

Insurance Regulatory and Development Authority of India
Staff (Officers and Other Employees) Regulations, 2016

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Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2016

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Insurance Regulatory and Development Authority of India
Staff (Officers and Other Employees) Regulations, 2016

Preamble

F. No. IRDAI/Reg./--/2016, dated --/--/2016

Whereas, it is necessary to amend the service conditions of Officers and Employees and to frame Regulations comprehensively, defining the terms and conditions of service 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 read with Section 12 (2) 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

- (1) These Regulations shall be called the Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Application

- (1) 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 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/absorbed to 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/absorbed shall not be varied to their disadvantage.

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

- (2) On and from the date of commencement of these Regulations, the terms and conditions of service of existing officers and other employees of the Authority shall stand modified in accordance with the provisions of these Regulations,
- (3) 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 Insurance Regulatory and Development Authority (Conditions of Service of Officers and other

Employees) Regulations, 2000 ~~or the Rules framed thereunder 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), as amended;
 - (c) **“Appellate Authority”** means the authority specified in Schedule X of these Regulations;
 - (d) **“Absorbed employee”** means an employee of the Insurance Regulatory Authority, and/or an employee who was on deputation to the Insurance Regulatory Authority, and/or an employee on deputation from any other organization and absorbed in the services of the Authority or redeployed from the erstwhile Tariff Advisory Committee (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
 - i. Direct recruitment (or)
 - ii. On promotion (or)
 - iii. On contract
 - (f) **“Appointing Authority”** means the Authority specified in Schedule X of these Regulations;
 - (g) **“Chairperson”** means the person appointed by the Central Government under Section 4 of the IRDA Act, 1999; also referred to as Chairman;
 - (h) **“Competent Authority”** means,—
 - i. in relation to matters under column 2 of Schedule X, the authorities specified under column 3 of Schedule X,
 - ii. in relation to other matters, the Chairperson;

(i) **“Dependent”** means a person ~~who is wholly dependent on the employee~~ as mentioned in 3 (p) below, subject to fulfilling the following conditions:

- i. The income limit for dependency of the family members (other than spouse) ~~is Rs.5,000/- p.m.~~ 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.
- ii. If income of one of the parents exceeds ~~Rs.5,000/- per month~~ the limits mentioned therein, the other parent is not treated as dependent on the employee.

Note: It is the responsibility of the employee to notify any change in the status of dependents.

(j) **“Deputation”** means the act of appointing a person or persons to the ex-cadre post if considered under Deputation – inward or allowing an employee to be considered for appointment to an ex-cadre post in other organizations under Deputation – outward;

(k) **“Direct recruit”** means a person

- i. recruited through written examination and/or group discussion and/or interview on an all India basis by open competition, or
- ii. recruited through group discussion and/or interview on an all India basis otherwise than by open competition, or
- iii. both;

(l) **“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 salary, allowances and any benefits provided under these Regulations or such other benefits as applicable including increments.

(m) **“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;

(n) **“Employee”** means Class I Officers and Class III and IV employees to whom these Regulations apply.

- (o) **“Employee on deputation”** means an employee who is on transfer on deputation from Central/State Government, public sector insurance organizations, financial regulatory bodies having knowledge and experience in insurance related matters.
- (p) **“Family”** comprises the following members:
- (i) Spouse,
 - (ii) Two surviving children including legally adopted children or step-children subject to the following conditions:
 - a) Unmarried son - Till he starts earning, or attains the age of 25 years, whichever is earlier
 - b) Son suffering from permanent disability of any kind (physical or mental) - No age limit
 - c) Daughter - Till she starts earning, or gets married whichever is earlier, irrespective of age-limit
 - d) The restriction to only two surviving children or step children shall not be applicable in respect of (i) those employees who already have more than two children prior to the coming into force of this restriction on 20.10.1998; (ii) where the number of children exceeds two as a result of second child birth resulting in multiple births.
 - (iii) 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);

~~Note: A female Officer/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. It is the responsibility of the Officer/Employee to notify any change in the status of family or dependents.~~

Note1: Any modifications to the above shall be as per instructions issued from time to time.

Note 2: It is the responsibility of the employee to notify any change in the status of dependents.

- (q) **“Grade”** means any of the grades in each class of employees to whom these Regulations apply;
- (r) **“Inquiry Officer”** means an officer appointed by the Competent Authority in disciplinary proceedings to conduct inquiry against a charge sheeted employee;
- (s) **“Leave pay”** means the monthly pay which an 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 an employee, with no pay being admissible during extraordinary leave;

- (t) **“Leave year”** means calendar year;
- (u) **“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;
- (v) **“Merit”** in relation to any promotion of an employee means the performance of an employee assessed by means of
 - i. performance in any examination, if conducted for the purpose and/or
 - ii. review by the Competent Authority of the confidential reports in the previous grade and/or
 - iii. performance in the interview for the grade and/or
 - iv. any other measure of performance so prescribed by the Authority;
- (w) **“Officer”** means Class I Officer referred to in these Regulations;

~~**“Officiate”** 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;~~

- (x) **“Other employee”** means other than Class I Officer;
- (y) **“Pay”** means the amount drawn by an employee as
 - i. 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;
 - ii. special allowance and personal allowance;
 - iii. grade allowance;
 - iv. ~~any other allowance which is specially classified as pay by the Chairperson.~~

Note: Pay as defined above shall qualify for dearness allowance, PF and superannuation benefits.

- (z) **“Permanent employee”** means a person who has been appointed to a permanent post substantively or held in a permanent capacity;

- (aa) **“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 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;

- (bb) **“Presenting Officer”** means an officer appointed by the Competent Authority to present the case in support of the article/s of charge against a charge sheeted employee on behalf of the Competent Authority before an Inquiry Officer;
- (cc) **“Post”** in relation to any grade of the service means a grade post held by an employee on a substantive basis;
- (dd) **“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;
- (ee) **“Qualification allowance”** means the allowance granted to an employee for acquiring Actuarial and other professional qualifications approved by the Competent Authority from time to time and such allowance shall not count for any other allowance such as DA, HRA, CCA, etc., or for superannuation benefits such as PF, Gratuity, Superannuation fund or encashment of leave and for fixation of pay on promotion.
- (ff) **“Recruitment”** means appointment by way of direct recruitment, promotion and contract;
- (gg) **“Regular vacancy”** means in relation to a grade, includes vacancy arising out of death, retirement, promotion, resignation, or transfer on outward deputation or long leave of 180 days and above of incumbents and includes an unfilled vacancy;
- (hh) **“Salary”** means basic pay, special pay, stagnation increment, special functional allowance, dearness allowance, house allowance, local allowance (CCA), family allowance, grade allowance, special allowance, special compensatory allowance, deputation allowance, if any, and allowance for passing examinations and any other allowance specifically intended for payment as decided from time to time but excludes all other allowances and overtime payments.
- (ii) **“Sanctioned strength”** means in relation to any grade, the strength of posts or number of posts in that grade, against which appointments are made;

- (jj) **“Scale of pay”** means the scale of pay attached to different grades of service as per rules made by the Chairperson from time to time;
- (kk) **“Schedule”** means schedule annexed to these Regulations;
- (ll) **“Select list”** in relation to a grade means the select list prepared in order of merit;
- (mm) **“Seniority list”** means the seniority list of employees serving in the Authority in each grade as on the appointed day in that grade and revised annually as on 1st January;
- (nn) **“Service”** includes the period during which an employee is on duty as well as on leave duly authorized 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;
- (oo) **“Special allowance”** means an addition, in the nature of an allowance, to the emoluments attached to a post of an employee;
- (pp) **“Special pay”** means an addition, in the nature of pay, to the emoluments attached to the post of an employee;
- (qq) **“Substantive pay”** means the pay to which an employee is entitled to on account of a post to which he is appointed substantively or by reasons of his substantive position in a grade;
- (rr) **“Staff”** means Officers and other employees as mentioned in Section 12 and Section 26 (2)(c) of IRDA Act, 1999, and includes officers on deputation;
- (ss) **“Staff Regulations”** means Insurance Regulatory and Development Authority of India Staff (Officers and Other Employees) Regulations, 2016, also called as IRDAI Staff (Officers and Other Employees) Regulations, 2016, notified by the Authority;
- (tt) **“Suitability”** in relation to any promotion of an employee, means an employee meeting the eligibility criteria as per Schedule VI;
- (uu) **“Transfer”** means transfer of an employee from one department or station to

another department or station as per provisions detailed in Schedule VII – Sensitive posts and Transfers.

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

(ww) **“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. Further, the word ‘may’ used in these Regulations does not imply an option of ‘may not’.

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:—

- (a) Class I Officers;
- (b) Class III Assistant, Senior Assistant, Receptionist-cum-Telephone Operator and Secretarial Staff;
- (c) Class IV Record keeper, Driver, Sub-staff.

(2) No. of grades: The Authority shall specify from time to time the number of grades in each class, 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 along with the equated structure of existing designations.

(3) Classification of departments – (a) Employees of the Authority shall be organized into various departments for carrying out its functions.

~~(a) The Departments shall be broadly organised into four groups-~~

- ~~(i) Regulatory which includes licensing/product approvals/other approvals,-~~
- ~~(ii) Supervision which includes both off-site and on-site and also analysis based on the analytics on the data received,-~~
- ~~(iii) Development and-~~
- ~~(iv) Support functions.-~~

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

(4) Hierarchy and activities – (a) In the hierarchy of the organization with classification of departments, middle level functionaries shall guide the functionaries at the bottom and together shall assist the top level functionaries in decision-making.

(b) Chief General Manager/General Manager shall be the Head of the Department (HOD). The hierarchy for control and levels of activity shall be as per Schedule III – Hierarchy and activities.

Section 2 – Recruitment

5. Recruitment

- (1) All recruitments shall be made against vacancies in sanctioned posts within the sanctioned strength as approved by the Authority and the Competent Authority may appoint such persons as are necessary for the efficient discharge of its duties. All appointments through direct recruitment made during the previous year shall be through a defined process and shall be informed to the Authority in their first meeting in the financial year.
- (2) The age limit, education and other qualifications, method of recruitment, composition of interview/screening committee, method and criteria for selection for recruitment to each grade, syllabus and marks for examination, and period of probation, shall be such as determined by the Competent Authority from time to time.
- (3) Direct recruitment to different grades shall be made as per criteria laid down for such recruitment.
- (4) Training: There shall be an induction training program followed by on the job practical training to all new recruits as per guidelines issued from time to time.
- (5) Sanctioned strength:
 - (a) Sanctioned strength, in relation to any grade is the number of posts in that grade, against which regular appointments are made. The sanctioned strength shall be determined by the Authority from time to time on the basis of assessment of workload and expansion needs of each department and /or Organization as a whole.
 - (b) Further, depending on office exigencies and necessities, there shall be a separate deputation reserve of not exceeding 18% and leave reserve of 2% together not exceeding 20% by way of an addition to and over and above the sanctioned strength in Class I.
 - (c) The need to ensure availability of skilled, competent, independent and experienced persons like 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.

- (d) 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 hiring and promotion 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.

(6) Method of recruitment and Appointing Authority

- (a) Qualifications for direct recruitment: The qualifications required for recruiting employees to serve in different departments are described in Schedule IV – Qualifications, age and experience required for recruitment to various posts - direct recruitment.
- (b) Minimum experience for direct recruitment: No person shall be eligible for appointment by direct recruitment to grade/s above entry level in each class to which he is being recruited unless he has experience in relevant functional area/s mentioned in Schedule IV – Qualifications, age and experience for recruitment to various posts - direct recruitment.
- (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.~~
- (d) Quota of vacancies: Subject to other provisions in these Regulations, the method of appointment to different classes and grades within shall be as per Schedule V – Quota of vacancies - Direct recruitment.
- (e) Written examination/Interview: 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.
- (f) Appointments: All appointments through direct recruitment in any grade shall be made by the Competent Authority and no person shall have a right to demand to be appointed to any particular grade.

