

Bye-Laws of the Centre for Trade and Investment Law, IIFT

1. SHORT TITLE AND COMMENCEMENT:

- i. These Bye-Laws shall be called the Centre for Trade and Investment Law Bye-Laws, 2016.
- ii. These shall come into force on the date on which the Bye Laws is uploaded by the Centre for Trade and Investment Law (CTIL) on its website.

2. APPLICATIONS AND SCOPE:

- i. These Bye-Laws shall be applicable to all persons working at the CTIL and for its academic and administrative functioning.

CHAPTER-I

3. DEFINITIONS:

- i. In these Bye-Laws unless the context otherwise requires:
 - a) “Annex” means the Annex to these By-Laws.
 - b) “Board of Management” means Board of Management of Indian Institute of Foreign Trade (IIFT).
 - c) “Centre” means Centre for Trade and Investment Law.
 - d) “Consultant” shall mean a person appointed in this capacity in the Centre;
 - e) “Director” means Director of IIFT
 - f) “Employee” shall mean a person appointed at the Centre in terms of (Clause 13 of) these Bye-Laws and shall not include part-time consultants and persons engaged through vendors/service providers:
 - g) **“Professor and Head”** means the Head of the Centre;
 - h) “Institute” means Indian Institute of Foreign Trade (IIFT)
 - i) “Steering Committee” means the Committee so constituted by the Department of Commerce, Government of India.

4. PURPOSE AND OBJECTIVES OF THE CENTRE:

- i. The main objectives of the Centre are as follows:
- a) undertaking research on trade and investment issues from the development perspective for India and other developing countries;
 - b) undertaking research for influencing international discourse on trade and investment issues in consonance with India's interests
 - c) advising the Government of India on trade and investment issues, without a risk of conflict of interest;
 - d) to anticipate emerging issues on trade policy and investment issues and to inform and shape evidence-based public debate and policy making in India and other developing countries;
 - e) to provide the intellectual foundation for major international policy initiatives on trade policy and investment issues in India and other developing countries;
 - f) to provide advice from the perspective of multilateral and bilateral trade and investment agreements for domestic policy making in India and other developing countries;
 - g) to provide legal and policy related advice in relation to India's engagement in such multilateral and bilateral trade and investment agreements at broadly five stages:
 - negotiation and execution of the agreements;
 - review and modification of the agreements;
 - assessment of issues of compatibility of a proposed law or measure in India, with its legal obligations under the WTO/FTAs;
 - assessment of issues of WTO/FTA compatibility of a measure or a practice, and
 - strategy for action and dispute settlement proceedings (State-to-State or Investor-to-State)in view of an alleged breach of a legal obligation under any of the agreements;
 - h) to enhance awareness of trade and investment issues among multi-stakeholders, including Central Government Ministries, state governments, media, industry associations, civil society organisations and private sector; and assisting developing countries in improving their understanding of trade issues;
 - i) to conduct any other activity that may be entrusted to the Centre.

CHAPTER – II

ADMINISTRATION AND FUNDING OF THE CENTRE

5. GENERAL ADMINISTRATION OF CENTRE:

- i. The Centre shall be a research and capacity building entity functioning in IIFT;
- ii. The academic activities including research and capacity building of the Centre shall be guided and monitored by the Steering Committee;
- iii. All administrative and financial powers of the Centre shall be exercised by the Board of Management of IIFT which may delegate these powers to Director, IIFT/Head of the Centre or any other designated employee **not below the rank of Professor at the centre in case Director IIFT and Head of the Centre are not available.**

6. FINANCE AND FUNDING OF CENTRE:

- i. The Centre may receive funds from Government or from other approved sources through IIFT for which the Institute shall maintain separate accounts;
- ii. Account of the expenditures from the aforementioned funds shall be as per norms governing the Institute and details submitted to the Department of Commerce, Government of India or the relevant source as the case may be.

