



Chittaranjan National Cancer Institute

(An Autonomous Body under Ministry of Health and Family Welfare, Govt. of India)

37, S. P Mukherjee Road, Kolkata-700026

Street No-299, DJ Block, Action Area-1D, Newtown, Kolkata-700160

(Establishment Section)

Compilation of Rules & Regulations/Bye Laws Memorandum of Association/ Orders/Instructions/Circulars Composition of Committees

Organizational Chart

Governing Body



Director



MS/ OIC (H)

OIC (R)

Sr. Admin Officer

Sr. Accounts Officer

Hospital

Research

Administrative Officer

Accounts Officer

Asst. Nursing Superintendent

SSO/Scientist

Office Superintendent/
Head Clerk

Asst. Accounts Officer

Nursing Sister

Clerical Staff

Accountant

Staff Nurse

** Other Staffs from Library, Purchase & Maintenance are under control of Director, CNCI through Sr. Administrative Officer.

** Medical, Technical and Other Para-medical Staff are under control of Director, CNCI through their respective HoDs

**RULES
AND
REGULATIONS**

**RULES AND REGULATIONS
OF THE
CHITTARANJAN NATIONAL CANCER INSTITUTE**

- 1. Title:** These Rules may be called the Chittaranjan National Cancer Institute, Calcutta, Rules.
- 2. Definitions:** In these rules and regulations unless there is anything repugnant to the subject to content-
 - (a) “Act” means the West Bengal Societies Registration Act, 1961
 - (b) “Central Government means the Government of India.
 - (c) “Chairman” means the Chairman of the Governing Body.
 - (d) “Director” means the Director of the Institute.
 - (e) “Governing Body” means the Governing Body of the Institute.
 - (f) “Institute” means the Chittaranjan National Cancer Institute, Calcutta.
 - (g) “Meeting” means the meeting of the Governing Body.
 - (h) “Member” means a member of the Governing Body.
 - (i) “State Government” means the Government of West-Bengal
 - (j) “Society” means Chittaranjan National Cancer Institute, Calcutta
 - (k) “Alternate Chairman” means the Alternate Chairman of the Governing Body.
 - (l) “Year” means the year ending on the 31st March.
- 3. (a) Office:** The office of the Institute shall be situated at 37, S. P Mukherjee Road, Calcutta, but may be shifted to any other place in Calcutta permanently or temporarily as may be decided by the Governing Body by a resolution pass in this behalf.
(b) Working Hours: The working hours will be as fixed by the Governing Body.
- 4. Authorities of the Institute:**

The following shall be the authorities of the Institute

 - (i) Governing Body
 - (ii) Such other authorities as may be appointed by the Governing Body from time to time.

5. The Governing Body :

- (a) The composition of the Governing Body shall be as prescribed in Para IV of the Memorandum of Association.
- (b) The Governing Body may co-opt from time to time for such period as may be deemed fit, representatives of other organisations or Institutions which may be concerned with a special knowledge of or interest in such work or programme.
- (c) The members nominated by the Central and State Governments shall hold Office during the pleasure of the respective Governments and the other members shall hold Office for a period of three years.

Provided that-

- (i) Members appointed by virtue of their Office shall cease to be members when they cease to hold such office;
- (ii) A member shall cease to hold Office if he resigns or becomes of unsound mind or is adjudged as insolvent or is convicted of a criminal offence involving moral turpitude.

6. Meetings:

- i. The Institute shall each year, hold an annual general meeting as early as possible after expiry of the year. The meeting shall ordinarily be held in the Registered Office of the Institute.
- ii. The following business shall be transacted at such meeting:
 - (a) Confirmation of the minutes of the previous general meeting;
 - (b) Consideration and approval of the annual report on the management of the Institute for the proceeding year together with an audited copy of the balance sheet, income and expenditure statement and the Auditor's Report;
 - (c) Appointment of Auditors;
 - (d) Consideration of any matter or matters brought before it with the permission of the Chairman.
- iii. The Institute shall also hold at least 3 ordinary meetings in a year. There shall be an interval of 21 days between two ordinary meetings.

