (b) there are other grounds for so doing.
- (3) An employee who has married or marries a person other than of Indian nationality shall intimate the fact to the above Competent Authority.

52. Competent Authority to institute proceedings

- (1) The Chairperson or any other authority empowered by him by general or special

order may—

- (a) institute disciplinary proceedings against any employee;
- (b) direct a disciplinary authority to institute disciplinary proceedings against any employee on whom that authority is competent to impose under these regulations any of the penalties specified in Regulation 55.

(2) The Authority so designated shall institute the necessary disciplinary proceedings.

53. Suspension

(1) The Competent Authority or any Authority to which it is subordinate by general or special order may place an employee under suspension—

- (a) where a disciplinary proceeding against him is contemplated or is pending; or
- b) where, in the opinion of the aforesaid authority, he has engaged himself in activities prejudicial to the interests of the Authority or interests of holders of insurance policies or insurance industry; or
- (c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

Provided that where the order of suspension is made by an Authority lower than the Appointing Authority, such Authority shall forthwith report to the Appointing Authority the circumstances under which the order was made.

Note: Chairperson, or the Authority as the Appointing Authority has full power to suspend any employee.

(2) An employee shall be deemed to have been placed under suspension by an order of the Competent Authority —

- (a) with effect from the date of his detention, if he is detained in police custody, whether on criminal charge or otherwise for a period exceeding forty-eight hours;
- (b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty- eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation - The period of forty-eight hours referred to above shall be computed from the commencement of the imprisonment after the conviction and intermittent periods of imprisonment shall also be counted and taken into account for the purpose.

It shall be the duty of the employee who has been arrested for any reason to intimate promptly, the fact of his arrest and the circumstances connected therewith to his Competent Authority even though he might have been released on bail subsequently. Failure on the part of the employee to so inform his official superior will be regarded as suppression of material information and will render him liable to

disciplinary action on this ground alone, apart from the action that may be called for on the outcome of the police case against him.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or review under these regulations and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force, on and from the date of original order of dismissal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the Competent Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders :

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

(5)(a) An order of suspension made or deemed to have been made under this regulation shall continue to remain in force until it is modified or revoked by the Competent Authority.

(b) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise), and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the Competent Authority to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this regulation may at any time be modified or revoked by the Competent Authority which made or is deemed to have made the order.

During the period of suspension, the employee shall not enter the work-place/office premises except with the written permission of the Competent Authority, nor shall he leave station without the written permission of the Competent Authority. No leave shall be granted during the period of suspension.

Subsistence allowance:

An employee under suspension shall be entitled to draw subsistence allowance equal to 50 per cent of his basic pay provided the Competent Authority is satisfied that the employee is not engaged in any other employment or business or profession

or vocation. In addition, he shall be entitled to dearness allowance admissible on such subsistence allowance and any other compensatory allowance of which he was in receipt on the date of suspension provided the Competent Authority is satisfied that the employee continues to meet the expenditure for which the allowance was granted.

Where the period of suspension exceeds six months, the Competent Authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows:

- (i) The amount of subsistence allowance may be increased to 75 per cent of basic pay and allowances thereon if, in the opinion of the said Competent Authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee under suspension.
- (ii) The amount of subsistence allowance may be reduced to 25 per cent of basic pay and allowance thereon if in the opinion of the said Competent Authority, the period of suspension has been prolonged due to the reasons directly attributed to the employee under suspension.

Before making any payment to a suspended employee, he would be required to furnish to the Competent Authority a certificate every month that he is not engaged in any other employment or business or profession or vocation.

(7) Effecting recoveries from subsistence allowance

The following normal deductions shall be made from subsistence allowance:

- (i) Income Tax (provided the employee's yearly income, calculated with reference to the subsistence allowance, is taxable);
- (iii) Repayment of loans and advances taken from the Authority at such rate as may be fixed by the Competent Authority;
- (iv) Subscription to Provident Fund or any other employee benefit fund (contributory).

(8) Treatment of period of suspension

When an order placing an employee under suspension is revoked or would have been revoked but for his retirement (including premature retirement) while under suspension, the Authority competent to order revocation shall consider and make specific orders -

- a) Regarding pay and allowances to be paid to the employee for the period of suspension ending with revocation of suspension or date of his retirement (including premature retirement) as the case may be; and
- b) Whether or not the said period shall be treated as a period spent on duty.

Notwithstanding anything contained in the above regulation, where an employee under suspension dies before the disciplinary proceedings or proceedings before a court of law or any other law enforcement authorities instituted against him are concluded, the period between the date of suspension and the date of death shall be

treated as on duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.

Where the Appellate Authority is of the opinion that the suspension was wholly unjustified, the employee shall, subject to sub-regulation below, be paid full pay and allowances to which he would have been entitled had he not been suspended.

Provided that where such authority is of the opinion that the termination of proceedings against the employee had been delayed due to reasons directly attributable to the employee, it may after giving him an opportunity to make his representation within thirty days from the date on which the communication in this regard is served on him and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the employee shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine. The pay and allowances so determined should not be less than the subsistence allowance already paid to the employee.

In a case falling under sub-regulation (3), the period of suspension shall be treated as a period spent on duty for all purposes.

In cases other than those falling under sub-regulation (2) and (3), the employee shall, subject to the provisions of sub-regulation (7) and (8), be paid such amount (not being the whole) of pay and allowances to which he would have been entitled had he not been suspended, as the Competent Authority may determine, after observing the procedure of issuing show cause notice and consideration of representation, if any, submitted by the employee. The amount so determined should not be less than the subsistence allowance already paid to the employee.

Where suspension is revoked pending finalization of the disciplinary or the court proceedings, any order passed under sub-regulation (1) before the conclusion of the proceedings against the employee, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-regulation (1) who shall make an order according to the provisions of sub-regulation (3), (4) or (5), as may be applicable.

In a case falling under sub-regulation (5), the period of suspension shall not be treated as a period spent on duty unless the Competent Authority specifically directs that it shall be so treated for any specific purpose. Provided that if the employee so desires, such Authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the employee.

54. Imposition of penalties

- (1) The Chairperson may impose any of the penalties specified in Regulation 55 on any employee;

- (2) Without prejudice to the provisions of sub-regulation (1), any of the penalties specified in Regulation 55 may be imposed on an employee by the Competent Authority or any authority to which it is subordinate.

55. Penalties

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on an employee, namely:—

(a) Minor penalties being—

- (i) censure;
- (ii) withholding of promotion;
- (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Authority by negligence or breach of orders;
- (v) withholding of increments of pay.

(b) Major penalties being—

- (i) save as provided for in sub-clause (iv) of clause (a), reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the employee shall earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction shall or shall not have the effect of postponing the future increments of his pay;
- (ii) reduction to lower time-scale of pay, Grade, or service which shall ordinarily be a bar to the promotion of the employee to the time-scale of pay, Grade, or service from which he was reduced, with or without further directions regarding conditions of restoration to the Grade or service from which the employee was reduced and his seniority and pay on such restoration to that Grade, or service;
- (iii) compulsory retirement;
- (iv) removal from service which shall not be a disqualification for future employment;
- (v) dismissal from service which shall ordinarily be a disqualification for future employment :

Provided that, in every case in which the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in sub-clause (iv) or (v) of clause (b) shall be imposed :

Provided further that in any exceptional case and for special reasons recorded in writing, any other penalty may be imposed.

Explanation.—The following shall not amount to a penalty within the meaning of this regulation, namely :—

- (i) withholding of increment of an employee for his failure to pass any

departmental examination in accordance with the regulations or orders governing the service to which he belongs or grade which he holds or the terms of his appointment;

(ii) stoppage of an employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;

(iii) non-promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case, to a service, Grade for promotion to which he is eligible;

(iv) reversion of an employee officiating in a higher service, Grade, on the ground that he is considered to be unsuitable for such higher service, Grade or on any administrative ground unconnected with his conduct;

(v) reversion of an employee appointed on probation to any other service, Grade or post, to his permanent service, Grade during or at the end of the period of probation in accordance with the terms of his appointment or the regulations and orders governing such probation;

(vi) replacement of the services of an employee, whose services had been borrowed from any organisation, Government etc. at the end of the term of deputation;

(vii) compulsory retirement of an employee in accordance with the provisions of Regulation 12 (1) his superannuation or retirement;

(viii) termination of the services:

(a) of an employee appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the regulations and orders governing such probation, or

(b) of an employee, employed under an agreement, in accordance with the terms of such agreement.

56. Procedure for imposing major penalties

(1) No order imposing any of the penalties specified in sub-clauses (i) to (v) of clause (b) of Regulation 55 shall be made except after an inquiry held, as far as may be, in the manner provided in this Regulation and Regulation 57.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself inquire into, or appoint under this regulation, an authority to inquire into the truth thereof.

Explanation.—Where the disciplinary authority itself holds the inquiry, any reference in Regulation 52, Regulation 54, Regulation 56 to Regulation 69 to the Inquiry Officer shall be construed as a reference to the disciplinary authority.

