

# Annexure A

## Changes made after the Authority meeting (11.03.2016), Legal opinion (07.06.2016) and the DFS observations (letter 20.06.2016) on the draft of IRDAI Staff (Officers and Other Employees) Regulations 2016

Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2016 Changes made	Changes effected after
<p><b>2. Application</b></p> <p>(3) The Insurance Regulatory and Development Authority (Conditions of Service of Officers and other Employees) Regulations, 2000 and the amendments thereto <del>as also the Executive Rules for Staffing the IRDA, 2009 and the amendments thereto</del> hereby stand repealed.</p> <p>Notwithstanding such repeal, anything done or any action taken under the Insurance Regulatory and Development Authority (Conditions of Service of Officers and other Employees) Regulations, 2000 and amendments thereto <del>or the Rules framed there under including the Recruitment Rules, 2005 and the Executive Rules for Staffing the IRDA, 2009</del> shall remain valid.</p> <p><b>3. Definitions</b></p> <p>(i) <b>“Dependent”</b> means a person <del>who is wholly dependent on the employee</del> as mentioned in 3 (p) below, subject to fulfilling the following conditions:</p> <p>i. The income limit for dependency of the family members (other than spouse) <del>is Rs.5,000/- p.m.</del> shall be as per instructions issued from time to time. “Income” includes salary income, pension, interest on bank deposits, investment, earnings from house, land holdings, etc. but excludes non-recurring lump sum payments like PF, gratuity, insurance benefits.</p> <p>ii. If income of one of the parent exceeds <del>Rs.5,000/- per month</del> the limits mentioned therein, the other parent is not treated as dependent on the employee.</p> <p>(p) <b>“Family”</b> comprises the following members:</p> <p>(i) Parents/parents-in-laws (A female employee shall have the option to declare either her parents or parents-in-law as her dependents. This option can be changed only once during the service period);</p> <p>Note1: Any modifications to the above shall be as per instructions issued from time to time. Note2: It is the responsibility of the employee to notify any change in the status of dependents.</p>	<p>Deleted (Legal opinion)</p> <p>Deleted (Legal opinion)</p> <p>Deleted and modified</p> <p>Modified for clarity</p>

<p><b>“Officiate”</b> means an employee officiating in a post when he performs the duties of a post on which another employee holds a lien. The Competent Authority, if he thinks fit, appoints an employee to officiate in a vacant post on which another employee holds a lien;</p> <p><b>(y) “Pay”</b> means the amount drawn by an employee as</p> <ol style="list-style-type: none"> <li>basic pay which is 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;</li> <li>any other allowance which is specially classified as pay by the Chairperson.</li> </ol>	Deleted (DFS)
<p><b>4. Classification of employees</b></p> <p>(3) Classification of departments – (a) Employees of the Authority shall be organized into various departments for carrying out its functions.</p> <p>(a) The Departments shall be broadly organized into four groups</p> <ol style="list-style-type: none"> <li>Regulatory which includes licensing/product approvals/other approvals;</li> <li>Supervision which includes both off-site and on-site and also analysis based on the analytics on the data received;</li> <li>Development and</li> <li>Support functions.</li> </ol>	Deleted (DFS)
<p><b>5. Recruitment</b></p> <p>6 (c) Cut-off date for direct recruitment: The cut-off date for deciding eligibility criteria qualifications shall be reckoned in accordance with the last date for receipt of applications. , while the cut-off date for age, it is the first day of the month in which the recruitment notification is issued.</p>	Deleted (DFS)
<p><b>6. <del>Temporary employment or contractual employment</del> Employment on contractual basis, Advisors/consultants</b></p> <p>(1) <del>Temporary employment</del> Notwithstanding anything contained in these Regulations, the Chairperson may appoint persons on temporary basis for a period not exceeding one year for meeting exigencies of work, on suitable terms and conditions, subject to such general or special directions, if any, issued by him from time to time.</p> <p>The terms and conditions of service of temporary employees shall be decided by the Chairperson but in no case shall such terms and conditions be more favourable than those laid down in these Regulations neither for an appointment carrying equivalent status or responsibility nor contrary to general principles followed by PSU Insurers/Financial Regulators/Government in this regard.</p> <p>(1) <del>Employment on contractual basis</del> -</p> <p>(2) Appointment of Advisors/Consultants - The Chairperson, as per need, may appoint Advisors/Consultants on suitable terms and conditions decided from time to time.</p> <p>Note: The provisions of notice period for discontinuance of service with regard to <del>temporary employment</del>;</p>	Deleted (DFS)
	Modified (DFS)





<p><b>22. Grant of leave – general conditions</b></p> <p>(11) Combination of leave: Casual leave cannot be availed of in conjunction with any other kind of leave <del>except special leave</del> except any other leave considered under Regulation 31 (2) from time to time.</p>	Modified to convey linkage
<p><b>23. Casual leave</b></p> <p>(2) Casual leave shall not be suffixed or prefixed to any other kind of leave except any other leave considered under Regulation 31 (2) from time to time.</p>	Modified to convey linkage
<p><b>27. Child care leave</b></p> <p>(2) Child care leave shall be admissible for a maximum of 730 days during the entire service. Child care leave may be availed for a minimum period of fifteen days and maximum period of sixty days up to two times a year. The maximum limit includes Child care leave already availed of.</p>	Modified
<p><b>30. Joining time and special leave in lieu of joining time</b></p> <p>(6) Where an employee on transfer from one place to another (not within the same city) does not avail of the joining time or 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 completion of a period of six months or such other extended period not exceeding another six months as may be permitted by the Competent Authority <del>for submitting supplementary travelling allowance bill in respect of his family and personal effects provided he had advised the office to this effect before proceeding on transfer;</del> provided the employee made a request in writing before expiry of the first six months;</p>	Deleted and modified after Authority meeting for clarity
<p><b>31. Any other leave considered from time to time</b></p> <p>2 (d) Provided that special leave sanctioned under this sub-regulation may <del>not</del> be clubbed with any other leave, except casual leave.</p>	Modified to be in tune with Reg. 22 and 23
<p><b>33. Restriction on employment in certain cases</b></p> <p>9 (b) (i) wife, child or step-child of an employee <del>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</del></p> <p>(i) Spouse, child or step-child of an employee <del>whether residing with him/her or not, residing with him/her and dependent on him/her; and</del></p>	Deleted and modified