(g) Appointing Authority: The Competent Authority shall be the Appointing Authority as prescribed in Schedule X – Competent Authorities and Appellate Authorities.

(7) Screening/Interview Committee: The Chairperson, as part of recruitment process may appoint a Screening/Interview Committee consisting of at least three members of whom one member shall be an outside expert. The extant instructions and provisions issued by Government of India on composition of the committee for interview by inclusion of different categories of members shall be followed.

(8) 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 and reservation and rule of relaxations in promotions shall be complied as applicable while undertaking such recruitments.

Provided, 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 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 promotions.

(9) Transfers: The transfer/s of employees shall be determined as per criteria laid down for transfers. All employees irrespective of their initial posting based on qualifications or experience are liable for inter-departmental and inter-office transfers as per needs and provisions under Schedule VII – Sensitive posts and Transfers.

The services of every employee shall be at the disposal of the Authority and he 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. ~~Temporary employment or c~~ Employment on contractual basis, Advisors/consultants

~~(1) Temporary employment – 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.~~

~~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.~~

- (1) ~~Contractual employment~~ Employment on contractual basis - Notwithstanding anything contained in these Regulations, the Chairperson may for meeting exigencies of work appoint person/s on contract basis for a period of one year renewable on yearly basis based on performance evaluation; however, the total period shall not exceed three years.

The terms and conditions of service of employees on contractual basis 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 for an appointment carrying equivalent status or responsibility or contrary to general principles followed by PSU Insurers/Financial Regulators/Government in this regard.

- (2) Appointment of Advisors/Consultants - The Chairperson, as per need, may appoint Advisors/Consultants on suitable terms and conditions decided from time to time.

Note: The provisions of notice period for discontinuance of service with regard to ~~temporary employment~~, employment on contractual basis, appointment of advisors/consultants will be governed by the terms and conditions of such appointments.

7. Certificate of health

No person shall be appointed to the service of the Authority unless he is 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 appointments are made.

Section 3 - Probation

9. Probation on first appointment

- (1) An employee directly appointed to any of the grades in Class I, Class III and Class IV shall, on first appointment in the Authority's service, be required to be

on probation for a period of one year from the date of his appointment.

- (2) The Competent Authority may extend probation of any employee before the expiry of the period of probation citing reasons.
- (3) Subject to the provisions of any law for the time being in force, the Competent Authority may extend the period of probation, 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.

- (4) Completion of probation for confirmation in the recruited grade cannot be automatic and depends on performance evaluation of the job during probation. If on evaluation, it is found that an employee is not suitable for the job, the Competent Authority may exercise the option of discharging him during probation without notice.
- (5) Further, on successful completion of probation period of one year, an employee shall be deemed to have been confirmed in the grade to which he has been appointed unless probation period is extended and informed to him in writing.
- (6) During the period of probation, a directly recruited employee shall be liable to be discharged immediately without assigning any reason and without notice.

CHAPTER – III

Commencement of duty, termination, retirement

Section 1 - Commencement of duty

10. Commencement of duty

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

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

Section 2 – Termination

11. Discontinuing/leaving 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 giving notice in writing to the Competent Authority of his intention to leave or discontinue the service.

(2) The period of notice required shall be:

- (a) in the case of an employee on probation, one month.
- (b) in the case of a permanent employee, three months;

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 Competent Authority.

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 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 his discretion.

(3) In the case of failure by an employee to give notice in accordance with sub-regulation (2), he shall be liable to pay to the Authority a sum equal to his salary for the period of notice required under these Regulations:

Provided that such payment may, for reasons to be recorded in writing, be reduced or waived by the Competent Authority.

- (4) Notwithstanding anything contained in sub-regulation (1), the resignation of an employee shall not be effective unless it is accepted by the Competent Authority and relief shall be from such date approved by the Competent Authority.
- (5) Nothing contained in this Regulation shall affect the right of the Competent 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 12 (1).
- (6) The Competent Authority may refuse to accept resignation from an employee, if,
 - (a) disciplinary proceedings have been instituted against him or are proposed to be instituted against him;
 - (b) he is under an obligation to serve the Authority for a specified period which has not expired;
 - (c) he owes the Authority any sum/s of money;
 - (d) for any other grounds to be recorded in writing.

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 shall be deemed to be pending till final orders thereon are passed by the Competent 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 notice.

- (7) Exit interview: The Competent Authority, before considering the request of an employee for accepting his resignation, may direct him to appear for an interview.
- (8) Re-employment in the Authority:
 - (a) An employee 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 with the specific sanction of, and on such terms and conditions as may be laid down by the Authority.

(b) 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 in the service in the lowest of grade on the date of his re-employment.

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, if he is of the opinion that it is in the interests of the Authority or in public interest so to do, for reasons to be recorded in writing, 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 notice of three months or salary in lieu thereof.

Provided further that an employee shall be permitted upon request made in advance of three months to retire before the date age of retirement mentioned 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 fifty years of age;
- (c) on completion of fifteen years of service, if he is incapacitated for further active service,
- (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~~ **more than forty** years.

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

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 notice of retirement from an employee, if,—

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

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 notice

Provided further that the Competent Authority may make periodic reviews before retirement of the employee concerned.

- (2) No employee shall be granted extension in service beyond the age of retirement of sixty.
- (3) If on a review of the case on a representation from the employee retired under second proviso of Regulation 12 (1), 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 retirement under second proviso of Regulation 12 (1) 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 (1) may 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 (1), the Competent Authority may consider such request for curtailment of the period of notice of three months on merits and if he is satisfied that 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 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 determined from time to time by the Chairperson.

14. Seniority of employees

The seniority of employees shall be determined as given in Schedule VIII – Seniority.

15. Promotion of employees

- (1) All promotions of 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 falls within the zone of consideration as per seniority.

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

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

- (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 mentioned in Schedule VI – Promotions – method of filling in the grade from which promotion is made.

For all purposes of eligibility, 1st January of the year shall be the cut-off date.

- (3) Screening/Interview Committee: The Chairperson as part of promotion process may appoint a Screening/Interview Committee consisting of at least three members of whom one member be an outside expert.

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.

- (4) Zone of consideration: The zone of consideration for promotion shall be maintained at thrice the number of notified vacancies to grades involving written examination and interview and twice the number of notified vacancies to grades through interview. The zone of consideration applies to freshers/first time candidates as per the seniority list and meeting other eligibility criteria of period of service in the previous grade, qualifications, etc.

In case fresh candidates in the ratio mentioned above to the number of notified vacancies are not available, the Chairperson may consider relaxing the eligible years of service to get the required ratio.

Repeater candidates, if any, will fall outside the zone of consideration and will be called for selection process i.e., written examination and/or interview as may be applicable, irrespective of the ratio mentioned above.

- (5) Appointments on promotion: All appointments on promotion to any grade shall be made by the Competent Authority and no person shall have a right to demand to be promoted to any particular grade.
- (6) 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.
- (7) Save as otherwise provided in this Regulation, an employee shall be deemed to have been confirmed in the grade to which he has been promoted, on successful completion of probation period of one year unless probation period is extended and informed to the employee in writing before the expiry of the period of probation.
- (8) Transfers on promotion: The transfer of employees on promotion shall be as per provisions in Schedule VII – Sensitive posts and transfers. The services of every employee shall be at the disposal of the Authority and every employee shall serve the Authority in such capacity and at such place or places as he may, from time to time, be directed.
- (9) 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 in writing from the employee which shall have the approval by Chairperson. If Chairperson is not satisfied, he may not accept the request of the employee for refusal of promotion and initiate such steps as deemed fit in the circumstances including transfer of the employee concerned.

- (10) Supernumerary positions: The Chairperson shall have power to create supernumerary positions arising out of any court case, redefining of staff strength, etc. for a limited period and till such positions are regularized.

16. Reversion of an employee

- (1) An employee promoted from one grade to another may be reverted by the Competent Authority during probation period mentioned in Regulation 15 (6) above without any notice after recording reasons therefor.
- (2) An employee promoted to a grade, may however, seek reversion to the lower grade from which he is promoted, during probation period and the Competent Authority may approve such request subject to imposition of such terms and conditions pertaining to posting, seniority etc.
- (3) However, the candidature, of such an employee who is reverted under sub regulations (1) and (2) above, shall not be considered in the next one round of promotion irrespective of relative seniority in the grade reverted to and eligibility for promotion in all respects.

CHAPTER V

Pay, allowances and other benefits

17. 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 regulation and supervision and its staffing provisions shall enable it to attract and retain highly skilled, competent and experienced staff.

~~The Chairperson shall, at his discretion, determine from time to time, pay, allowances, and other benefits to employees in different grades.~~

~~The Authority, its discretion, from time to time frame such schemes for the welfare of its employees on 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.~~

Pay and allowances shall be determined by the Authority while the Chairperson shall determine other benefits to employees in different grades

The Authority, shall frame such schemes for the welfare of its employees on such terms and conditions as it may determine.

(2) 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 service; or
- (c) following the date on which he deceases.

(3) Pay and allowances shall only be payable to employees who fulfil the conditions subject to which they are admissible.

(4) 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 allowances 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 completion of service of one year 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 due date.

Provided further that the annual increment may be postponed due to extraordinary leave or dies-non 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.~~

(2) 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 it 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 Competent 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 increment 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 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 hometown

(1) Every employee shall on his first appointment declare his hometown in writing in the form prescribed for the purpose.

(2) The hometown 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 9.30 am to 5.30 pm; 5 days a week from Monday through Friday with a lunch break of 30 minutes between 1.30 pm and 2 pm.

All employees of the Authority shall be entitled to holidays which are declared by the Chairperson at the beginning of every 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 considered 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 exigencies of 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 shall avail himself of the 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) Report for duty after leave - An employee on leave shall, unless otherwise instructed to the contrary, return for duty at the place at which he was last stationed.

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

(9) Leave may be prefixed and/or suffixed to a holiday subject to provisions of sub-regulation (11).

(10) Leave ordinarily begins after the day on which charge is handed over and ends on the preceding day on which charge is resumed.

(11) Combination of leave: Casual leave cannot be availed of in conjunction with any other kind of leave ~~except special leave~~ except any other leave considered under Regulation 31 (2) from time to time.

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.

(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 an 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) 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, he shall refer the case to the doctor approved by him for advice.

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

(16) Employees not to be absent from duty without permission or be late in attendance except as per provisions on late attendance / early going issued from time to time:

(a) An employee shall not absent himself from his duties without having obtained prior 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 an unforeseen emergency, an employee may be allowed to avail 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 case of temporary indisposition, production of a medical certificate may, at the absolute discretion of the Competent Authority, be dispensed with.

(b) An employee who absents himself from duty without leave or overstay his leave shall not be entitled to draw 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, 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 as may be decided, 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.

(c) 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 as extraordinary leave.

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

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 [except any other leave considered under Regulation 31 \(2\) from time to time.](#)

(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 an employee half-yearly in each calendar year at the rate of fifteen days for every six months of service rendered by such an employee.
- (3) 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 fraction of a day of earned leave shall be taken as full day if amounting to more than half-day only.
- (4) No employee, however, shall earn earned leave when he is on leave other than casual leave.
- (5) The period of earned leave, which can be taken at one time by an employee shall not be less than five days.
Provided that an employee may take less than five 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, subject to leave to his credit.
- (7) An application for grant of earned leave shall be submitted fifteen days in advance to the Competent Authority. In the event of failure to submit the application with fifteen days advance notice, an 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) Encashment of earned leave –
 - (a) An employee is 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.