- iv. The Institute may also hold special general meetings whenever the Chairman shall think it necessary to convene or whenever requisitions in this behalf is made by a majority of members.
- v. (a) Written notice of every meeting shall be sent to all the members either personally or through registered post to the address of the members as entered in the roll of members. Where the notice is sent by post due service shall be presumed if the cover containing the notice properly addresses is posted.
 - (b) The accidental omission to give notice to or the non-receipt of notice by any member or other person to whom it should be given shall not invalidate the proceedings of the meeting.
 - (c) Every notice shall be sent:**
 - (i) in the case of annual meeting, not less than 21 days before the date fixed for the meeting.
 - (ii) in the case of ordinary meetings not less than 15 days before the date fixed for the meeting.
 - (iii) in the case of Special general meeting, not less than 7 days before the date fixed for the meeting.
- vi. (a) The quorum for any meeting shall be seven in which 2 representative of the Government of India and 2 representatives of the State Government shall be present.
 - (b) If within half an hour from the time appointed for holding a meeting, a quorum is not present, the meeting shall stand adjourned to a later hour on the same date or any other date as the person presiding fixes.
 - (c) In the case of special meetings, if within half an hour from the time appointed for holding a meeting a quorum is not present, the meeting shall stand dissolved.
 - (d) If at the adjourned meeting also, a quorum is not present within half an hour from the time appointed for holding the meeting, the meeting shall stand dissolved.

- vii. Every meeting shall be presided over by the Chairman and if the Chairman is absent, the alternate chairman or if both of them are absent, by any other member as the members personally present at the meeting shall elect.
- viii. Every member including the Chairman shall have one vote. Every matter shall be decided by a majority of votes. In case of equality of votes in respect of any matter, the person presiding shall have a casting second vote.
- ix. Any vacancy or defect in the appointment, nomination or co-option of any member of the Governing Body shall not invalidate any act or proceeding of the Governing Body.

7. Register of Members:

The Institute shall maintain a Register wherein their address and occupations shall be entered. Changes of address shall be notified by the member concerned to the Director who shall enter the new address in the Register. If a member fails to notify his new address, the address in the Register of members shall be deemed to be his correct address.

8. Resolution by Circulation:

Subject as hereinafter provided any business which it may be necessary for the Governing Body to perform may be carried out by circulation amongst all the members and any resolution so circulated and approved by a majority of members, shall be effectual and binding as if such resolution has been passed at a meeting of the Governing Body duly called and held.

9. Allowance to Members:

- i. Every non-official member may receive travelling and daily allowances for attending meetings at rates admissible to Class I Officers of the Central Government.
- ii. If the Journey time by train or by road takes beyond 24 hours the members shall be eligible for air travel. For such journeys travelling allowances shall be paid at the rates admissible to Class I Officers of the Central Government provided that the Chairman, may for special reasons, sanction journey by Air not otherwise admissible.

10. Powers and functions of the Governing Body:

- a. Subject to the provisions of the Act, the Governing Body shall manage the Institute in such a manner as to promote its objects. It shall have full powers and authority to deal with all matters, things and deeds which are necessary and expedite.
- b. The Governing Body shall have the power to add to, amend, alter or abridge all or any of the objects of the society consistent with the Societies Registration Act.
- c. The Governing Body shall also have the power to add, alter, amend the Rules and Regulations and Bye-Laws of the Society with the Societies Registration Act.
- d. Without prejudice of the generality of foregoing the Governing Body shall have and shall perform the following powers and functions, namely:
 - i. the framing of broad polices to carry out the objects of the Institute;
 - ii. to make such bye-laws as they shall think essential to the regulation of the business of the Institute;
 - iii. to consider and sanction Budget Estimates;
 - iv. to sanction expenditure in accordance with the financial bye-laws;
 - v. to invest the funds of the Institute in Nationalised Banks in the modes specified under provisions of Section 11 (5) of the Income Tax Act, 1961;
 - vi. to borrow money on such terms and conditions as are deemed expedient;
 - vii. to create posts, prescribe recruitment rules and recruit staff of the Institute, provided that appointment to any post carrying initial salary of less than Rs. 1200/- per month (all inclusive) may be made by Director himself for a period not exceeding 3 months subject to ratification of the Governing Body.
 - viii. to abolish posts or keep in abeyance any post and to prescribe or adopt rules for classification, control and appeal for the employees.
 - ix. to enter into an agreement or contract with any Government or local authority to obtain for such Government or authority any right, for purposes of carrying out the object of the Institute;
 - x. to draw, accept, endorse, discount, execute, assign, issue and otherwise deal with cheques, hundies, draft, certificates, receipts, Government Securities, promissory

