

INDIA TRADE PROMOTION ORGANISATION
SERVICE REGULATIONS

Title:-

1. These Regulations may be called “India Trade Promotion Organisation Service Regulations”.

Amendment:-

2. The Regulations will come into force with effect from the date of incorporation of the Organisation.

Definitions

3. In these Regulations, unless the context indicates otherwise :

- (a) “Organisation” means the India Trade Promotion Organisation.
- (b) “Board” means the Board of Directors of the Organisation
- (c) “Regulations” mean the India Trade Promotion Organisation Service Regulations.
- (d) “Chairman/Managing Director/Director” shall have the same meaning as defined in the Article of Association of the Organisation
- (e) “Chief Exhibition Officer” means a person appointed as Chief Exhibition Officer to manage the affairs of the Organisation.
- (f) “Secretary” means the Secretary of the Organisation.
- (g) “FA&CAO” means the Financial Adviser and Chief Accounts Officer of the Organisation.
- (h) “Employee” means any person appointed to service or post in connection with affairs of the Organisation but will not include a labourer/ worker in a factory/ industrial undertaking under the control of the Organisation to whom the provisions of Factories Act,1948 apply except that the Board may by a resolution decide to apply these rules with such modifications as they may make from time to time.
- (i) “Service” means service in connection with the affairs of the Authority.
- (j) “Office” includes Headquarters office, Branch office, Regional Office, Sub-Regional Office, an Agency Area a Depot, Trade Office, and Show Rooms or any other office that the Organisation may establish anywhere in India or elsewhere.
- (k) “Approved Medical Officer” means a doctor approved under the Central Government Health Service Scheme or approved by the Organisation for issuing medical certificate or reports.

NOTE:

Words and phrases not defined above will, in case of doubt, have the same meaning as given to them in Fundamental Rules and Supplementary Rules of the Government of India.

SCOPE

4. These Regulations have been framed by the Board to define the terms and conditions of service of the employees of the Organisation including their pay and allowances and shall apply to every person in the employment of Organisation.

EXCEPTIONS:

(a) Employees, whether of the Union or the State Government or State-owned undertaking, whose services are placed at the disposal of the Organisation on foreign service shall be governed by such terms as may be laid down for the purpose.

(b) The Board may for recorded reasons, waive or modify the operation of any of these regulations in respect of any employee.

(c) Unless expressly provided for in these Regulations, the terms and conditions of service of the Organisation employees, their increments, leave and leave salary, joining time pay, travelling and other allowances and other allied matters will mutatis mutandis, be governed by the Government of India Fundamental and Supplementary Rules which shall include Government of India orders and decisions, Audit Instructions and Audit Rules issued by the Controller and Auditor General of India from time to time relating there to.

4.A. Disciplinary proceedings and penalties prescribed in the India Trade Promotion Organisation (Conduct, Discipline & Appeal) Rules, as amended from time to time, and such other rules, as may be prescribed by the Board from time to time in this regard, will also be applicable to the employees.

RECRUITMENT RULES

5. In regard to the matters concerning classification of posts, scales of pay, seniority, promotion and allied matters etc. the provisions of the India Trade Promotion Organisation Recruitment Rules as amended from time to time shall also be applicable to the employees of the Organisation also.

CREATION OF POSTS, SELECTION AND APPOINTMENTS :

6. (i) Consistent with the requirements of the Organisation, the Board may create posts from time to time and prescribe the scale of pay of each post or class of posts or number of posts in each category. Appointments shall be made after considering the case of all the suitable candidates available. A properly constituted Selection Committee shall consider the candidates and recommend their appointments.

(ii) The composition of the Selection Committee (to be known as Personnel Committee) which will deal specifically with recruitment of new personnel and for selection & promotion of the departmental candidates will be as laid down by the Board from time to time.

(iii) Applications for appointment to vacancies falling in the direct recruitment quota of the Organisation will ordinarily be invited through advertisement in some of the prominent daily papers of India and also through the Government Employment Exchange(s) as per Govt. Rules.

CONSULTATION WITH FINANCE

7. The FA&CAO will be consulted in all cases where the fixation of pay is proposed at a stage higher than the minimum in the scale of pay.

CERTIFICATE OF HEALTH

8. No person shall be taken in service unless he/she furnishes to the Organisation a health certificate in the prescribed form from the Approved Medical Officer (s) either before or within a week of the date of appointment, provided that the Board may in special circumstances grant exemption from the operation of this Regulation in the case of an employee belonging to the classes I & II and the chairman in the case of an employee belonging to class III & IV.

EXPLANATION

A certificate of health shall not be required in the case of the following appointments :-

- (a) Permanent employee of the Central or a State Government on deputation to the Organisation.
- (b) Temporary Government Servants who have already been medically examined if transferred to the Organisation without a break in service provided the head of the office from which they are transferred has certified to the effect that the employee has already produced the requisite medical certificate of health.
- (c) Persons appointed to a vacancy in classes I, II & III posts not likely to last for more than 3 months.
- (d) A person appointed to a post in class IV service of less than six months duration.
- (e) Retired Government Servants re-employed immediately on retirement without break-in service.