Provided that for the period of leave encashment the amount payable shall be equivalent to pay plus all allowances that are normally admissible to the employee concerned during earned leave, excepting allowances granted for qualifications as defined in Regulation in 3 (1) (ee).

- (b) Where an employee has to his credit accumulated earned leave on the date of retirement or death, he or his legal heirs 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 a maximum of ten months plus all allowances that shall normally be admissible to the employee concerned during earned leave, excepting allowances granted for qualifications etc. as defined in Regulation in 3 (1) (ee).

25. Sick leave

- (1) During the entire period of his service, an employee is eligible for 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 an employee half-yearly in each calendar year at the rate of ten (10) days for every six months of service rendered by such an employee.

The minimum sick leave that can be availed of by an employee is two days; for sick leave beyond two days, production of a medical certificate and a certificate of fitness is compulsory at the time of resuming duty.

- (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 of 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 of 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 for delivery of a child and convalescence.
- (2) Maternity leave shall 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 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 their entire service, 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

- (1) A female employee confirmed in the services of the Authority is eligible for child care leave. Child care leave may also be availed as an extension of maternity leave.
- (2) Child care leave shall be admissible for a maximum of 180 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.
- (3) Child care leave can be availed only till the second child completes twelve (12) years of age.
- (4) Child care leave shall be with salary as defined in Regulation 3(1) (ii) except conveyance expenses and meal vouchers.
- (5) Under no circumstances can a female employee proceed on child care leave without prior approval of the Competent Authority. Application for child care leave shall be submitted by a female employee at least one month before the date from which such

leave is to be availed.

- (6) 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 leave and special leave in lieu of joining time.

28. Paternity leave

- (1) Paternity leave up to fifteen days per child may be granted to a male employee (natural father), with less than two surviving children, either fifteen days prior to 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 legal process, for a period of fifteen days per child within six months from the date of adoption.
- (3) Paternity leave will not be granted on more than two occasions.
- (4) During the period of paternity leave, an employee shall be paid leave pay.
- (5) Paternity leave may be combined with any kind of leave other than casual leave, special leave and special leave in lieu of joining time.
- (6) An employee has to avail each spell of paternity leave at one time during the eligible period as mentioned in points (1) and (2) above, as the case may be.
- (7) If paternity leave is not availed of within the period mentioned in points (1) and (2), such leave shall lapse.

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 365 days during the entire period of an employee's service. If the number of days of extraordinary leave so granted to an 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 an 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 an employee's control, he

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 new place of posting.
- (2) Joining time shall not be granted when no change in the headquarters of an employee is involved.
- (3) Joining time which may be allowed shall not exceed five working 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 post shall be excluded.
- (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 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 ~~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~~ provided the employee made a request in writing before expiry of the first six months;

Provided that Saturdays or Sundays or holidays prefixed to special leave in lieu of joining time shall be excluded.

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. Willful absence from duty after the expiry of joining time may be treated as a misconduct in terms of Regulation 32 (13).

31. Any other leave considered from time to time

- (1) Notwithstanding anything contained in these Regulations, the Chairperson or the person authorised by him may permit grant of any other leave to an employee in special and deserving circumstances.

(2) In particular and without prejudice to the generality of the foregoing, such leave may provide for all or any of the following:

(a) Quarantine leave:

Quarantine leave for diseases declared as infectious by State Government/s may be granted to an employee 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. An employee on quarantine leave is not treated as absent from duty.

When an 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:

(i) Female employees:

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

(ii) Male employees:

- 6 days for vasectomy operation
- 7 days when wife undergoes tubectomy / laparoscopy.

Provided that special leave sanctioned under this sub-regulation may **not** be clubbed with any other leave, except casual leave.

Explanation 1: The total period of casual leave and special 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 Regulation 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 and as may be admissible to an employee.

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

CHAPTER VII

Conduct, discipline and appeals

32. Conduct and obligation of employees

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, unless specified otherwise.

- (1) Every employee shall discharge his duties in a transparent, professional and accountable manner and assist the Authority to add legitimacy and credibility in all its functions. In discharge of such duties, every employee shall endeavour not to create a conflict of interest with the functions of the Authority.
- (2) Every employee of the Authority shall at all times maintain absolute integrity, devotion to duty and do nothing which is unbecoming of a public servant. He shall 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 his reporting officer or above in the discharge of his duties.
- (5) Every employee shall serve the Authority diligently, honestly and faithfully and shall endeavor to promote the interests of the Authority without deviation from the extant framework and shall show courtesy and attention in all transactions and dealings between officers and employees of the Authority and other Organizations.
- (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 employee 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 shall contribute to the press or make public or publish any document, paper or information which may come to his knowledge in his official capacity without the prior sanction of the Competent Authority.
- (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 interests 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 Form B given in Schedule I of these Regulations.
- (13) **Misconduct**
Without prejudice to the generality of the term ‘misconduct’, the following acts of omission and/or commission by an employee 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 an 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 and experience in support of any relaxations or any other matter germane to employment at the time of employment or during the course of employment in the Authority or failure to abide by the Staff Regulations.
 - (e) Acting in a manner prejudicial to the interests or image of the Authority.
 - (f) Willful insubordination or disobedience, whether or not in combination with others, of any lawful and reasonable order of his reporting officer or above.
 - (g) Absence without leave or over-stayal of 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 sanction of leave.

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

(j) Willful 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 employment.

(l) Gambling within the premises of the Authority.

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

(n) Collection without 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 an employee's appointed place of work without permission or sufficient cause.

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

(r) Any act of sexual harassment of women at work place.

(s) 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.

(t) Unauthorized communication of any official information as referred to in sub regulation 32 (7) above.

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

(v) Suppression of any proceedings of criminal nature pending before any law enforcement authority.

(w) Violation and breach of provisions of information technology, information security and email policies in vogue in the Authority.

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

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

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

33. Restriction on employment in certain cases

- (1) An employee shall, after leaving the service continue to be bound by the duty to behave with integrity and discretion as regards the acceptance of certain

appointments or benefits. An employee intending to engage in an occupational activity, whether gainful or not, within one year of leaving the service shall inform the Authority.

- (2) No employee shall accept, solicit or seek any outside employment or office, whether stipendiary or honorary, without previous sanction of the Chairperson.
- (3) 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 one year from the date when he finally ceases to be in the Authority's service, accept or undertake a commercial employment with any entity regulated by the Authority except with the previous sanction in writing of the Chairperson.

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 offices of the Authority.

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

- (4) 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 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 his relative on the strength of his individual merit, then the restriction contained above shall not apply.

- (5) Notwithstanding anything contained in sub-regulation (2), no employee of the Authority, including an employee on contract shall within a period of one year 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 entity regulated by the Authority, except with the prior written approval of the Chairperson.

The Chairperson, may by order in writing, on an application by an employee, grant, subject to such conditions, if any, as he may deem necessary, permission, or for reasons to be recorded in the order, refuse permission to such an employee to take up commercial employment mentioned in his application. The decision taken in this regard shall be communicated to the employee concerned.

However, before refusing approval, the Competent Authority shall give a hearing to the employee concerned.

- (6) The Competent Authority while granting such approval shall satisfy himself regarding the appropriateness of granting approval, having regard to dealings which an 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 an employee from representing the entity regulated by the Authority in any manner before the Authority or Securities Appellate Tribunal.

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

No employee shall use his position or influence directly or indirectly to secure employment in any entity regulated by the Authority, of any person related, whether by blood or marriage to an employee or to an 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 entity regulated by the Authority with which he has official dealings or in any undertaking having official dealings with the Authority.

- (7) All the above provisions are also applicable to employees of the Authority on deputation to other institutions/establishments/organizations/Government.
- (8) The provisions under sub-regulations (1), (2) and (3) above shall also be applicable to employees on deputation to the Authority from institutions/establishments/organizations/Government during and after repatriation to their parent department/s.
- (9) Prohibition against participation in politics and standing for election
- (a) No employee shall take part or contest in an election to any legislature or local authority unless he resigns from the services of the Authority 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 an 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 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.

- (b) 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 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 manner, any such movement or activity, he shall make a report to that effect to the Authority.

Explanation: For the purpose of Regulations in this chapter, "members of the family" in relation to an employee include

~~(i) wife, child or step-child of an 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~~

(i) Spouse, child or step-child of an employee whether residing with him/her or not,

residing with him/her and dependent on him/her; and

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

(c) If any question arises whether any movement or activity falls within the scope of this Regulation, the decision thereon by the Competent Authority 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 the officials of the 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 an 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 the Competent Authority.

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 gifts

- (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 a 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 an 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 including accommodation and conveyance from any individual or concern having official dealings with him;
 - (d) an employee shall not accept any kind of inducements in any form and in case of such instance, shall immediately report the matter to the CVO of the Authority for registering the complaint.
- (2) An employee may accept gifts from his friends having no official dealings 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 an agent for others, or act as an agent for an insurance company or 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 business of an insurance agency or a 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 stocks, shares, investments, etc.

An employee shall not trade or speculate in stocks, 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.

No employee shall, make or permit any member of his family to speculate in equities in any Indian insurance company or its subsidiaries or any entity regulated by the Authority.

Provided that nothing in the Regulations shall be deemed to prohibit an employee for making a bonafide investment of his own funds in such manner as he may wish in any entity not regulated by the Authority.

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

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.

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 interests of the 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 intoxicating 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 an employee to ensure that he,—
 - (a) takes due care that the performance of his duty is not affected in any way by 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 in 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 for 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 at workplace

- (1) No employee shall indulge in any act of sexual harassment of women at workplace.
- (2) For the purpose of sub-regulation (1), ‘Sexual Harassment’ shall mean unwelcome sexually determined behavior (whether directly or by implication) as defined in Section 2(n) of The sexual harassment of women at workplace Act, 2013, and includes:-
 - (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 an Internal

Complaints Committee constituted by the Chairperson, comprising of such number of members and for such term as provided in the Act *ibid*.

- (4) The Committee shall abide by the provisions contained in the Act in discharging its duties and functions.
- (5) The findings of the 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 a service or post in the Authority, submit a return of his assets and liabilities in such form prescribed 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 prescribed form 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 office, 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 an employee if any such transaction is with a person or an Indian insurance company with whom he has official dealings.

- (4) Where an employee enters into a transaction in respect of immovable property either in his own name or in the name of any member of his 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,—

- (1) 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;
- (2) 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;
- (3) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern—
 - (a) for 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;
 - (b) for 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), if he is satisfied that—
 - (a) such marriage is permissible under the personal law applicable to such an employee and the 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 Competent Authority.

52. Competent Authority to institute proceedings

The Chairperson or any other authority empowered by him by general or special order may —

- (1) institute disciplinary proceedings against an employee;

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

53. Suspension

- (1) The Competent Authority or any Authority to whom he 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 an 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 imprisonment 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 Reporting Officer/Competent Authority even though he might have been released on bail subsequently. Failure on the part of an employee to so inform his Reporting Officer/Competent Authority 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 will be taken 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 be 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 Competent Authority, on consideration of the circumstances of the case, decides to hold 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 period 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 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 who had made or is deemed to have made the order.
- (d) During the period of suspension, an 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.

- (6) 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 who had 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:

(a) The amount of subsistence allowance may be increased to 75 per cent of basic pay and dearness allowance and any other compensatory allowance of which he was in receipt on the date of suspension 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.

