

# **NATIONAL FOUNDATION FOR COMMUNAL HARMONY**

## **Conditions of Service Rules, 1995 as amended from time to time**

### **1 GENERAL PROVISIONS**

(1) These Rules may be called the National Foundation for Communal Harmony Employees (Conditions of Service) Rules, 1995.

(2) These Rules shall apply to every person appointed to any post in the National Foundation for Communal Harmony

### **2 DATE OF COMMENCEMENT**

These Rules shall come into force with effect from the 1.4.1995

### **3 DEFINITION**

In these Rules, unless the context requires otherwise:

(i) 'Secretary' means the Secretary of the National Foundation for Communal Harmony for the time being;

(ii) 'Foundation' means the National Foundation for Communal Harmony;

(iii) 'Competent Authority' means Secretary or such other person as may be designated by the Secretary;

(iv) 'Employee' means a person in the whole-time service of the Foundation;

(v) 'Salary' means the consolidated salary being paid to an employee;

(vi) 'Year' means a calendar year unless specified other wise in the Rules;

(vii) 'Rules' means the National Foundation for Communal Harmony Employees (Conditions of Service) Rules, 1995.

(viii) The masculine gender, where ever used in these Rules, will cover the feminine gender also.

### **4 GROUPING OF POSTS**

The grouping of all the post(s) in the National Foundation for Communal Harmony shall be as per the norms followed in the Central Government.

### **5 POWER TO CREATE POSTS AND THEIR CLASSIFICATION**

(a) "The Executive Council of the Foundation shall determine the number of posts and their categories, scale of pay and the period for which the posts are required to be created. While exercising these powers, the provisions of Ministry of Finance O.M.No.4310/E. (Coord)/85 dated the 6<sup>th</sup> December, 1985 amended vide Ministry of Finance O.M. dated 15th April, 1994, will be kept in view by the Executive Council"

(b) The Executive Council shall be the sole authority to abolish any post.

### **6 RECRUITMENT**

The method as well as qualifications and other requirements for recruitment such as age, educational/technical standard, experience etc. for group 'A' posts shall be prescribed by the Executive Council; and for other posts by the Secretary of the Foundation

### **7 APPOINTMENT COMMITTEE**

The Appointment Committees for filling up constituted the various posts in the Foundation are as under:

Secretary

Home Secretary and Chairman of the Executive Council

Special Secretary in charge of NI Division, MHA

Another SS/AS, MHA

-Chairman

- Member

-Member

Finance Officer and other category (A) Posts

Home Secretary and Chairman of the Executive Council	-Chairman
Financial Adviser (Home)	- Member
Secretary of the Foundation	- Member

Posts of categories B, C and D

Financial Adviser (Home)	- Chairman
Secretary of the Foundation	- Member
Director/Dy. Secretary incharge of Administration, M.H.A	- Member

8 METHOD OF RECRUITMENT

Recruitment to a post in the Foundation shall be made in the following manner:

- deputation from Government Offices or autonomous organizations; or
- re-employment of retired Government servants or
- appointment on contract basis for specified periods, or
- promotion of regular employees; or
- by direct recruitment.

9 PROBATION

Directly recruited employees of the Foundation shall be on probation for two years.

10 SCALE OF PAY

The scale of the pay of the post of Secretary and Finance Officer of the Foundation shall be equivalent to the pay scale of SAG and JAG posts, respectively in the Central Government. The post of Assistant on re-designation as Desk Officer will carry the scale of pay of the Section Officer in the Central Secretariat but without any special pay. The post of Accountant on re-designation as Accounts Officer will carry the scale of pay of the post of Accounts Officer in the Government of India but without any special pay. The scales of pay of other posts in the Foundation and their designations shall correspond with the scales of pay/ designations of similar posts in the Government of India as prescribed from time to time.

Rates (Daily Rates) of Daily workers will be as per Government rates.

The emoluments in the case of contract appointment will be on the basis of mutual negotiation, but within the ceiling of last pay drawn limited to the maximum of the scale of the post to be filled minus pension in respect of retired officers.

