

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



**ADMINISTRATIVE, FINANCIAL AND STAFF
REGULATIONS**

The AALCO Secretariat
29-C, Rizal Marg,
Diplomatic Enclave, Chanakyapuri
New Delhi-110021
(INDIA)

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Background Note

Pursuant to a recommendation made at the Twenty-Eighth Annual Session in Nairobi in 1989, the Secretariat prepared a comprehensive draft on the Administrative, Financial and Staff Regulations. The Secretariat draft was originally Part I dealing with Staff Regulations and Part II dealing with Financial Regulations.

The Secretariat draft was submitted for consideration by the Administrative Panel, which met during seven meetings under the Chairmanship of Mr. Kofi D. Asante, Minister Counsellor and High Commission of Ghana in New Delhi. The meetings were attended by four other panel members; India, Indonesia, Japan and Kenya. In addition, the Secretary-General, the two Deputy Secretaries-General, the Assistant Secretary-General, the Principal Officer and the Administrative Officer also attended these meetings.

The Administrative Panel thoroughly examined the Secretariat's draft and made several substantive and linguistic improvements. The Panel was of the view that while the Organization's Staff Regulations should take into consideration the Government of India Rules, it should also reflect the 'International character' of the AALCC Secretariat. The draft as approved by the panel was submitted to the two hundred and seventeenth meeting of the Liaison Officers, held in November 1989 for consideration. Subsequently, the Liaison Officers, at their two hundred and eighteenth meeting, held in January 1990, approved the draft and recommended the adoption of the proposed Administrative, Financial and Staff Regulations during the Heads of Delegations Meeting in Beijing.

At the Twenty-Ninth Annual Session in Beijing in 1990, the Heads of Delegations of Member States took note of the report of the Administrative Panel. An amendment to Regulations 4.3 (1) and a new Part III concerning the amendment of Regulations were incorporated in the Draft. The 'Draft' as approved by the Heads of Delegations of Member States was submitted for adoption at the Seventh Plenary meeting held on 17 March 1990 which adopted the Draft. The Administrative, Financial and Staff Regulations came into force with effect from 17 March 1990.

In 2015, the Sub-Committee of Liaison Officers on AALCO Secretariat's Human Resources and Financial Matters was reactivated.¹ The Sub-Committee took on the task of formulating the Draft Rules and Regulations for the Salary and Entitlements of the Secretary-General, taking into account the practice of similar Asian-African Organizations.²

After five rounds of meetings the Sub-Committee approved the Draft Regulations on Secretary-General's Salary, Allowances and Other Emoluments, which was then approved at the Liaison Officers Meeting held in January 2016. After consideration and adoption at the Fifty-Fifth Annual Session in New Delhi (Headquarters), these regulations were inserted into the existing Administrative, Financial and Staff Regulations as "Part III" and shall apply accordingly. The original Part III concerning amendments was changed to Part IV.

¹ This was pursuant to AALCO/RES/54/ORG 1. Operative Para 5 reads: "**Decides** to reactivate the Sub-Committee in which the Member States would discuss the administrative and financial issues and exchange their views through their Liaison Officers in the headquarters of AALCO in New Delhi".

² AALCO/RES/54/ORG 2. Operative Para 2 reads: "**Decides** to mandate Liaison Officers Meeting to draft rules relating to the salary and entitlements of the Secretary-General taking into account the practice of similar Asian-African organizations and the same shall be placed before the Fifty-Fifth Annual Session for its consideration and approval".

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION

ADMINISTRATIVE, FINANCIAL AND STAFF REGULATIONS*

Scope and Purpose

1. These Regulations shall be called Administrative, Financial and Staff Regulations.
2. The Administrative and Staff Regulations in Part I embody the fundamental conditions of the service and the basic rights, duties and obligations of the Organization's Secretariat personnel. They also represent the broad principles of personnel policy for the staffing and administration of the Secretariat.
3. The Financial Regulations in Part II set out the procedure for the preparation and approval of the Budget of the AALCC and for the administration and control of its funds and assets.
4. The Regulations in Part III set out the Secretary-General's salary, allowances and other emoluments.
5. The Secretary-General, as the Chief Executive of the Organization, shall administer and enforce these Regulations.