PROHIBITION OF BIGAMOUS MARRIAGES

9. Every person on appointment to the service of the organisation shall sign a declaration that, if married, he does not have more than one wife living and, that he will not contract another marriage without proper permission under the personal law applicable to him. Likewise a female employee will furnish a declaration that she is not married to and shall not marry a person who has one wife or more living at the time of appointment.

PROBATION

10. (i) Persons recruited direct in any post and employees promoted from one post to any higher post shall be placed on probation for a period of one year from the date of appointment which may be extended or reduced at the discretion of the appointing authority and may be reverted under the orders of the appointing authority without notice or assigning any reason therefor, at any time during probation.

NOTE:

The Appointing Authority may dispense with the above provision regarding probation in the case of purely temporary appointment, not likely to exceed a period of one year and such employee shall be liable for reversion or termination of service at any time without notice.

- (ii) During the period of probation, a person appointed direct shall be liable to be discharged on one month's notice. Similarly during the period of probation, if the person appointed direct desires to leave the service of the Organisation he shall give a month's notice in writing to the appointing authority or pay cash compensation equivalent to his pay for the period actual notice falls short of one month unless the appointing authority relaxes the condition of notice either in full or in part in special circumstances.

Provided that the organisation may terminate the service of any employee forthwith, without such notice on payment to him a sum equivalent to the amount of his pay plus allowances at the same rates at which he was drawing immediately before the

termination of his service, for the period of the notice or, as the case may be for the period by which such notice falls short of one month.

SENIORITY

11. (i) The seniority in respect of employees of each category shall be determined according to the provision of the Recruitment Rules.
- (ii) If a senior person after selection by the Departmental Promotion Committee is not appointed to a higher post for administrative reasons, his seniority will be protected vis-à-vis junior (s) who may have been promoted to such higher post.
- (iii) A gradation list will be drawn up and revised from time to time and the same shall be duly authenticated.

RESIGNATION, DISMISSAL OR TERMINATION OF SERVICE

- 12 (i) An Employee who has completed his period of probation shall not resign his service in the Organisation without giving a notice of three months to the Appointing Authority stating his intention to resign from the service of the Authority.

Provided that the Managing Director may, at his discretion waive the period of notice partially or in full at the request of the employee if he is satisfied about the genuineness of the reasons on which such a waiver of the notice has been requested.

(ii) Failure to give the required notice shall make the employee liable to pay to the Organisation as compensation a sum equal to his pay for the period by which the notice falls short unless exemption is granted”.

(iii) Nothing in this regulation shall affect the right of the Organisation to terminate the service of an employee without notice or pay in lieu thereof on his being declared mentally or physically disabled for further continuance in service by the approved medical officer. An appeal may lie against the opinion of the Medical officer provided that it is preferred within a period of one month. The appeal shall be referred by the Organisation to such Medical Authority as the Organisation may decide and the opinion of such Medical Authority shall be considered final and conclusive.

(iv) The service of an employee who has completed his probation satisfactorily shall not be liable to termination except :

(a) In the circumstances and in the manner laid down in the India Trade Promotion Organisation Employees (Conduct, Discipline & Appeal) Rules, or

(b) when the Appointing Authority concerned has certified that a reduction has occurred in the number of posts available for such employees who have completed their probation.

Provided that the service of such an employee shall not be liable to termination under clause (b) so long as any post of same grade and under the same Appointing Authority, as the specified post held by him, continues to be held by an employee junior to him. Provided further that when the services of an employee who has completed his probation are terminated under clause(b), he shall be given three months notice and if in any case, such notice is not given, then with the sanction of the Authority Competent to terminate the services of such employees, he shall be paid a sum equivalent to his pay plus allowances at the same rate at which he was

drawing them immediately before the termination of his service, for the period by which the notice actually given to him falls short of three months. If the employee is entitled to any gratuity such gratuity shall not be paid for the period in respect of which he receives a sum in lieu of notice.

(v) The expression "month" used in this Regulation shall be reckoned according to the Gregorian Calendar and shall commence from the day following that on which notice is given by the employee or the Organisation as the case may be.

- 12.A. Notwithstanding anything contained in Rule 12, in respect of employees joining the service of the Organisation in the managerial grade, the Organisation shall have the right to terminate, without assigning any reason, the services of any such employee after he has completed his probation satisfactorily by giving three months notice or pay in lieu thereof. Similarly, such an employee may, after he has completed his probation satisfactorily, resign his service by giving three months notice or pay in lieu thereof.

