

INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY OF INDIA

NOTIFICATION

Hyderabad, the, 2022

DRAFT INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY OF INDIA STAFF (OFFICERS AND OTHER EMPLOYEES) (FIRST AMENDMENT) REGULATIONS, 2022

F.No.IRDAI/Reg/..... - In exercise of the powers conferred by clause (c) of sub-section (2) of Section 26 read with Section 12 (2) of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Authority hereby makes the following Regulations, namely:

1. Short title and Commencement of the Regulations:

(a) These Regulations may be called the Insurance Regulatory and Development Authority of India Staff (Officers and other Employees) (First Amendment) Regulations, 2022.

(b) They shall come into force on the date of publication in Official Gazette.

2. In the Insurance Regulatory and Development Authority of India Staff (Officers and other Employees) Regulations, 2016:

(A) In Regulation 2 (1), the word “employee” shall be substituted with the word “staff”.

(B) Regulation 3 (1) shall be substituted with the following:

“(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”

(C) In Regulation 3 (1) (f), the words “the Authority specified in Schedule X of these Regulations” shall be substituted with the words “the Competent Authority specified in Schedule X of these Regulations”.

(D) Regulation 3 (1) (m) (i) shall be substituted with the following:

“(i) period served as a probationer which shall be counted as service for the purpose of definition of service as defined in 3 (1) (nn).”

(E) Regulation 3 (1) (p) (ii) shall be substituted with the following:

“(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 / unmarried daughter suffering from permanent disability of any kind (physical or mental) and not earning – no age limit.
- c) Daughter - Till she starts earning, or gets married whichever is earlier, irrespective of age limit. Married daughters, who have been divorced, abandoned or separated from their husbands and widowed daughters and are residing with the employee and are wholly dependent on the employee.
- d) Parents and/or step parents residing with or without and wholly dependent on employee
- e) 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.”

(F) Regulation 3 (1) (ii) shall be substituted with the following:

“(ii) “Sanctioned strength”, in relation to any grade is the number of posts in that Grade against which regular appointments are made by means of Direct Recruitment and Promotion. ”

(G) Regulation 3 (1) (nn) shall be substituted with the following:

“(nn) “Service” includes the period during which an employee is on probation, 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.”

(H) Regulation 4 (1) shall be substituted with the following:

“The employees of the Authority shall be classified as following: -

Category I - Officer

Category II- Assistant, Record keeper or such other posts as determined by the Competent Authority”

(Note:

- (i) wherever the words Class/Class I Officers/ Class III and IV employees appeared in the regulations, they shall be appropriately substituted with the words Category I/ Category II employees, as defined above.
- (ii) the post of Senior Assistant shall be runoff, once the post occupied becomes vacant.)

(I) In Regulation 5 (1) the words “discharge of its duties” shall be substituted with the words “functioning of the Authority”.

(J) Regulation 5 (2) shall be substituted with the following:

“(2) The eligibility criteria including age limit, education and other qualifications, experience, 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.”

(K) In Regulation 5 (5) (b) shall be substituted with the following:

“(b) Depending on office exigencies and necessities, there shall be additional provisions allowed in the staff strength grade-wise for (i) a deputation reserve (both inward and outward) of not more than 10% of the sanctioned strength deputation reserve, (ii) a training reserve (including sponsoring for various courses relevant to the functioning of IRDAI) of not more than 5% of the sanctioned strength and (iii) a

leave reserve of not more than 2% of the sanctioned strength, with a rounding off to the lowest number.”

(L) Regulation 5 (5) (c) shall be substituted with the following:

“The need to ensure availability of skilled, competent, independent and experienced persons like actuaries, accountants, auditors, legal, IT, insurance professions and other skilled professional shall be addressed by the Authority while deciding the staff strength.”

(M) Regulation 5 (6) (a) shall be substituted with the following:

“(a) Qualifications and experience for direct recruitment: The qualifications and experience required for recruiting employees to different grades are described in Schedule IV – Qualifications, experience and age limit required for recruitment to various posts - direct recruitment.”