* Adopted by the Organization at its Twenty-Ninth Session held in Beijing from 12 to 17 March, 1990, under the Article 9 of the Statutes and Rules 19 (3) and 26 (2) of the Statutory Rules. The Administrative, Financial and Staff Regulations came into force with effect from 17 March 1990. Part – III and Part – IV were adopted by the Organization at its Fifty-Fifth Session held in New Delhi (Headquarters) from 16 to 20 May 2016.

PART – I

ADMINISTRATIVE AND STAFF REGULATIONS

CHAPTER – I

GENERAL PROVISIONS

1.1. Application:

The Administrative and Staff Regulations shall govern all matters concerning recruitment and conditions of service of Directors, Professional Staff, General services and subordinate staff as stipulated in Rule 19 (3) of the Statutory Rules. These Regulations shall supersede the provisions of the Administrative Rules hitherto in force and known as Staff Regulations.

1.2. Classification:

The personnel employed in the Organization's Secretariat shall be classified in the following categories:

- (i) **Director**
- (ii) **Professional Staff**
 - (a) Principal Legal Officer
 - (b) Legal Officer
 - (c) Translator
 - (d) Librarian
 - (e) Publication and Reference Officer
- (iii) **General Services Staff**
 - (a) Administrative Officer
 - (b) Assistant Administrative Officer
 - (c) Documents Officer
 - (d) Private Secretary
 - (e) Senior Office Assistant
 - (f) Office Assistant
- (iv) **Subordinate Staff**
 - (a) Duplicating Operator
 - (b) Chauffeur
 - (c) Messenger
 - (d) Watch and Ward Staff
 - (e) Cleaner

CHAPTER – II POSTS OF DIRECTORS

2.1 Number of Posts

The Organization may from time to time determine the number of posts in the Secretariat to be borne on the International Category who would be designated as Directors.

2.2 Filling of Posts

The Posts in the category of Directors shall be filled by officers (i) on secondment from the Governments of the Participating States or (ii) by appointment on fixed term contract or (iii) by promotion.

2.3 Salaries, emoluments, terms and conditions of service

- (i) The salaries, emoluments and other terms and conditions of service of Directors on secondment shall be the subject matter of agreement between the Secretary-General on one hand and the Government deputing the officer on the other. Officers on secondment shall be governed by the provisions of such agreement.
- (ii) The salaries, allowances and other emoluments of officers appointed to posts in the Category of the Directors on fixed term contract, or on promotion shall be determined by the Secretary-General in consultation with the Liaison Officers. The terms and conditions of service of such officers shall be governed by these Regulations.

CHAPTER – III

POSTS OTHER THAN DIRECTORS

3.1. Number of Posts

The Organization may from time to time determine the posts and the number thereof in the categories of professional, general service and subordinate staff. Within that Staff Structure and the sanctioned budget, the Secretary-General shall determine in each year the number of posts to be filled.

3.2. Filling of Posts

- (i) The posts in the Secretariat referred to in the preceding Regulation shall be filled by way of (a) regular recruitment or (b) under fixed term contracts or (c) appointments on temporary or on ad hoc basis. The higher posts in the professional category may, however, be filled by officers on secondment from a government of a Participating State.
- (ii) The decision about the manner in which a post shall be filled shall be taken by the Secretary-General.

3.3. Regular recruitment

Appointment of professional staff by way of regular recruitment may be made through (i) direct appointment or (ii) by promotion of officers in the grade below the category in the professional cadre as well as officers in the general services staff subject to fulfilment of the academic and professional qualifications required for the post. The posts borne on the general services staff and subordinate staff may be through direct appointment or promotion.

3.4. Qualifications

The qualifications and other requirements including the requirements of previous experience for the posts in the Secretariat shall be laid down from time to time by the Secretary-General in consultation with the Liaison Officers.

3.5. Salaries, allowances, benefits or other emoluments

The scales of pay, allowances such as dearness allowance, house rent allowance and city compensatory allowance and other benefits applicable to staff members shall be laid down from time to time by the Secretary-General in conformity with the sanctioned budget.