notes, bills of exchange or other instrument whether negotiable or not for the purpose of the Institute;

- xi. to prescribe course of study at the Institute, add or omit any course thereto or therefore and to award degrees, diplomas and certificates.
- xii. to pay all costs and expenditure incurring for the promotion establishment and registration of the Institute and
- xiii. to do all such other lawful acts and things either above or in conjunction with other organisations or persons as the Institute may consider necessary incidental or conducive to the attainment of the aforesaid objectives of any of them.

11. Property and Funds:

- i. The Institute shall be the owner of all the properties movable and immovable and all moneys received by the Institute either as grants from the Central or the State Government or the Government of any other State or as donations, contributions from other sources and any other income and receipts of the Institute.
- ii. The Governing Body shall be the custodian of the properties and funds of the Institute and shall manage the same prudently for the purpose of the Institute.
- iii. The money of the Institute shall be credited into on account in the Bank of the Institute with any of the Nationalised Banks and any withdrawal therefrom shall only be by cheque signed by such persons as the Governing Body may from time to time authorise or specify in the financial Bye-Laws for the purpose.
- iv. The Institute shall maintain proper accounts and balance sheets for each year.
- v. The annual accounts of the Institute shall be audited by a certified auditor appointed by the Governing Body or by the Accountant General, Government of West-Bengal, Calcutta.

12. Application of the Income and Property:

The income and property of the Institute shall be applied solely towards the promotion of the objects of the Institute as specified in the Memorandum of Association and any expenditure incurred shall be subject to such restrictions of the Central Government or the State Government may from time to time impose in

respect of grants of donations made by them. No part of the income or property of the Institute shall be spent or transferred directly or indirectly by way of dividends, bonus or otherwise howsoever to persons who at any time have been members of the Institute except by way of remuneration for services rendered to the Institute or as travelling allowances, daily allowances or other similar compensatory allowances.

13. Committee:

The Governing Body may form any number of committee consisting of members and non-members for any purpose it considers necessary on such terms and conditions as it may fix.

- i. There shall be a Standing Finance Committee. The composition of the finance committee shall be:

Sl No.	Details	Capacity
1.	One representative of the Ministry of Health and Family Welfare, Govt. of India (Amendment) Additional Secretary/ Joint Secretary, MoHFW, Govt. of India (1 st Meeting of the GB held on 07.03.1987) MoHFW Letter No-V22011/8/2004-R(Pt. dated 12.10.2006)	Chairman
2.	Financial Advisor to the MoHFW, Govt. of India or his nominee	Member
3.	One representative of the Dept. of Health, Govt. of West-Bengal. (Amendment) State Health Secretary or Joint Secretary (1 st Meeting of the GB held on 07.03.1987)	Member
4.	Secretary to the Govt. of West-Bengal, Finance Dept. or his nominee	Member
5.	The Director, Chittaranjan National Cancer Institute, Kolkata	Convenor

- ii. There shall be a Standing Academic and Research Council

The composition of the Academic Council shall be as follows:

Sl No.	Details	Capacity
1.	Director, Chittaranjan National Cancer Institute, Kolkata	Chairman
2.	Dean, Faculty of Medicine of the University of Calcutta (Amendment) Dean, Faculty of Medicine of the West Bengal University of Health Sciences	Member
3.	One representative of the Director General of Health Services, New Delhi	Member
4.	Director of Health Services, West-Bengal or his nominee	Member
5.	One representative of the Chairman Governing Body of CNCI, Kolkata	Member
6.	04 representatives of each of the disciplines of the CNCI, Kolkata	Member
7.		
8.		
9.		
10.	Two representative of the non-clinical departments of CNCI, Kolkata	Member
11.		
12.	Two experts from outside the Institute	Member
13.		

