

## Recruitment Rules for different posts of NII, an autonomous body of the Department of Biotechnology, Ministry of Science and Technology.

### **1. Short Title and commencement**

1.1 These rules may be called the NII Group 'I', 'II', 'III', and 'IV' (Administrative, Technical and Scientific) Recruitment Rules, 1996. The prefixes A, T, S will be added to these groups to indicate respectively Administrative, Technical and Scientific posts. Each Group has a number of grades. The groups are described in Roman numerals with the prefixes as indicated above, and grades within the groups in Arabic numerals. For example S I (2) refers to the second grade in Group I of the Scientific Cadre, T II (1) refers to the first grade in Group II of the Technical Cadre, A III (4) refers to the fourth grade in Group III of the Administrative Cadre and so on.

1.1 They have come into force w.e.f. 2.9.96 i.e. the date of approval of the Department of Biotechnology, Ministry of Science and Technology. These rules are applicable to the posts specified in Schedules to these rules.

### **2. Definition :**

In these rules unless the context otherwise requires, the following terms shall connote :-

2.1 'Schedule' means Schedules to these rules.

2.2 'Institute' means the 'National Institute of Immunology', abbreviated as N.I.I.

2.3 'Controlling Authority' means "The Director N.I.I".

2.4 'Candidates' means the persons/officers who are eligible for consideration for any one of the positions as specified in the Schedules to these rules.

2.5 'Age' means the upper age limit to these rules specified in Schedules

2.6 'SS' means Staff Scientists.

2.7 Governing Body shall mean the Body constituted vide Rule 2.3 of the Memorandum of Association & Rules of NII Society.

### **3. The number of posts, classification and scales of pay**

The number of posts, their classification and scales of pay attached thereto shall be as specified in respective schedules.

#### **4. Initial Constitution - Induction**

4.1 All Group I, II, III and IV Officers/Staff (Administrative, Technical and Scientific) working in N.I.I., on the date of commencement of these rules shall be deemed to have been appointed to the posts corresponding to those which they were holding on regular basis on that date at the initial constitution.

4.2 The inter-se-seniority of officers/staff in each grade, who are appointed at the initial constitution shall be determined as per the date of regular appointment to the respective grades subject to the condition that their inter-se-seniority within their respective grades shall not be disturbed.

4.3 The regular continuous service of the officers/staff mentioned in Rule 4.1 above on the posts corresponding to those which they were holding on regular basis prior to their appointment at the initial constitution under these rules shall count for the purpose of probation period, promotion, confirmation, CPF, Gratuity etc.

#### **Future maintenance**

#### **5. Recruitment norms**

5.1 The minimum educational qualification for all the posts shall be as specified in Schedules. The specified discipline for educational qualification in related areas of interest of the scientific staff, administrative staff and technical staff in respect of N.I.I., as may be required for the posts concerned, will be decided by the Controlling Authority before the posts are advertised. Educational qualifications of recognised University/Board will only be accepted.

5.2 The experience specified in respective Schedules attached to these rules for all the posts shall be the experience acquired after obtaining the minimum educational qualifications required for the post unless otherwise stated in the respective schedules.

5.3 The exact nature of experience in specific field of discipline shall be indicated in the advertisement for the relevant post.

5.4 Qualification in respect of experience are relaxable at the discretion of the Controlling Authority in the case of the candidates otherwise well qualified.

5.5 Qualifications regarding experience are relaxable at the discretion of the Controlling Authority in the case of Scheduled Castes and Scheduled Tribes, if at

any stage of the selection, the Controlling Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up vacancy reserved for them.

5.6 Recruitment shall be made by direct recruitment, promotion, transfer (including contract for specific period), deputation and re-employment as the case may be. The particular method of recruitment for each vacancy shall be decided by the Controlling Authority in the light of the qualification and experience required for the job. Whenever the posts are to be filled up by direct recruitment, the posts shall be advertised in the newspapers or by such appropriate methods as the Controlling Authority deems fit. The Selection Committee will hold interviews of the eligible candidates. The Selection Committee may also consider the candidature of the candidates for Scientific posts 'in absentia' in respect of candidates residing abroad. The composition of the Recruiting Selection Committee / Assessment Board for various posts shall be as detailed in Schedule- IV to these rules.