(b) The amount of subsistence allowance may be reduced to 25 per cent of basic pay and dearness allowance and any other compensatory allowance of which he was in receipt on the date of suspension if, in the opinion of the said Competent Authority, the period of suspension has been prolonged due to 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:

(a) Income Tax (provided the employee's yearly income, calculated with reference to the subsistence allowance, is taxable);

(b) Repayment of loans and advances taken from the Authority at such rate as may be fixed by the Competent Authority;

(c) 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 dearness allowance and any other compensatory allowance of which he was in receipt on the date of suspension 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 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 an employee had been delayed due to reasons directly attributable to an 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 shall 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.~~

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.

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 shall not be less than the subsistence allowance already paid to the employee.

Where suspension is revoked pending finalization of disciplinary or court proceedings, any order passed under sub-regulation (1) before conclusion of proceedings against the employee, shall be reviewed on its own motion after conclusion of 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 whom he is subordinate.

55. Penalties

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

- (1) Minor penalties being —
 - (a) censure;
 - (b) withholding of promotion;
 - (c) 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;
 - (d) reduction to a lower stage in the scale of pay for a period not exceeding three years, without cumulative effect and not adversely affecting his superannuation benefits;
 - (e) withholding of increments of pay.
- (2) Major penalties being —
 - (a) save as provided for in clause (d) of sub-regulation (1) above, reduction to a lower stage in the scale of pay for a specified period, with further directions as to whether or not an 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 future increments of his pay;
 - (b) reduction to lower scale of pay, grade, or service which shall ordinarily be a bar to the promotion of the employee to the 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;
 - (c) compulsory retirement;
 - (d) removal from service which shall not be a disqualification for future employment;
 - (e) dismissal from service.

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

clause (d) or (e) of sub-regulation (2) above 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:-

- (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 scale of pay on the ground of his unfitness to cross the bar;
- (iii) non-promotion of an employee, 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 or post 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);
- (viii) termination of 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 **on contractual basis**, employed under an agreement, in accordance with the terms of such agreement.

56. Procedure for imposing penalties

(1) Subject to the provisions of sub-regulation (5) of Regulation 58, no order imposing on an employee any of the penalties specified in 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 these sub-regulations (3) to (23) of Regulation 56 and Regulation 57, in every case in which the Competent Authority is of the opinion that such an 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) No order imposing any of the penalties specified in Regulation 55 (b) shall be made except after an inquiry held in the manner provided in this Regulation.

(3) Whenever the Competent Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, he may himself inquire into, or appoint under this Regulation, an authority to inquire into the truth thereof.

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

(4) Where it is proposed to hold an inquiry against an employee under this Regulation, the Competent Authority shall draw up or cause a case to be drawn up containing -

(i) the substance of the imputations of misconduct or misbehavior into definite and distinct articles of charge;

(ii) a statement of the imputations of misconduct or misbehavior 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.

(5) The Competent 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 misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the employee to submit, within such time as may be permitted, a written statement of his defense.

(6) (a) On receipt of the written statement of defense, the Competent Authority may himself inquire into such of the articles of charge as are not admitted, or, if he considers it necessary to do so, appoint under sub-regulation (3), an Inquiry Officer for the purpose, and where all the articles of charge have been admitted by the employee in his written statement of defense, the Competent Authority shall record his findings on each charge after taking such evidence as he may think fit and shall act in the manner laid down in Regulation 58.

- (b) If no written statement of defense is submitted by the employee, the Competent Authority may himself inquire into the articles of charge, or may, if he considers it necessary to do so, appoint, under sub-regulation (3) above, an Inquiry Officer for the purpose.
- (c) Where the Competent Authority himself 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 his behalf the case in support of the articles of charge.
- (7) The Competent Authority shall, where he is not the Inquiry Officer, forward to the Inquiry Officer —
- (a) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
 - (b) a copy of the written statement of the defense, if any, submitted by the employee;
 - (c) a copy of the statement of witnesses, if any, referred to in sub-regulation (4) above;
 - (d) evidence proving the delivery of the documents referred to in sub-regulation (4) above, to the employee; and
 - (e) a copy of the order appointing the Presenting Officer.
- (8) 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.
- (9) (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. 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 laid down by the Competent Authority from time to time by general or special order in this behalf.
- (10) If the employee, who has not admitted any of the articles of charge in his written statement of defense or has not submitted any written statement of defense, appears before the Inquiry Officer, such authority shall ask him whether he is guilty or has any defense to make and if he pleads guilty of any of the articles of charge, the Inquiry Officer shall record the plea, sign the record and obtain the signature of the employee thereon.
- (11) The Inquiry Officer shall return a finding of guilt in respect of those articles of

- charge to which the employee pleads guilty.
- (12) 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 defense —
- (a) inspect within five days of the order or within such further time not exceeding five days as the Inquiry Officer may allow, the documents mentioned in the list referred to in sub-regulation (4);
 - (b) submit a list of witnesses to be examined on his behalf;
 - (c) 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 (4).
- (13) The Inquiry Officer shall, on receipt of the notice for the discovery or production of documents, forward such notice or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of documents by such date mentioned in such requisition:
- Provided that the Inquiry Officer may, for reasons to be recorded in writing, refuse to requisition such of the documents as are, in his opinion, not relevant to the case.
- (14) On receipt of the requisition referred to in sub-regulation (13), 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 in writing that the production of all or any of such documents would be against public interest or security of the State, he 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 him for the production or discovery of documents.
- (15) 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 Competent 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 he thinks fit.
- (16) (a) If it shall appear necessary before the close of the case on behalf of the Competent Authority, the Inquiry Officer may, in his discretion, allow the Presenting Officer to produce evidence not included in the list given to the employee or may

himself 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 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 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.

(17) (a) When the presentation and defense in support of the imputations of misconduct or misbehavior for the Competent Authority are completed, the employee shall be required to state his defense, orally or in writing, as he may prefer.

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

(c) In either case, a copy of the statement of defense shall be given to the Presenting Officer, if any, appointed.

(18)(a) The evidence on behalf of the employee shall then be produced.

(b) The employee may examine himself on 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 Competent Authority.

(19) 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.

(20) 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, within 15 days by the Presenting Officer and within 7 days by the employee.

(21) If the employee to whom a copy of articles of charge has been delivered, does not submit the written statement of defense 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 including ex-parte enquiry.

(22) Where the Competent Authority competent to impose any of the penalties has himself inquired into or caused to be inquired into articles of any charge and that authority, having regard to his own findings or having regard to his decision on any of the findings of any Inquiry Officer appointed by it, is of the opinion that the penalties specified in the Regulation should be imposed on the employee, that

authority shall make an order imposing penalty.

- (23) Whenever an 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 who has, and who exercises, such jurisdiction, the Inquiry Officer so succeeding may act on the evidence recorded by his predecessor, or partly recorded by his predecessor and partly recorded by himself:

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, he may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided.

57. Inquiry report

- (1) After conclusion of the inquiry, a report shall be prepared and it shall contain —
- (a) the articles of charge and the statement of imputations of misconduct or misbehaviour;
 - (b) the defense of the employee in respect of each article 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.

- (2) The Inquiry Officer, where he is not himself the Competent Authority, shall forward to the Competent Authority the records of inquiry which shall include —
- (a) the report prepared by him under sub-regulation (1) above;
 - (b) the written statement of defense, if any, submitted by the employee;
 - (c) the oral and documentary evidence produced in the course of inquiry;
 - (d) written briefs, if any, filed by the Presenting Officer or the employee or both during the course of inquiry; and
 - (e) the orders, if any, made by the Competent Authority and the Inquiry Officer in regard to the inquiry.

58. Action on inquiry report

- (1) The Competent Authority, if he is not himself the Inquiry Officer may, for reasons to be recorded by him in writing, remit the case to the Inquiry Officer for further

inquiry and report and the Inquiry Officer shall thereupon proceed to hold further inquiry according to the provisions of Regulation 56.

- (2) The Competent Authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the Competent Authority or where the Competent 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 Competent Authority shall consider the representation, if any, submitted by the employee before proceeding further in the manner laid down in sub-regulations (4) to (6).
- (4) The Competent Authority shall, if he disagrees with the findings of the Inquiry Officer on any article of charge, record his reasons for such disagreement and record his own findings on such charge if the evidence on record is sufficient for the purpose.
- (5) If the Competent Authority, having regard to his findings on all or any of the articles of charge, is of the opinion that any of the penalties in Regulation 55 should be imposed on the employee, he shall, notwithstanding anything contained in Regulation 59, make an order imposing such penalty.
- (6) If the Competent Authority having regard to his 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 Regulation 55 should be imposed on the employee, he shall make an order imposing such penalty.

59. Communication of orders

Orders made by the Competent Authority shall be communicated to the employee who shall also be supplied with a copy of Competent Authority's finding on each article of charge, or where the Competent Authority is not the Inquiry Officer, a statement of the findings of the Competent Authority together with brief reasons for his 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 as per delegated authority 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—

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

61. Special procedure in certain cases

Notwithstanding anything contained in Regulations 56 to 60 —

- (1) where any penalty is imposed on an employee on the ground of misconduct which has led to his conviction on a criminal charge; or
- (2) where the Competent Authority is satisfied for reasons to be recorded by him in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these Regulations; or
- (3) where the Chairperson is satisfied that in the interests of security of the State, it is not expedient to hold any inquiry in the manner provided in these Regulations, the Competent Authority may consider the circumstances of the case and make such orders thereon as he deems fit:

Provided that the employee 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 (1).

62. Vigilance cases

Notwithstanding anything contained in Regulations 55 to 61 or any other Regulation, an 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 :—

- (1) an order of suspension made or deemed to have been made under Regulation 53;
- (2) an order imposing any of the penalties specified in Regulation 55 whether made by the Competent Authority or by the Appellate Authority;
- (3) an order enhancing any penalty, imposed under Regulation 55;
- (4) 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
- (5) an order—
 - (a) stopping him at the efficiency bar in the 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) 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;
 - (d) determining his pay and allowances —
 - (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, scale or stage in a scale of pay, to the date of his reinstatement or restoration to his service, grade; or
 - (e) 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, scale or pay or stage in a 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 under Regulation 63 to the Appellate Authority in this behalf in Schedule X.
- (2) Notwithstanding anything contained in sub-regulation (1) —
 - (a) An appeal against an order in a common proceeding held under Regulation 60 shall lie to the Authority to whom 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 the Chairperson is the Appellate Authority the appeal shall lie with the Authority.
 - (b) 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 whom such person is immediately subordinate.

- (3) An employee may prefer an appeal against an order imposing any of the penalties under 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 consider the appeal after the expiry of the said period, if he 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 Competent 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 shall, on receipt of the appeal, forward the same together with enclosures, if any, to the Competent Authority without delay.

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 Competent 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 who imposed or enhanced the penalty or to any other authority with such direction as he may deem fit in the circumstances of the case:
- Provided that —

- (i) if such enhanced penalty which the Appellate Authority proposes to impose is one of the penalties specified in Regulation 55 and an inquiry under Regulation 56 has not already been held in the case, the Appellate Authority shall himself 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 he 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 he 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 mentioned in Regulation 66, the Appellate Authority shall consider all the circumstances of the case and make such order as he may deem just and equitable.