Dissolution and Winding up: The Institute may be dissolved and wound up in accordance with the provisions of the Act and with mutual consent of the Government of India and Government of West-Bengal. In the event of dissolution or winding up of the Society/ Association/ Institute, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the Trustees/ Members of the Governing Body, but the same shall be transferred to another charitable trust, society, association or Institute whose objects are similar to those of the Trust/ Society/ Association/ Institute.

**MEMORANDUM
OF
ASSOCIATION**

MEMORANDUM OF ASSOCIATION
OF THE
CHITTARANJAN NATIONAL CANCER INSTITUTE
37, S. P Mukherjee Road, Kolkata-700026

1. **Name:** The name of the Society shall be the Chittaranjan National Cancer Insititute, Kolkata
2. **Registered Office:** The Registered Office of the Society shall be situtated in the city of Kolkata at 37, S. P Mukherjee Road, Kolkata, in the State of West-Bengal.
3. **Objects:** The aims and objects of the Institute are to promote the growth and development of Cancer Research and treatment facilities and for this purpose:-
 - i. To take over and manage the Chittaranjan Cancer Hospital, Kolkata and the Chittaranjan National Cancer Research Centre, Kolkata as also any other organization having similar objects, amalgamating them into a single common centre with emphasis on clinical, applied disease including causation, course, prevention, detection, diagnosis, treatment and rehabilitations and with these objects in view to maintain the necessary beds, laboratories, workshops and/ or any other facility that may be needed from time to time;
 - ii. To develop the Institute into an advanced Institute for treatment, training, education and research in Oncology in all its aspects;
 - iii. To provide education in all levels viz. graduate, postgraduate, doctoral and post-doctoral in the subjects of Oncology and its allied sciences;
 - iv. To educate and train medical, Para-medical and other workers in the various aspects relating to Oncology including the training for its prevention, detection and treatment;
 - v. To employ medical and non-medical Scientists, nurses, technicians, other Para-medical personnel, necessary administrative staff and other sundry personnel to implement the above objects successfully;

- vi. To conduct experiments and develop patterns of teaching in under-graduate and post-graduate education in all branches of Oncology and Neoplasia by opening training centres and instituting innovating schemes;
- vii. To award fellowships for study and research in the field of Oncology at the Chittarnajan National Cancer Institute and to depute the staff of the Institute for specialized study or training in other institutions in India or abroad;
- viii. To attain self-sufficiency in post-graduate education in all branches of Oncology in India;
- ix. To establish tumour registries both Hospital and Population based, as may be desirable from time to time to further the study of cancer and its allied conditions and also to undertake field investigations and cancer control programmes in the community as may be desirable from time to time;
- x. To prescribe courses and curricula in all branches of oncology for under-graduate and post-graduate teaching;
- xi. To associate and establish collaborative studies with other scientific bodies in India or abroad in the study and practice of Oncology;
- xii. To undertake and provide for publication of journals, research papers, leaflets and text books and to augment and maintain library and information services in the furtherance of the objects of the Society;
- xiii. To collect, organize, disseminate and publish knowledge about oncology and other allied sciences;
- xiv. To educate public in Oncology and other related sciences;
- xv. To invite representatives of Governments, Universities and other organizations of Indian and foreign Countries and outstanding scientists to participate in the programmes of the Institute;
- xvi. To co-operate with International and National agencies engaged in the research and treatment of Cancer.