(3) Where it is proposed to hold an inquiry against an employee under this regulation,

- the disciplinary authority shall draw up or cause a case to be drawn up containing—
- (i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge;
 - (ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge, which shall contain—
 - (a) a statement of all relevant facts including any admission or confession made by the employee;
 - (b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- (4) The disciplinary authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article or charge is proposed to be sustained and shall require the employee to submit, within such time as may be specified, a written statement of his defence and state whether he desires to be heard in person.
- (5)(a) On receipt of the written statement of defence, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary to do so, appoint under sub-regulation (2), an Inquiry Officer for the purpose, and where all the articles of charge have been admitted by the employee in his written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in Regulation 58.
- (b) If no written statement of defence is submitted by the employee, the disciplinary authority may itself inquire into the articles of charge, or may, if it considers it necessary to do so, appoint, under sub-regulation (2) above, an Inquiry Officer for the purpose.
- (c) Where the disciplinary authority itself inquires into any article of charge or appoints an Inquiry Officer for holding any inquiry into such charge, it may, by an order, appoint an officer of the authority, to be known as the “presenting officer” to present on its behalf the case in support of the articles of charge.
- (6) The disciplinary authority shall, where it is not the Inquiry Officer, forward to the Inquiry Officer—
- (i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
 - (ii) a copy of the written statement of the defence, if any, submitted by the employee;
 - (iii) a copy of the statement of witnesses, if any, referred to in sub-regulation(3) above.
 - (iv) evidence proving the delivery of the documents referred to in sub-regulation (3) above, to the employee; and

- (v) a copy of the order appointing the “presenting officer”.
- (7) The employee shall appear in person before the Inquiry Officer on such day and at such time within ten working days from the date of receipt by the Inquiry Officer of the articles of charge and the statement of the imputations of misconduct or misbehaviour, as the Inquiry Officer may, by notice in writing, specify, in this behalf, or within such further time, not exceeding ten days, as the Inquiry Officer may allow.
- (8)(a) The employee may take the assistance of any other employee posted in any office either at his headquarters or at the place where the inquiry is held, to present the case on his behalf, but may not engage a legal practitioner for the purpose, unless the presenting officer appointed by the Competent Authority or the disciplinary authority, having regard to the circumstances of the case, so permits :
Provided that the employee may take the assistance of any other employee posted at any other station, if the Inquiry Officer having regard to the circumstances of the case, and for reasons to be recorded in writing so permits;
- (b) The employee may also take the assistance of a retired employee of the authority to present the case on his behalf, subject to such conditions as may be specified by the Competent Authority from time to time by general or special order in this behalf.
- (9) If the employee, who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of defence, appears before the Inquiry Officer, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the Inquiry Officer shall record the plea, sign the record and obtain the signature of the employee thereon.
- (10) The Inquiry Officer shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.
- (11) The Inquiry Officer shall, if the employee fails to appear within the specified time or refuses or omits to plead, require the presenting officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the employee may, for the purpose of preparing his defence—
- (i) inspect within five days of the order or within such further time not exceeding five days as the Inquiry Officer may allow, the documents specified in the list referred to in sub-regulation (3);
- (ii) submit a list of witnesses to be examined on his behalf;
- (iii) give a notice within ten days of the order or within such further time not exceeding ten days as the Inquiry Officer may allow, for the discovery or production of any documents which are in the possession of the authority but not mentioned in the list referred to in sub-regulation (3).
- (12) The Inquiry Officer shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody

or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition :

Provided that the Inquiry Officer may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

- (13) On receipt of the requisition referred to in sub-regulation (12), every official having the custody or possession of the requisitioned documents shall produce the same before the Inquiry Officer :

Provided that if the official having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against public interest or security of the State, it shall inform the Inquiry Officer accordingly and the Inquiry Officer shall, on being so informed, communicate the information to the employee and withdraw the requisition made by it for the production or discovery of documents.

- (14) On the date fixed for the inquiry, (a) the oral and documentary evidence, by which the articles of charge are proposed to be proved, shall be produced by or on behalf of the disciplinary authority; (b) the witnesses shall be examined by or on behalf of the presenting officer and may be cross-examined by or on behalf of the employee; (c) the presenting officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the Inquiry Officer; (d) the Inquiry Officer may also put such questions to the witnesses as it thinks fit.

- (15)(a) If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the Inquiry Officer may, in its discretion, allow the presenting officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and re-examine any witness and in such case the employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned.

(b) The Inquiry Officer shall give the employee an opportunity of inspecting such documents before they are taken on the record.

(c) The Inquiry Officer may also allow the employee to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interests of justice.

- (16)(a) When the case for the disciplinary authority is closed, the employee shall be required to state his defence, orally or in writing, as he may prefer.

(b) If the defence is made orally, it shall be recorded, and the employee shall be required to sign the record.

(c) In either case, a copy of the statement of defence shall be given to the

- presenting officer, if any, appointed.
- (17)(a) The evidence on behalf of the employee shall then be produced.
- (b) The employee may examine himself in his own behalf if he so prefers.
- (c) The witnesses produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the Inquiry Officer according to the provisions applicable to the witnesses for the disciplinary authority.
- (18) The Inquiry Officer may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.
- (19) The Inquiry Officer may, after the completion of the production of evidence, hear the presenting officer, if any, appointed and the employee, or permit them to file written briefs of their respective case, if they so desire.
- (20) If the employee to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the Inquiry Officer or otherwise fails or refuses to comply with the provisions of this regulation, the Inquiry Officer may hold the inquiry.
- (21) Where a disciplinary authority competent to impose any of the penalties specified in sub-clauses (i) to (iv) of clause (a) and sub-clauses (i) to (v) of Regulation 55 has itself inquired into or caused to be inquired into the articles of any charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any Inquiry Officer appointed by it, is of the opinion that the penalties specified in Regulation 55 should be imposed on the employee, that authority shall make an order imposing the penalty.
- (22) Whenever any Inquiry Officer, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein, and is succeeded by another Inquiry Officer which has, and which exercises, such jurisdiction, the Inquiry Officer so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself :
- Provided that if the succeeding inquiry officer is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided.
- (23)(i) After the conclusion of the inquiry, a report shall be prepared and it shall contain—
- (a) the articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (b) the defence of the employee in respect of each of articles of charge;

- (c) an assessment of the evidence in respect of each article of charge;
- (d) the findings on each article of charge and reasons therefor.

Explanation.—If in the opinion of the Inquiry Officer the proceedings of the inquiry establish any article of charge different from the original articles of charge, it may record its findings on such article of charge :

Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

- (ii) The Inquiry Officer, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include—
 - (a) the report prepared by it under clause (i);
 - (b) the written statement of defence, if any, submitted by the employee;
 - (c) the oral and documentary evidence produced in the course of the inquiry;
 - (d) written briefs, if any, filed by the presenting officer or the employee or both during the course of the inquiry; and
 - (e) the orders, if any, made by the disciplinary authority and the Inquiry Officer in regard to the inquiry.

57. Procedure for imposing minor penalty

- (1) Subject to the provisions of sub-regulation (5) of Regulation 58, no order imposing on an employee any of the penalties specified in sub-clauses (i) to (v) of clause (a) of Regulation 55 shall be made except after—
 - (a) informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him reasonable opportunity of making such representation as he may wish to make against the proposal;
 - (b) holding an inquiry in the manner laid down in sub-regulations (3) to (23) of Regulation 56, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;
 - (c) taking the representation, if any, submitted by the employee under clause (a) and the record of inquiry, if any held under clause (b) into consideration;
 - (d) recording a finding on each imputation of misconduct or misbehaviour.
- (2) Notwithstanding anything contained in clause (b) of sub-regulation (1), if in a case it is proposed after considering the representation, if any, made by the employee under clause (a) of that sub-regulation, to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension payable to the employee or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an

inquiry shall be held in the manner laid down in sub-regulations (3) to (23) of Regulation 56, before making any order imposing on the employee any such penalty.

(3) The record of the proceedings in such cases shall include—

(i) a copy of the intimation to the employee of the proposal to take action against him;

(ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him;

(iii) his representation, if any;

(iv) the evidence produced during the inquiry;

(v) the findings on each imputation of misconduct or misbehaviour; and

(vi) the orders on the case together with the reasons there for.

58. Action on inquiry report

(1) The disciplinary authority, if it is not itself the Inquiry Officer may, for reasons to be recorded by it in writing, remit the case to the Inquiry Officer for further inquiry and report and the Inquiry Officer shall thereupon proceed to hold the further inquiry according to the provisions of Regulation 56 as far as may be.

(2) The disciplinary authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the Inquiry Officer a copy of the report of the Inquiry Officer to the employee who shall be required to submit, if he so desires, his written representation of submission to the Competent Authority within fifteen days, irrespective of whether the report is favourable or not to the employee.

(3) The disciplinary authority shall consider the representation, if any, submitted by the employee before proceeding further in the manner specified in sub-regulations (4) to (6).

(4) The disciplinary authority shall, if it disagrees with the findings of the Inquiry Officer on any article of charge, record its reasons for such disagreement and record its own findings on such charge if the evidence on record is sufficient for the purpose.

(5) If the disciplinary authority, having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in sub-clauses (i) to (v) of clause (a) of Regulation 55 should be imposed on the employee, it shall, notwithstanding anything contained in Regulation 59, make an order imposing such penalty.

(6) If the disciplinary authority having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry is of the opinion

that any of the penalties specified in sub-clauses (i) to (v) of clause (b) of Regulation 55 should be imposed on the employee, it shall make an order imposing such penalty.

59. Communication of orders

Orders made by the disciplinary authority shall be communicated to the employee who shall also be supplied with a copy of its finding on each article of charge, or where the disciplinary authority is not the Inquiry Officer, a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the Inquiry Officer and reasons for non-acceptance.

60. Common proceedings

(1) Where two or more employees are concerned in any case, the Chairperson or any other authority competent to impose the penalty of dismissal from service on all employees may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

(2) Subject to the provisions of Regulation 54, any such order shall specify—

- (i) the Authority which may function as the Competent Authority for the purpose of such common proceedings;
- (ii) the penalties specified in Regulation 55 which such disciplinary authority shall be competent to impose;
- (iii) whether the procedure laid down in Regulation 56, Regulation 57 and Regulation 58 shall be followed in the proceeding.

61. Special procedure in certain cases

Notwithstanding anything contained in Regulation 56 to Regulation 60 —

- (i) where any penalty is imposed on an employee on the ground of misconduct which has led to his conviction on a criminal charge; or
- (ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these regulations; or
- (iii) where the Chairperson is satisfied that in the interest of the security of the State, it is not expedient to hold any inquiry in the manner provided in these regulations,

the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit :

Provided that the employee/s may be given an opportunity of making representation on the penalty proposed to be imposed before any order is made in a case under clause (i).

62. Vigilance cases

Notwithstanding anything contained in Regulations 55 to 61 or any other Regulation, the employee shall be deemed to be guilty of corrupt practices if he has committed an act of criminal misconduct as defined in Section 13 of the Prevention of Corruption Act, 1988 or he has acted for an improper purpose or in a corrupt manner or had exercised or refrained from exercising his powers with an improper or corrupt motive.

63. Orders against which appeal lies

An employee may prefer an appeal against all or any of the following orders, namely :—

- (i) an order of suspension made or deemed to have been made under Regulation 53;
- (ii) an order imposing any of the penalties specified in Regulation 55 whether made by the disciplinary authority or by any appellate authority;
- (iii) an order enhancing any penalty, imposed under Regulation 55;
- (iv) an order which—
 - (a) denies or varies to his disadvantage his pay, allowances, or other conditions of service; or
 - (b) interprets to his disadvantage the provisions of any such regulation or agreement; or
- (v) an order—
 - (a) stopping him at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;
 - (b) reverting him while officiating in a higher service, Grade, otherwise than as a penalty;
 - (c) reducing or withholding the pension or denying the maximum pension (non contributory pension) admissible to him under the regulations;
 - (d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;
 - (e) determining his pay and allowance—
 - (i) for the period of suspension, or

(ii) for the period from the date of his dismissal, removal or, compulsory retirement from service, or from the date of his reduction of a lower service, Grade, time-scale or stage in a time-scale of pay, to the date of his reinstatement or restoration to his service, Grade; or

(f) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, Grade, time-scale or pay or stage in a time-scale of pay to the date of his reinstatement or restoration to his service, Grade shall be treated as a period spent on duty for any purpose.