68. Implementation of orders in appeal

The authority who 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, the Chairperson, or the Appellate Authority, within six months of the date of the order may, at any time, either on his or his 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 or to any other authority directing such authority to make such further enquiry as he may consider proper in the circumstances of the case; or
- (d) pass such other orders as he may deem fit :

Provided that no order imposing or enhancing any penalty shall be made by the authority revising the order 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 Regulation 55 or to enhance the penalty imposed by the order sought to be revised to any of the penalties specified therein, 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 —

- (a) the authority which made the order in appeal, or
 - (b) the authority to whom an appeal would lie, where no appeal has been preferred, is subordinate to him.
- (2) No proceeding for revision shall be commenced until and after
- (a) the expiry of the period of limitation for an appeal, or
 - (b) the disposal of the appeal, where any such appeal has been preferred.
- (3) 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 mentioned in Regulation 69 (1) may, at any time, either on his 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 penalties specified in Regulation 55 or to enhance the penalty imposed by the order sought to be reviewed to any of the 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 and notices.

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

CHAPTER VIII

72. Deputation

(1) The Competent Authority may, due to exigencies of work and to have interaction of experience, work culture and practices of different organizations, appoint Officers on deputation from other financial regulators, Government departments and PSU Insurers to notified post(s) for a limited period not exceeding three years. A deputation reserve of 18% and leave reserve of 2% together not exceeding 20% of overall sanctioned strength will be kept for the purpose.

The appointment and conditions of service of such officers on deputation shall be governed as per provisions in Schedule IX A – Deputation – Inward

No person shall be eligible for appointment by deputation to the grade to which he is being considered unless he has qualifications and experience in relevant area/s of work as mentioned in Schedule IX B – Qualifications, Age and Experience required for various posts by way of deputation.

(2) Where the Competent Authority considers necessary in the interests of the Authority, he may send officers on deputation to other organizations including regulated entities for skilling purposes and/or in response to public notification issued by such organizations, however, for a period not exceeding three years subject to the following:

- (a) No employee of 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.
- (b) Transfer on deputation shall ordinarily not be granted unless
 - (i) the duties to be performed are such that they should necessarily be performed by an employee of IRDAI or involves such technical knowledge, expertise in which persons are not readily available from other sources;
 - (ii) who holds a permanent post in IRDAI;
 - (iii) 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 deputation appreciably more attractive than IRDAI's service.

The appointment and conditions of service of such officers on deputation shall be governed as per provisions in Schedule IX – C – Deputation – Outward.

CHAPTER IX

Miscellaneous

73. Medical facilities

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

74. Travelling / halting allowances, other allowances and perquisites

Travelling / halting allowances, other allowances and perquisites shall be paid to 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/electronic media such as text messages, MMS, SMS, or through any other social media with an intention to defame the Authority, Chairperson, Members or other employees of the Authority. 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 due performance of duties assigned to him.

76. Provident fund

Every employee of the Authority shall become a member of a provident fund trust 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 terms and conditions 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 his own contribution.

78. Grievance redressal and welfare

(1) The Chairperson shall constitute a Grievance Redressal Committee comprising any of the Whole-time Members/Part-time Members of the Authority to look into 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 action 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 an employee

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

80. Residuary powers

(1) 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 there under to deal with such matters and where such orders are made by the Chairperson, they shall be placed before the Authority.

(2) 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 thinks fit to impose, all or any of the powers conferred upon him by these Regulations.

(3) The powers exercisable by an authority under these Regulations shall also be

exercisable by any authority superior to such authority.

81. Power to relax

The Authority may dispense with or relax the requirement in any of the policies, rules or instructions issued under these Regulations to such extent or relax the strict application of any the provisions of these Regulations in exceptional cases for reasons to be recorded in writing 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 there under, the matter shall be placed before the Chairperson whose decision thereon shall be final.

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

Schedules

Sl. No	Schedule No	Details
1	I – Form A	Declaration to be bound by the Staff Regulations
	I – Form B	Declaration of secrecy
	I – Form C	Declaration of domicile
	I – Form D	Declaration of Assets and Liabilities
	I – Form E	Declaration of employment/ occupation/profession of family members
2	II	Composition of service – Class, grade and designations
3	III	Control in the hierarchy and activity levels
4	IV	Qualifications, age and experience for direct recruitment
5	V	Quota of vacancies – Direct recruitment
6	VI	Promotions
7	VII	Sensitive posts and transfers
8	VIII	Seniority
9	IX - A	Deputation – Inward
10	IX - B	Deputation – Inward - Qualifications, age and experience for various posts
11	IX - C	Deputation – Outward
12	X	Competent Authorities and 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, 2016, and I hereby subscribe and agree to be bound by the said Regulations.

Signature _____

Name in full _____

Designation _____

Witness:

Signature _____

Name: _____

Address: _____

Schedule I

FORM - B

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: _____

Address: _____

(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: _____

Address: _____

Schedule I

FORM - D

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 service 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 deemed as a misconduct and necessary action initiated in terms of the IRDAI Staff (Officers and Other employees) Regulations, 2016.

Signature _____

Name in full _____

Designation _____

Witness:

Signature: _____

Name: _____

Address: _____

Schedule I

FORM - E

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 service 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 in an insurance company including Insurance agency/broker/intermediary, on 1st April every year. I am aware that any wrong information furnished by me in this regard would be deemed as a misconduct and necessary action initiated in terms of the IRDAI Staff (Officers and Other employees) Regulations, 2016.

Signature _____

Name in full _____

Designation _____

Witness:

Signature: _____

Name: _____

Address: _____

Schedule II

Composition of Service – Class, grade and designations

S No	Class	Grade	Designations		Management Group
			Existing	Revised	
1	I	TMG	Executive Director	Executive Director	TMG
2	I	F	Sr. Joint Director	Chief General Manager	SMG
3	I	E	Joint Director	General Manager	
4	I	D	Deputy Director	Deputy General Manager	MMG
5	I	C	Sr. Assistant Director	Assistant General Manager	
6	I	B	Assistant Director	Manager	JMG
7	I	A	Junior Officer	Assistant Manager	
8	III	I	--	Senior Assistant	Operational Group
9	III	II	Assistant	Assistant	
10	IV	I	Record Keeper/ Sub-staff/Driver	Record Keeper/ Sub-staff/Driver	Support Group

Abbreviations:

TMG – Top Management Group

SMG – Senior Management Group

MMG – Middle Management Group

JMG – Junior Management Group

Schedule III

Hierarchy and activities

(i) Hierarchy and controls

Hierarchy	Control in the Hierarchy
Top Management Group	Executive Director
SMG	Chief General Manager/ General Manager
MMG	Deputy General Manager/ Assistant General Manager
JMG	Manager/Assistant Manager
Operational Group (Class III)	Senior Assistant / Assistant
Support Group (Class IV)	---

(ii) Activities

Indicative list of activities in each level for position are as under.

Control in the Hierarchy	Activity levels
Executive Director	<ol style="list-style-type: none">1. Decision making where powers are delegated and general guidance2. 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 innovate, sponsor and execute new projects and initiatives5. To review systems, procedures and methods for improving efficiency6. To draft and implement an action plan to meet with the requirements of future7. Any other activity as per need

Chief Manager/General Manager	General	<ol style="list-style-type: none"> 1. To function as HOD 2. To analyse and evaluate key financial decisions 3. To develop adequate skills in the analysis and interpretation of data. 4. Activities impacting operations and resource allocation between activities 5. Evaluating performance and performance management to check whether employees under their control are implementing the instructions 6. To ensure efficient and expeditious disposal of work and plug delays. 7. To recommend to higher management any changes that are not in the ambit of his role but help in reaching optimum efficiency. 8. Any other activity as per need
Deputy Manager/Assistant Manager	General General	<ol style="list-style-type: none"> 1. 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 projects adhering to general guidance as to methods, procedures and desired end results. 3. Coaching, counselling and mentoring when an employee's problems impact performance and to initiate steps for any further action, including formal disciplinary action. 4. To provide opportunity to the promising subordinates for learning and development 5. To recommend to higher management any changes that are not in the ambit of his role but help in reaching optimum efficiency.

	6. Keep a watch on any hold up in the movement of dak. 7. Any other activity as per need
Manager/Assistant Manager	1. Plans work and supervises 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 shall be taken immediately in urgent cases. 4. Checks the notes put up by Assistants/Sr. Assistants and verifies facts and figures 5. Analysis and review of budget proposals 6. Handling outside references effectively. 7. Control and disposal of inward and outward mail/dak 8. Any other activity as per need
Senior Assistant / Assistant	1. Supervises staff working under them including outsourced persons, 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. 2. Any other activity as per need
Record keeper	1. Basic operations pertaining to indexing and maintaining files, maintaining stationery, supplying on indent from departments, dispatch of letters and maintaining Inward/Outward registers and distributing dak to employees to whom it is marked and any other jobs assigned from time to time by his superiors. 2. Any other activity as per need
Sub-staff/Driver	All such activities as assigned to them.

Note: Role and Role Analysis, essential elements of a role and prescribed elements of a role shall be defined and issued through administrative instructions.

Schedule IV

Qualifications, age and experience for direct recruitment

Class	Grade	Age/ (Yrs)	Qualifications
IV	Record keeper / Sub-staff/Driver	Min. 18 Max.26	a) SSC (Standard 10th passed) b) Working knowledge of Hindi and English.
III	Assistant	Min. 18 Max. 30	a) Graduation from a recognized University with minimum 60% marks b) For Raj Bhasha (Hindi) Assistant – Graduation with minimum 60% of marks in Hindi/Sanskrit with English as a subject at degree level
I	A	Min. 21 Max. 30	a) Graduation from a recognized University with minimum 60% marks b) Additional qualifications (as per specific requirements) <ul style="list-style-type: none"> • LL.B with 60% marks. • Pass in nine (9) subjects of Institute of Actuaries of India (IAI) Examination. • ACA/AICWA/ACS.
I	B	Min. 25 Max. 40	a) Graduation from a recognized University with minimum 60% marks b) Additional qualifications (as per specific requirements) (with three years experience in Officer cadre in the related field) <ul style="list-style-type: none"> • LL.M with 60% marks and membership of Bar Council with three years practice at Bar. • Pass in twelve (12) subjects of Institute of Actuaries of India (IAI) Examination. • FIII qualification • ACA/AICWA/ACS.
I	Other grades (including certain positions in the above grades, as may be required)	The Competent Authority shall specify mode of recruitment, educational qualifications, age limit, experience and other allied matters.	

Note (1): Candidates competing for the posts mentioned above should possess knowledge of Computer Operations.

Note (2): In case of candidates belonging to SC/ST categories, relaxation in educational standards to the extent of 5% marks is allowed.

Note (3): Candidates belonging to Scheduled Castes or Scheduled Tribes or Other Backward Classes or Persons with Disabilities may, to the extent the number of vacancies reserved for each category cannot be filled on the basis of the general standard, be considered by the Competent Authority with a relaxed standard to make up the deficiency in the reserved quota, subject to the fitness of these candidates for selection to the post/service irrespective of their ranks in the order of merit at the examination and/or interview.

Schedule V

Quota of vacancies – Direct recruitment

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 “direct recruit” Regulation 3 (1) (k)
I	B	40% by direct recruitment as per definition given in “direct recruit” Regulation 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

Regulation 15 deals with promotion of employees in the Authority. In addition to this Regulation, the following provisions shall govern promotion of employees:

1. Definitions

Unless the context otherwise requires, –

- (a) “employee” means a whole time salaried employee of the Insurance Regulatory and Development Authority of India;
- (b) “promoting authority” means the Appointing Authority under the Regulation as mentioned in Schedule X - Competent Authorities and Appellate Authorities;
- (c) “Interview committee” means the committee constituted in accordance with Regulation 15 of these Regulations;
- (d) “Zone of consideration” means the ratio in terms of which an employee as per his seniority and other criteria is eligible for promotion by selection.

All other words and expressions used in this Schedule and not defined but defined in these Staff Regulations shall have the meaning assigned to them in these Staff Regulations.