CHAPTER – III

ORGANISATIONAL SET-UP

7. STEERING COMMITTEE

The Steering committee of the Centre shall be the apex body to approve the work plan and budget and monitor & guide its activities.

i. Composition:

The Steering Committee shall comprise *inter alia* representatives from the Government of India, persons with proven academic and/or research excellence, persons with experience in international trade negotiations and/or international diplomacy. The Steering Committee shall have at least nine members including Director, IIFT. The Commerce Secretary, Government of India shall be the ex-Officio Chairperson of the Steering Committee and the Head of the Centre shall be the Member-Secretary of the Steering Committee.

ii. Role of the Steering Committee:

To supervise and provide guidance for academic functioning including research & capacity building and decide the work program of the Centre keeping in view the objectives of the Centre as defined in clause 4 above. Any other function as decided by the Government relating to CTIL.

iii. Meetings

The Steering Committee shall meet at least twice a year. One third of the number of members of the Steering Committee shall constitute quorum at any meeting of the Steering Committee.

8. HEAD OF THE CENTRE:

- i. The Head shall be the Chief Executive of the Centre;
- ii. The Head shall be appointed by the Board of Management of IIFT on the recommendation of Steering Committee; and
- iii. The Head shall have the qualification and experience as prescribed for a Professor at the Centre.

i. Powers of the Head:

- a) The Head shall supervise the day-to-day functioning of the Centre to ensure that the objectives of the Centre get fulfilled effectively.
- b) The Head shall have powers as delegated to him/her as given in Annexure-I. Any amendment to the delegation of power shall be approved by the Board of Management on the recommendations of the Steering Committee.

9. FACULTY AT THE CENTRE:

1. The faculty of the Centre shall be at the following levels:
 - a) Professor
 - b) Associate Professor
 - c) Assistant Professor
2. The Recruitment Rules for appointment at these levels are as placed at Annexure-II
3. Appointments to these levels can be on regular basis or on contract basis as decided by the appointing authority.

10. CONSULTANT:

1. The Centre may appoint individuals with expertise in trade, investment and WTO matters as Consultants from time to time on terms to be decided by the Steering Committee.

2. The Recruitment Rules for appointment of Consultant are as placed at Annexure-II.
3. Visiting Fellow

11. RESEARCHERS:

1. Researchers shall be appointed by the Head to assist the faculty with the main aim of building capacity of the Centre on long terms basis.
2. The selection criteria of researchers shall be decided by the Head in consultation with senior most Professor/Associate Professor in case Professor is not available.
3. Researchers shall be appointed in capacity of the following:
 - a) Research Associate
 - b) Research Fellow
 - c) Senior Research Fellow
4. The Recruitment Rules for appointing Researchers are as placed in Annexure-II.
1. Engagement of researchers shall be reported to the Steering Committee and Board of Management of IIFT in its meeting held immediately after the date of such engagement.

12. ADMINISTRATIVE AND OTHER STAFF

1. The Centre will have an administrative officer, personal assistants, data entry operators, peons, drivers and other support staff as necessary and approved by the competent Authority.
2. The number of employees in each category would be approved by the Board of Management of the Institute.
3. The terms and conditions of appointment of the other staff shall be approved by the Board.
4. The recruitment rules are as placed at Annexure-II

CHAPTER – IV

RECRUITMENT

13. Methods of Recruitment:

The Methods of recruitment to a post in the Centre shall be as follows:

- a) By Direct Recruitment; or
- b) Deputation and lien; or
- c) By re-employment.

CHAPTER-V

TENURE

14. Tenure of Appointment:

- i. The Centre shall have a core faculty for its effective working. The strength and composition of the core faculty shall be decided by the Board of Management taking inputs from the Steering Committee.
- ii. All appointments, other than on deputation, shall initially be on contract for a period of one year extendable for an appropriate number of years thereafter on the basis of performance of the incumbent and future requirement of the Centre. The services of an employee can be terminated by the appointing authority by giving one month's notice or payment of salary (basic pay + grade pay + dearness allowance) in lieu thereof in the first year and thereafter three months notice or payment of salary in lieu thereof.
- iii. Deputations shall be on terms mutually agreed between the Centre and the lending organization in the light of instruction issued by DoPT from time to time. Such deputations can be terminated either by the Centre or by the deputationist by giving a notice of one month.
- iv. Researchers shall be appointed on contract for a period of one year which may be extended from time to time on the basis of the performance of the incumbent and future requirement of the Centre. The appointing authority can terminate their service at any time by giving one month's notice or payment of salary in lieu thereof.