Explanation:- In this regulation, the expression “employee” includes a person who has ceased to be in the service of the Authority.

64. Appellate Authority

(1) An employee, including a person who has ceased to be in the service of the Authority, may prefer an appeal against all or any of the orders specified in Regulation 63 to the Appellate Authority specified in this behalf either in the Schedule or by a general or special order of the Chairperson or, where no such authority is specified, to the Authority.

(2) Notwithstanding anything contained in sub-regulation (1) —

(i) An appeal against an order in a common proceeding held under Regulation 59 shall lie to the Authority to which the Authority functioning as the Competent Authority for the purpose of that proceeding is immediately subordinate :

Provided that where such authority is subordinate to the Chairperson in respect of an employee for whom Chairperson is the Appellate Authority in terms of sub-clause (b) of clause (i) of sub-regulation (1), the appeal shall lie with the Authority.

(ii) Where the person who made the order appealed against becomes, by virtue of his subsequent appointment or otherwise, the Appellate Authority in respect of such order, an appeal against such order shall lie to the Authority to which such person is immediately subordinate.

(2) An employee may prefer an appeal against an order imposing any of the penalties specified in Regulation 55 to the Chairperson, where no such appeal lies to him under sub-regulation (1) or sub-regulation (2), if such penalty is imposed by any authority other than the Chairperson, on such employee in respect of his activities connected with his work as an office-bearer of an association, federation or union.

65. Period of limitation of appeals

No appeal preferred under this part shall be entertained unless such appeal is

preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

66. Form and contents of appeal

- (1) Every person preferring an appeal shall do so separately and in his own name.
- (2) The appeal shall be presented to the Authority to whom the appeal lies, a copy being forwarded by the appellant to the Authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language, and shall be complete in itself.
- (3) The Appellate Authority which made the order appealed against shall, on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the Appellate Authority without any avoidable delay, and without waiting for any direction from the Appellate Authority.

67. Consideration of appeal

- (1) In the case of an appeal against an order of suspension, the Appellate Authority shall consider whether in the light of the provisions of Regulation 53 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.
- (2) In the case of an appeal against an order imposing any of the penalties specified in Regulation 55 or enhancing any penalty imposed under the said regulations, the Appellate Authority shall consider—
 - (a) whether the procedure laid down in these regulations has been complied with or has resulted in the failure of justice;
 - (b) whether the findings of the disciplinary authority are warranted by the evidence on the record; and
 - (c) whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe :and pass orders—
 - (i) confirming, enhancing, reducing, or setting aside the penalty; or
 - (ii) remitting the case to the authority which imposed or enhanced the penalty or to any other authority with such direction as it may deem fit in the circumstances of these cases :

Provided that—

- (i) if such enhanced penalty which the Appellate Authority proposes to impose is one of the penalties specified in sub-clauses (i) to (v) of clause (a) of Regulation 55 and an inquiry under Regulation 56 has not already been held in the case, the Appellate Authority shall itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of Regulation 56 and thereafter, on a consideration of the proceedings of such inquiry and make such orders as it may deem fit;
- (ii) if the enhanced penalty which the Appellate Authority proposes to impose is one of the penalties specified in Regulation 55 and an enquiry under Regulation 56 has been held in the case, the Appellate Authority shall make such orders as it may deem fit after the appellant has been given a reasonable opportunity of making a representation against the proposed penalty; and
- (iii) no order imposing an enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity, as far as may be in accordance with the provisions of Regulation 58, of making a representation against such enhanced penalty.
- (3) in an appeal against any other order specified in Regulation 66 the Appellate Authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

68. Implementation of orders in appeal

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

69. Revision

(1) Notwithstanding anything contained in these regulations—

(i) the Chairperson; or

(ii) the Appellate Authority, within six months of the date of the order may, at any time, either on his or its own motion or otherwise call for the records of any inquiry and revise any order made under these regulations, and may—

(a) confirm, modify or set aside the order; or

(b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed; or

(c) remit the case to the authority which made the order to or any other authority directing such authority to make such further enquiry as it may

consider proper in the circumstances of the case; or

(d) pass such other orders as it may deem fit :

Provided that no order imposing or enhancing any penalty shall be made by any revising authority unless the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed and where it is proposed to impose any of the penalties specified in sub- clauses (i) to (v) of clause (b) of Regulation 55 or to enhance the penalty imposed by the order sought to be revised to any of the penalties specified in those clauses, and if an inquiry under Regulation 56 has not already been held in the case, no such penalty shall be imposed except after an inquiry in the manner laid down in Regulation 56 :

Provided further that no power of revision shall be exercised unless—

(i) the authority which made the order in appeal, or

(ii) the authority to which an appeal would lie, where no appeal has been preferred, is subordinate to him.

(2) No proceeding for revision shall be commenced until after—

(i) the expiry of the period of limitation for an appeal, or

(ii) the disposal of the appeal, where any such appeal has been preferred.

(4) An application for revision shall be dealt with in the same manner as if it were an appeal under these regulations.

70. Review

The authority may, at any time, either on its own motion or otherwise review any order passed under these regulations, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought to his notice :

Provided that no order imposing or enhancing any penalty shall be made by the authority unless the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed or where it is proposed to impose any of the major penalties specified in Regulation 55 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if an enquiry under regulation 56 has not already been held in the case, no such penalty shall be imposed except after inquiring in the manner laid down in Regulation 56.

71. Service of orders, notices, etc.

Every order, notice and other process made or issued under these regulations shall be served in person on the employee concerned or communicated to him by registered post.

CHAPTER VIII

DEPUTATION

72. The policy pertaining to deputation of employees to the Authority or from the Authority shall be as detailed in the schedules:

- a) The deputation inward pertaining to the deputation to the Authority from other organisations shall be as per Schedule X A - Deputation – Inward policy.
- b) Qualifications and age required for various posts by way of deputation shall be as per Schedule X B.
- c) Deputation outward pertaining to deputations from the Authority to outside organizations, Government etc., shall be as per Schedule X C - Deputation - Outward policy.

The policies may be revised from time to time with the approval of the Authority.

CHAPTER IX

MISCELLANEOUS

73. Medical facilities

Medical facilities to employees of the Authority shall be in accordance with the circulars or guidelines issued by Chairperson from time to time.

74. Travelling and halting allowances

Travelling and halting allowances shall be paid to the employees of the Authority according to such rates and on such terms and conditions as may be approved by the Chairperson from time to time.

75. Criticism of the Authority or Government

No employee shall, in any radio broadcast, telecast through any electronic media or any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion which has the effect of an adverse criticism of any current or recent policy or action of the Authority or Government.

No employee shall circulate any information through letters/circulars/emails/through electronic media such as text messages, MMS, SMS etc., or through social media like Face book or Twitter etc., with an intention to defame the Authority/Chairperson and Members or other colleague employees. Such acts shall be treated as "Misconduct" under these Regulations.

Provided that nothing in this regulation shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

76. Provident fund

Every employee of the Authority shall become a member of a provident fund trust to be established by the Authority.

77. Insurance scheme or fund

It shall be required of every employee bound by these regulations to subscribe to any insurance scheme or fund that may be instituted by the Authority for the benefit of its employees and their families and to be bound by the regulations of the said scheme or fund.

Provided that nothing contained in this regulation shall serve to curtail any superannuation benefits which may otherwise be admissible to an employee by virtue of their own contribution.

78. Grievance redressal and welfare

(1) The Chairperson shall constitute a Grievance Redressal Committee comprising of any of the Whole- time Members/Part- time Members of the Authority to look into the grievances, if any, of its employees with one of such members designated as Chairman of the Committee.

(2) The Committee shall provide reasonable opportunity of hearing the aggrieved person and submit a report to the Chairperson for necessary dealing and the decision of the Chairperson on the grievance shall be final.

(3) The Authority shall take such steps as it considers necessary for the welfare and development of its employees.

79. Declarations to be signed by the employee

Every employee to whom these Regulations apply shall subscribe to declarations in Forms mentioned under Schedule I.

80. Residuary powers

In regard to matters not specifically covered by these regulations and without prejudice to these regulations, the Chairperson may make administrative orders and issue instructions thereunder to deal with such matters and where such orders are made by the Chairperson, they shall be placed before the Authority.

81. Power to relax

The Authority may dispense with or relax the requirement in any of the policies, rules or instructions issued under the regulations to such extent and subject to such conditions as it may consider necessary.

82. Interpretation and implementation

Where any doubt arises as to the interpretation of any of the regulations, policies or orders or instructions made thereunder, the matter shall be placed before the Chairperson whose decision thereon shall be final.

Provided that the power to implement the regulations and issue such administrative instructions or orders as may be necessary to give effect to, and carry out the purposes of, the provisions of these regulations or otherwise to secure effective control of the staff vests in the Chairperson.

Schedules

Sl. No	Schedule No.	Details of Schedule
1	I – Form A	Declaration to be bound by the Staff Regulations
	I – Form B	Declaration of secrecy
	I – Form C	Declaration of domicile
2	II	Composition of service – Class, Grade and Designations
3	III	Control in the hierarchy and level of activities
4	IV	Qualifications, age and experience required for various posts by way of recruitment
5	V	Quota of vacancies – by way of recruitment or promotion
6	VI	Criteria for promotion
7	VII	Transfer policy
8	VIII	Sensitive posts
9	IX	Seniority policy
11	X A	Deputation – inward policy
12	X B	Qualifications and age required for various posts by way of deputation
13	X C	Deputation – Outward policy
14	XI	Competent Authorities/Appellate Authorities

Schedule I

FORM - A

DECLARATION TO BE BOUND BY THE STAFF REGULATIONS

Place _____

Date _____

I hereby declare that I have read and understood the Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2015, and I hereby subscribe and agree to be bound by the said Regulations.

Signature _____

Name in full _____

Designation _____

Witness:

Signature _____

Name:

DECLARATION OF SECRECY

Place _____

Date _____

I, the undersigned, having been appointed to the service of the Insurance Regulatory and Development Authority of India, do hereby declare that I shall regard as strictly confidential and by no means, direct or indirect, reveal to any person or persons whatever information concerning the affairs of the Authority or of any one dealing with the Authority, and abide by the provisions of Information Security Policy of the Authority, unless compelled to do so by judicial or other authority, or instructed by the Authority to do so in the discharge of my duties.