(N) Regulation 5 (6) (b) shall be deleted.

(O) Regulation 5 (8) shall be substituted with the following:

“(8) Reservations: The Authority provides that Government of India orders on reservation of different categories like SC, ST, OBC, persons with disabilities, ex- servicemen, Economically Weaker Sections (EWS) and other categories as declared by Govt. of India from time to time, 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 any other category as declared by Government of India from time to time.

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.”

(P) After Regulation 5 (9), the following new regulation shall be inserted, namely: -

“5 (10) Technical resignation and Lien: Technical Resignation and Lien shall be governed by the extant instructions issued by the Competent Authority in this regard from time to time.”

(Q) Regulation 6 shall be substituted with the following:

“6 (1) Employment on contractual basis/ Appointment of Advisors/ Consultants: Notwithstanding anything contained in these Regulations, the Chairperson may, for meeting exigencies of work, appoint person/s on contract basis upto a period of three years which can be renewed on mutual terms and on the basis of performance evaluation for periods of a period of 2 more years, however in no case, the total period of engagement shall exceed of five years.”

Note: The terms and conditions of service of employees on contractual basis/ Advisors/ Consultants 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.

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

(R) Regulation 9 (2) shall be substituted with the following:

“(2) The Competent Authority may extend probation of any employee for reasons to be recorded in writing and the same shall be communicated to the employee.”

(S) In Regulation 9 (5), shall be substituted with the following:

“(5) Further, on completion of probation period of one year, the Competent Authority shall issue an order confirming the employee in the grade to which he has been appointed unless probation period is extended.”

(T) Regulation 11 (2) shall be substituted with the following:

“(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 available to his credit as on the date of start of the period of notice against the required notice period except that he shall be entitled to one casual leave for every completed month of notice period;

Provided that such notice may be waived in part or in full by the Competent Authority based on the specific circumstances and merit of the case.

Provided that if during notice period if an employee falls sick, he/she may be entitled to avail sick leave subject to the condition that his/her notice period shall be extended by number of days on which he is on sick leave.”

(U) Regulation 12 shall be substituted with the following:

“12. Retirement

(1) Normal retirement: 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, after conducting reviews, to retire on completion of fifty five years of age or at any time there after or thirty years of total service whichever is earlier, on giving him notice of three months or salary in lieu thereof;

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.

2. No employee shall be granted extension in service beyond the age of retirement of sixty years of age.

3. Voluntary Retirement: An employee, if he so desires, opt to retire from service on completion of either 50 years of age or 25 years of total service, whichever is later, by giving three months' notice in writing.

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;

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;

4. Notice period for voluntary retirement:

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

b. An employee shall not be entitled to set off any leave available to his credit as on the date of start of the period of notice against the required notice period except that he shall be entitled to one casual leave for every completed month of notice period;

c. If during notice period if an employee falls sick, he/she may be entitled to avail sick leave subject to the condition that his/her notice period shall be extended by number of days on which he is on leave;

d. An employee may request in writing to the Competent Authority to accept notice of less than three months giving reasons therefor.

e. On receipt of such request, 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.

f. 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.

5. Reinstatement of employee who has voluntarily retired:

a. An employee who has voluntarily retired from the services of the Authority may make a representation to the Competent Authority for reinstatement the services within three months from the date of voluntary retirement.

b. If on a review of the case on such a representation from the employee and, 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 extraordinary leave or by treating it as dies-non depending upon the facts and circumstances of the case:

Provided that 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.”

(V) Regulation 24 shall be substituted with the following:

“24. Earned Leave –

(1) Every employee shall be entitled to earned leave at the rate of 30 days for every year of service subject to a maximum accumulation of 300 days.

(2) The leave so earned shall be credited to the ordinary leave account of the employee half yearly on 1st January and 1st July respectively in each year at the rate of 15 days for every 6 months of service rendered by such employee.