3.6. General conditions of services

The conditions of service for persons employed in the Secretariat in these categories shall be governed by these Regulations.

3.7. Direct Recruitment

- (i) A person selected for a post by direct recruitment shall be appointed on probation for a period of twelve months. Upon completion of the probationary period to the satisfaction of the Secretary-General and subject to medical fitness, the person selected shall be appointed to the post either on a regular basis or on contract.
- (ii) A person selected as a direct recruit shall be required to furnish a medical certificate of physical and mental fitness from a competent medical practitioner designated by the Secretary-General or to undergo medical examination if so required at the discretion of the Secretary-General.
- (iii) A person selected as a direct recruit shall furnish evidence of age through production of his/her birth certificate or other acceptable evidence.

3.8. Appointment on fixed term contracts or on temporary or on ad hoc basis

- (i) The Secretary-General may appoint a person to a post in the Secretariat in the aforesaid categories for a fixed period or on temporary or on ad hoc basis provided that the person fulfils the qualifications and other requirements prescribed for the post.
- (ii) A person appointed for a fixed term shall serve in the Secretariat for the duration of the term unless it is extended at the discretion of the Secretary-General.
- (iii) A person appointed on temporary or on ad hoc basis shall be employed for such short period as the Secretary-General in his discretion may determine.
- (iv) The appointment of any person on temporary or on ad hoc basis shall not preclude his/her being considered for a regular post.

3.9 Appointment of officers on secondment

An officer on secondment from a government may be appointed to a post in the professional category for a fixed term subject to the fulfilment of requisite qualifications prescribed for the post. His/her terms and conditions of service shall be governed by these regulations subject to such terms and conditions as may be agreed upon between the Secretary-General and the authority deputing the officer.

CHAPTER – IV

SELECTION AND PROMOTION

4.1 Power of Appointment and Promotion

The power of appointment and promotion of staff members rests with the Secretary-General.

4.2 Procedure for selection

- (i) Normal channel of recruitment for the professional and the general services category staff shall be through advertisement in important local newspapers, unless it has been decided to fill the post by promotion or by way of secondment. The applications so received shall be scrutinized by a Selection Committee appointed by the Secretary-General as provided in Regulations 4.3 (ii) and (iii). The Selection Committee may, at its discretion, prescribe such written or oral tests as it considers necessary and recommended to the Secretary-General up to four candidates in order of merit for each post.
- (ii) In the case of subordinate staff, applications may be received through issue of advertisement or otherwise and the Selection Committee shall consider suitable candidates to be recommended to the Secretary-General.

4.3 Composition of the Selection Committee

- (i) For the posts of Directors, the Selection Committee shall consist of two International Category Officers – headed by the Secretary-General. The Secretary-General shall also invite any member of the Advisory Panel to sit on the Selection Committee.
- (ii) For posts of Principal Legal Officers, Legal Officers, Translators, Librarian, Publications and Research Officer and Administrative Officer, the Selection Committee shall comprise of two International Category Officers headed by the senior most Deputy Secretary-General. Any other officer may, at the discretion of the Secretary-General, be associated with the Selection Committee.
- (iii) For other posts, the Selection Committee shall be chaired by one International Category Officer who is responsible for the administrative matters of the Organization. Other officers may be associated with the Selection Committee at the discretion of the Secretary-General.

4.4 Promotion

Promotion for eligible staff members shall be considered by the Secretary-General if they fulfil the requirements of the post as determined by the Secretary-General from time to time.

CHAPTER – V

DUTIES, OBLIGATIONS AND PRIVILEGES

- 5.1. Any person on being appointed to a post in the Secretariat of the Organization, shall sign a declaration to the effect that he/she agrees to be bound by the rules and regulations that may be brought into effect from time to time and any office and administrative orders that may be issued by the Secretary-General with regard to conditions of service.
- 5.2. (i) The Secretary-General shall, from time to time, prescribe the hours of work and holidays to be observed in the Secretariat.