- xvii. To employ administrative, technical, ministerial and other posts under the society and to make appointments thereto in accordance with the Rules and Regulations of the Institute;
- xviii. To appoint and hire services or discharge/ terminate the services of the personnel and to pay them in return for the services rendered to the society, salaries, wages, gratuities', provident funds and other allowances or remunerations in accordance with the rules and regulations of the Institute;
- xix. To accept grants of money from Governments- State and Centre and/ or other scientific corporation bodies, securities and properties of any kind on such terms as may be expedient for the fulfilment of the above mentioned objects;
- xx. To accept gifts and donations from individuals, associations and other bodies either for general or specified purposes in connection with above mentioned objects;
- xxi. To invest and deal with the funds and money of the Institute;
- xxii. To raise from banks or any other financial or public or private undertakings loans and advances with or without securities including pledge and hypothecation of the properties/ assets of the Institute provided that prior approval in writing of the Central Government and the Government of West-Bengal is obtained in that behalf;
- xxiii. to issue appeals and apply for money and funds in the furtherance of the objects of the society and to raise collect funds by gifts, donations, subscriptions or otherwise of cash and securities and any property either movable or immovable and to grant such rights and privileges to the donors, subscribes and other benefactors as the Institute may consider fit and proper;
- xxiv. To acquire and hold by gift, purchase, exchange, lease, hire or otherwise whatsoever any property movable or immovable which may be necessary or convenient for the purpose of the Institute and to build, construct, improve, alter, demolish and repair such buildings, works and constructions as may be necessary for carrying out the objects of the Institute.

- xxv. To sell, mortgage, lease, exchange and otherwise transfer or dispose of all or any property movable or immovable of the Institute for the furtherance of its objects or any of them;
- xxvi. To accept and undertake and management of any endowment or trust fund or donations to further the objects of the Institute; AND
- xxvii. To do all such other lawful acts and things either alone or in conjunction with other organizations or persons as the Society may consider necessary, incidental or conducive to the above mentioned objects or any of them.

4. Governing Body: The composition of the Governing Body shall be:

Sl No.	Details	Capacity
1.	Union Minister for Health & Family Welfare	Chairman
2.	Minister for Health & Family Welfare, Govt. of West Bengal	Member-Alternate Chairman
3.	Secretary, Ministry of Health & Family Welfare, Govt. of India or his nominee.	Member
4.	Director General of Health Services, DHS, MoHFW , Govt. of India, New Delhi.	Member
5.	Financial Adviser, Ministry of Health & Family Welfare, Govt. of India, New Delhi	Member
6.	Secretary, Department of Health & Family Welfare, Govt. of West Bengal, Kolkata	Member
7.	Secretary, Finance Department, Govt. of West Bengal, Kolkata	Member
8.	Director of Health Services, Govt. of West Bengal, Kolkata	Member
9.	Director General or his nominee, Indian Council of Medical Research, New Delhi	Member
10.	Director or his nominee, post-Graduate Institute of Medical Education & Research, Chandigarh	Member
11.	Director, Institute of post-Graduate medical Education & Research, Kolkata or his nominee	Member
12.	Director, Saha Institute of Nuclear Physics, Kolkata	Member
13.	Director, School of Tropical Medicine, Kolkata	Member

14.	Nominee of the Department of Atomic Energy	Member
15.	Director, All India Institute of Hygiene and Public Health, Kolkata	Member
	Amendment	
16.	Vice Chancellor, West Bengal University of Health Sciences (11 th meeting of the Governing Body held On 26.04.2005)	Member
17.	Vice Chancellor, University of Calcutta (12 th meeting of the Governing Body held on 21.08.2010)	Member
18.	Chairman, Standing Finance Committee, CNCI, Kolkata(10 th meeting of the Governing Body held on 2.8.2003)	Member
19.	Expert in field in Biological Sciences related to Oncology (to be nominated by Union Health Minister)	Member
20.	Expert in field in Biological Sciences related to Oncology (to be nominated by State Health Minister)	Member
21.	Two Faculty members of the Chittaranjan National Cancer Institute. By rotation to be nominated by the Standing Academic Committee	Member
22.		
23.	Director, Chittaranjan National Cancer Institute	Member Secretary

BYE-LAWS

**BYE- LAWS OF THE
CHITTARANJAN NATIONAL CANCER INSTITUTE**

BYE-LAWS in exercise of the powers conferred by Rule 10(4) (b) of the Rules and Regulations of the Chittaranjan National Cancer Institute, Kolkata, Governing Body of the CNCI, Kolkata hereby makes the following Bye-laws, namely:-

1. SHORT TITLE AND COMMENCEMENT:

- a) These Bye-laws may be called the Chittaranjan National Cancer Institute, Kolkata Bye-laws 1990.
- b) They shall come into force from the date of their approval by the Governing Body.