Signature _____

Name in full _____

Designation _____

Witness:

Signature: _____

Name: _____

(An employee shall also sign and submit a separate non disclosure and confidentiality agreement after joining in the service of IRDAI)

Schedule I

FORM - C

DECLARATION OF DOMICILE

Place _____

Date _____

I, the undersigned, having been appointed to the service of the Insurance Regulatory and Development Authority of India, hereby declare ----- (name of the town / city) in ----- (District/State) as my place of domicile.

2. (a) The above is my place of birth.*

(b) The above is not my place of birth.*

*(Strike out whichever is not applicable)

3. My place of birth is -----(Place) in -----
_____ (District) but I declare the following place as my place of domicile for the reasons given below:

(Place) _____.

District _____

Reasons: _____

Signature: _____

Name in full: _____

Designation _____

Witness:

Signature: _____

Name: _____

DECLARATION OF ASSETS AND LIABILITIES

Place _____

Date _____

I, the undersigned, having been appointed to the service of the Insurance Regulatory and Development Authority of India, do hereby declare that on the date of my joining the services of the Authority, my assets and liabilities are as mentioned in the proforma prescribed in this regard. I am aware that any wrong information furnished by me in this regard would be viewed seriously and deemed as a misconduct and necessary action initiated in terms of the IRDAI Staff (Officers and Other employees) Regulations, 2015.

Signature _____

Name in full _____

Designation _____

Witness:

Signature: _____

Name: _____

DECLARATION OF EMPLOYMENT/OCCUPATION/PROFESSION
OF FAMILY MEMBERS

Place _____

Date _____

I, the undersigned, having been appointed to the service of the Insurance Regulatory and Development Authority of India, do hereby declare that the employment/occupation/profession of my family members on the date of my joining the services of the Authority is as per the information furnished in the prescribed proforma. I further undertake to intimate the Authority on the changes, if any, in the employment/occupation/profession of my family members including Insurance agency/broker/intermediary in an insurance company, on 1st April every year. I am aware that any wrong information furnished by me in this regard would be viewed seriously and deemed as a misconduct and necessary action initiated in terms of the IRDAI Staff (Officers and Other employees) Regulations, 2015.

Signature _____

Name in full _____

Designation _____

Witness:

Signature: _____

Name: _____

Schedule II

Composition of Service – Class, Grade and Designations

S No	Class	Grade	Designations	Management group
1	I	TMG	Executive Director	SMG
2	I	F	Chief General Manager	
3	I	E	General Manager	MMG
4	I	D	Deputy General Manager	
5	I	C	Assistant General Manager	JMG
6	I	B	Manager	
7	I	A	Assistant Manager	
8	III	I	Sr. Assistant	--
9	III	II	Assistant	--

Abbreviations:

SMG – Senior Management Group

MMG – Middle Management Group

JMG – Junior Management Group

Schedule III

Control in the hierarchy and activity levels

Level	Control in the Hierarchy	Activity levels
V	Chairperson/ Member	Decision-making (on some important cases, files may go to Authority)
IV	Executive Director/ Chief General Manager	<ol style="list-style-type: none"> 1. Decision making where powers are delegated and general guidance 2. To ensure that decision making involves collaboration, mutual contribution between Departments and cross-communication and also to restrict layers to four. 3. To ensure efficient and expeditious disposal of work and plug delays. 4. To sponsor new Projects and initiatives
III	General Manager/	<ol style="list-style-type: none"> 1. Supervision of level I and level II employees 2. Activities impacting operations and resource allocation between activities 3. Evaluating performance and performance management to check whether employees under their control are implementing the instructions, 4. To ensure efficient and expeditious disposal of work and plug delays
II	Deputy General Manager	<ol style="list-style-type: none"> 1. Supervises and plans work and processes including assigning work among the staff as evenly as possible while adhering to the policies of the Authority, while keeping HOD informed as necessary and discouraging any rule/process leading to loss of efficiency 2. To execute the Projects adhering to general guidance as to methods, procedures and desired end results. 3. Coaching and counseling when an employee's problems impact performance and to mitigate any further action, including formal disciplinary action.

		4. Keep a watch on any hold up in the movement of dak.
II	Asst. General Manager/Manager	<ol style="list-style-type: none"> 1. Supervises and plans work and processes 2. To process work by adhering to Internal governance procedures, including internal audit arrangements 3. To ensure escalation of significant issues to appropriate levels while ensuring that action should be taken immediately in urgent cases. 4. Control and disposal of inward and outward mail/dak
I	Manager/Assistant Manager	Putting up notes by drawing attention to precedents or Rules and Regulations on the subject while supplying relevant facts and figures and to ensure integrity of actions proposed.

Schedule IV
Qualifications, Age and experience required for various posts by way of Recruitment

Class	Designation	Age(Yrs)	Qualifications
III	Assistant	Min. 18 Max. 30	<p>a) Graduation from a recognized University with minimum 60% of marks</p> <p>b) For Raj Bhasha (Hindi) Assistant – Graduation with minimum 60 % of marks in Hindi/Sanskrit with English as a subject at degree level</p> <p>c) Should possess knowledge of Computer Operations for both (a) and (b).</p>
I	Assistant Manager	Min. 21 Max. 30	<p>a) Graduation from a recognized University with minimum 60% of marks</p> <p>b) Additional qualifications</p> <ul style="list-style-type: none"> • LL.B with 60% marks • Pass in Six (6) subjects of IAI (Institute of Actuaries of India) Exams • FIII qualification. • Pass in ACA/AICWA/ACS. <p>c) Should possess knowledge of Computer Operations for both (a) and (b).</p>
I	Manager	Min. 25 Max. 40	<p>a) Graduation from a recognized University with minimum 60% of marks</p> <p>b) Additional qualifications</p> <ul style="list-style-type: none"> • LL.M with 60% marks and membership of Bar Council with three years practice at Bar • Pass in Nine (9) subjects of IAI (Institute of Actuaries of India) Exams • Doctorate in Economics/Statistics or allied subjects. • ACA/AICWA/ACS. <p>c) Experience of three years in the related area of work in officer cadre for qualification other than LL.M.</p> <p>d) Should possess knowledge of computer operations for all vacancies.</p>

Schedule V

Quota of vacancies – by way of direct recruitment or promotion

Class	Designation	Method of filling	
		Direct Recruitment	Promotion
III	Assistant	By direct recruitment based on written test and interview	---
III	Sr. Assistant	---	<ol style="list-style-type: none"> 1. 100% to be filled by promotion from among Assistants after putting in 5 years of service subject to merit, suitability, and seniority 2. Employees should be falling in the zone of consideration for promotion
I	Assistant Manager	50% of vacancies by Direct Recruitment	<ol style="list-style-type: none"> 1. 50% vacancies to be filled from among Senior Assistants after putting in 5 years of service subject to merit, suitability, and seniority 2. Employees should be falling in the zone of consideration for promotion
I	Manager	40% of vacancies by Direct Recruitment	<ol style="list-style-type: none"> 1. 60% of vacancies to be filled by promotion from among Junior Officers after putting in 5 years of service subject to merit, suitability, and seniority; 2. Officers should be falling in the zone of consideration for promotion
I	Asst. General Manager	---	<ol style="list-style-type: none"> 1. 100% vacancies by promotion from among Managers after putting in 5 years of service subject to merit, suitability, and seniority. 2. Officers should be falling in the Zone of consideration for promotion

Class	Designation	Method of filling	
		Direct Recruitment	Promotion
I	Deputy General Manager	--	<p>1. 100% vacancies by promotion from among Assistant General Managers after putting in 5 years of service subject to merit, suitability, and seniority.</p> <p>2. Officers should be falling in the zone of consideration for promotion</p>
I	General Manager	--	<p>1. 100% of vacancies to be filled by promotion from among Deputy General Managers after putting in 5 years of service subject to merit, suitability, and seniority;</p> <p>2. Officers should be falling in the zone of consideration for promotion</p>
I	Chief General Manager	--	<p>1. 100% of vacancies to be filled by promotion from among General Managers after putting in 5 years of service subject to merit, suitability, and seniority;</p> <p>2. Officers should be falling in the zone of consideration for promotion</p>
I	Executive Director	--	<p>1. 100% of vacancies to be filled by promotion from Chief General Manager after putting in 5 years of service subject to suitability, seniority, merit.</p> <p>2. Officers should be falling in the zone of consideration for promotion</p>

Schedule VI
Criteria for promotion

For the purpose of promotion from one grade to another grade, the following criteria will be taken into consideration.

Weightage for Written Examination, ACRs, Interview, and qualification of the employee concerned shall be as under:

S. No	Promotion		Seniority	Weightage of marks				Qualification	Track record (Leave)
	From	To		Written Exam	ACR	Interview			
						Contribution to Research papers etc.,	Interview		
1	Assistant	Senior Assistant	15	40	15	--	15	10	5
2	Senior Assistant	Assistant Manager	15	40	15	--	15	10	5
3	Assistant Manager	Manager	15	40	15	--	15	10	5
4	Manager	Assistant General Manager	15	40	15	--	15	10	5
5	Assistant General Manager	Deputy General Manager	15	40	15	--	15	10	5
6	Deputy General Manager	General Manager	Nil	Nil	25	20	40	15	NI
7	General Manager	Chief General Manager	Nil	Nil	25	20	40	15	Nil
8	Chief General Manager	Executive Director	Nil	Nil	30	30	40	Nil	Nil

The process of appointment through promotion from lower grade to higher grades will be through selection with minimum marks prescribed at written test and interview as the case may be. The pass/qualifying marks in written examination/Interview will be 50%.

The interview committee shall consider factoring extraordinary contributions to research papers/publications in insurance journals/ any thesis submitted on insurance topics which would be useful to the Authority etc., as reflected in the ACRs in the self assessment and highlighted by the Reporting officer/Reviewing officer, as per guidelines issued by the Chairperson from time to time.

Computation of marks for seniority, contribution to research papers, publication in insurance journals, any thesis submitted in insurance topics etc., qualification and track record for leave shall be as per guidelines in this regard.

The track-record of the officer will be assessed by his attendance, leave, and punctuality. Besides, the track-record reflected from his personal record (caution / warning, etc.) as assessed from the employee's personal file and other documents will be considered by the Interview Committee.

Similarly, guidelines for quantifying seniority and good attendance and leave record (for example, an employee availing less than 60 days in a year may get credits) etc shall be issued and modified by Chairperson from time to time.