15. Termination of Service

- i. The Services of an employee can be terminated by the appointing authority on gross violation of service conditions or breach of discipline after following due process.
- ii. Without prejudice to the provisions of Clause (i), the services of an employee shall stand terminated:

- a) If his appointment is made for a specific period, on the expiry of such period; or
- b) If his appointment is made for a specific task, upon the completion of such task.

16. Resignation:

- i. An employee, by giving notice of one month in the first year of contractual period or on payment of salary in lieu thereof, and thereafter notice of three months or payment of salary in lieu thereof, in writing, addressed to the Head of the Centre may resign from the service of the Centre.
- ii. The appointing authority may, if it deems proper in special circumstances, permit an employee to resign from the service of the Centre with a notice of less than the period specified.

CHAPTER – VI

PAY

17. Scales of Pay:

- i. The scales of pay for the faculty at the Centre shall be equivalent to those at IIFT, as may be revised from time to time.

18. Increments:

- i. The annual increments in the pay scale shall be drawn as per IIFT norms.
- ii. The faculty shall be entitled for any other increments for acquiring special qualifications in accordance with IIFT norms.

19. Drawal of Pay:

- i. An employee shall be entitled to the pay of the post to which he is appointed from the date on which he assumes charge of the post.
- ii. Pay in respect of any month shall normally become payable on the last working day of the months.
- iii. An employee resigning from the service of the Centre without giving the notice prescribed under By-Law 16 shall not, unless the Appointing Authority directs otherwise, be allowed to

draw pay due but not yet drawn; provided that the pay not allowed to be so drawn shall not exceed the total dues recoverable from him.

20. Dearness/City Compensatory / Traveling Allowance / Leave Travel Concession / Home Town benefits etc.:

- i. Employees working at the Centre shall be entitled to the above allowances/concessions as per the Government of India norms announced and notified from time to time.

21. Medical Facilities:

- i. The Centre shall have medical facilities to employees as per IIFT norms.

LEAVE

22. Kinds of Leave:

- i. The provisions of the Central Civil Services (Leave) Rules 1972, as amended by the Government of India from time to time shall be applicable **mutatis mutandis** to employees working at the Centre.
- ii. Leave of absence for secondment other than deputation.
- iii. Employees working at the Centre shall be entitled to leave on sabbatical. The Guidelines concerning the same are provided in **Annexure-IV**

23. Procedure for Grant of Leave:

- i. An employee shall, before proceeding on leave, make an application in the prescribed form, shall also state in **writing his contact details while on leave** and shall keep the Centre informed of any subsequent change(s) in such address.
- ii. No employee shall proceed on leave unless it has been sanctioned in writing by the competent authority.
- iii. The Centre shall maintain a leave account in respect of every employee.
- iv. Every employee, on return from leave, shall submit a joining report.

CHAPTER-VII

MISCELLANEOUS

24. Consultancy Activities:

- i. Faculty shall be allowed to take up consultancy assignments in his/her name with a prior approval from the **competent authority**; in accordance with the regulations placed at Annex-5.
- ii. Consultancy assignments may be permitted under two conditions:
 - a) The assignment is given to the Centre and a member of the faculty is identified for the study as the Principal Investigator/Lead Faculty. **The competent authority to allow this consultancy will be the Head of the Centre.**
 - b) The assignment is given to the member of the faculty directly. **The competent authority to allow this consultancy will be a committee comprising of AS&FA, AS(TPD), Director IIFT and Head CTIL.**
- iii. The duration of the consultancy, the scope of the consultancy activities and the guidelines governing the same are placed in **Annexure-III**
- iv. Payments to the Faculty for consultancy (for non-government projects) shall be according to IIFT norms

25. Grievance Redressal Mechanism:

- i. Individual grievance and complaints of an employee of the CTIL shall be addressed in accordance with the grievance redressal mechanism applicable for IIFT employees. In such cases one nominee of the Head CTIL may be co-opted in the Grievance Redressal Committee.