2. Definitions:

In these Bye-laws, unless the context otherwise requires-

- a. Memorandum of Association means - The Memorandum of Association of CNCI, Kolkata.
- b. Rules and Regulations means - The Rules and Regulations of CNCI, Kolkata.
- c. Chairman means-Chairman of the Governing Body of the Institute, Kolkata.
- d. Alternate Chairman means - Alternate Chairman of the Governing Body of the Institute.
- e. Governing Body means - Governing body of the Institute as per Clause 4 of the Memorandum of Association of the Institute.
- f. Director means-Director of the Institute.
- g. Member-Secretary means - Member-Secretary of the Governing Body of the Institute.
- h. Member means - Member of the Governing Body of the Institute.
- i. Meeting means - Meeting of the Governing Body of the Institute.
- j. Registered Office means- The Registered Office of the Institute situated at 37 S. P Mukherjee Road, Kolkata- 700026 in the State of West-Bengal
- k. Standing Finance Committee means - Standing Finance Committee the Institute constituted as per Clause 13(1) of the Rules and Regulations.

- l. Academic Committee means - The Standing Academic Committee constituted as per clause 13(2) of the Rules and Regulations of the Institute.
- m. Years means - The year ending on the 31st March.
- n. Academic Staff means - Any member of the staff engaged wholly or partly on any research and imparting clinical training for teaching in the Institute.
- o. Appointing authority means - In relation to any post in the Institute is the authority competent to make appointments to that post as indicated in the schedule attached.
- p. Controlling Authority means - (i) in relation to post in Group -'A', the Governing Body and (ii) in relation to post in Group B, C and D, the Director.
- q. Group A, B, C and D posts in the Institute shall correspond to Central Civil Services Group A, B, C and D posts respectively.
- r. Employees means - Person in the service of the Institute in any post including the Academic staff.

3. Removal of doubts:

Interpretations-

- (i) In case any doubt or difficulty arises in interpreting the provisions of these bye-laws, the Governing Body shall interpret these bye-laws,
- (ii) The decision of the Governing Body in this regard shall be final and binding on the employees.

4. Powers and Functions of the Director:

The Director shall be administrative head of the Institute and shall exercise the powers of the Head of the Departments as defined under Fundamental Rules, Supplementary Rules, Delegations of the Financial Power Rules and General Financial Rules, as amended from time to time.

5. Creation of Post

Governing body will frame staff pattern of the institute and shall have powers to create posts subject to specific provisions in the Budget and scales of pay applicable to similar posts under the Government of India, provided that prior approval of the

Government of India as well as Government of West Bengal shall be obtained, as per the corresponding provisions applicable in Central Govt.

6 (A) Posts in service and appointment thereto :

- (i) The posts in the service of the Institute shall be either permanent posts, posts carrying a definite scale of pay sanctioned without any limit of time, or temporary posts i.e. the posts carrying a definite scale of pay sanctioned for specified period of time.
- (ii) Notwithstanding anything contained in these Bye-laws, or in the cadre and recruitment rules of the Institute, Governing Body may invite a person of high academic distinction and professional attainment to accept an assignment on a short term contract basis not exceeding one year in the Institute on such terms and conditions as it may deem fit.
- (iii) The Governing Body may appoint any academic staff working in any other University, Institute or Organization in India or abroad for undertaking joint project on such terms and conditions as may be approved by the Governing Body.
- (iv) The director shall be appointed by the Governing Body, as per prescribed procedure of Central Government Governing Body will be the Appointing Authority for all Group-A posts. The Director will be the Appointing Authority for Group B, C and D posts. All appointments may be made as per recruitment rules framed by the Governing Body.