(3) Where an employee has to his credit 286 days or more of earned leaves, the further credit of 15 days earned leave shall be done at the beginning of each half year (on 1st January or 1st July) to the employee’s additional earned leave account and the earned leaves availed during the six month period thereafter ending on 30th June or 31st December shall be deducted from such account:

Provided that if earned leaves sanctioned is for less than 15 days, the balance shall be credited to the earned leave account subject to the ceiling of 300 days at the close of that half year:

Provided further that an employee shall have his earned leaves sanctioned and availed before 30th June or 31st December as leaves beyond 300 days will lapse on 30th June or 31st December, as the case may be.

(3) No employee, shall earn earned leave when he is on leave other than casual leave for a continuous period of more than six months. If an employee renders less than six months of service in any half year, he shall be credited with one day for every twelve days of duty. Fractions of a day of earned leave shall be taken as full day if amounting to half a day or more, and shall be ignored if amounting to less than half a day.

(4) The period of earned leave, which can be taken at one time by an employee shall not be less than five days. Provided that the employee may take less than five days when he does not have casual leave to his credit.

(5) 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.

(6) Application for grant of earned leave shall be submitted fifteen days in advance from the date of availing, 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.

(7) An employee on ordinary leaves shall draw pay equal to leave pay.

(8) Encashment of earned leave —

(a) An employee may be permitted to encash earned leave once every calendar year for a minimum period of ten 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) Further, an employee of the Authority who resigns from service after giving proper notice of resignation, in terms of Regulation 11, may be permitted encashment of half of the Earned leave at his/her credit as on the date of resignation subject to a maximum of five months of Earned leave:

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).

(c) 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)."

(W) Regulation 25(1) shall be substituted with the following:

"(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 one day; for sick leave beyond two days, production of a medical certificate and a certificate of fitness is compulsory at the time of resuming duty."

(X) Regulation 27(3) shall be substituted with the following:

"Child care leave shall not be admissible if the age of the child is eighteen years or older."

(Y) Regulation 31 (2) (b) shall be substituted with the following:

"(b) Special leave arising out of an accident in the course of employment or because of any natural calamity or weather conditions or external factors or any other reasons as approved by the Competent Authority;"

(Z) Regulation 32 (6) shall be substituted with the following:

"(6) (a) No employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity, or in any political demonstration.

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

(c) If any question arises whether a party is a political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule (b), the decision of the Authority thereon shall be final.

(d) No employee shall canvass or otherwise interfere with, or use his influence in connection with or stand for election as a member of any legislature or local authority:

Provided that -

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

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

(AA) At the end of Regulation 32 (11), the following shall be inserted:

“Further, an employee publishing or circulating by print or electronic means any leaflet or printed matter or post any matter in any website or social media or publishing a book or participating in a public media shall at all times make it clear that the views expressed by him are his own and not that of the Authority.”

(BB) After Regulation 32 (13) (y) the following new regulation shall be inserted, namely;-

“(z) Misuse of grievance redressal systems, other frameworks and media including Social Media by an employee resulting in obstructing the Authority and its

employees from performing their duties and lowering the esteem of the office s and the employees shall be considered as misconduct and may invite disciplinary action.”

(CC) After Regulation 32 (13) the following new regulations shall be inserted, namely;-

“(14) Every employee shall commit himself to and uphold the supremacy of the Constitution and democratic values.

(15) Every employee shall maintain political neutrality, promote the principles of merit, fairness and impartiality in the discharge of duties, maintain accountability and transparency and maintain courtesy and good behavior with the public.

(16) No employee shall place himself under any financial or other obligations to any individual or organisation which may influence him in the performance of his official duties.

(17) No employee shall misuse his position to take decisions in order to derive financial or material benefits for himself, his family or his friends.

(18) Every employee shall refrain from doing anything which is or may be contrary to any law, rules, regulations and established practices.