26. All other perquisites, benefits and entitlements not specifically mentioned hereinabove shall be governed by the **relevant** Government of India Rules.

CHAPTER-VIII

AMENDMENTS

27. These Bye-Laws may be amended by the Board of Management on the recommendations of the Steering Committee.

28. With regard to the matters not specifically covered under the provisions of the by-laws the instructions/guidelines issued by Government of India from time to time or applicable to the employees of IIFT shall be made applicable.

29. Wherever any doubt arises as to the interpretation of any of the provisions of the bye-laws the matter shall be referred to the Chairman, Steering Committee, whose decision thereon shall be final.

Annexure-I

Administrative & Financial Powers of Head of Centre for Trade and Investment Law & Director (IIFT)

Sl. No.	Subject	Head CTIL	Director IIFT
Administrative Power			
1.	Appointment of Peons, Data Entry Operators, PAs, Research Assistants and Research Fellows	Full powers	_____
2.a.	Grant of Leave	Full powers	_____
2.b.	Grant of LTC advance	Full powers	
3.	Tour including intra-city conveyance bills on tours	Full powers (except his case)	Full powers
4.	Appointment of faculty members / Consultants *	_____	By the Board on recommendation of Selection committee.**
5.	Issue of (i) notifications, (ii) appointment orders etc.	Full powers	_____

* The Board of Management of the Institute has delegated the powers for appointment of faculty/Consultants to the Director, IIFT with the stipulation that all such appointments be reported to the Board of Management at its next meeting. The same will be followed in respect of the Centre.

**Selection Committee is normally chaired by AS(TPD) and has two experts as members.

Financial Power			
1. Expenditure			
(a)	Engaging vendors for supply of i. Goods ii. Services – For studies, personnel etc.	Full powers Up to Rs.5 lakh	Full powers
(b)	Purchase of books and subscription for periodicals	Full powers	_____
(c)	Purchase of furniture, office equipment, advertisement relating to recruitment and activities and maintenance contract.	Full powers	-----
(d)	Printing of books, publications, pamphlets, brochures etc.	Full powers Up to Rs. 5 lakh	Full powers

1. Wherever delegated financial powers by Head, CTIL and Director, IIFT is exercised, the same will be through scrutiny by Finance Section of the Institute

(e)	Purchase of books and subscription for periodicals, including e-journals, databases etc.	Full powers	_____
(f)	Direct expenditure on training programmes/Research Projects 1. Sponsored Programmes 2. Centre Programmes	<ul style="list-style-type: none"> • Up to 6 lakhs National Projects. • Up to 25 lakhs International projects. 	Full Powers subject to approval by Steering Committee.
(g)	Purchase of stationery, stores and papers for printing (recurring)	Full powers Up to Rs. 5 lakh	Full powers
(h)	Rents, Rates and taxes	Full powers	_____
(i)	Telephone Bills Electricity and Water bills	Full powers	_____
(j)	Power to incur miscellaneous expenditure - Recurring - Non-recurring	Full powers Full powers	_____ _____

2. Other Expenses		
Hospitalisation Liveries, repairs including distempering, painting etc.	Full powers	_____
To write off losses of cash and stores	-	Full powers subject to reporting to the Board of Management.
Grant of Festival Advance	Full powers	_____ -
Controlling Officer for TA	Full powers	_____
Nomination/participation of faculty / officers in Conferences/Programmes / Seminars etc.		
i) Within Indian.	Full powers	_____
ii) Overseas where the expenditure is to be met by outside agency	Full powers	_____
iii) Overseas where the expenditure is to be met by CTIL	_____	Full powers