RETIREMENT

13. (a) Except as otherwise provided specially, every employee, at below the Board level in ITPO, shall retire from the service of the Organisation on the afternoon of the last date of the month in which he/she attains the age of 60 years. However, employee whose date of birth is the first of the month, shall retire from service in the afternoon of the last date of the preceding month on attaining the age of 60 years. Provided, however, notwithstanding the provisions contained in the above regulation, the Organisation may, if considered necessary, require an employee to retire after he/she attains the age of 50 years on 3 months' notice without assigning any reasons. Similarly an employee may, also after attaining the age of 50 years, voluntarily retire after giving 3 months' notice to the Organisation.

(b) Provided that an employee, referred to above, after submission of notice of retirement, may request for full or partial waiver. The Appointing Authority may consider such request and curtail the period of three months on merit if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience and may relax the requirement of notice period of three months.

(Amended vide O.O./Admn./ 538/98 dt.25.06.98)

PROVIDENT FUND

14. Every employee, who is appointed in the service of the Organisation, shall become a member of the India Trade Promotion Organisation of India contributory Provident Fund in accordance with the rules on the subject.

SERVICE RECORD

15. (i). A Service Register in a suitable form to be prescribed shall be maintained by the Organisation at its Head Office in the case of employees in Class I&II. The register shall contain the names of all such employees in alphabetical order, the substantive posts held by them, the posts in which they are officiating, their pay and the date of next increment, dates of birth, dates of joining service, amounts of leave availed of from time to time and the dates of their last return from leave to join their substantive or officiating post in the Organisation.

(ii). A Service Book shall be maintained in the prescribed form in respect of each employee other than those for whom the Service Register is maintained

(iii). Every event in an employee's official career must be recorded in the service register or the Service Book. In the latter case such entry must be attested by the Head of Office or an officer Authorised by him, care being taken to see that there are no erasures or overwriting.

CONDUCT AND DISCIPLINE

16. An employee shall serve the Organisation in its business in such capacity and at such places as he may be directed from time to time.

Employees in Class IV will ordinarily be required to serve at one station.

17. An employee shall serve the Organisation efficiently, honestly, loyally and faithfully and shall maintain the strictest secrecy regarding the affairs of the Organisation and its constituents. Except in the case of a Contract Appointment, where the Contract shall govern the terms of such an appointment, every employee is a whole time servant of the Organisation and may be employed in such manner as he is directed without any claim for extra remuneration. He shall strive his best to promote the interests of the Authority. No employee shall take part in politics or in any political demonstration.

17.A. No Functional Director of the company including the Chief Executive, who has retired from the service of the company, after such retirement, shall accept any appointment or post, whether advisory or administrative, in any firm or company, whether Indian or foreign, with which the company has or had business relations, within two years from the date of his retirement without prior approval of the Government.

Added Para vide O.O.No.Admn./193/2001 dt. 5.2.2001

18. An employee shall not absent himself from duty without prior permission of the competent authority nor shall he/she himself/herself absent from duty in case of sickness or accident without an immediate report duly supported by a medical certificate, issued by the approved Medical Officer with a request as to the period for which leave is sought for. He/She shall then comply with the decision of the leave sanctioning authority. No employee shall leave the station where he/she is posted without obtaining previous permission from his/her immediate superior officer. Provided that in case of temporary indisposition., the production of a medical certificate may not be insisted upon.

19. The conduct of the employees while in service of the Organisation shall be governed by the provisions of the ITPO Employees (Conduct, Discipline & Appeal) Rules as amended from time to time.

19.A. "Deleted by Board in 31st Meeting held on 23.07.84".

APPLICATION FOR OTHER RULES

20. Such of the Rules, which have not been referred to but are in force in the Organisation from time to time, shall apply to the Employees of the Organisation.

PENALTIES

21. Failure to observe discipline and to abide by the conditions of the service to which he/she is subject under the Service Regulations will render an employee liable to imposition of penalties as contained in the ITPO Employees (Conduct, Discipline & Appeal) Rules.

GENERAL

22. (i) The Board may for reasons to be recorded in writing waive or modify the operation of any of these regulations, in respect of any employee.
- (ii) Whenever there is any doubt about the meaning or extent of application of any of these regulations, the decision of the Board thereon shall be final and binding.
- (iii) In respect of matters concerning the service conditions of the employees of the Organisation not covered by these Regulations or specific decisions of the Board, the Government of India Fundamental Rules and Supplementary Rules including the Government of India orders and decisions and audit instructions thereunder shall apply.
- (iv) No additions or alterations to these Regulations shall have force until passed by the Board.

SAVINGS AND AMENDMENTS

23. (i) All appointment made in the Organisation prior to the endorsement of these Regulations shall be deemed to have been made under these Regulations and all the present employees of the Organisation shall be governed by these Regulations.
- (ii) The Board may amend, modify or add to these regulations from time to time and all such regulations, amendments, modifications or addition shall take effect from the date stated therein.