(ii) Staff members may be required to work beyond the normal hours of duty if the exigencies of the services so require. The Secretary-General shall determine the staff who would be eligible for overtime payment and rates thereof.
- 5.3. No officer shall engage in any other work, whether for profit or otherwise, without the written permission of the Secretary-General.
- 5.4. The Organization shall have full proprietary rights in regard to any study or work of whatever nature prepared by an officer of the Secretariat in the course of his/her official duties and the same shall not be used or published in any form whatsoever except for the official purposes of the Organization.
- 5.5. A record of service shall be maintained in regard to each staff member. Annual confidential report on the performance of each person shall be prepared by the supervising officer and countersigned by the Secretary-General or such other officer as may be designated for the purpose. Any adverse remarks recorded in the annual confidential report shall be communicated to the person concerned who, in turn, shall have the right to make written observations or comments to the Secretary-General on the remarks.
- 5.6. Any officer may, at the discretion of Secretary-General, be posted for a temporary period to any office, unit or centre maintained for the purposes of the Organization.
- 5.7. Any officer may, at the discretion of the Secretary-General, be deputed to serve any government of a Participating State or an international organization for a specific period. The salary, allowances and emoluments of such officer shall be the subject of agreement between the Secretary-General and the Government or the organization concerned.
- 5.8. Any officer may be required to proceed on tour for attending conferences or for any other purposes connected with the work of the Organization, in which event he/she shall be entitled to receive such allowances as may be prescribed from time to time by the Secretary-General in conformity with the budgetary provisions.
- 5.9. (i) All staff members shall be required to affirm a declaration regarding secrecy of information which may come in their possession in the course of their duties and to undertake not to divulge such information to any person or to use such information to

their private or personal advantage. A provision to this effect shall be incorporated in the agreements between the Secretary-General and the Government of participating States in regard to officers on secondments.

(ii) (a) A staff member who is arrested or charged with an offence or summoned before a court of competent jurisdiction as a defendant in any criminal proceeding, or convicted, fined or imprisoned for any criminal offence other than a minor traffic violation shall immediately report the fact of such arrest, summons, conviction, fine or imprisonment to the Secretary-General.

(b) The immunities and privileges accorded to the Organizations are conferred in the interest of the organization. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe the laws and the regulations of the Member States of the Organization.

(c) The immunities specified in the foregoing clause can be waived in any individual case in regard to an official of the Secretariat by the Secretary-General of the Organization.

(d) Staff members shall not, except in the normal course of official duties and with the prior approval of the Secretary-General, do any of the following:

- (i) Issue statements to the press, radio or other agencies of public information about the activities of the Organization, and
- (ii) Accept speaking engagements.

(e) Staff members shall not submit articles, books or other material for publication without prior approval of the Secretary-General.

(f) Staff members should conduct themselves at all times in a manner benefiting their status and shall not engage in any activity that is incompatible with the proper discharge of their official duties. They shall not take part in any activity or make any pronouncements which may adversely reflect on their status and integrity or do any act which may bring the Organization into disrepute.

(g) The Secretary-General as the Head of the Secretariat shall administer and enforce these Regulations at all times.

CHAPTER – VI

ANNUAL AND SPECIAL LEAVE

- 6.1. Staff members shall, on completion of one year's service, be eligible for earned leave for thirty working days on full pay and allowances. The taking of such leave cannot be claimed as a matter of right and shall be subject to exigencies of work. The earned leave may be accumulated up to a maximum period of sixty days. Each employee's leave account shall be credited twice, 15 days on 1st of January and 15 days on 1st of July, every year.
- 6.2. Staff members may be granted casual leave not exceeding ten days in any calendar year. Such casual leave will be subject to approval of the Secretary-General or the International Category Officer in charge of the administrative matters in the Secretariat and shall be set off against earned leave for the particular calendar year.
- 6.3. **Sick Leave**
- Staff members who are incapacitated from the performance of their duties by illness or injury shall be granted sick leave under the following terms and conditions:
- (i) All sick leaves must be approved and authorized by the Secretary-General on the recommendation of a competent medical practitioner. Before approving any sick leave, the Secretary-General may take a second medical opinion from another physicians recognized by him/her.
 - (ii) Any absence from duty on grounds of illness or injury shall be supported by a medical certificate from a competent medical practitioner, to the effect that the staff member is unable to perform his or her duties and stating the probable duration of absence.
 - (iii) A staff member who holds a temporary or a fixed term appointment of one year or more shall be granted sick leave up to one month on full salary and one month on half salary in any period of 12 consecutive months.
 - (iv) A staff member who holds a regular appointment shall be granted sick leave up to three months on full salary and three months on half salary in any period of twelve consecutive months provided that the amount of sick leave permitted in any three consecutive years shall not exceed eight months, four months on full salary and four months on half salary.
 - (v) A staff member who continues on sick leave for a period exceeding nine months shall be examined by a Medical Panel to determine such employee's physical and mental fitness to continue the service of the Organization.
 - (vi) A staff member who is on sick leave shall not leave his/her duty station without the prior approval of the Secretary-General.
- 6.4. A female staff member may be granted maternity leave on full pay and allowances for a maximum period of ninety days. Any period of absence beyond ninety days shall be