(19) (a) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;

(b) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgement except when he is acting under the direction of his official superior;

(c) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter through email and subsequently record the decision in the respective file;

(d) An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

Explanation I.- An employee who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected to him shall be deemed to be lacking in devotion to duty within the meaning the sub-rule (2) of Regulation 32.

Explanation II.- Nothing in sub-rule (2) of Regulation 32 shall be construed as empowering an employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the scheme of delegation of powers.

(20) No employee shall

(a) in the performance of his official duties, act in a discourteous manner;

(b) in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delays in disposal of the work assigned to him

(21) Every employee shall, at all times-

(i) act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage;

(ii) observe the Government's policies regarding prevention of crime against women.

(22) No employee shall, except with the previous sanction of the Competent Authority, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour; or in the honour of any other employee by any entity regulated or having official dealings with the Authority:

Provided that nothing in this rule shall apply to-

(i) a farewell entertainment of a private and informal character held in honour of an employee or any other employee by relatives, friends and office colleagues on the occasion of his retirement or transfer or any person who has recently quit the service of the Authority; or

(ii) the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

Note :- Exercise of pressure or influence of any sort on employee to induce him to subscribe towards any farewell entertainment if it is of a substantially private or informal character and the collection of subscriptions from employees under any circumstances for the entertainment of any employee is forbidden.

(23) No employee shall, except with the previous sanction of the Competent Authority, have recourse to any Court or to the Press for the vindication of any official act which has been the subject-matter of adverse criticism or an attack of a defamatory character.

Provided that if no such sanction is received by the employee within a period of three months from the date of receipt of his request by the Competent Authority, he shall be free to assume that the permission as sought for has been granted to him.

Nothing in this rule shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the prescribed authority regarding such action.”

(DD) Regulation 33 (4) shall be substituted with the following:

"(4) (a) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any entity regulated or having official dealings with the Authority;

(b) No employee shall, except with the previous sanction of the Competent Authority, permit his son, daughter or other dependent, to accept employment in any entity regulated or having official dealings with the Authority:

Provided that where the acceptance of the employment cannot await prior permission of the Competent Authority or is otherwise considered urgent, the matter shall be reported to the Competent Authority; and the employment may be accepted provisionally subject to the permission of the Competent Authority.

(c) An employee shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any entity regulated or having official dealings with the Authority, intimate such acceptance to the Competent Authority and shall also intimate whether he has or has had any official dealings with that company or firm:

Provided that no such intimation shall be necessary if he has already obtained the sanction of, or sent a report to the Competent Authority under clause (b).

(d) No employee shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed of according to the instructions of the authority to whom the reference is made.

(EE) Regulation 33 (5) shall be substituted with the following:

"(5) (1) Notwithstanding anything contained in sub-regulation (2), no employee of the Authority, including an employee on contract shall:

- a. within a period of two years from the date that he finally ceases to be in the Authority's service shall accept or undertake an employment or be in any manner associated with any entity regulated or having official dealings with the Authority, except with the prior written approval of the Chairperson.
- b. whilst in service of the Authority, shall seek or apply for any employment opportunity in any entity regulated or having official dealings with the Authority, without the sanction of the Chairperson. Any employee, including an employee on contract, found seeking or applying or accepting employment opportunity with any entity regulated or having official dealings with the Authority, without the sanction of the Chairperson shall be treated as committing the breach of this Regulation.

(2) The Chairperson, may by order in writing, on an application by an employee:

- a. Grant permission, subject to such conditions, if any, as he may deem necessary,
or
- b. Refuse permission for reasons to be recorded in the order, to such an employee.
However, before refusing permission, the Competent Authority shall give a hearing
to the employee concerned.
- c. The decision taken in this regard shall be communicated to the employee
concerned.