Schedule VII

Transfer policy

1. Transfer policy - Objectives

Transfers are integral to any Organization striving to achieve its organizational goal. They are necessary for employees so to have exposure to various areas of working of the organization. There is, thus a need for transparent transfer policy with the following objectives:-

- i. To match the Authority's objectives and goals with individual aspirations.
- ii. To align with the Regulations 5 (17) and 16 of the IRDA Staff (Officers and other Employees) Regulations, 2015 in building a work force fully engaged in the performance of their duties.
- iii. To have right person in the right place by identifying the skills and aptitudes to meet the organizational need of employees with varied experience and knowledge.
- iv. To identify and groom the employees for taking positions in higher rank.
- v. To implement CVC guidelines in the matter of transfer/ rotation of employees in sensitive posts. However, such transfer/rotation need not be restricted to sensitive posts alone but generally can be considered for all the positions to make the officers/employees more knowledgeable and empowered in developing the organization.
- vi. To provide an opportunity to the employees to improve their personal development and career path.
- vii. To effect promotions.
- viii. To bring in transparency in the movement of employees in the organization after lapse of a specified period.

2. Applicability

The transfer policy may be applicable to all grades of employees of the Authority including the OSDs (Officers on Special Duty).

3. Type of transfers

The following definitions are relevant in this context:

- a) **'Normal period of posting'** means continuous posting of the employee in same position/Department for a period of 3 years and at the same station for a period of 5 years after which an employee becomes due for transfer.
- b) **'Sensitive post'** means a post which considered as a key post in the Authority.

- c) **'Station'** means the city up to the municipal limits or a territorial area as per the census of India where the salary and allowances including HRA & CCA are payable.

There will be three types of transfers:

(A) Request transfers

- a) **'Request Transfer'** means such transfer for which the order is issued by the Competent Authority considering the request of the employee for his posting at a station of his/her choice.
- b) **'Qualifying service for request transfers'** will be the no. of years of stay at one station at a single stretch, to be reckoned from the date of joining at such station. However, if an employee avails leave beyond 120 days (including all kinds of leave) in a year; such period will not be counted as 'qualifying service' for request transfer.
- c) Transfer on request of the employee may be considered on medical emergency/grounds or other genuine personal reasons subject to availability of vacancy at that office to which transfer is sought.
- d) Employees with 3 years active service and above can apply for transfer but the employee whose service is more at that centre will have priority in transfer.
- e) Any transfer due to personal reasons within minimum term of three years subject to administrative approvals will be at the cost of the employee.

(B) Administrative Transfers

- a) **'Administrative Transfer'** means transfer made without the request of the employee due to office exigencies.
- b) All the employees may ordinarily be considered for transfer after 5 years. Employees are eligible for TA, joining time and other applicable allowances as per rules in vogue at that time.

(C) Transfers in public interest

Transfer of any employee before completing the minimum term of 3 to 5 years in a particular department/station may be done by the Competent Authority in public interest by recording the reasons for such transfers.

4. Posting/Stay

- a) The posting of an employee in a department will be generally for three years except in cases of any disciplinary proceedings initiated/pending. The starting point for computing the stay in a department shall be the date of joining in that department.
- b) The stay of an employee at any station for the purposes of transfer will ordinarily be five years subject to the office exigencies and decision of the Competent

Authority. This provision however, does not apply to Deputy General Manager and above.

- c) When a certain number of employees are due for moving out of a station to a new station or by local rotation to new postings in the same station for the reason of having completed their stay in that station, but cannot be so moved due to non availability of vacancies, the employee who has served for longer periods will be transferred first.
- d) On request, the Authority will endeavor to transfer an employee to a centre of his choice, one or two years prior to retirement, subject to administrative convenience and availability of vacancy.

5. Specialized postings

The specialized postings shall be governed by instructions issued in this regard from time to time. For (i) Actuarial Department, (ii) Legal Department (iii) Any other department as decided by the Chairperson depending on the organizational needs - the conditions as aforesaid shall be modified to be up to seven years and in case of promotions of employees working in such departments, it may be at the discretion of the Competent Authority depending on the exigencies of the department and the instructions issued from time to time.

The period of stay at a centre will be inclusive of all postings in different departments at that centre. The transferees may be identified on 'First- in- First out' principle.

6. Transfer of officers/employees in sensitive posts

1. The employees working in sensitive posts/departments shall be compulsorily rotated/transferred every 3 years and no discretion shall be used in such postings.
2. As far as possible, an employee in the subsequent cycle of postings shall not be posted in the same sensitive charge.
3. Normally, there shall be a gap of minimum 3 years between one sensitive posting to another.
4. First posting on appointment/ promotion/ of the officers shall be as far as possible, to a non sensitive charge.

7. Transfers on promotion

1. Refusal of promotion to avoid transfer will be dealt with as per rules which may include cancellation of promotion/ and non-consideration of his/her candidature for promotion in the next round of promotions.
2. Employees aged more than 58 years may be considered for retention in the same station on promotion subject to availability of vacancy.

3. Employees on promotion may be posted in the same station subject to the vacancy position, provided, the officer/employee was transferred from some other station within the last 2 years.

8. Consideration of cases before transfers are effected

No relaxation shall be considered except on the following grounds:

- i. Transfer of employee couple up to the cadre of Deputy General Manager subject to administrative convenience.
- ii. Posting on compassionate grounds - in case an officer/employee seeks a posting to a particular station on medical grounds, the Chairperson may take a decision. However, if required, the case may be referred to a Medical Board for opinion.

9. Using outside influence

1. No officer/employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his/her interests in respect of matters pertaining to his/her service in the Authority.
2. Bringing any outside influence for or against a transfer by an employee or any of his/her family member(s) will be treated as misconduct subject to disciplinary action under IRDA Staff (Officers and other Employees) Regulations, 2015.

10. Transfer of Officers/Employees against whom disciplinary/vigilance cases are pending

Requests for transfer received from employees against whom vigilance/non vigilance complaints/cases have been registered/contemplated shall not be considered till the cases are decided. They may be redeployed at same station.

11. Transfer on administrative grounds or in public interest

Notwithstanding anything contained in this policy, the Chairperson may, if necessary in public interest, transfer or post any employee to any station or post.

12. Transfers and postings of Officers on deputation to IRDAI as OSDs

OSDs (Officers on Deputation) from various lending organizations who are selected as OSDs/working as OSDs to the extent possible shall not be posted to sensitive posts during their period of deputation with IRDAI. However, if it is essential to consider such OSDs being posted to sensitive posts basing on their experience, utility to the organization, etc. they may be considered by the Chairperson for posting in the sensitive posts for a maximum period of two (2) years only. In no case any extension beyond the period of two years will be considered.

13. Relief of officers/employees on transfer

- a) All the posting orders will indicate a relieving time up to a maximum of 30 days within which the employee is to be relieved. The relieving shall be mandatorily carried out before the last date indicated.
- b) Representations, if any, will be addressed to the Chairperson only. Any representation in respect of the posting orders are to be submitted within 15 days of issue of such orders failing which the same will not be considered. The representation will be considered by the Competent Authority on case to case basis and disposed of within 15 days.
- c) Overstay in the post after the transfer order is issued tantamount to indiscipline and necessary action will be initiated accordingly as per rules and instructions in vogue.

14) Transfer of Senior Officers

Transfer of Senior Officers in Deputy General Manager and above level will be governed by organizational needs as also suitability of the Officer for the post in question.

15. Miscellaneous

- a) All annual transfer orders shall be normally issued immediately coinciding with the promotions to the cadres every year and, in any case, not later than 31st March of the year.

These are broad guidelines governing the transfer policy and detailed administrative instructions shall be issued by the Chairperson in terms of the power vested in him vide regulation 80 to carry out the purposes of transfer policy.

Schedule VIII

Sensitive posts

‘Sensitive post’ means a post which is considered as a key decision-making as also those involving with financial sanctions in the Authority. Presently, the Authority has various positions grades as per the staff strength approved by the Authority from time to time. IRDAI has been transferring officers/employees generally on a time bound basis.

The nature of posts differs on the importance, the type of information and responsibilities that are attached to them. Broadly, it is identified that the Head of the Department (HOD) positions are the key and therefore sensitive positions since these positions deal with the policy decisions in a regulatory setting but in most cases the Deputy General Manager being in a middle management position, also contribute to decision-making. Besides, the positions involving settlement of bills/financial sanctions would also be classified as sensitive.

Guidelines of Central Vigilance Commission: CVC, in the superintendence of vigilance administration, over the years has observed that staff working in organizations has to be identified and transferred/rotated every two/three years to avoid developing vested interests. The Commission observed that, if transfers/rotations are not done periodically, overstay and continuous postings afford scope for indulging in corrupt practices, developing vested interests etc., which may not be in the interest of the organization.

Guiding principles in dealing with sensitive posts

1. While all employees may ordinarily be considered for transfer after 5 years, those employees working in sensitive posts/departments shall be compulsorily redeployed / transferred every 3 years and no discretion shall be used in such postings.
2. Transfer of any employee working in a sensitive post/department, before completion of minimum period on a post, may be done in public interest after recording the reasons.
3. Considering the nature and importance of the posts identified as sensitive, while determining the placements, postings and transfers of Officers positioned in these posts will be decided accordingly.
4. First posting on appointment / promotion of employees shall be to a non-sensitive post.
5. There shall be a gap of minimum 3 years between one sensitive posting to another.

6. An employee in the subsequent cycle of posting shall not be posted in the same sensitive charge.
7. The Chairperson has power to classify a post as a sensitive post.

Sl. No.	Department	Type of work/section	Post to be classified as sensitive
1	Administration	1. Dealing with tenders/ Advertisements/sanctions 2. Purchase of stationery, empanelment of suppliers, etc.	Deputy General Manager and above
2	Information Technology	Dealing with tenders for purchase of computers, Laptops, peripherals etc.,	Deputy General Manager and above
3	Accounts	CAO	CAO and above

Schedule IX

Seniority Policy

Regulation 14 of the IRDA Staff (Officers and other Employees) Regulations, 2015 which reads as under deals with determination of seniority of the employees in the Authority.

“The seniority of an officer and other employee in the Authority will be determined in such manner as prescribed by the Authority from time to time.”

To bring transparency in the system, the seniority list, grade-wise will be published every year as on 1st April. Such seniority list shall be considered for all purposes including for promotions.

The following guidelines shall be followed in publishing the seniority:

(A) Publication of list

1. There shall be a single combined gradation list called seniority list for each grade.
2. The seniority list for each grade shall be prepared and published as at 1st April of every year.
3. The seniority list prepared shall be published in the Authority's intranet.