debited to the earned leave. Consideration may be given for a further period of absence up to a maximum of sixty days which shall be treated as leave without pay. Maternity leave may also be granted in cases of miscarriage including abortion for a maximum period of thirty days.

- 6.5. The Secretary-General may grant study leave to an officer who has completed 5 years' service to prosecute higher or specialized professional studies for a period of up to three months. This leave shall not be debited to the leave account of the officer concerned and may be with or without pay at the discretion of the Secretary-General.
- 6.6. Extraordinary leave without pay may be granted in exceptional cases at the discretion of the Secretary-General.
- 6.7. A staff member may be permitted by the Secretary-General to take leave prior to retirement to the extent of his/her earned leave due.
- 6.8. No salary shall be paid to a staff member in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond his/her control or duly certified medical reasons.
- 6.9. A staff member who absents himself/herself abruptly without sufficient reason or when his/her application for leave has not been approved, shall be liable to such disciplinary action as may be deemed to be appropriate at the discretion of the Secretary-General, unless the staff member concerned is able to produce satisfactory explanation of his/her absence.

CHAPTER – VII STAFF AMENITIES

7.1. Medical facilities

- (i) An employee shall be entitled to reimbursement of medical expenses incurred by him/her up to a limit fixed by the Secretary-General in conformity with budgetary provisions.
- (ii) The Secretary-General may, in exceptional circumstances and in consultation with Liaison Officers authorize reimbursement of the cost of hospitalization to help an employee whose medical expenses exceed his/her entitlement.
- (iii) An employee, if he so wishes may take a Medicare Policy from any recognized insurance companies. The premium paid for such a policy by that employee shall be considered as a legitimate claim for medical reimbursement. This, however, shall not exceed the limit for medical reimbursement fixed by the Secretary-General for that year.

7.2. Loan to the staff

- (i) The Secretary-General may in appropriate circumstances authorize the granting of a loan to a staff member. Such a loan shall not exceed six months' basic pay of the staff member concerned and shall be liquidated in such instalments as may be determined by the Secretary-General but not exceeding 24 monthly instalments. No further loan shall be payable to the staff member before liquidation of the previous loan. Loans may be granted to a staff member once in four years.
- (ii) No such loan shall be granted to a temporary or an ad hoc employee or to an employee whose service is less than 5 years in duration.

CHAPTER – VIII

CESSATION OF EMPLOYMENT

- 8.1. The employment of a staff member of the Secretariat shall be deemed to be terminated in the event of death, physical or mental incapacity, resignation, dismissal or in any of the circumstances specified in these Regulations.
- 8.2. The employment of an officer on deputation to the Secretariat of the Organization by the Government of a Participating State shall be deemed to be terminated at the expiry of the period of deputation unless renewed for a further term.
- 8.3. In respect of staff members employed as regular recruits, the employment shall be deemed to be terminated upon attainment at the age of superannuation of 60 years or at an earlier point of time in accordance with the provisions of these Regulations.
- 8.4. The Secretary-General may, however, extend the services of any member of the staff beyond the superannuation period in the exigencies of work. Such extension, which shall be subject to production of a medical certificate as to the staff member's fitness shall not exceed three years.
- 8.5. Any staff member may voluntarily resign from service by giving a prior notice in writing in this regard. The period of such notice shall be three months in the case of staff members with more than five years of service in the Secretariat and in other cases one month's notice shall be sufficient. In the absence of the requisite notice, salary for the period of notice may be deducted from the admissible retiral benefits of that staff member.
- 8.6. The Secretary-General may at any time require a staff member to furnish a certificate of medical fitness by a competent medical practitioner designated by him. If the staff member is unable to furnish a certificate of medical fitness or is found unfit physically or mentally as a result of the medical examination, the Secretary-General may terminate his/her employment upon giving one month's notice or salary and allowance in lieu thereof. Retiral benefits in accordance with the provisions of these Regulations shall, however, be admissible in such cases.