(FF) Regulation 36 shall be substituted with the following:

“36. Prohibition of private trade or employment in certain cases

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

(2) However, an employee may, without the previous sanction of the Competent
Authority,-

(a) undertake honorary work of a social or charitable nature, or

(b) undertake occasional work of a literary, artistic or scientific character, or

(c) participate in sports activities as an amateur, or

(d) take part in the registration, promotion or management (not involving the holding
of an elective office) of a literary, scientific or charitable society or of a club or similar
organisation, the aims or objects of which relate to promotion of sports, cultural or
recreational activities, registered under the Societies Registration Act, 1860 (21 of
1860), or any other law for the time being in force, or

(e) take part in the registration, promotion or management (not involving the holding
of elective office) of a co-operative society substantially for the benefit of
employees, registered under the Co-operative Societies Act, 1912 (2 of 1912), or
any other law for the time being in force:

Provided that: -

(i) he shall discontinue taking part in such activities, if so directed by the Competent Authority; and

(ii) in a case falling under clause (d) or clause(e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the Competent Authority giving details of the nature of his participation.

(GG) Regulation 43 shall be substituted with the following:

“43. Demonstrations and Strikes

No employee shall -

(1) engage himself 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, or

(2) resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other employee.”

(HH) Regulation 48 shall be substituted with the following:

"48. Prohibition of sexual harassment of women at workplace

(1) No employee shall indulge in any act of sexual harassment of women at workplace. Further, every employee of the Authority shall take appropriate steps to prevent sexual harassment to any woman at the work place.

(2) The extant provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as amended from time to time, and any other rules or guidelines issued by Government of India in this regard, shall be strictly adhered to.”

(II) The first para of Regulation 75 shall be substituted with the following:

“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 including social media or in any public utterance, make any statement of fact or opinion which has the effect of an adverse criticism of any policy or action of the Authority or the Government.”

(JJ) Regulation 76 shall be substituted with the following:

“(76) (1) All employees who have joined the Authority prior to 01.04.2017 shall be member of a provident fund trust established by the Authority.

(2) Every employee of the Authority who joins the Authority after 01.04.2017 shall become a member of National Pension System.”

(KK) In Schedule II, the words ‘Sub-Staff/Driver’ shall be deleted.

(LL) In Schedule III, the word ‘Sub-Staff/Driver’ shall be deleted.

(MM) Schedule V shall be substituted with the following:

Schedule V

Quota of vacancies – Direct recruitment

Category	Grade	% quota of vacancies
II	Assistant	100% by direct recruitment based on written examination and interview
I	A	100% by direct recruitment as per definition given in Regulation 3 (1) (k) or as decided by the Authority from time to time basing on need
I	B and above	100% by promotion as per definition given in Regulation 3 (1) (k) or as decided by the Authority from time to time basing on need.

(NN) In Schedule VII, clause 1 (3) (d) shall be deleted.

(OO) In Schedule IX-A, clause 1, the words *“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”* shall be substituted with the words *“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 Sector Regulators, Government departments and PSU/ Private Insurers to notified post(s) for a limited period, by the end of which they will have to return to their parent cadre/organisation.”*

(PP) Clause 3 of Schedule IX- A shall be substituted with the following:

“Depending on office exigencies and necessities, there shall be additional provisions allowed in the staff strength grade-wise for (i) a deputation reserve (both inward and outward) of not more than 10% of the sanctioned strength deputation reserve, (ii) a training reserve (including sponsoring for various courses relevant to the functioning of IRDAI) of not more than 5% of the sanctioned strength and (iii) a leave reserve of not more than 2% of the sanctioned strength, with a rounding off to the lowest number.

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.”

(QQ) In Schedule IX-A, clause 6, the words *“Financial Regulators/PSU Insurers/Central Government”* shall be substituted with words *“Financial Sector Regulators/PSU Insurers/Central Government/PSU Insurers/Central Government/Private Insurers”*.

(RR) In Schedule IX-A, after clause 15, the following new clauses shall be inserted, namely:

“16. Selection Procedure: The Competent Authority for the purpose of inward deputation to different Grades/posts shall determine the procedure to be followed by notifying the same from time to time.”