Note : Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances, for duration of one year or more, can be filled on deputation or on contract basis.

## **6. Age limit and experience for direct recruitment :-**

6.1 The upper age limit for direct recruitment in each category of post shall be as specified in the Schedule V provided that there would be no upper age limit in respect of officers/staff members already working on regular basis in the Institute. The upper age limit in respect of Scheduled Castes, Scheduled Tribes, Ex-Servicemen and other special categories of persons shall be relaxable in accordance with the orders issued by the Government of India from time to time.

Note : The crucial date for determining the age limit shall be the closing date for receipt of application from candidates in India (other than those residing in the Andaman and Nicobar and Lakshadweep Islands).

6.2 In case of the direct recruitment, age limit, qualification and other requirements for any post may be relaxed by the Controlling Authority, in respect of the candidates otherwise qualified. The relaxation of age limit shall be up to 3 years for appointment of Group III and IV posts and up to 5 years on the prescribed age limit for the appointment to Group I and II posts.

## **7. Direct Recruitment**

7.1 The candidates possessing the educational qualifications and experience as specified in Schedules are eligible for direct recruitment and shall be selected by the Expert Selection Committee as specified in Schedule IV.

7.2 The selected candidates, from the date of assuming the duties will be on contract initially for a maximum period of five years. At the end of four years of service the candidates performance will be assessed by an Assessment Committee to be appointed by the Appointing Authority to decide if the candidate's performance during the four years service has been satisfactory or otherwise. If his/her performance is found to be satisfactory by the Assessment Committee, he/she will be offered regular appointment on completion of five years contract service. In case his/her performance is not found to be satisfactory, his/her contract service will stand terminated at the end of five years term of the initial contract appointment.

7.3 In case a departmental candidate is selected for appointment for the post through this method, the same shall be deemed to have been filled by Direct Recruitment.

7.4 Direct recruits may be given, in deserving cases, to be so recorded by the Expert Selection Committee, higher initial start than the minimum of the scale to which they are appointed. However, such an initial start shall not exceed five advance increments over the minimum of the scale. Recommendations, if any, by the Expert Selection Committee for grant of more than five advance increments will be examined by the Governing Body of the N.I.I., which is the competent body to decide the same.

## **8. Method of recruitment on deputation/absorption**

Subject to the candidate having minimum qualification and experience as specified in the Schedules, candidates from other Central Government/State Government, Ministries/Departments, Semi-Govt. organisations, Universities, Research Institutions, Autonomous Bodies, Public Sector Undertakings, can be taken on deputation basis on the following terms and conditions, namely :

8.1 The candidate is holding post analogous to the post applied for in terms of pay scale and status ;

**OR**

8.2 The candidate has worked for at least five years on the lower post. Provided that :-

- a) the period of deputation shall be subject to a maximum of three years, which can be extended up to a maximum period of five years only after the written consent of the incumbent and lending organisation. The total period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organisation/department shall not exceed 5 years. The terms and conditions for tenure of deputation are laid down in Schedule VI.

- b) Subject to the concurrence of the lending Ministries/Departments/ Organisations /Institutions etc. as also the willingness of the incumbent, the candidate can be absorbed in the Institute at any time during the period of deputation against a vacant post if selected by the Expert Selection Committee as specified in Schedule IV.
- c) Candidate appointed on deputation shall not have any claim for any promotion during the period of deputation before absorption.
- d) The departmental candidates in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation except for ex-cadre posts for which he / she is not a feeder grade officer.
- e) The vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for duration of one year or more can be filled on deputation basis from the officers from the other organisations as mentioned above.