2. Zone of consideration

- (1) Promotions to all grades shall be effected from among eligible employees in the seniority list.
- (2) All employees holding posts in a permanent capacity in all the offices of the Authority shall be considered to be eligible if they fall in the zone of consideration for selection to the posts notified for promotion.
- (3) The minimum eligibility criteria are distinct from the zone of consideration and even if there are a large number of candidates who satisfy the minimum eligibility requirements, it is not required that they shall be included in the zone of consideration; it being open to the Competent Authority to restrict the zone of consideration amongst the eligible candidates in any reasonable manner.
- (4) Zone of consideration: The zone of consideration for promotion shall be maintained at thrice the number of notified vacancies to grades involving written examination and interview and twice the number of notified vacancies to grades through interview. The zone of consideration applies to freshers/first time candidates as per the seniority list and meeting other eligibility criteria of period of service in the previous grade, qualifications, etc.

In case fresh candidates in the ratio mentioned above to the number of notified vacancies are not available, the Chairperson may consider relaxing the eligible years of service to get the required ratio.

Repeater candidates, if any, will fall outside the zone of consideration and will be called for selection process i.e., written examination and/or interview as may be applicable, irrespective of the ratio mentioned above.

3. Vacancies and service eligibility

- (1) Promotions shall be effected only against sanctioned vacancies.
- (2) Posts shall be reserved for employees belonging to Scheduled Castes and Scheduled Tribes and rule of relaxation followed in accordance with the orders issued by the Central Government from time to time.
- (3) Employees should be falling in the zone of consideration and should possess qualifications required for filling in vacancies in the promotion grade. For the purpose, the vacancies may be grouped into 'technical' stream consisting of Actuarial, Finance & Accounts, Life and Non-Life categories and Others' stream consisting of rest of the categories. The qualifications for and vacancies in each of the streams shall be determined by Chairperson from time to time.
- (4) Minimum service for the purpose of promotions shall be as under:

Class	Promotion from		Minimum Service for eligibility in the grade
	From	To	
IV	Record keeper/ Sub-staff/Driver	Assistant	4 years
III	Assistant	Sr. Assistant	4 years
III	Sr. Assistant	Assistant Manager	4 years
I	Assistant Manager	Manager	4 years
I	Manager	Assistant General Manager	4 years
I	Asst. General Manager	Deputy General Manager	4 years
I	Deputy General Manager	General Manager	4 years
I	General Manager	Chief General Manager	4 years
I	Chief General Manager	Executive Director	4 years

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	Qualification/s	ACRs	Interview	Track record (Leave)
1	Record Keeper/ Sub-staff/ Driver	Assistant	40	15 -10	10	15 20	15	5
2	Assistant	Senior Assistant	40	15 -10	10	15 20	15	5
3	Senior Assistant	Assistant Manager	40	15 -10	10	15 20	15	5
4	Assistant Manager	Manager	40	15 -10	10	15 20	15	5
5	Manager	Assistant General Manager	40	15 -10	10	15 20	15	5
6	Assistant General Manager	Deputy General Manager	40	15 -10	10	15 20	15	5
7	Deputy General Manager	General Manager	Nil	Nil	15	35	50	Nil
8	General Manager	Chief General Manager	Nil	Nil	15	35	50	Nil
9	Chief General Manager	Executive Director	Nil	Nil	15	35	50	Nil

(3) The process of appointment through promotion from lower grade to higher grade 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 and interview will be 50% each.

(4) Computation of marks for seniority, qualification and track record for leave shall be as per guidelines in this regard.

(5) The track-record of the employee 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.

(6) Similarly, guidelines for assessing attendance and leave record (for example, an employee availing leave in driblets (Earned leave/sick leave) in a year may get credits), etc. shall be issued and modified by Chairperson from time to time.

5. Marks for seniority

Marks for seniority shall be allotted as given hereunder.

Sl. No	Criteria for allotting marks to seniority	No. of marks allotted
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

6. Written examination

(1) Wherever written examination is for promotion, the syllabus for such written examination shall be as determined by the Chairperson.

(2) The conditions of eligibility including seniority and qualifications for appearing in the written examination shall be reckoned as on the 1st January of the year.

Provided that only such of the employees who have completed the period of service for eligibility for promotion to any post shall be allowed to appear in the departmental test or interview as the case may be.

Provided further that the period of training, if any, prior to appointment on probation prescribed by the provisions relating to recruitment shall count as service only for the purpose of eligibility for promotion.

7. Marks for qualifications

Marks for various qualifications shall be awarded to the eligible candidates for promotion are as follows:

Sl. No	Criteria for considering qualification	Maximum marks	Remarks
1	Graduation in any field	5 marks	1. Only one degree will be considered in case of double/multiple degrees/PGs 2. Marks shall be awarded either for FIII or FCII or any of the PG Diplomas in Insurance. 3. There are no marks for passing individual papers in Actuaries examinations
2	Post Graduation	2 marks	
3	Doctorate in Finance/Insurance/Law	3 marks	
4	Professional qualifications		
	a. Insurance qualifications i. Licentiate of III/CII – 1 mark ii. Associate of III/CII – 2 marks iii. Fellow of III/CII – 3 marks iv. PG Diplomas in Insurance – PGDGI, PGDLI, PGDRM – 3 marks	Maximum 3 marks	
	b. Associate of Institute of CA/ICWA/CS – 5 marks c. CFA – 5 marks	Max. 5 marks	
	d. Institute of Actuaries of India i. Pass in 9 papers – 3 marks ii. AIA – 4 marks iii. FIA – 5 marks	Max. 5 marks	

8. Assessment of ACRs

(1) The Competent Authority shall assess suitability of employees for promotion on the basis of their service records and with particular reference to ACRs in the grade.

(2) If more than one ACR has been written for a particular year, all ACRs for the relevant years shall be considered together as the ACR for one year. Only such ACRs

shall be considered by the Competent Authority which become available during the year immediately preceding the vacancy/panel year.

(3) Weightage of 50% for grading by Reporting Officer, 25% by Reviewing Officer and 25% by Accepting Officer shall be given while computing marks for ACRs.

(4) Where an employee does not submit self appraisal as part of ACR, the same shall be recorded in the ACR and 50% Weightage in marks only shall be given to such ACR while computing marks for ACRs.

9. Marks for track record

- (1) For awarding marks for the track record on leave, the following shall be adopted:
 - a) Good leave record – not exceeding 5 marks
 - b) Satisfactory leave record – not exceeding 4 marks
 - c) Frequent leave availment (including availing without approval) – not exceeding 2 marks
 - d) Habitual late comer – ‘Nil’ marks
- (2) For the purpose of assessing the leave record, no. of days leave taken in a year and the no. of times leave availed in small quantities shall be taken in to account, as mentioned in 4(5) and 4(6) above.
- (3) For the purpose of evaluation of leave record, the attendance and leave in SAP shall be the basis.

10. Selection of candidates for promotion

- (1) All candidates who qualify in the written examination as per criteria determined by Competent Authority will be called for interview.
- (2) The Interview Committee shall, after interviewing the candidates shall award marks for interview.
- (3) There shall be prepared a list of all eligible employees in the order of total marks obtained on the basis of various criteria of selection. The ranking list of selected candidates shall be finally placed before the Competent Authority for approval.
- (4) On approval, a panel of eligible employees will be prepared which is valid till the end of the calendar year.
Provided that an employee shall not be promoted, if at any time during the preceding one year, any penalty has been imposed on him under Regulation 55 of the Staff Regulations.
- (5) Actual promotion of candidates will be against sanctioned vacancies and as and when they arise.

11. Sealed cover procedure

(1) At the time of consideration of the cases of employees for promotion, details of employees in the zone of consideration falling under the following categories shall be specifically brought to the notice of the Interview Committee:-

- (a) Employees under suspension;
- (b) Employees in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending; and
- (c) Employees in respect of whom prosecution for a criminal charge is pending.

(2) The Interview Committee shall assess the suitability of the employee coming within the purview of the circumstances mentioned above along with other eligible candidates without taking into consideration the disciplinary case/criminal prosecution pending. The assessment of the Interview Committee and marks awarded by it will be kept in a Sealed Cover.

(3) If any penalty is imposed on the employee as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/covers shall not be acted upon. His case for promotion shall be considered in the normal course and having regard to the penalty imposed on him.

12. Appeals

Any aggrieved employee may, within one month from the date on which the panel of employees eligible for promotion is published, represent against his non-selection through proper channel to the Appellate Authority and such an Authority may consider representation and pass such orders as he deems fit.

13. Powers to issue instructions

- (1) The Chairperson may, from time to time, issue such instructions as may be necessary to give effect to the implementation of these provisions.
- (2) In particular and without prejudice to the generality of any of the provisions mentioned herein, such instructions may provide for the basis for detailed allocation of marks for written examination, seniority, qualification, ACRs, Interview, track record (leave) within the ceiling mentioned under these rules.

Schedule VII

Sensitive posts and transfers

1. Sensitive posts

(1) **‘Sensitive post’** means a post which is considered as a key decision-making as also that involving financial sanctions. The nature of posts differs on the importance, the type of information and responsibilities that are attached to them. The positions involving settlement of bills/financial sanctions would be classified as sensitive.

(2) The Chairperson has power to classify a post as a sensitive post and circulate the list of such posts from time to time.

(3) Guiding principles in dealing with sensitive posts

- (a) While all employees are ordinarily considered for transfer after 5 years, those employees working in sensitive posts/departments shall be compulsorily rotated / transferred once every 3 years.
- (b) Transfer of any employee working in a sensitive post/department, before completion of minimum period on a post, will be done in public interest after recording reasons therefor.
- (c) Considering the nature and importance of the posts identified as sensitive, while determining placements, postings and transfers of employees positioned in these posts will be decided accordingly.
- (d) First posting on appointment / promotion of employees shall be to a non-sensitive post.
- (e) There shall be a gap of minimum 3 years between one sensitive posting to another.
- (f) An employee in the subsequent cycle of posting shall not be posted in the same sensitive post.

2. Transfers

(1) Objective

Transfers are integral to any Organization striving to achieve its organizational goals. They are necessary for employees so as to have exposure to various areas of working in the organization.

The following objectives shall guide the provisions on transfer:-

- (a) To match the Authority’s objectives and goals with individual aspirations.

- (b) To align with Regulations 5 (9) and 16 of the IRDAI Staff (Officers and other Employees) Regulations, 2016 in building a work force fully engaged in the performance of their duties.
- (c) To have the right person in the right place by identifying skills and aptitudes of employees to meet organizational needs.
- (d) To identify and groom employees for taking positions in higher rank.
- (e) To implement CVC guidelines in the matter of transfer/ rotation of employees in sensitive posts. In addition, such transfer/rotation of employees can be considered for all positions to make employees more knowledgeable and empowered in developing the organization.
- (f) To provide an opportunity to employees to improve their personal development and career.
- (g) To effect promotions.
- (h) To bring in transparency in the movement of employees in the organization after lapse of a specified period.

(2) Applicability

The transfers may be made in all grades of employees of the Authority including Officers on Special Duty (OSD).

3. Type of transfers

There will be three types of transfers:

(1) Request transfers

- (a) 'Request Transfer' means such transfer for which an order is issued by the Competent Authority considering the request of an employee for his posting at a station of his choice.
- (b) 'Qualifying service for request transfer' will be the number 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 an 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 a minimum term of three years subject to administrative approvals will be at employee's cost.

(2) Administrative transfers

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

(3) 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 made by the Competent Authority in public interest by recording the reasons for such transfers.