Recruitment Rules		
1. Professor		
Educational and other Qualifications required	Method of Recruitment	Appointing Authority
A. Academicians/ legal professionals		
<ol style="list-style-type: none">1. Direct or indirect experience in trade or investment law or in a related discipline.2. Minimum 10 years’ sectoral (Officer Level)/research/teaching experience of trade or investment law, or related discipline, of which 8 years should be at the level of Assistant/Associate Professor. Experience at the level of Associate Professor may carry more weightage. For persons with relevant research/teaching experience, at least 4 years of experience as Associate Professor should be in a premier institution such as National Law Schools, Central Universities or similar other institutions.3. Ph.D. shall be essential.4. Consistently good academic record with at least 55% (or an equivalent grade in a point scale wherever grading system is followed) at LLB. or LLB. level, or equivalent qualification in a related discipline.5. Published work, particularly research papers in peer reviewed journal, is desirable.	Direct Recruitment	Board of Management
B. On Deputation		
<ol style="list-style-type: none">1. From the Government<ol style="list-style-type: none">a. Officers on deputation from the Government of Indiab. Officers on deputation from State Governmentsc. Appointed on basis of length of service and expertise in relevant field in the field of international trade and investment law, or in a related discipline.	On Deputation	Board of Management

2. From Academic/Research/Training Institutions as mentioned in A above	On Deputation	Board of Management
C. Others-Industry		
<p>1. Individuals with extensive direct experience of at least 3 years of negotiations on issues relating to trade or investment law, or related discipline.</p> <p>2. Professor as Consultants, as per the qualifications of a Professor at the Centre.</p> <p>3. Consistently good academic record with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) at Graduation and Post Graduation level.</p> <p>4. The candidate from industry and profession should have work experience in trade or investment law, which is significant and can be recognized at National/ International level. Ten years managerial experience in industry/profession is desirable.</p>		<p>Board of Management</p> <p>Board of Management</p>
D. Visiting Scholars		
Scholars from within and outside India could be engaged for a period of at least two months on a consolidated emolument to be decided by the Selection Committee.	Selection shall be done by a Committee to be Chaired by Director, IIFT	
2. Associate Professor		
Educational and Other Qualifications required	Method of Recruitment	Appointing Authority
A. Academicians/ legal professionals		
<p>1. A person shall be eligible to be appointed as Associate Professor only if he/she has direct or indirect experience in International Trade or investment law issues, or in a related discipline.</p> <p>2. Minimum 8 years' sectoral (Officer Level) experience or research and teaching experience of trade and investment law, or related discipline, of which 3 years should be</p>	Direct Recruitment	Board of Management

<p>at Assistant Professor Level or equivalent as per UGC qualifications amended time to time. This excludes the period spent for obtaining the research degree.</p> <p>3. Experience shall include evidence of substantive research through quality publications in reputed journals.</p> <p>4. Ph.D is essential, as per UGC guidelines amended time to time.</p> <p>5. Consistently good academic record with at least 55% (or an equivalent grade in a point scale wherever grading system is followed) at LLB. or LLB. level, or equivalent qualification in a related discipline.</p>		
<p>B. On Deputation</p>		
<p>a. From the Government</p> <p>i. Officers on deputation from the Government of India</p> <p>ii. Officers on deputation from State Governments</p> <p>iii. Appointed on basis of length of service and expertise in relevant field.</p> <p>Faculty on deputation shall have LLB / LLM Degree, or equivalent qualification in a related discipline, with demonstrated expertise in International Trade or Investment Law and relevant professional experience of at least 5 years.</p>	<p>On Deputation</p>	<p>Board of Management</p>
<p>2. From Academic/Research/Training Institutions as mentioned in A above</p>	<p>On Deputation</p>	<p>Board of Management</p>
<p>C. Visiting Scholars</p>		
<p>Scholars from within and outside India could be engaged for a period of at least two months on a consolidated emolument to be decided by the Selection Committee</p>	<p>Selection shall be done by a Committee Chaired by Director, IIFT</p>	
<p>3. Assistant Professor</p>		
<p>Educational and other qualifications required</p>	<p>Method</p>	<p>of Appointing Authority</p>