#### **9. Re-employment**

The candidates who have retired on superannuation or on voluntary basis from the Central or State Government Service, and having the minimum educational qualifications and experience as specified in Schedules can be re-employed as per general or specific orders/instructions issued by the Central Govt. from time to time.

#### **10. Probation period**

The probation period in respect of all appointments whether by direct recruitment or by promotion shall be one year which can be curtailed or extended at the discretion of Appointing Authority.

#### **11. Liability of officers to serve in India or/and abroad.**

Officers appointed shall be liable to serve anywhere in India or/and abroad.

#### **12. Power to relax**

Where the Governing Body is of the opinion that it is necessary or expedient to do so, it may for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

#### **13. Saving**

Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided to candidates belonging to the Scheduled Castes, Scheduled Tribes, Other Backward classes, Ex-servicemen and other

special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

#### **14. Disqualification :**

No person :

- (a) who has entered into or contracted a marriage with a person having a spouse living , or
- (b) who having a spouse living, has entered in or contracted a marriage with any other person, shall be eligible for appointment to any of the said posts;

Provided that the N.I.I. may, if satisfied that such a marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

**15.** An official recruited on or after commencement of these rules shall be governed by the Bye Laws of the Institute as approved by the Governing Body and the Govt. as amended from time to time.

### **Promotion**

#### **16. Administrative Cadre**

The promotion of an incumbent to the higher post shall be made according to the principle of merit i.e. by "Selection" and on the basis of seniority-cum-fitness i.e. by "non-selection" . The promotion shall be made on the recommendations of the Departmental Promotion Committee/Assessment Committee. As such there shall be no automatic promotion in the administrative cadres. The promotions will be strictly made if clear vacancies are available. The persons who have completed the probation period successfully and qualified departmental test prescribed, will be eligible to be considered for promotion by the Assessment Committee/Departmental Promotion Committee subject to having the requisite qualifying service (in core or in project ) as mentioned in Schedule I. The Institute will conduct Departmental tests periodically. A candidate who fails to qualify departmental test can appear for the test (s) at subsequent chance (s). The opportunities for promotion are mentioned in Schedule I.

#### **17. Technical Cadre**

17.1 Induction through direct recruitment will normally be made at the lowest grade in each cadre/discipline. Hence a vacancy arising due to any reason will occur at the lowest grade. However, direct recruitment to other grades may also be made if the need is felt.

17.2 Departmental candidates can also appear for interview with other candidates for the selection to the post in the next higher grade, provided that

they have acquired the requisite qualifications, or passed departmental tests prescribed for the purposes of equating with qualifications prescribed for direct recruitment. The minimum educational qualification/trade qualifications prescribed for direct recruitment as well as alternate qualifications for departmental candidates shall be as given in Schedule II. Any modification to prescribed qualification/experience as stipulated in Schedule II are not permissible. However, these could be made in exceptional cases with the prior approval of the Appointing Authority. This must be done prior to advertising the post.

### **17.3 Seniority**

There will be inter se seniority amongst the personnel of the technical service for the purpose of promotion subject to provisions of clause 17.4.2.

### **17.4 Career Advancement**

17.4.1 Career advancement of the persons will be in their respective categories and will be done in the following manner :

17.4.2 There shall be a system of merit promotion from one grade to the next higher grade, irrespective of occurrence of vacancies in the higher grade; or grant of advance increment(s) up to a maximum of three increments in the same grade, on the basis of assessment of performance. The persons concerned will be eligible for consideration for such promotion or for the grant of advance increment(s) after the expiry of prescribed period as given in Schedule II.

Note :- Persons holding posts which do not have promotional avenues are eligible for grant of advance increments subject to a maximum of three increments in the grade and further subject to review to be done on completion of prescribed period of service as indicated in the Schedule II. Promotion would be effective from due dates.