<b>53. Suspension</b> (3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee under suspension is set aside <del>in appeal or review</del> 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 be in force, on and from the date of original order of dismissal or compulsory retirement and shall remain in force until further orders. (8) Treatment of period of suspension (b) 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, the period of suspension shall be treated as a period spent on duty for all purposes.	Deleted for clarity												
<b>55. Penalties</b> 2 (e) (iii) non-promotion of an employee, in a substantive <del>or officiating</del> capacity, after consideration of his case, to a service, grade for promotion to which he is eligible; (iv) reversion of an employee <del>officiating in a higher service, grade</del> ; on the ground that he is considered to be unsuitable for such higher service, grade or on any administrative ground unconnected with his conduct; Viii (b) of an employee on contractual basis employed under an agreement, in accordance with terms of such agreement.	Deleted (DFS) Modified (DFS)												
<b>63. Orders against which appeal lies</b> (5) an order— (b) reverting him <del>while officiating in a higher service, grade</del> , otherwise than as a penalty;	Deleted (DFS)												
<b>72. Deputation</b> The extant orders of DOPT on deputation shall be applicable .	Modified (DFS)												
<b>Schedules</b>													
<b>Schedule V</b>													
<b>Quota of vacancies – Direct recruitment</b>													
<table><tr><th>Class</th><th>Grade</th><th>% quota of vacancies</th></tr><tr><td>IV</td><td>Record keeper /Sub-staff/Driver</td><td>100% by direct recruitment based on written examination and interview</td></tr><tr><td>III</td><td>Assistant</td><td>100% by direct recruitment based on written examination and interview</td></tr><tr><td>I</td><td>A</td><td>50% by direct recruitment as per definition given in <del>"direct recruit"</del> Regulation in 3 (1) (k)</td></tr></table>	Class	Grade	% quota of vacancies	IV	Record keeper /Sub-staff/Driver	100% by direct recruitment based on written examination and interview	III	Assistant	100% by direct recruitment based on written examination and interview	I	A	50% by direct recruitment as per definition given in <del>"direct recruit"</del> Regulation in 3 (1) (k)	Deleted
Class	Grade	% quota of vacancies											
IV	Record keeper /Sub-staff/Driver	100% by direct recruitment based on written examination and interview											
III	Assistant	100% by direct recruitment based on written examination and interview											
I	A	50% by direct recruitment as per definition given in <del>"direct recruit"</del> Regulation in 3 (1) (k)											

I	B	40% by direct recruitment as per definition given in "direct recruit" Regulation in 3 (1) (k)
I	Other grades	The Competent Authority shall specify the quota-number of vacancies related to recruitment in other grades, as and when required

#### Schedule VI Promotions

#### 4. Criteria for promotion

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

(2) Weightage for written examination, seniority, qualifications, ACRs, Interview, and track record of leave of the employee concerned shall be as under:

S. No	Promotion		Weightage of marks					
	From	To	Written examination	Seniority	Qualifi- cation/s	ACRs	Interview	Track record (Leave)
1	Record Keeper/ Sub-staff/ Driver	Assistant	40	15-10	10	1520	15	5
2	Assistant	Senior Assistant	40	15-10	10	1520	15	5
3	Senior Assistant	Assistant Manager	40	15-10	10	1520	15	5
4	Assistant Manager	Manager	40	15-10	10	1520	15	5
5	Manager	Assistant General Manager	40	15-10	10	1520	15	5
6	Assistant Manager	Deputy General Manager	40	15-10	10	1520	15	5
7	Deputy Manager	General Manager	Nil	Nil	15	35	50	Nil
8	General Manager	Chief Manager	Nil	Nil	15	35	50	Nil
9	Chief Manager	General Executive Director	Nil	Nil	15	35	50	Nil

Modified  
(DFS)

<b>5. Marks for seniority</b> Marks for seniority shall be allotted as given hereunder.			Modified after DFS
<b>Sl. No</b>	<b>Criteria for allotting marks to seniority</b>	<b>No. of marks allotted</b>	
1	First 4 years in the previous grade	3 2 marks for every completed year of service	
2	For subsequent years	1 mark for every completed year of service thereafter	
3	Maximum marks for seniority	15-10	Deleted
<b>Schedule VIII</b>			
<b>Seniority</b>			
(13) The relative seniority of the employees who are initially taken on deputation and absorbed/ redeployed on winding up of TAC shall be counted from the date of absorption in the grade in which he is absorbed.			
(14) The relative seniority of employees appointed by absorption in Authority from any organization shall be determined in accordance with the date of order of their absorption.			