(B) Reckoning seniority

1. Seniority list of Employees shall be maintained for each grade.
2. The principle of an Employee appointed as a result of earlier selection being treated as senior to those appointed as a result of subsequent selection in the same grade both in Direct Recruitment (DR) and Promotion shall be followed while preparing the seniority list.
3. The relative seniority of all direct recruit employees is determined by the order of merit in which they are selected for such appointment. |
4. Direct recruits shall be ranked inter-se in the order of merit reckoned on the basis of final ranking obtained on the basis of marks obtained by the candidate in such recruitment.
5. Employees appointed regularly to a grade from the select list shall be ranked inter-se according to the order in which they are so appointed.
6. In case of employees selected in response to the same notification for appointment to different posts in the same grade with different qualifications,

though the process of selection may be different, a consolidated seniority list shall be maintained for the grade.

7. Seniority of employees appointed as above shall be determined in the order in which their names appear in the consolidated merit list.
8. However, where the separate merit list is prepared, the following criteria will be followed:
 - i. The seniority of an officer shall be determined by the date of selection.
 - ii. Where the date of selection is same, chronology of offer of appointment shall be considered as the criteria.
 - iii. Where both (i) and (ii) are also same, then the seniority of the selected officer/employee shall be determined according to the principle of "Rotation of vacancies" between different posts.
Ex: Where appointments are made to a grade from different streams and if appointment to one stream (Stream A) is made at 50% and from another stream (Stream B) at 50%, through separate Interview committees, the seniority of the officers in that grade shall be determined in the order of A1, B1, A2, B2,....
9. The available direct recruits and promotees, for assignment of inter se seniority, would refer to the direct recruits and promotees who are appointed against the vacancies of a recruitment year.
10. Recruitment year would be the year of initiating the recruitment process against a vacancy year.
11. The initiation of recruitment process against a vacancy year would be the date of sending of requisition for filling up of vacancies to the recruiting agency in the case of direct recruits; in the case of promotees the date on which a notification from promotion is released to fill up the vacancies through promotion would be the relevant date.
12. Thus, Inter-se seniority of direct recruits and promotees shall be fixed on the basis of date of offer initiation of process of recruitment irrespective of date of joining within the time given for joining.
13. There shall not be any notional seniority granted from the back date since seniority cannot be given retrospectively.
14. There shall not be any separate seniority list for direct recruits and promotees.
15. The relative seniority of an employee in the promoted grade shall be same as in the feeder grade. However, employees on refusal of promotion or non promotion will lose seniority and will be shown in the seniority list of the grade in which he was earlier.
16. In the case of employees who are under suspension/disciplinary proceedings are in the process, their original seniority will not be affected, if completely exonerated and the suspension held unjustified. (regularized).

17. The seniority of the employees who are initially taken on deputation and absorbed/ redeployed later shall be counted from the date of absorption in the grade in which he/she is absorbed.
18. The relative seniority of employees appointed by absorption to Authority from any Government service/PSU/Regulatory bodies etc., shall be determined in accordance with the order of their selection/absorption for such absorption.

Schedule X A
Deputation – Inward policy

1. The policy is envisaged to have all relevant rules and regulations pertaining to deputation inward so that self dependence objectively and transparency can be achieved. The Competent Authority may, due to exigencies of work and to have interaction of work culture and practices of different organizations, recruit Officers on deputation from other Financial Regulators, Government Departments and PSU Insurers are appointed to post(s) specified for a limited period, by the end of which they will have to return to their parent cadres. Such an arrangement will enable IRDAI to have exposure to various insurance practices with regard to products, servicing, investment, grievance handling etc. The terms and conditions of deputation shall be as specified by the Competent Authority in consultation with the lending organization. Qualifications, maximum age and relevant experience of the Officers to be taken on deputation is prescribed in Schedule X B.

2. **Identification of posts:** While regulatory and supervisory aspects could be developed with internally with periodic and limited lateral inflow, the development mandate entails need of personnel experienced in running of the Insurance business and the intricacies therein. There is a need for officers on deputation both to and from IRDAI so that there is a continuous stream of personnel coming from the Industry, other Regulators and Government for development orientation.

3. **Deputation reserve:** The additional deputation reserve of 15% and leave reserve of 2% of sanctioned strength with prior approval of the Authority may be utilized for filling the positions on deputation particularly for the following functions at Supervisory level till internal capability is adequately built.

- Statistical issues/Economic issues and Research
- Reinsurance
- Catastrophe modelling
- Macro-prudential surveillance and early warning signals
- Risk management
- Legal Jurisprudence

- Internal audit/Concurrent audit
- ERP/Network management/Analytics
- Information Security and Governance

The number of vacancies to be filled in by deputation within the deputation reserve as above may be reviewed from time to time based on

- (i) the non-availability of supplement with personnel within IRDAI possessing requisite qualifications and experience; and
- (ii) having regard to the role to be performed by a specified position, it is necessary to provide for officers on deputation at an appropriate level with a view to injecting fresh knowledge and experience

4. Determination of analogous posts: The following shall be the criteria for determining whether the posts in question could be treated as analogous to each other.

- 4.1. Identical scales of pay: Though the scales of pay of two posts which are being compared may not be identical, they should be such as to be an extension of or a segment of each other.
- 4.2. Same Group of posts: Both the posts should be falling in the same Group of posts.
- 4.3. Responsibilities and duties: The levels of the responsibility and the duties of the two posts should be identical/comparable.
- 4.4. Qualifications/Experience: The qualifications and experience of the Officers to be selected should be as per the schedule comparable to those prescribed for direct recruits/promotees to the post where direct recruitment/promotion has also been prescribed as one of the methods of appointment.

5. Period of deputation: The maximum period of deputation is three years.

5.1. The period of deputation including the period of deputation/contract in another ex-cadre post held immediately preceding his appointment in the same or some other organisation/Department of the Government shall ordinarily not exceed three years respectively.

5.2. Premature reversion of deputationist to parent cadre: As and when a situation arises for premature reversion to the parent cadre of the Officer on deputation, his

services could be so returned after giving an advance notice of at least one month to the lending organization and the employee concerned.

5.3. Cooling off period for Officers from GOI: There shall be a mandatory "cooling off" period of three years after every period of deputation for all posts.

5.4. The officers who served IRDAI on deputation for one term will not be considered for second term.

5.5. The permanent Officers and/or Officers already on deputation can not apply for higher ex-cadre post at IRDAI as and when advertised for such higher posts..

6. Sources of procuring Officers on deputation: The guiding principles shall be determination of analogous posts, public notification of vacancies with eligibility conditions regarding age, qualification, experience etc. and competitive selection process.

6.1. Financial Regulators/PSU Insurers: The vacancy circular shall invariably be circulated through advertisements and adequate notice/circulation to all eligible institutions besides publishing it in three national newspapers and display of separate advertisement in IRDAI website. The vacancy circular/advertisement should clearly bring out the categories and levels of Officers (including pay scales) eligible for consideration including conditions of eligibility (i.e., age, number of years of service, in a particular grade/scale) and the qualifications and experience required.

6.2. From Government: The Officers from Central Government may be considered and accepted on deputation only under Central Staffing Scheme.

7. Ex-cadre post and pay fixation:

7.1. Given that the pay scales in IRDAI are similar to that of RBI/SEBI, pay parity for analogous posts shall be the determining principle as scales of IRDAI are asynchronous with pay scales of Government/PSUs. In order to ensure uniformity in fixation of pay and allowances across Officers on deputation other than from Government with varying grades/scales/pay, the general principles of pay parity for determination of scales shall be considered. In such cases, pay will be fixed by adding one increment to the pay in the parent cadre post in the scale of his regular parent post (and if he/she was drawing pay at the maximum of the scale, by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad hoc dearness allowance, interim

relief, etc.. if any) with emoluments comprising of pay plus DA. ADA, Interim relief etc., if any, admissible, in the borrowing organization and the pay will be fixed at the stage in the pay scale of the ex-cadre post in IRDAI at which total emoluments admissible in the ex-cadre post in IRDAI as above equal, the total emoluments drawn in the parent cadre.

7.3 The ex-cadre post and the analogous posts shall be determined in such a manner that basic pay plus all types of grade pay, if any, on deputation shall be comparable to the ex-cadre post carrying a pay matching his current pay.

7.4 The ex-cadre post and the analogous posts shall be determined in such a manner that if the equated pay and emoluments of analogous post fall in pay scale of two grades in IRDAI, the fixation will be made for the ex-cadre post for which he/she is selected.

7.5 A person in a higher Grade Pay/scale of pay shall not be appointed on deputation to a post in lower Grade/ Pay scale of pay if the deputation is from Central Government

8. Exercise of Option

8.1. An employee appointed on deputation to IRDAI from other organizations, may elect to draw either the pay in the scale of pay of deputation post or scale of pay in the parent cadre plus deputation allowance thereon plus personal pay, if any, by exercising his/her option within 30 days from the date of joining IRDAI. In case the employee on deputation fails to submit the option within the aforesaid period it shall be deemed that the employee has opted for the pay in the scale of pay of deputation post in IRDAI and the his/her pay shall be fixed accordingly. The option once exercised by the employee on deputation regarding the pay shall be final.

8.2. However, the employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same:

- When he/she is reverted to a lower grade in the parent cadre;
- When the scale of pay of the parent post on the basis of which his emoluments are regulated during deputation/foreign service or of the ex-

cadre post held by the employee on deputation/foreign service is revised either prospectively or from a retrospective date.

- 8.3.** Revision in the rates of DA, HRA or any other allowance either in the parent or borrowing organisation shall not be an occasion for revision of the earlier option. If the pay of an employee in his cadre post undergoes downward revision for other than disciplinary/vigilance cases,, the pay in the ex-cadre post is also liable to be re-fixed on the basis of revised pay and in accordance with the revised option or existing option if the employee does not revise his option.
- 8.4.** When he/she receives proforma/promotion or is appointed to non-functional selection grade or up-gradation of scale in the parent cadre; the officer shall have the option of either continuing with the existing pay and allowances till end of deputation or seek repatriation to claim the benefits of promotion. The pay fixation and reconsideration of ex-cadre post for a higher ex-cadre post shall not be entertained merely due to promotion in the parent cadre.