#### **17.4.3 Training**

Eligibility for merit promotion by assessment is dependent on length of service and fulfilling qualification requirements as laid down in Schedule II. In order that those persons who do not fulfil qualification/trade experience requirements as laid down in Schedule II get an opportunity to acquire the same in service, the Institute will run at regular intervals appropriate training courses for the in-house candidates for specified duration which will comprise of teaching and practical training. At the end of the course the candidates will be put to written tests/trade tests to assess their calibre and declare the names of such candidates as will pass the test with a prescribed percentage of marks. Details of such training programmes will be announced from time to time. The provisions of Rule 5.2 *ibid* for experience will not be applicable to candidates acquiring qualifications through Departmental Training /Test.

## **18. Scientific cadre (Group I posts)**

### **18.1 Avenues for Promotion**

In scientific cadre the promotion will be made through flexible complementing scheme (in-situ promotion). A scientist will be eligible for promotion up to and including the level of Scientist VII in the pay-scale of Rs. 37,400-67,000 in PB-4 with Grade Pay of Rs. 10,000/- through the process of Flexible Complementing Scheme as applicable to the Scientific personnel in the Scientific Departments of the Government of India.

### **18.2 Promotion through Flexible Complementing Scheme (In-situ promotion)**

The system of Flexible complementing Scheme and In-situ promotion shall be followed in the matter of promotion of Institute's scientists in the grade of Staff Scientist II, III, IV, V, VI, VII. If the assessment committee as specified in Schedule V finds scientist fit for promotion to the posts of Staff Scientist III, IV, V, VI and VII and such posts are not available within the sanctioned strength at the time, promotion may be given by upgrading the posts of Staff Scientist II to Staff Scientist III, Staff Scientist III to Staff Scientist IV, Staff Scientist IV to Staff Scientist V, Staff Scientist V to Staff Scientist VI and Staff Scientist VI to Staff Scientist VII. There will be complete inter-changeability without any restriction except that the total number of incumbents would not exceed the total sanctioned strength of the Scientific cadre. The Institute will be free to vary the number of posts in different scales so as to ensure promotion of an officer from the junior scales to senior scale, for which proven merit and record of research shall be the only criteria. A minimum residency of 5 years in each grade shall be required for promotions under the flexible complementing scheme, unless relaxed vide Rule 19.1.

**18.3** Promotion under the scheme shall be personal to the officer concerned and would not result in specific vacancy in the lower grade on that account. The post being currently held by the concerned officer shall be upgraded for the duration of his/her stay in the promotion post. The post shall revert back to the original level once the officer vacates the higher post.

## **19. Review through Flexible Complementing Scheme**

19.1 The review shall be done by the Assessment Committee, that is before 1<sup>st</sup> January and 1<sup>st</sup> July every year as far as practicable. Those who have completed or will complete the required period of residency in a post during the period of three months before or three months after 1<sup>st</sup> January or 1<sup>st</sup> July, as the case may be, shall be included in the eligibility list considered as on the date of



review for promotion to the next higher grade. The effective date of promotion shall be the date from which a candidate becomes eligible provided that minimum residency criteria of 5 years or as relaxed by Assessment Committee is fulfilled.

19.2 There shall be no retrospective promotion (except effective date as provided in 19.1 above).

19.3 Where an eligible scientist is not physically available for review due to deputation or foreign service in India or abroad or Sabbatical leave in India or abroad, his/her case shall be considered in the immediate review falling due on his/her return.

19.4 A person holding a scientific post not found fit for promotion after a review by the Assessment Committee shall become eligible for the next review only after a lapse of at least one year from the date of such review.

## **20. Service to be counted for the purpose of Review for promotion**

All regular service rendered, in Govt. Departments, Autonomous bodies, Public Sector Undertakings, Statutory bodies etc. excluding adhoc service in a post shall count for the purpose of review for promotion to the next higher post.

## **21. Assured Career Progression Scheme**

Group B, C, D services /posts and Isolated posts in Group A,B,C D categories which have no promotional avenues, are governed by Assured Career Progression Scheme contained in the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training OM No. 35034/1/97-Estt(D) dated 9<sup>th</sup> August 1999 and subsequent changes/amendments in this scheme issued from time to time.

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