Note: The following definitions are relevant in the context of transfers:

- (a) 'Normal period of posting' means continuous posting of an employee in the same position/Department for a period of 3 years and at the same station for a period of 5 years after which he becomes due for transfer.
- (b) 'Sensitive post' means a post which is 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 salary and allowances including HRA and CCA are payable.

4. Posting/Stay

- (1) 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.
- (2) The stay of an employee at any station for the purposes of transfer will ordinarily be five years subject to office exigencies and decision of the Competent Authority. This provision, however, does not apply to Deputy General Manager and above.
- (3) 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, an employee who has served for longer period will be transferred first.

- (4) 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 promotion of employees working in such departments, it may be at the discretion of the Competent Authority depending on exigencies of the department and the instructions issued from time to time.
- (6) The period of stay at a centre will be inclusive of all postings in different departments at that centre. The transferees will be identified on 'First-in-First-out' basis.

5. 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 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 at that station.
- (3) Employees on promotion may be posted in the same station subject to the vacancy position, provided, the employee was transferred from some other station within the last 2 years.

6. Consideration of cases before transfers are effected

No relaxation shall be considered except on the following grounds:

- (1) Transfer of an employee couple up to the grade of Deputy General Manager will be subject to administrative convenience.
- (2) Posting on compassionate grounds - in case an 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.

7. Using outside influence

- (1) No employee shall bring or attempt to bring any political or other outside influence to bear upon the officials of the Authority to further his interests in respect of matters pertaining to his service in the Authority.

- (2) Bringing any outside influence for or against a transfer by an employee or any of his family member(s) will be treated as a misconduct subject to disciplinary action under IRDAI Staff (Officers and other Employees) Regulations, 2016.

8. Transfer of 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 the same station.

9. Transfers and postings of employees on deputation to IRDAI as OSDs

OSDs from various lending organizations who are selected as OSDs/working as OSDs to the extent possible shall not be posted to sensitive posts during the period of their deputation with IRDAI in terms of provision 5 (4) above. However, if it is essential to consider such OSDs being posted to sensitive posts based 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.

10. Relief of employees on transfer

(1) All posting orders will indicate a relieving time up to a maximum of 30 days within which an employee is to be relieved. The relieving shall be mandatorily carried out before the last date indicated.

(2) Representations, if any, will be addressed to the Chairperson only. Any representation in respect of 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 a case to case basis and disposed of within 15 days.

(3) Overstay in the post after a transfer order is issued tantamounts to misconduct and necessary action will be initiated accordingly as per rules and instructions in vogue.

11. Transfer of Senior Officers

Transfer of employees in the grade of Deputy General Manager and above will be governed by organizational needs as also suitability for the post in question.

12. Miscellaneous

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

These are broad provisions governing sensitive posts and transfers and detailed administrative instructions shall be issued by the Chairperson in terms of the power vested in him vide Regulation 80.

Schedule VIII

Seniority

In terms of Regulation 14 of the IRDAI Staff (Officers and other Employees) Regulations, 2016, the seniority of employees in the Authority shall be defined as per the following guidelines:

1. Publication of list

- (1) There shall be a single combined list called seniority list for each grade.
- (2) The seniority list for each grade shall be prepared and published as on 1st January of every year.
- (3) The seniority list prepared shall be published in the Authority's intranet.

2. Reckoning seniority

- (1) The principle of an employee appointed as a result of an earlier selection being treated as senior to those appointed as a result of subsequent selection in the same grade in Direct Recruitment (DR) shall be followed for preparing the seniority list.
- (2) The relative seniority of all direct recruit employees is determined by the order of merit in which they are selected for such appointment and when they join the service of the Authority on offer of appointment.

However, where a candidate seeks time for joining the service and the same is approved by the Competent Authority, subject to a period not exceeding six months, on joining within the permitted period not exceeding six months, the seniority of such candidate shall be in the order of merit in which he is selected.

However, where a candidate joins the service after the permitted period exceeding six months, seniority of such candidate shall be from the date of his joining the service in the Authority.

- (3) 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 in the manner mentioned in Para 4 (c) below.

- (4) Where a separate merit list is prepared, the following criteria will be followed:
- (a) The seniority of an employee shall be determined by the date of selection.
 - (b) Where the date of selection is same, chronology of offer of appointment shall be the criteria.
 - (c) Where both (a) and (b) are also same, the seniority of the selected employee shall be determined according to the principle of 'rotation of vacancies' between different posts.
Eg: 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%, even if through separate Interview Committees, the seniority of an employee in that grade shall be determined in the order of A1, B1, A2, B2,....
- (5) 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.
- (6) Recruitment year would be the year of initiating the recruitment process against a vacancy year.
- (7) The initiation of recruitment process against a vacancy year would be the date of notification for filling up of vacancies in case of direct recruits; in the case of promotees the date on which a notification for promotion is released to fill up the vacancies through promotion would be the relevant date.
- (8) Thus, inter-se seniority of direct recruits and promotees shall be fixed on the basis of date of initiation of process of recruitment irrespective of date of joining within the time given for joining subject to such joining time permitted by Competent Authority.
- (9) There shall not be any notional seniority granted with retrospective date.
- (10) There shall not be a separate seniority list for direct recruits and promotees in a particular grade.
- (11) 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 from which he competed.
- (12) In case of employees who are under suspension or disciplinary proceedings are in the progress, their original seniority will not be affected, if completely exonerated or the suspension revoked. The seniority of an employee reverted to previous grade depends on the order of the Competent Authority.
- ~~(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.~~

Schedule IX - A

Deputation – Inward

1. The provisions under this schedule are envisaged to have all relevant rules, regulations, and provisions pertaining to deputation - inward at one place so that self-dependence, objectivity and transparency can be achieved. The Competent Authority may, due to exigencies of work and to have interaction of experience, work culture and practices of different organizations, appoint Officers on deputation from other financial regulators, Government departments and PSU Insurers to notified post(s) 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 experienced insurance professionals, practices with regard to products, servicing, investment, grievance handling, etc. The terms and conditions of deputation shall be as laid down by the Competent Authority. Qualifications, maximum age and relevant experience of the Officers to be taken on deputation are prescribed in Schedule IX – B Qualifications, Age and Experience for various posts – Deputation Inward.

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

The following are some important areas considered for identifying posts on deputation.

- (a) Statistical /Economic matters and Research
- (b) Reinsurance
- (c) Catastrophe modelling
- (d) Macro-prudential surveillance and early warning signals
- (e) Risk management
- (f) Legal jurisprudence
- (g) Internal audit/Concurrent audit
- (h) ERP/Network management/Analytics

- (i) Information Security and Governance
- (j) Any other area as may be determined by the Chairperson.

3. Deputation reserve: A deputation reserve of 18% and leave reserve of 2% together not exceeding 20% of sanctioned strength with prior approval of the Authority be utilized for filling the positions on deputation till internal capability is adequately built.

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

- (a) non-availability of supplemental personnel within IRDAI possessing requisite qualifications and experience; and
- (b) having regard to the role to be performed by a specific 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:

- (a) 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.
- (b) Same group of posts: Both the posts should be falling in the same group of posts.
- (c) Responsibilities and duties: The levels of responsibility and duties of the two posts should be identical/comparable.
- (d) Qualifications/Experience: The qualifications and experience of the Officers to be selected should be as per the schedule and comparable to those 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.

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

(2)Premature reversion 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 one month's advance notice to the lending organization and the Officer concerned.

~~(3)Cooling period: There shall be a mandatory 'cooling off' period of three years after every period of deputation for all posts.~~

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

(4) The Officer on deputation shall not be considered for any foreign deputation or deputation to any organization within India.

(5)Permanent Officers of IRDAI and/or Officers already on deputation cannot apply for higher ex-cadre post at IRDAI as and when advertised for such higher posts.

6. Sources of procuring Officers on deputation:

(1) 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.

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

7. Ex-cadre post and pay fixation:

(1)Given that the pay scales in IRDAI are similar to those 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 including 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 (inclusive of grade allowance and other allowances entitled for dearness allowance) 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, 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.

(2)The ex-cadre post and the analogous posts shall be determined in such a manner that basic pay plus grade pay/allowance, if any, on deputation shall be comparable to the ex-cadre post carrying a pay matching his current pay.

(3)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.

8. Exercise of option

(1) An Officer 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 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 his pay shall be fixed accordingly. The option once exercised by an employee on deputation regarding the pay shall be final.

(2) However, an employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same:

(i) When he is reverted to a lower grade in the parent cadre;

(ii) 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.

- (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 revising the option. If the pay of an officer 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.
- (4) When he receives promotion/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 in the ex-cadre post till the 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 due to promotion in the parent cadre.
- (5) An Officer on deputation shall be repatriated to his parent Organization one year prior to his superannuation.

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

- (1) The deputation (duty) allowance admissible shall be at the rates applicable in the parent organization.
- (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 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, he will also be entitled to draw such special allowance in addition to the pay in that scale. 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.
- (3) Personal pay, if any, drawn by an officer in his parent department will continue to be admissible on deputation if he 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: An 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 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 period of deputation.

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

(1)Admissibility of allowances and benefits while on deputation: Such allowances as are not admissible to regular employees of corresponding grade in IRDAI shall not be admissible to an employee on deputation, even if they are admissible in the parent organization.

(2)The following allowances will be paid as admissible in IRDAI:

- (a) Transport Allowance
- (b) Travelling Allowances and Transfer T.A.
- (c) Children Education Allowance.

(3)The following facilities will also be admissible.

- (a) Joining time - as per parent organization at the time of joining
- (b) Joining time pay - as per IRDAI norms at the time of repatriation if opted for IRDAI pay scales
- (c) Leave travel concession – as per IRDAI subject to a maximum of two sets in three years even if the employee has unutilized sets to his credit at the time of joining.

(4)The following allowances/facilities will be regulated as explained against each:

- (a) Dearness allowance – An employee on deputation shall be entitled to dearness allowance at the rates prevailing in IRDAI or in the lending organization depending on the option exercised.
- (b) Medical expenses reimbursement - They will be regulated in accordance with the rules of IRDAI.

(c) Medical facilities – They will be regulated as per option exercised by the employee on deputation.

(d) Leave - An employee on deputation shall be regulated by the leave rules of the parent organization on the basis of leave earned in IRDAI. However, an employee on deputation shall not be allowed study leave, even if available in the parent organization.

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

(a) Leave salary contribution (excluding 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.

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

13. The Officers on deputation shall not be eligible for the advances and loans applicable to permanent employees.

14. The Officers on deputation shall be governed by IRDAI Staff (Officers and other Employees) Regulations, 2016 as amended from time to time for all purposes unless otherwise stated.

15. The terms and conditions of deputation – inward shall be issued and modified by the Chairperson from time to time.

Schedule IX - B

Qualifications, age and experience for various posts – Deputation - Inward

Grade	Max. Age Yrs)	Department	Qualifications
(i)	(ii)	(iii)	(iv)
A	35	Actuarial	Graduation with 60% marks and pass in nine (9) papers of the Institute of Actuaries of India.
		Accounts	Graduation with 60% marks and ACA/AICWA/ACS
		R&D - Statistics	Post Graduation in statistics with 60% marks [M.Stat, M.Sc (Stat) or equivalent]
		IT	Post Graduation in computer science with 60% marks or MCA
		Insurance (Life/General	Graduation with 60% marks and AIII or equivalent.
		Legal	Graduation with 60% marks and LL.B with 60% marks or Five year Integrated LLB Course in First class with 60% marks or an equivalent grade, in aggregate of all semesters/years
	Minimum experience required in the related area of work – 5 years as an Officer		
B	38	Actuarial	Graduation with 60% marks and pass in twelve (12) papers of the Institute of Actuaries of India.
		Accounts	Graduation 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	Graduation with 60% marks and LL.M with 60% marks
	Total experience required – 8 years as an Officer with minimum 5 years in related field of work		
C	Please see note below	Actuarial	Graduation with 60% marks and an Associate of the Institute of Actuaries of India.
		Accounts	Graduation with 60% marks and FCA/FICWA/FCS
		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)	Post Graduation with 60% marks and FIII or equivalent.