9. Deputation allowance and other Allowances only if he opts for parent cadre scales:

- 9.1.** The deputation (duty) allowance admissible shall be at the rate of 10% of basic pay subject to a maximum of Rs.5000 p.m.; and (b) In other cases, deputation allowance will be payable at the rate of 10% of the employee's basic pay subject to a maximum of Rs.10000/- p.m.
- 9.2.** IRDAI may allow in addition to deputation (duty) allowance, under special circumstances, any special allowance attached to the post held by the employee in his/her parent Department. In case special allowance is attached to the scale of pay of the ex-cadre post in IRDAI and the employee has opted to draw pay in that scale, then, in addition to the pay in that scale, he will also be entitled to draw such special allowance. However, such special allowance will not be admissible if he has opted to draw pay in the parent cadre scale/grade pay plus deputation (duty) allowance.
- 9.3.** Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation if he/she opts to draw pay in the parent cadre scale/grade pay plus deputation (duty) allowance. No deputation (duty) allowance on this personal pay will however, be admissible.

10. Increments: The employee will draw increment in the parent cadre grade or in the scale of pay/grade pay attached to the deputation post as the case may be, depending on the option exercised. The date of next increment will become due after one year from date of pay fixation on deputation in IRDAI, if he has opted for pay scale/grade pay of the deputation post. Notional increments shall also continue to accrue to him in the post held on regular basis in the parent cadre/organization for the purpose of regulation of pay on repatriation to the parent post at the end of the term.

11. Admissibility of Perks including conveyance as well as medical benefits:

11.1. Admissibility of allowances and benefits while on deputation: Such allowances as are not admissible to regular employees of corresponding status in IRDAI shall not be admissible to the employee on deputation, even if they were admissible in the parent organization.

11.2. The following allowances will be paid as admissible in IRDAI:

- Transport Allowance
- Travelling Allowances and Transfer T.A.
- Children Education Allowance.

11.3. The following facilities will also be admissible.

- Joining time - as per parent department at the time of joining
- Joining time pay - as per IRDAI norms at the time of repatriation if opted for IRDAI pay scales
- Leave travel concession – as per IRDAI subject to maximum of 2 sets even if the employee has unutilized sets to his credit at the time of joining.

11.4. Following allowances/facilities will be regulated in accordance with the rules as explained against each:

- a) Dearness Allowance - The employee shall be entitled to dearness allowance at the rates prevailing in the IRDAI or in the lending organization depending on the option exercised.
- b) Medical Facilities - They will be regulated in accordance with the rules of IRDAI.

c) Leave - An employee on deputation shall be regulated by the Leave Rules of the parent organization on proportionate basis as available in IRDAI.

12. Leave salary/GSLI /Pension/NPS Contribution: once a year

(i) Leave salary contribution (except for the period of leave availed of during deputation) and pension contribution CPF (Employer's share) contribution are required to be paid either by the employee himself or by IRDAI to the parent organization/cadre controlling authority, as the case may be.

(iii) In case of employees covered under GSLI /Pension/New Pension Scheme (NPS), IRDAI shall make matching contribution to the respective account of the employee/parent organization.

13. The deputationists shall be governed by IRDAI Staff (Officers and other employees) Regulations, 2015 for all purposes except where specifically permissible.

14. The terms and conditions of Deputation – Inward shall be issued and modified by the Chairperson from time to time.

Schedule X B

Qualifications and Age required for various posts by way of Deputation

Designation	Max. Age(Yrs)	Department	Qualifications
(ii)	(iii)	(iv)	(v)
Assistant Manager	40	Actuarial	Graduate with 60% marks and pass in six subjects of Institute of Actuaries of India.
		Accounts	Graduate with 60% marks and pass in Inter CA/CMA/CS Executive program (ICSI)
		R&D - Statistics	Graduation in statistics with 60% marks (B.Stat, B.sc (stat) or equivalent)
		IT Dept	Graduation in computer science with 60% marks (B.Tech (IT)) or (Computer Science)/BCA)
		Insurance (Life/General)	Graduate with 60% marks and AIII or equivalent.
		Legal	LLB with 60% marks
Minimum experience required in the related area of work – 5 years			
Manager	45	Actuarial	Graduate with 60% marks and pass in nine subjects of Institute of Actuaries of India.
		Accounts	Graduate with 60% marks and ACA/ACS/AICWA
		R&D – Statistics	Post Graduation in Statistics with 60% marks (M.Stat, M.Sc (Stat) or equivalent)
		IT	B.Tech (IT) or (Computer Science) or MCA or M. Tech or M.S in IT with 60% marks
		Insurance (Life/General)	Graduate with 60% marks and FIII or equivalent.
		Legal	LLM with 60% marks

Designation	Max. Age(Yrs)	Department	Qualifications
(ii)	(iii)	(iv)	(v)
	Total experience required – 8 years with Min. 5 years in related field		
Assistant General Manager	45	Actuarial	Graduate with 60% marks and pass in Twelve subjects of Institute of Actuaries of India.
		Accounts	Graduate with 60% marks and FCA/FICWA/FCS
		R& D – Statistics	Post Graduation in Statistics with 55% marks (M.Stat, M.Sc (Stat) or equivalent)
		IT	B.Tech (IT) or (Computer Science) or MCA or M. Tech or M.S in IT with 60% marks
		Insurance (Life/General)	Graduate with 60% marks and FIII or equivalent.
		Legal	Graduation in Law with 60% marks (LL.B)
	Total experience required – 12 years with Min. 5 years in related field		
Deputy General Manager	50	Actuarial	Graduate with 60% marks and Associate of Institute of Actuaries of India.
		Accounts	Graduate with 60% marks and ACA
		R& D – Statistics	Post Graduation in Statistics with 55% (M.Stat, M.Sc (Stat) or equivalent)
		IT	B.Tech (IT) or (Computer Science) with 60% marks or MCA or M. Tech or M.S in IT with 55% marks
		Insurance (Life/General)	Graduate with 60% marks and FIII or equivalent.
		Legal	Graduation in Law with 60% marks(LL.B)
	Total experience required – 15 years with Min. 5 years in related field		

Schedule X C

Deputation – Outward policy

1. Background

1.1. Generally, deputations are considered for the following reasons:

- (i) to widen officers' perspectives with other Financial Regulators, domestic or foreign, which may be useful to the Authority;
- (ii) to lend manpower support to other regulatory organizations, temporarily;
- (iii) to lend manpower support to the organizations promoted by IRDAI like IIB, IIRM
- (iv) in public interest.

1.2. Deputation will not be permitted for serving any entity regulated by IRDAI as conflict of interest is involved.

1.3. No employee of the IRDAI may be deputed to serve under any other employer without the approval of the Chairperson who shall determine the duration of such deputation and the terms and conditions on which the deputation shall take effect; provided that no employee may be so deputed against his/her will.

1.4 No employee shall be sent on foreign service against his will.

1.5 Transfer to foreign service on deputation should ordinarily not be granted unless

(a) the duties to be performed are such that they should necessarily be performed by an employee of the IRDAI or involves such technical knowledge, experts in which are not readily available from other sources;

(b) that transferee at the time of transfer holds a permanent post in IRDAI;

(c) the terms granted are not so greatly in excess of remuneration which an employee would receive in the service of the IRDAI as to render foreign service appreciably more attractive than the IRDAI's service.

2. Eligibility

On completion of a minimum 5 years service in the Authority, an officer can make an application for deputation to other organizations only in response to public notification and such applications can be considered for forwarding to the external organizations. However, deputations will be made on merits of each case and also subject to the following:

- (a) Exigencies of work in the Authority;
- (b) Authority's own requirements in the immediate/ near future;
- (c) No disciplinary proceedings are pending against the officer;
- (d) Antecedents of the organization to which deputation is sought (free from reasonable doubt)
- (e) Absence of any conflict of interest between the external organization and the Authority, and
- (f) Position/ post of deputation to be comparable in status with the existing position in the Authority of the officer seeking deputation.

3. Deputation to Autonomous bodies sponsored by IRDAI

Deputation to IIB/IIRM which falls under an Autonomous body/society/trust as they are not controlled by the Government, may be considered by the Authority provided that such autonomous or private bodies fulfill all four of the following criteria:

- a) they are functionally autonomous of the Central and State Governments;
- b) they are not substantially funded by the Central and State Governments;
- c) the Central or State Governments do not have powers to give them directions;
- d) they are not companies registered under the Registration of Companies Act;
 - the term shall be a maximum of 3 years at a stretch.
 - salary and perquisites will continue to be as per the Authority's rules
 - the officer so deputed has no right to claim additional pay, allowances or perks;
 - deputation may be treated in the same manner as posting to another department of Authority; no deputation allowance will be payable to the officer on deputation.

4. Deputation to Government departments etc.,

If deputations to public institutions such as Government Departments/ Organizations, SFCs, State IDCs, public institutions, etc. and deputations made in public interest to any other organization, where the officer is deputed by the Authority and where such organization may not be able to pay salaries etc. at the Authority's scales of pay, allowances, perks and benefits, the following terms and conditions shall apply.

- (a) Salary and perquisites will be as per Authority's Rules and will be actually disbursed/ provided by the Authority subject to reimbursement of the expenditure/ cost by the external organization.
- (b) Leave during the period of deputation may be availed as per the rules of the external organization.
- (c) External Organization has to pay Superannuation/ PF Contribution and Gratuity Contribution.
- (d) The officer will be entitled to deputation allowance and will be allowed to retain the Authority's residential telephone facility, if the external organization is not in a position to provide the facilities;

5. Other Organizations in India and outside India – terms and conditions

- (a) Period of deputation may be up to a maximum period of three years.
- a) Pay, allowances and perquisites will normally be as per external organization's rules.
- b) In cases where the deputation is at the instance of the Authority within India and the Authority has followed a process of selection before deputing an officer, the officer may opt for pay, allowances and perquisites as per Authority's rules, in which case he/ she will be entitled to deputation allowance.
- c) The borrowing organization shall bear the entire cost of the services of the employee including the following viz, - Salary during joining time; travelling allowances payable to the employee to enable him to join his appointment under the foreign employer and to return to his appointment in IRDAI on the

termination of his deputation; leave salary for the leave earned during the period of deputation; the employer's contributions to the employee's account in IRDAI's Provident Fund. And make a contribution towards any gratuity or other sum, for which the employee may become eligible, on such scale as may be fixed by the Chairman. Disbursement of salary and provision of perquisites will be by the external organization.