	Recruitment	
A. Academicians / legal professionals		
<p>1. Consistently good academic record with at least First Class (or an equivalent grade in a point scale wherever grading system is followed) at LLB. or LLB. level, or equivalent qualification in a related discipline.</p> <p>2. Relevant work experience or research and studies produced in trade or investment law related areas, or in a related discipline.</p> <p>3. Minimum 3 years' sectoral (Officer Level)/research/teaching experience in trade or investment law, or in a related discipline.</p> <p>4. Must have qualified NET.</p>	Direct Recruitment	Board of Management
5. A Ph. D qualification is desirable.		
6. Papers presented in conferences and/or published in refereed journals is desirable.		
B On Deputation		
<p>1. Deputation from academic field/ government possessing:</p> <p>- LLB / LLM Degree, or equivalent qualification in a related discipline, with demonstrated expertise and experience in International Trade or Investment Law, or in a related discipline.</p> <p>- Ph. D shall be desirable</p>	On Deputation	
7. Consultant		
Educational and other qualifications required	Method of Recruitment	Appointing Authority
<p>1. Expertise and experience in trade or investment law matters, or in a related discipline,</p> <p>2. Expertise and experience in media for dissemination and out-reach of research done by the CTIL.</p>	Full time/Part time consultants may be appointed from time to time on terms decided by the Steering Committee.	Board of Management
8. Senior Research Fellow, Research Fellow, Research Associate		
Educational and other qualifications required	Method of Recruitment	Appointing Authority
1. Selection to be need-based as per criteria to be decided by the Head <u>in consultation with senior most Professor/ Associate Professor</u>	Direct Recruitment (appointment shall be on contractual basis on terms decided at the	Board of Management

<p><u>in case Professor is not available. The candidate must have an LLB degree.</u></p>	<p>time of appointment) Selection shall be made by a Committee comprising of Head/Professor as Chairperson and at least two more faculty members of the Centre.</p>	
<p>9. Other Staff</p>		
<p>Qualifications required</p>	<p>Method of Recruitment</p>	<p>Appointing Authority</p>
<p>a. Administrative Officer</p>		
<p>1. An administrative officer eligible to hold a post of Under Secretary to the Government of India.</p>	<p>Direct Recruitment/Deputation / Re-employment</p>	<p>Board of Management</p>
<p>b. Personal Assistants</p>		
<p>1. Terms and conditions decided by the Head 2. Graduation from recognized University. Desirable: graduation with 50% marks. 3. Shorthand speed 100 w.p.m. 4. Typing speed 40 w.p.m. 5. Adequate and basic computer skills and web surfing.</p>	<p><u>On contractual basis through vendor.</u></p>	<p>Head</p>
<p>c. Data Entry Operators</p>		
<p>1. Terms and conditions to be decided by the Head. 2. 12th class from a Board or its equivalent recognized by the Government. 3. Good typing skills. 4. Basic computer knowledge and net surfing.</p>	<p><u>On contractual basis through vendor.</u></p>	<p>Head</p>
<p>d. Peons and Drivers</p>		
<p>1. Terms and conditions to be decided by the Head. 2. 8th class pass. From a school recognized by the Government.</p>	<p><u>On contractual basis through vendor.</u></p>	<p>Head</p>

<p>3. Desirable: Matriculation examination of a Board or its equivalent recognized by the Government.</p> <p>4. Ability to read in Hindi & English</p>		
<p>e. Ability to read in Hindi & English. (Needs to be deleted as it has already been indicated in para 4 under (d) above</p>		