Grade	Max. Age Yrs)	Department	Qualifications
(i)	(ii)	(iii)	(iv)
		Legal	Graduation with 60% marks and LL.M with 60% marks
	Total experience required – 12 years as an Officer with minimum 5 years in related field of work		
D	Please see note below	Actuarial	Graduation with 60% marks and a Fellow of the Institute of Actuaries of India.
		Accounts	Graduation with 60% marks and FCA
		R& D – Statistics	Post Graduation in Statistics with 60% [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 60% marks
		Insurance (Life/General)	Post Graduation with 60% marks and FIII or equivalent.
		Legal	Graduation with 60% marks and LL.M with 60% marks
	Total experience required – 15 years as an Officer with minimum 5 years in related field of work		
E	Please see note below	Actuarial	Graduation with 60% marks and a Fellow of the Institute of Actuaries of India.
		Accounts	Graduation with 60% marks and FCA
		R& D – Statistics	Post Graduation in Statistics with 60% [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 60% marks
		Insurance (Life/General)	Post Graduation with 60% marks and FIII or equivalent.
		Legal	Graduation with 60% marks and LL.M with 60% marks
	Total experience required – 15 years as an Officer with minimum 5 years in related field of work		
F	Please see note below	Actuarial	Graduation with 60% marks and a Fellow of the Institute of Actuaries of India.
		Accounts	Graduation with 60% marks and FCA
		R& D – Statistics	Post Graduation in Statistics with 60% [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 60% marks
		Insurance (Life/General)	Post Graduation with 60% marks and FIII or equivalent.
		Legal	Graduation with 60% marks and LL.M with 60% marks
	Total experience required – 15 years as an Officer with minimum 5 years in related field of work		

Note: The Competent Authority shall specify age limit and other allied matters in respect of grades “C” and above.

Schedule IX - C
Deputation – Outward

1. Background

- (1) Officers are considered for deputation outward for the following reasons:
 - (a) to widen Officers' perspective of other Financial Regulators, domestic or foreign, which may be useful to the Authority;
 - (b) to lend manpower support to other regulatory organizations, temporarily;
 - (c) to lend manpower support to the organizations promoted by IRDAI like IIB, IIRM;
 - (d) capacity building;
 - (e) in public interest.
- (2) No employee of 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.
- (3) No employee shall be sent on deputation against his will.
- (4) Transfer on deputation shall ordinarily not be granted unless
 - (a) the duties to be performed are such that they should necessarily be performed by an employee of IRDAI or involves such technical knowledge, expertise in which persons are not readily available from other sources;
 - (b) that the 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 normally receive in the service of the IRDAI so as to render deputation appreciably more attractive than IRDAI's service.

(2) Eligibility

On completion of a minimum 5 years service in the Authority, an employee in Class I can make an application for deputation to other organizations and such applications can be considered for forwarding to the external organizations. If the Competent Authority considers necessary in the interests of the Authority, he may send officers on deputation to other organizations including regulated entities for skilling purposes and/or in response to public notification issued by such organizations, however, for a period not exceeding three years. 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 institutions sponsored/supported by IRDAI

- (1) Deputation to IIB/IIRM which are supported by the Authority may be considered provided that such institutions fulfill all four of the following criteria:
 - (a) they are functionally autonomous;
 - (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.
- (2) The deputation shall be on the following terms and conditions:
 - (a) the term shall be a maximum of 3 years.
 - (b) salary and perquisites will continue to be as per the Authority's rules
 - (c) the officer so deputed shall not be allowed additional pay, allowances or perks;
 - (d) deputation may be treated in the same manner as posting to another department of Authority and 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 are made in public interest, these institutions/organizations where the officer is deputed by the Authority and where such institution/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:

- (1) Salary and perquisites will be as per Authority's rules and the borrowing organization will reimburse the expenditure / cost at rates payable to equivalent grade officer in the institution/organisation.
- (2) Leave during the period of deputation may be availed as per the rules of the external organization.
- (3) External Organization has to pay Superannuation / PF contribution and Gratuity contribution.

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

- (1) Period of deputation may be up to a maximum period of three years.
- (2) Pay, allowances and perquisites will normally be as per external organization's rules.
- (3) 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 will be entitled to deputation allowance.
- (4) The borrowing organization shall bear the entire cost of the services of the employee including salary during joining time, travelling allowances payable to the employee to enable him to join his appointment in the borrowing organisation and to return to his appointment in IRDAI on completion 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, 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 Chairperson. Disbursement of salary and provision of perquisites will be by the external organization.
- (5) 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 and selection.
- (6) During the period of deputation, the external organization will have to agree for paying to the Authority, Gratuity, Provident Fund or Superannuation contributions as decided by the Authority under the rules applicable for respective schemes from time to time.
- (7) 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.

- (8) 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:

- (1) 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;
- (2) 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".

- (1) 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 boarding/lodging or opt for hotel accommodation as per his entitlement. The officer being deputed will also be eligible for claiming halting allowance as per rules in vogue for official tours.

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.

- (2) 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 prescribed for undertaking official tours abroad.

Note: Other conditions

- (a) In both the above cases, the total duration of the tour may not exceed 5 days.
- (b) Such deputation shall be based on the consideration that no 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, act in the best interests of the Authority and to comply with the provisions of IRDAI Staff (Officers and other Employees) Regulations, 2016, the officer on deputation/nomination will observe the following code of conduct during the period of his deputation/nomination:

- (1) Officers shall avoid situations in which their personal interest could conflict with the interests of the Authority. Any conflict, actual or perceived, must be disclosed to the Authority for guidance and action as appropriate.
- (2) 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 shall further ensure that while giving any interview, formal or informal, he shall not use any information gained during his term with the Authority that may in any manner impinge adversely on either the reputation or the interests of the Authority.
- (3) The officer shall use utmost discretion while interacting with all external agencies / persons, so as to ensure that the name of the Authority is not put to any controversy or misused. Interaction with media shall be governed by separate provisions in this regard.
- (4) While contributing to press or any publication or electronic media, on a subject relevant to the Authority, he shall invariably obtain clearance from the concerned department of the Authority in writing. Further, he 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.
- (5) Officers shall not accept any gift in kind, payment, loan, vacation, valuable item or other privilege from current or prospective customers, vendors, competitors, or partners, etc. where such acceptance would prejudice Authority's / Officer's decisions / functioning, or it is unlawful, or is contrary to ethical principles.

(6) 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 (Officers and other Employees) Regulations, 2016.

9. Other terms and conditions governing deputations

(1) If an officer was selected for deputation/nomination to an external organization on the basis of 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 required to directly approach the Authority and not the officer. Similarly, in case the external organization proposes to offer a regular appointment, the Authority's prior consent shall be obtained. External organization will be informed of this procedure at the time Authority makes recommendation to that organization.

(2) The officer will remain eligible for increments and promotion during the period of deputation.

(3) Annual Confidential Reports of the officer will be recorded as per instructions issued by the Authority in this regard from time to time.

(4) Violation of any of the terms and conditions of deputation / tour on duty mentioned 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.

(5) The Authority will have right to recall the officer on deputation at any time.

10. In case an officer on deputation/ tour on duty wants to leave the service of the Authority during or immediately after the period of deputation/ tour of duty, he may send the necessary intimation to the Authority communicating his intention 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, 2016.

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

Schedule X

Competent Authorities and Appellate Authorities

Regulation No.	Matters	Competent Authority	Appellate Authority
(1)	(2)	(3)	(4)
4 (3), 5(1) and 15	Appointments by direct recruitment (Class I)	Chairperson	Authority
	Appointments by direct recruitment (Class III and Class IV)	Member	Chairperson
	Appointment by Promotions under Class III and from Class IV to Class III	ED (Admn)	Member
	Appointment by Promotions (Class I) up to Deputy General Manager	Member	Chairperson
	Appointment by Promotions (Class I) General Manager and above	Chairperson	Authority
5(3)	Mode of recruitment, educational qualifications and age limit for grades above Grade "B"	Chairperson	Authority
5(6)(i)	Transfers of employees	ED(Admn)	Member
5(6)(iv)	Quota of vacancies for direct recruitment above Grade "B"	Chairperson	Authority
9 (3)	Extension of period of probation	Appointing Authority	Next Higher Authority
9 (6)	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)	To direct an employee to retire in the interest of Authority or public interest	Chairperson	Authority
12(1)	Acceptance of request for retirement by the employee	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
14	Publication of Seniority list	Chairperson	Authority
16	Reversion of Class I Officers	Member	Chairperson
	Reversion of Class III and IV employees	ED (Admn.)	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	Member for Class I Officers	Chairperson

	employees	ED (Admn.)for Class III and Class IV employees	Member
18(2)	Authorization to count leave without pay for increment	ED (Admn.)	Member
18 (3)	Sanction to draw increments and/or crossing Efficiency Bar	ED (Admn.)	Member
19	Fixation of pay on promotion/deputation	ED (Admn.)	Member
20	Acceptance of place of Home Town or place of domicile or change thereof	ED (Admn.)	Member
22 read with Regulations 23, 24, 25, 26, 27 and 31	Casual leave	Immediate reporting Officer	Next Higher Officer
	Earned leave	HOD/Regional Office In-charge under intimation to next higher Officer/ Member	ED(Admn) /Member
	Sick leave, Maternity leave, Child care leave, Paternity leave	HOD/Regional Office In-charge under intimation to next higher Officer/ Member	ED(Admn)
	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 HOD/Member/Chairperson, the Competent Authority is the respective HOD/Member/Chairperson. 2. Applications for EOL and other leave/s from the employees shall be forwarded by the HOD concerned to the Admn. Department. 3. 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. 4. Leave in respect of HOD will be sanctioned by the respective ED / Member. 5. Leave sanction is after confirmation of availability of balance in leave account and as per eligibility instructions in this regard.		

	6. Where ED (Admn.) is not posted and a designated senior officer is authorized by the Chairperson to exercise powers of ED (Admn), such authorized senior officer shall exercise such powers so authorized of ED (Admn.).		
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 condoning EOL	Member	Chairperson
30	Joining time and special leave in lieu thereof as also Curtailment 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	Grant of permission for undertaking employment within one year after cessation of service	Chairperson	Authority
34	Giving of evidence	ED (Admn.)	Member
37	Permission to be absent from station	1. ED (Admn.) for GM & 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 capacity	ED (Admn.)	Member
47	Employees (all classes) in debt to furnish a statement	ED (Admn)	Member
49(3)	Permission to acquire property from a person or an Indian insurance company with which the employee is having official dealings.	Chairperson	Authority
51	Permission to enter in to marriage in special cases	Member	Chairperson
	Suspension and award of penalties		
	i. Up to Senior Assistant	DGM (HR)	ED (Admn)
	ii. Assistant Manager / Manager / Assistant General Manager	ED (Admn.)	Member

53 and 55	iii. DGM	ED (Admn.)	Member
	iv. GM and 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	Permitting assistance to charge sheeted employee	Chairperson	Authority
57 and 58	Receipt of Inquiry report and action thereon	Chairperson	Authority
72	Deputation of officers to other organizations	Chairperson	Authority