(SS) In Schedule IX-C, after clause 1 (4) (c), the following new clause shall be inserted, namely:

“(5) There will be a cooling off period of two years between two terms of outward deputation.”

(TT) In Schedule IX- C, clause 6, shall be substituted with the following:

“6. Short duration assignment to other organizations for capacity building
The Competent 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 Competent 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.”

(UU) In Schedule IX- C, clause 9 (1), the word “Authority” shall be replaced with the words “Competent Authority”.

(VV) In Schedule IX- C, clause 9 (3), the word “Authority” shall be replaced with the words “Competent Authority”.

(WW) In Schedule IX- C, clause 9 (5), the word “Authority” shall be replaced with the words “Competent Authority”.

(XX) In Schedule IX- C, clause 10, shall be substituted with the following:

“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 Competent Authority communicating his intention to resign / voluntarily retire from the Authority's service as per Staff Regulations. The Competent 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.”

(YY) Schedule X shall be substituted with the following:

Schedule - X

Competent Authorities and Appellate Authorities

Regulation No.	Matters	Competent Authority	Appellate Authority
4 (4) (b)	Designating Head of Departments (HoDs)	Chairperson	Authority
5 (1), 5(6)(f) and 15	Appointments by direct recruitment	Chairperson	Authority
	Appointment by Promotions	Chairperson	Authority
5 (5) (b)	Exercise of deputation reserve/ training reserve/ leave reserve	Chairperson	Authority
5 (6)	Mode of recruitment, educational qualifications and age limit for Grades above Grade “B”	Chairperson	Authority
5 (6) (d)	Quota of vacancies for direct recruitment above Grade “B”	Authority	--
5 (9) read with Schedule VII- 3(1)(a),	Transfers of officers and employees	Chairperson	Authority

3(3), 4 (2), 4 (5)			
5 (10)	Technical Resignation and Lien	Chairperson	Authority
9 (2) & (3)	Extension of period of probation	Chairperson	Authority
9 (4) & (6)	Evaluation and/ or Exercising the option of removing employee from the service during probation period	Chairperson	Authority
10	Intimation for commencement of duty	ED (HR)	Chairperson
11	Discontinuing/ leaving service, termination due to disciplinary proceedings	Chairperson	Authority
11 (7)	Exit Interview to be done before	Respective Member	Chairperson
12	Retirement (Approval of terminal benefits)- HOD	Chairperson	Authority
14	Publication of Seniority list	Chairperson	Authority
16	Reversion of an employee in Grade A & above	Chairperson	Authority
	Reversion of Category II employees	ED (HR)	Chairperson
17 (4)	Passing of an order for accrual of benefits, entitlement of allowances, etc. in the case of discharge or suspension or removal of employees	ED (HR)	Chairperson
18 (2)	Sanction to draw increments and/or crossing Efficiency Bar	HOD (HR)	Member

19	Fixation of pay on promotion/deputation	HOD (HR)	Member
20	Acceptance of place of Home Town or place of domicile or change thereof	DGM (HR)	Member
22 (16) (b) and (c)	Disciplinary proceedings and such other penalties	Chairperson	Authority
23 read with 22	Casual leave	Reporting Officer	Next Higher Officer
24 read with 22	Earned Leave	Reporting Officer	Next Higher Officer
25 (1) & (2) read with 22	Sick Leave	Reporting Officer	Next Higher Officer
25 (3)	Credit of Sick Leave on pro rata basis	DGM (HR)	Member
26 read with 22	Maternity Leave	Respective HOD	ED (HR)
27 read with 22	Child Care Leave	ED (Admn.)	Member
28 read with 22	Paternity Leave	Respective HOD	ED (HR)
29 read with 22	Extraordinary Leave	ED (HR)	Member
30 read with 22	Joining Time and Special Leave	ED (HR)	Member