CHAPTER – IX

DISCIPLINARY MEASURES

9.1. Penalties

The Secretary-General may, for good and sufficient reasons, impose any one of the following penalties on staff members, namely:-

- (i) **Minor Penalties**
 - (a) Warning
 - (b) Withholding annual increment
 - (c) Withholding of promotion
 - (d) Recovery from his/her pay of the whole or part of the pecuniary loss caused by him/her to the Organization by gross negligence or breach of written orders and instructions.

- (ii) **Major Penalties**
 - (a) Demotion to a lower post for a specified period
 - (b) Suspension
 - (c) Compulsory retirement
 - (d) Dismissal from service

9.2. Suspension

The Secretary-General may place a staff member under suspension at half pay pending disciplinary proceedings:

- (i) Where a disciplinary proceeding against him/her is contemplated or is pending; or
- (ii) Where, in the opinion of the Secretary-General, he has engaged himself/herself in activities prejudicial to the interests of the Organization; or
- (iii) Where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial;
- (iv) In respect of misdemeanour including the following:
 - (a) An offence or conduct involving moral turpitude;
 - (b) Corruption, embezzlement or misappropriation of Organization's money, misuse of official powers for personal gains;
 - (c) Serious negligence and dereliction of duty resulting in considerable loss to the Organization;
 - (d) Desertion of duty; and
 - (e) Refusal or deliberate failure to carry out written orders of supervisory officers.

9.3. Disciplinary Proceedings

- (i) Disciplinary proceedings may be instituted against a staff member. With the exception of officers on deputation, for the violation of any of the provisions of

these Regulations or any other misconduct which, in the opinion of the Secretary-General, may require disciplinary proceedings to be instituted.

- (ii) In the event of institution of disciplinary proceedings, the person concerned shall be furnished with a statement of charges on the basis of which such proceedings have been instituted requiring him/her to furnish his/her explanation within a stipulated period. The person concerned may, at the discretion of the Secretary-General, be placed under suspension pending conclusion of the disciplinary proceedings.
 - (iii) In the event of the explanation not being found satisfactory, the Secretary-General shall designate a Board of Inquiry comprising of two International Category Officers, and if deemed necessary any other officer, to enquire into the charge or charges. The Secretary-General shall include a Member of the Advisory Panel in the Board of Inquiry. The procedure for such enquiry shall be informal.
 - (iv) The Board of Inquiry shall make its report to the Secretary-General which shall include a recommendation on the punishment to be awarded if the charge or charges, in the opinion of the Inquiry Board, is/are considered to have been established which may include:
 - (a) Demotion to a lower post for a specific period
 - (b) Compulsory retirement
 - (c) Dismissal from service
 - (v) If any of three major penalties of “Demotion to a lower post for a specific period”, “Compulsory retirement” or “Dismissal from service” is awarded, an appeal shall lie to an appellate body consisting of the Secretary-General and two other members from the Advisory Panel. The decision of the appellate body shall be final. The Secretary-General shall make a report to the Liaison Officers in this regard.
 - (vi) In the event of an order of dismissal being conferred, the services of the employee concerned shall be terminated without notice and retiral benefits shall be payable to the extent of the employee’s own contribution to the Provident Fund only.
- 9.4. In the case of an officer on deputation from a government, the Secretary-General shall communicate with the deputing authority in regard to the conduct of that officer.