11 FITNESS

Every employee appointed on Direct Recruitment basis shall produce a certificate of medical fitness from the competent medical authority. The competent medical authority will be the same as that prescribed by government for a Central Government employee drawing pay in an identical scale.

12 TERMINATION OF SERVICE

Services of a regular employee can be terminated at any time during the period of probation without assigning any reason and without any notice but thereafter by giving one month notice in writing or on payment of one month's pay and admissible allowances in lieu thereof.

The tenure of employees appointed on contract will come to end on the expiry of the period of contract.

13 SUPERANNUATION

The age of superannuation of the regular employee's of the Foundation shall be as for the Central Govt. Employees, which at present is 60 years.

14 RESIGNATION

Any employee may resign from the service of the Foundation after giving a notice of one month in writing. The consequences of acceptance of resignation will *mutatis mutandis* be the same as in case of resignation from Central Government Service.

15 CONDUCT AND DISCIPLINE

The general Rules framed by the Government of India governing conduct and discipline of Central Government employees will *mutates mutandis* be followed in respect of the employees of the Foundation

16 LEAVE

The Central civil Services Leave Rules 1972, as amended, from the time to time, shall apply *mutates mutandis* to all employees of the Foundation

17 All employees will be allowed to accumulate earned leave subject to limit of 240 days as applicable far Central Government employees. However, all regular employees are entitled to encash accumulated leave at credit at the time of retirement from Service.

18 WORKING HOURS AND HOLIDAYS

The Foundation will observe the working hours and holidays observed by the Ministry Home Affairs in Delhi/New Delhi.

19 PROVIDENT FUND

There will be a contributory Provident Fund to which every regular employee shall contribute at least the minimum percentage of pay prescribed and subject to the maximum ceiling under the Employees Provident Fund Act as amended. The Foundation may make contribution limited to the minimum percentage prescribed under the Act. Other aspects such as interest rate, withdrawal etc. will conform to the provisions of the Act as amended from time to time.

20 LEAVE TRAVEL CONCESSION

Every employee of the Foundation shall be entitled to half a month's basic pay as Leave Travel Concession once in a Calendar Year provided he has completed atleast one year of service, subject to production of a certificate of incurred expenditure on travel by taking leave of the kind due.

21 TRAVELING ALLOWANCE

(i) The Rules of the Government of India governing grant of TA/DA will broadly apply to the employees of the Foundation subject to such relaxation as may be called for in specific cases.

(ii) In the case of the Consultant(s) they may be categorized on the basis of their previous status or as per status specifically accorded in the Foundation at the time of their appointment.

(iii) Secretary of the Foundation shall have full powers as the Head of the Department in respect of regulation of the TA/DA. He will be the controlling officer for himself as well as category A & B employees.

(iv) The Finance Officer shall be the Controlling Officer in respect of regulation of TA/DA to category 'C' and 'D' employees.

(v) For any relaxation of rules, the Chairman of the Executive Council shall have full powers in the case of Secretary in the case of others the Secretary shall have full powers.

- 22 GRATUITY  
Every regular employee will be paid gratuity at the time of retirement from the service on the same terms as are applicable to Central Government employees.
- 23 MEDICAL ALLOWANCE  
For medical facilities of employees und their families, Medical Allowance at the rate of Rs.1000 p.m.. to the employees drawing grade pay of Rs. 4600 or more and Rs.700 p.m to the employees drawing grade pay below Rs. 4600 w.e.f. 01.11.2010.
- 24 AMENDMENTS / MODIFICATIONS / ADDITIONS  
The Executive Council may annul any of these Rules or amend, modify, or add to these Rules from time to time. All such annulments, amendments, modifications or additions take effect from such dates as may be specified by the Executive Council
- 25 MATTERS NOT COVERED IN THE RULES  
Any matter relating to conditions of service for which no specific provision has been made in these Rules will be governed by corresponding Rules applicable to the Central Government employees
- 26 MISCELLANEOUS  
All orders and decisions of the Foundation shall be authenticated by the signature of the Secretary
- 27 All Executive instructions or orders corresponding to these Rules in force immediately before the commencement of these Rules and applicable to the employees to whom these rule apply are hereby repealed but decision taken thereunder shall be saved and shall not be questioned or reopened

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