6(B) Whole time service-

- (i) Unless in any case it is otherwise distinctly provided, an employee shall be twenty four hours employee of the Institute and may be called upon to perform any function, required by the authority concerned without claim for any additional remuneration.

(ii) Probation & Termination

Provision of Central Civil Service (for permanent and Temporary service) as amended from time to time, will be applicable mutatis mutandis as regards probation and termination of service of the employees of the Institute.

6(C) Retirement on Medical Grounds

- (i) Notwithstanding anything contained elsewhere in these bye-laws, the appointing Authority may retire an employee 3 months' prior notice from the service of the Institute on account of permanent physical or mental disability, incapacitating him for further service, if so certified by the Medical Board appointed by the Governing Body.
- (ii) The decision of the appointing authority shall be final and binding on the employees concerned.
- (iii) The notice referred to in Sub Bye-laws (i) shall not be necessary if in lieu thereof an amount equal to the pay and allowances for three months is paid.

(iv) Performance of duties -

Every employee shall perform such duties as have been entrusted to him and shall, to the best of his ability to carry the lawful directions of the Governing Body or the Director or any other authority, he may be subject to in according to the Rules.

7. Conduct, discipline and penalty:

Till appropriate rules are framed by the Governing Body the Central Civil Service (Conduct) Rules, 1964 as amended from time to time and part iv (Suspension), Part v (Penalties as disciplinary authorities), Part vi (Procedure for imposing implementing penalties) Part vii (Appeals) and Part viii [Review of the Central Civil Services (Classification and Control and Appeal)] Rules, 1965 as amended from time to time, shall apply mutatis mutandis to the employees of the Institute provided that for purposes of the bye-laws:-

- (i) Group A, Group B, C and D posts shall correspond to the Central Civil Services Group A, B, C, and D posts respectively.

- (ii) Appointing authority, Disciplinary authority for the several posts in the Institute shall be as provided in the schedule appended to these Bye-laws.
- (iii) In respect of Central or State Government servants borrowed by the Institute provisions respective of Rule 20 and 21 of Central Civil Services (Classification, Control and Appeal) Rules, 1965 shall apply and Institute shall exercise the functions of the Centre or State Government, as the case may be for the purpose of the said rule aforesaid.
- (iv) For the purpose of these regulations except where specifically provided otherwise the Governing Body shall exercise the same powers in respect of the employees of this Institute as are exercisable by the President of the Union of India in respect of Government employees. Powers of the disciplinary authority shall be exercised by the appointing authority and the powers of the appellate authority shall be exercised by the next higher authority. Where the disciplinary authority is the Director, the appellate authority will be the Governing Body.
- (v) No consultation with Union Public Service Commission shall be necessary in any case.

8. Promotion and Recruitment Rules:

(Qualification for appointment)

- (i) Age, experience and other qualifications for appointment to all posts in the Institute shall be as prescribed under the cadre and recruitment Rules. Relaxation, if any, may be provided for in the said Rules with approval of the Governing Body.
- (ii) The Institute will follow the instructions issued by the Government of India from time to time in regard to Reservation of Scheduled Casts, Schedule Tribes & physically handicapped and ex-servicemen.
- (iii) Such application fees as may be decided by the Director for each category of staff may be charged from the candidate applying for appointments. Remission of 75% of fee shall be made in case of Scheduled Caste and Scheduled Tribe candidates.

9. Powers of re-employment:

Governing Body shall have the powers of re-employment of any superannuated persons in bonafide temporary vacancies and pay of such re-employed person shall be fixed as admissible under Government of India Rules subject to observance of instructions issued by Govt. of India, as amended from time to time.

10. Other Conditions of Service:

In respect of matters not provided in Institute's Bye-laws the rules as applicable to Central Government Servants regarding general conditions of service, pay and allowances, T.A. and Daily Allowances, Foreign Service, L.T.C., terms of deputation in India and abroad, joining time, etc. and orders and decisions issued in this regard by the Central Government from time to time shall apply mutatis mutandis to the employees of the Institute.