	<p>Explanation:</p> <ol style="list-style-type: none"> 1. Applications for EOL and other leave/s from the employees shall be forwarded by the HOD concerned to ED (HR) Department. 2. The grant of leave in the absence of Regional Office In-charge will be by the next Senior Class I Officer of the Regional Office below the Regional in-charge or the designated ED (HR) at HO. 3. Leave sanction is after confirmation of availability of balance in leave account and as per eligibility instructions in this regard. 4. Where ED (HR) is not posted and a designated senior officer is authorized by the Chairperson to exercise powers of ED (HR), such authorized senior officer shall exercise such powers so authorized of ED (HR). 5. Leave in respect of HOD will be sanctioned by the respective ED / Member. 		
29 (2)	Initiation of disciplinary proceedings in case EOL crosses 365 days		
	Below DGM	ED (HR)	Member
	DGM to CGM	Member	Chairperson
	ED	Chairperson	Authority
29 (4)	Release of increments by condoning EOL	ED(HR)	Chairperson
32 (7)	Communication of information/documents to unauthorized recipients		
	Below DGM	ED (HR)	Member
	DGM to CGM	Member	Chairperson
	ED	Chairperson	Authority
32 (9)	Contribution to Press	Authorized Official	Chairperson

32 (13) to 32 (23)	Initiation of disciplinary proceedings in case of any misconduct	Chairperson	Authority
33 (5)	Grant of permission for undertaking employment within two years after cessation of service	Chairperson	Authority
34	Giving of evidence	ED (HR)	Member
36 (2) (i) & (ii)	Prohibition to participate in private trade or employment	Chairperson	Authority
37	Permission to be absent from station a. within the country b. outside the country	a. Reporting officer b. ED (HR)	a. Next Higher Officer b. Member
38 (2)	Report in regard to receipt of gifts	ED (HR)	Member
41 (3)	Permission to stand guarantee in private capacity	ED (HR)	Member
47	Employees (all classes) in debt to furnish a statement	ED (HR)	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
50	Permission to acquire and dispose immovable property outside India and transactions with foreigners	Member	Chairperson

51 (2)	Permission to enter in to marriage in special cases	Member	Chairperson
51 (3)	Intimation of marriage with a person other than of Indian nationality	HOD (HR)	Member
53 and 55	Suspension and Award of penalties		
	i. Up to Senior Assistant	DGM (HR)	ED (HR)
	ii. Assistant Manager / Manager / Assistant General Manager	HOD (HR)	ED (HR)
	iii. DGM and GM	ED (HR)	Member
	iii. CGM and ED	Chairperson	Authority
Explanation: The Competent Authority indicated in column 3 above is without prejudice to the provisions Regulation 60 and 61 , to be taken as the Disciplinary Authority.			
56	Procedure for imposing penalties	Chairperson	Authority
57 and 58	Receipt of Inquiry report, action taken thereon	Chairperson	Authority
59	Communication of orders	ED (HR)	Member
72 read with Schedule IX- A and B	Deputation (both inward and outward)	Chairperson	Authority
Schedule VI- 6 (1)	Assessing suitability of employees for promotion on the basis of their service records and with particular reference to ACRs in the grade	Chairperson	Authority

Schedule VIII- 1 (12)	Seniority of employee reverted to previous grade	Chairperson	Authority
Schedule IX- C - (2)	Ascertaining the eligibility of employees for outward deputation	ED (HR)	Member
Schedule IX- C - (2)	Consideration to forward the eligible applications for outward deputation	Chairperson	Authority
Schedule IX- C - (6)	Short duration assignment to other organization for capacity building	Chairperson	Authority
Schedule IX-C- (7)	Nomination to other organizations on request for delivering lectures/ talks	ED (HR)	Member
Schedule IX- C (9) (1)	Selected for deputation/ nomination to an external organization	Chairperson	Authority
Schedule IX- C- (9) (5)	Right to recall the officer on deputation	Chairperson	Authority
Schedule IX- C- (9) (10)	Receipt of intimation of resignation/ voluntary retirement from an officer on deputation/ tour who wants to leave the services of the Authority during or immediately after the period of deputation/ tour of duty	Chairperson	Authority