Annexure-III

Guidelines Regulating Consultancy Activities

<p>I. Broad scope of consultancy activities</p> <p>A. Assignments which are short term:</p> <p>i. Specified lectures in a course, Management/Executive Development Programmes (MDP/EDP), Seminar or Workshop conducted outside the Centre.</p> <p>B. Assignments in which medium term commitment is required:</p> <p>i. Teaching full course at another Institute/Organization</p> <p>ii. Organizing MDP/EDP for another Institute / Organization.</p> <p>iii. Writing lessons for institutions/universities.</p> <p>iv. Research/Consultancy independently or collaboratively for another organization.</p> <p>v. Designing Course Modules for other institutes/organizations other than the Centre for regular courses.</p> <p>vi. All consultancy assignments would be taken on subjects which are within the scope of Centre's activities and relevant to Centre's functioning.</p> <p>C. Other Assignments:</p> <p>i. Member of Ph.D. Viva Board in another Institute/University</p> <p>ii. Member of Selection Panel in another Institute/Organization</p> <p>iii. Member of Academic Council, Board of Management etc. of another Institute/organization.</p> <p>vi. Examinership: Paper-setting, Evaluation etc.</p> <p>v. Other invitations like member of inspection team for affiliation, accreditation, recognition, etc.</p> <p>vi. Supervisor or guide of a researcher enrolled for an M.Phil., Ph.D. or equivalent programme outside the Centre.</p>

II. Principles and general guidelines regulating consultancy assignments

i. Faculty at the Centre will be allowed to take consultancy assignment(s) in his/her name.

ii. No such activity shall be commenced without the written approval of Head.

iii. A copy of the contract between the Faculty Member and concerned organization shall be submitted at the time of seeking approval.

iv. The Faculty Member shall spell out the impact, if any, on his/her assigned duties in the Centre as a result of taking up outside work/consulting and strategies for managing this impact. Request for such permission may be refused if there is a conflict with the commitments in the Centre.

v. Leave with full pay up to a maximum of 60 days for this purpose will be allowed in a year along with station leave, if required.

vi. Faculty Member shall take necessary precaution to ensure that the Centre does not incur any liability to any outside party as a result of the performance (or non-performance) on his/her part in any outside work/consulting. All such activities must contain a disclaimer that views/opinions expressed are those of the faculty only.

vii. Use of Centre's infrastructural facilities such as STD, photocopying etc. by the Faculty Member for the consultancy assignments will be subject to the approval of the Head. If there is use of facilities, cost for the same will have to be reimbursed as determined by the Head.

Faculty Member will pay to the Centre a fixed sum of 15% of the fee received with respect to assignments mentioned at clause I.B. above, within 30 days of the receipt of payment received. No such payment is necessary if the fee is Rs. 10,000/- (Ten thousand) or less.

Guidelines for the Leave on Sabbatical

The guidelines are valid from the date the by-laws are implemented.

1. Purpose

The primary purpose for which a sabbatical leave is granted is to provide members of the tenured faculty with opportunities to:

1. Improve and strengthen their teaching and research;
2. Engage in research and/or professional writing for intended publication in the applicant's area of expertise;
3. Perform scholarly or professional services at the local, state, national, or international level;
4. Engage in other creative or scholarly activities; or
5. Engage in intellectual and professional development activities that will be of benefit to the individual and to the Centre.
6. Engage in research activity both quantitatively and qualitatively.

Eligibility

All faculty members at Centre are eligible to apply for this type of leave to take effect at the end of 5 years continuous employment on regular full-time duties.

Faculty members who do not wish to apply for a sabbatical leave in the year they become eligible or who are denied a leave for any reason will retain their eligibility and may apply during the following year(s). Upon completion of one sabbatical leave, a faculty member begins to accrue time toward eligibility for the next sabbatical leave from the year in which the final report of the sabbatical is submitted to the Head provided normal duties are resumed. The leave time is not considered to be part of the accrued time toward a subsequent leave.

Sabbatical leaves shall be granted with due regard to the claims of those eligible and applying as well as the best interests of the Centre. Such leaves will be granted when departmental programs and the interests of the Centre will not be seriously impaired by the employee's absence. They shall be granted to those individuals whose past service and contributions have been such to warrant the assumption that they will benefit in a manner that will enhance their value to the institution.

Length of Leave and Compensation

A sabbatical leave may be granted for half the **contractual period at full salary or for one contractual period at full salary or for one contractual period at half salary (limited to two years)**. An individual may combine a grant or a scholarship, e.g. Fulbright, or other professional income with a sabbatical leave provided the total income derived while on leave does not exceed the normal salary for the period of the leave after the expenses of the leave, such as equipment, books, and professional travel, have been deducted.