- d) Officer's lien on the Authority's service will be retained against the post held immediately prior to commencement of deputation for seniority, confirmation and promotion subject to eligibility, suitability/ selection.
- e) During the period of deputation as "service" / "qualifying service", the external organization will have to agree for paying to the Authority, Gratuity and Provident Fund or Superannuation contributions as decided by the Authority under the rules applicable for respective schemes from time to time.
- f) External Organization will recover all other monthly dues towards savings, insurance, loan recoveries, etc. and remit to the Authority. Alternatively, the officer may undertake to regularly remit these dues, in default of which his lien on the officer's service will be liable to be cancelled
- g) Leave and leave encashment during the period of deputation may be availed as per the rules of the external organization

6. Short duration assignment to other organizations for capacity building

The Authority would consider allowing officers to go for short assignments to PSU Insurers or other Financial Regulators subject to the following conditions:

- (a) The duration of the assignment may be for a period of up to one month at a time, which may be extended at the discretion of the Authority, subject to administrative convenience. However, under no circumstances will it exceed three months;
- (b) All expenses in connection with the assignment will be borne by the Authority.

7. Nomination to other organizations on request for delivering lectures/ talks

The cases of officers to be deputed on requests received from external organizations for delivering talks/ lectures will be considered as "Tour on Duty".

a) Nomination for lectures/talks within India

On invitation, officers of the Authority can be nominated to Government aided/ Government sponsored academic institutions and commercial organizations/ private academic institutions of repute and the same would be considered as 'Tour on Duty'. In such cases if the host institution is unable to provide airfare, the Authority will bear the cost of airfare for travel. The officer being deputed may opt to accept an offer of the host institution for board/lodging or opt for hotel accommodation as per his entitlement. The officer being deputed will also be eligible for claiming halting allowance as follows:

- If host institution is providing board & lodging - 25%
- If host institution is providing only accommodation - 75%
- If the host institution does not provide board and lodging the officer is entitled to full halting allowance as per his eligibility on official tour.

However, while nominating officers for lectures/talks to commercial organizations/ private academic institutions of repute, it should be ensured that the visit by the Authority's officers should not be advertised / misused by the inviting institution for pecuniary/commercial gains. If such cases come to the notice of Authority, the institution would be blacklisted for such purposes.

b) Nomination for lectures/talks outside India

On invitation, officers of the Authority can be nominated to Multilateral Institutions and other regulators and the same would be considered as "Tour on Duty". Officers will be eligible to claim allowances for the tour in the same way as is now prescribed for undertaking official tours abroad.

c) Other conditions

In both the above cases the total duration of the tour may not exceed 5 days.

However, such deputation shall be based on the consideration that in conflict of interest, if any, is likely to arise on account of deputing the officer to the organization concerned. A record of such visits of an officer shall be maintained and be put up to the approving authority at the time of seeking every approval

8. Code of Conduct

In addition to the obligation to conduct themselves in an honest and ethical manner and act in the best interests of the Authority, and to comply with the provisions of IRDAI (Staff) Regulations, 2015, the officer on deputation/nomination will observe the following code of conduct during the period of his/her deputation/nomination:

- a) Officers shall avoid situations in which their personal interest could conflict with the interest of the Authority. Any conflict, actual or perceived, must be disclosed to the Authority for guidance and action as appropriate;
- b) No officer on deputation shall disclose or use any confidential information gained in the course of employment / association with the Authority for personal gain or for the advantage of any other person / organization. He / she shall further ensure that while giving any interview etc., formal or informal, he / she shall not use any information gained during his / her term with the Authority that may in any manner impinge adversely on either the reputation or the interest of the Authority.
- c) The officer shall use utmost discretion while interacting with all external agencies / persons, including the media, so as to ensure that the name of the Authority is not put to any controversy or misused.
- d) While contributing to the press or any publication or the electronic media, etc., on a subject relevant to the Authority, he / she shall invariably obtain the clearance from the concerned department of the Authority in writing. Further, he/ she shall ensure that the material being made public, if sourced from the Authority in any manner, is part of the material / information placed by the Authority itself in public domain
- e) Officers shall not accept any gift in kind, payment, loan, vacation, or other privilege from current or prospective customers, vendors, competitors, or partners, etc. where accepting the gift, etc., would prejudice Authority's / Officer's decisions / functioning, or the gift, etc. is unlawful, or is contrary to ethical principles
- f) Officers on deputation shall at all times behave in a way that upholds the

high image and reputation of the Authority and comply with any other applicable conduct requirement that is prescribed by the IRDAI (Staff) Regulations, 2015 (as amended from time to time).

9. Other terms and conditions governing deputations

- a) If an officer was selected for deputation/nomination to an external organization on the basis of pre-selection done by the Authority, the term of deputation/nomination would normally be for a fixed period. For any extension of the term, the external organization would be requested to directly approach the Authority and not the officer. Similarly, in case the external organization proposes to offer a regular appointment, the Authority's consent shall be obtained first. External organization will be informed of this procedure at the time Authority makes recommendation to that organization.
- b) The officer will remain eligible for increments and promotion / personal promotion during the period of deputation.
- c) Performance Appraisal Reports on the officer will be recorded as per the instructions issued by the Authority in this regard from time to time.
- d) Violation of any of the terms and conditions of deputation / tour of duty specified above will result in loss of lien on the Authority's service and, in this event; the services of the officer concerned are liable to be terminated.
- e) Authority will have right to recall the officer under deputation at any time.

10. In case an officer on deputation/ tour of duty wants to leave the service of the Authority during or immediately after the period of deputation/ tour of duty, he/she may send the necessary intimation to the Authority communicating his/ her desire to resign / voluntarily retire from the Authority's service as per Staff Regulations. The Authority shall examine such requests for resignations/voluntary retirement on the same basis as similar requests made by officers who are not on deputation and subject to compliance with the provisions of the IRDAI Staff (Officers and other Employees) Regulations, 2015.

11. The terms and conditions of Deputation – Inward shall be issued and modified by the Chairperson from time to time

Schedule XI

Competent Authorities / Appellate Authorities

Regulation No.	Matters	Competent Authority	Appellate Authority
(1)	(2)	(3)	(4)
4 (3), 15	Appointments by direct recruitment (Class I) up to and including Managers	Member	Chairperson
	Appointments by direct recruitment (Class I) above Managers	Chairperson	Authority
	Appointments by direct recruitment (Class III) up to Assistants	ED (Admn)	Member
	Appointment by Promotions (Class III) up to Senior Assistants	ED (Admn)	Member
	Appointment by Promotions (Class I) up to General Manager	Member	Chairperson
	Appointment by Promotions (Class I) Chief General Manager and Executive Director	Chairperson	Authority
9 (4)	Extension of period of probation	Appointing Authority	Next Higher Authority
9(5)	Discharge during period of probation	Appointing Authority	Next Higher Authority
11 (2) , 11 (5) 11 (7)	To receive notice, acceptance or refusal or waiver thereof to discontinue or resign the service (all employees)	Appointing Authority	Next Higher Authority
12 (1)	Permission to seek retirement after attaining the age of fifty years	Member	Chairperson
12(3)	Reinstatement of an employee	Member	Chairperson
12 (6)	Regulation of period between date of permanent retirement and date of reinstatement	Member	Chairperson
12 (7)	Approval to withdraw the notice of retirement	Member	Chairperson
16	Reversion	Member for Class I Officers	Chairperson
		ED (Admn) for Class III employees	Member
17 (5)	Passing of an order for accrual of benefits, entitlement of allowances, etc. in the case of discharge or suspension or removal of employees	Member for Class I Officers	Chairperson
		ED (Admn) for Class III employees	Member
18(2)	Authorization to count leave without pay for increment	ED(Admn)	Member

18 (3)	1. Sanction to draw increments and/or while crossing EB 2. Sanction of advance increments on initial appointment	ED (Admn) Chairperson	Member -
22 read with 23 (3), 24 (6), 25 (1), 25 (3), 26 (3), 27 (2) (3) & 30 (6)	Casual Leave	Immediate Superior Officer	Next Higher Officer
	Earned Leave	HOD/Regional Office In-charge under intimation to Next Higher Officer/Member	ED/Member
	Sick Leave, Maternity leave, Paternity leave	HOD/Regional Office In-charge under intimation to Next Higher Officer/Member	ED (Admn)/Member
	Extraordinary leave	ED (Admn)	Member
	Other leave/s	ED (Admn)	Member
	Explanation: 1. For the purpose of grant of leave, other than extraordinary leave, to all employees directly reporting to ED (Admn)/Member/Chairperson, the Competent Authority is the respective ED (Admn)/Member/Chairperson. 2. The grant of leave in the absence of Regional Office In-charge will be by the next Senior Class I Officer of the Regional Office below the Regional in-charge or the designated ED (Admn) at HO. 3. Leave in respect of HOD will be sanctioned by the respective ED / Member 4. Leave sanction is after confirmation of availability of balance in leave account and as per eligibility instructions in this regard.		
29(2)	Initiation of disciplinary proceedings in case EOL crosses 365 days		
	Below DGM	ED (Admn)	Member
	DGM to CGM	Member	Chairperson
	ED	Chairperson	Authority
29(4)	Release of increments by counting EOL	ED (Admn)	Member
30(5)	Curtailement of joining time	ED (Admn)	Member
32(7)	Communication of information/documents to unauthorized recipients		
	Below DGM	ED (Admn)	Member
	DGM to CGM	Member	Chairperson
	ED	Chairperson	Authority
32 (9)	Contribution to press	Member so authorized	Chairperson
33(4) and 33(5)	Grant of permission for undertaking employment within two years after cessation of service	Chairperson	Authority

	DGM to GM	ED (Admn)	Member
	CGM and ED	Member	Chairperson
33(8)	Permission to stand for elections	Member	Chairperson
34 (1)	Giving of evidence	ED (Admn)	Member
37	Permission to be absent from station	1. ED for GM and above 2. HOD / Regional Office In-charge for others	Member ED/Member
38 (2)	Report in regard to receipt of gifts	ED (Admn)	Member
41 (1)	Permission to stand guarantee in private company	1. ED (Admn) for GM and above 2. CGM (Admn) / Regional Office In-charge for others	Member ED (Admn)
47	Employees (all classes) in debt to furnish a statement	ED (Admn)	Member
49(3)	Permission to acquire property	Member	Chairperson
51(2) and 51(3)	Permission to lift restriction on marriage	Member	Chairperson
52(1)	Initiation of Disciplinary proceedings	Chairperson	Authority
53 and 55	Suspension and award of penalties		
	i. Up to Senior Assistant	DGM (HR/Admn)	ED (Admn)
	ii. Assistant Manager / Manager / Assistant General Manager	CGM (Admn/Gen)	Member
	iii. DGM / GM	ED (Admn)	Member
	iv. CGM	Member	Chairperson
	v. ED	Chairperson	Authority
	Explanation: The Competent Authority indicated in column 3 above is without prejudice to the provisions of sub-regulation (1) of Regulation 60, to be taken as the Disciplinary Authority.		
56(8)	Permitting assistance to charge sheeted employee	Chairperson	Authority