11. Seniority

Ordinarily, the principles and procedures prescribed by the Government of India for determination of seniority of its employees shall apply mutatis mutandis to the staff members of Chittaranjan National Cancer Institute (CNCI), Kolkata

12. Leave Rules:

Central Civil Services (Leave) Rules, 1972 as amended from time to time shall apply mutatis mutandis to the employees of the Institute appointed other than on contract basis. Employees appointed on contract basis under the Institute shall be granted leave under the Leave Rules, as are applicable to contract Officer of the Central Government.

13. General Provident Fund:

Employees of the Institute except those on deputation on foreign service, shall be eligible to join the General Provident Fund Scheme of the Institute. The General Provident Fund Central Services Rules, 1960 (Government of India) and amendment issued thereto by the Government from time to time shall mutatis mutandis apply to the employees of the Institute.

14. Medical Aid:

Employees of the Institute and members of their family shall be entitled to such medical aid as admissible to Central Government Employees of similar categories in Kolkata under CS(MA) Rules.

15. Retirement:

The rules governing retirement of employees of Government of India as amended from time to time shall mutatis mutandis apply to the employees of the Institute, provided that scientific and technical personnel as will be classified by the Governing Body, shall, however, retire on attaining the age of 60 years subject to all other conditions contained in FR 56 of Government of India.

16. Pension and Gratuity:

Central Civil Services (Pension) Rules, 1972 of Government of India, as amended from time to time, shall apply mutatis mutandis to employees of the Institute.

17. Official Residence:

Provision under Fundamental Rules and Supplementary Rules as amended from time to time shall apply mutatis mutandis to the employees of the Institute.

18. Norms for creation and eligibility of Junior and Senior Research Fellow Research Associates/Junior and Senior House Surgeons:

The qualifications, experience, age and other conditions of eligibility of candidates for awarding Junior and Senior Research Fellows / Research Associates / Junior and Senior House Surgeons of Institute shall be prescribed by the Academic Committee in accordance with the norms of ICMR / MCI and other similar Central Government Organizations.

19. Powers and functions of the Standing Finance Committee:

The following matters shall be referred to Standing Finance Committee for its consideration and recommendation by the Governing Body:

- (i) Budget estimates for the financial year showing the estimates, receipts and expenditure of the Institute.

- (ii) Annual accounts showing the receipts and expenditure of the Institute together with the audited report thereof.
- (iii) Proposals for new research, Clinical and developmental Schemes.
- (iv) Proposals for creation of new posts.
- (v) All other financial matters including invitation and acceptance of tenders as prescribed by the Governing Body.

20. Powers and Functions of Academic Committee:

The function of the Standing Academic Committee shall be to consider and make recommendations to the Governing Body on all matters specified in Clauses 3 to 16 of the aims and objects under the Memorandum of Association of CNCI, Kolkata

21. Rules 20 (vii): Regarding Appointment of Auditors:

The accounts of the Institute shall be audited annually by the Comptroller and Auditor General of India, New Delhi, or any other person authorised by him in this regard under Section 20 of CAG Act on entrustment basis.

22. Repeal :

The Chittaranjan National Cancer Research Centre's Regulation, 1959 and agreement are hereby repealed.

SCHEDULE

**The Appointing, Disciplinary, Appellate Authority for the various posts in the
Chittaranjan National Cancer Institute, Kolkata.**

Description of Post	Appointing authority	Authority competent to impose penalties which it may impose with reference to rule 11 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965		Appellate authority
		Disciplinary Authority	Penalties under Rule 11 of Central Civil Services (Classification, Control and Appeal Rules, 1965)	
Group “A” posts including Director	Chairman, Governing Body	Chairman, Governing Body	All	Governing Body
Group “B” posts	Director	Director	All	Chairman, Governing Body
Group “C” posts (including erstwhile Group “D”)	Director	Director	All	Chairman, Governing Body

(Amended vide 15th GB on 11.04.2022)