As a general rule, a faculty member on a sabbatical leave may engage in other activities for financial compensation or gain only when these activities are included and approved as part of the sabbatical leave application process. It is the responsibility of the applicant to inform the Centre of all other Salary, grants, fellowships, or financial support he/she expects to or does receive during the period of the sabbatical leave.

While on sabbatical leave, an individual is an employee of the Centre and continues to receive benefits. If the leave is at full salary for one-half the annual contractual period, those benefits available to all full-time faculties will continue unaffected. However, if the leave is for the annual contractual period at half salary, retirement contributions will be based on the actual salary paid.

Guarantees

An individual granted a sabbatical leave agrees in writing to return to Centre for at least **two year or to refund the compensation paid by Centre during the leave. In case of death, accident, or serious illness causing the faculty member to be unable to return, this obligation can be waived by the Steering Committee.**

Postponement

Approved sabbatical leave shall not be denied solely for the convenience of the Centre. However, any delay that occurs because an approved sabbatical is postponed solely for the convenience of the Centre shall accrue in terms of eligibility toward a subsequent sabbatical leave.

Application and Review Procedures

1. At the beginning of each academic year, the Head shall inform the faculty of the application deadline.
2. The application form shall be accompanied by a proposal clearly enunciating the purpose for which the leave is being sought and the expected result from such a leave. The faculty shall be responsible for ensuring that the promised result does accrue, failing which the Steering Committee may take a view to treat the period of such leave in any manner it may deem fit.
3. At any level of review at which a proposed project is denied, the applicant will be given a written explanation indicating the reason(s) for denial. The applicant shall be given at least two weeks to resubmit the proposal when the Centre suggests revisions.

Proposal Format

A leave request shall include an "Application for Sabbatical Leave/Leave of Absence" form and a proposal which shall be organized and consist of the following items:

1. Resume of scholarly or creative activities;
2. A clear, concise statement of the tasks to be completed during the leave;
3. A timeframe for completing tasks identified in as a whole, as well as for each individual task;

4. A statement of how the proposed activities will accomplish the acknowledged purposes of a sabbatical leave and improve the applicant's contributions to the Centre.
5. Detailed information concerning the resources and facilities needed to complete the proposed activity; and
6. A statement of the explicit outcomes anticipated from the leave.

Evaluation Criteria

Leave requests shall be evaluated giving due consideration to:

1. The quality of the proposal, its probable value to the professional development of the individual, and the contribution to the Centre;
2. Potential value of the completed project to the Centre, professional areas;
3. Evidence which exhibits sound preliminary planning of the project and ability to complete the project;
4. Past record of service to the Centre, research, teaching, and other scholarly and creative Activity;
5. The final report and any subsequent outcomes of the most recent sabbatical leave.
6. The years of service applicable toward the leave; and
7. Impact on Centre programs.

Final Report

Recipients of a sabbatical leave agree to submit a full written report by the end of the academic semester in which normal academic duties are resumed. Two copies of the report shall be made with one being placed before the Steering Committee for its consideration and necessary action.

The final report must contain:

1. A brief summary of the proposal;
2. A review of the tasks accomplished;
3. Copies of articles monographs, creative works, or manuscripts prepared for publication, if applicable; and
4. A description of the explicit outcomes as they affect the individual and the Centre.

Terms

Full salary is normally paid during the sabbatical period, provided that the employee works to full capacity for the Centre according to the job description. If the employee receives salary income or other income in excess of the additional expenses in connection with the stay elsewhere, a decision would be made about the case as it may be necessary to reduce the salary paid by the home institution.

In the event of stays at institutions in India and abroad, the employee is urged to apply to have

expenses met by research councils, funds etc. Centre may, following an application, cover any deficit, equivalent to the support granted by the other Research organizations for a research stay abroad.

Miscellaneous provisions:

A sabbatical is earned by a faculty member at the level of assistant professor or above employed on full-time basis only.

Sabbatical is earned during maternity leave but not during paternity leave.