CHAPTER – X RETIRAL BENEFITS

10.1. Leave encashment

At the time of retirement or resignation or termination of appointment, a staff member shall be entitled to:

- (i) A lump sum of cash equivalent of leave salary for earned leave, if any, at the credit of the staff member on the date of his/her retirement or resignation or termination of appointment, subject to a maximum of sixty days;
- (ii) The leave salary shall be calculated on the basis of last pay drawn by the staff member plus the dearness allowance admissible on that date. No house rent allowance (HRA) or City Compensatory Allowance (CCA) shall be payable;
- (iii) The benefits under this rule shall not be available to staff members whose services are terminated by way of dismissal or voluntary resignation without due notice.

10.2. Contribution Provident Fund Scheme

- (i) There shall be a Contributory Provident Fund Scheme for the benefit of the locally recruited staff members of the Secretariat of the Organization.
- (ii) The Scheme shall be implemented in accordance with the Contributory Provident Fund Rules.
- (iii) The benefits of the Organization's contributions and the interest on them shall not be available to staff members whose services are terminated by way of dismissal.

10.3. Gratuity Scheme

- (i) There shall be a Terminal Gratuity Scheme for the locally recruited staff members of the Secretariat.
- (ii) The criteria for eligibility of the terminal gratuity benefits shall be as follows:
 - (a) An employee shall be eligible for a terminal gratuity award subject to a minimum qualifying period of five years continuous services with the Organization, and
 - (b) The terminal gratuity award shall be payable on retirement at the stipulated age; or on health grounds; or redundancy or other justified grounds; or in the event of death during employment.
- (iii) The terminal gratuity award shall be payable at the following rates:
 - (a) For services of 20 years or above with the Organization, a full month's salary for each completed year of service up to a maximum period of

16 ½ years, or alternatively, a monetary ceiling of Rs. 1, 00,000/-, whichever is less.

- (b) For services under the 20 years with the Organization, 85% of the monthly salary for each completed year of service up to a maximum period of 16 ½ years, or alternatively, a monetary ceiling of Rs. 1, 00,000/-, whichever is less.

For purposes of calculation, 'monthly salary' shall mean the basic pay which a staff member shall be receiving immediately upon retirement or cessation of service. Any 'period' above six months shall be rounded off to a year and any period of less than six months, shall be ignored.

- (iv) In the event of an employee's death during employment, the benefits shall be payable to the mandated heir(s) or dependents of the employee.
- (v) Gratuity shall not be awarded in cases of dismissal for gross misconduct, misdemeanour, or behaviour likely to bring the Organization into disrepute.

10.4. **Insurance Scheme**

There shall be a Subsidised Insurance Scheme for the locally recruited staff members in accordance with rules framed in this behalf.

CHAPTER – XI ADVISORY PANEL

The Secretary-General shall request the Liaison Officers for the constitution of an Advisory Panel of Liaison Officers to advise him/her generally or on any specific issue or matter relating to these Regulations.

PART – II

FINANCIAL REGULATIONS

CHAPTER – I

BUDGET AND ITS IMPLEMENTATION

- 1.1. The financial year for the purpose of the Organization shall be the calendar year, i.e. the period beginning on 1st January and ending on 31st December.
- 1.2. Preparation of the budgetary proposals, their presentation to the Liaison Officers for consideration and adoption together with taking a Vote on Account and submission of the budgetary proposals to the Organization for final approval shall be made in accordance with the procedure laid down in Rule 24 of the Statutory Rules. The budgetary proposals include not only expenditure estimates of the Organization but also the contributions payable by each Participating and Associate Participating State and other receipts.
- 1.3. Any additional budgetary provision which is not included in the adopted budget of the relevant financial year but which has been decided to be allocated by the Organization as a matter of real necessity shall be called a supplementary budget proposal and shall be circulated to member governments for their comments within a period of one month.
- 1.4. The supplementary budget, subject to such comments as may be received, would be deemed to have been approved and the Secretariat shall accordingly proceed to recalculate the contributions payable by each Participating and Associate Participating State.
- 1.5. If the Annual Session of the Organization is scheduled to be held in or after April, the Secretariat shall immediately on adoption of the budgetary proposals by the meeting of Liaison Officers prepare a statement setting forth the quantum of contribution payable by each Participating and Associate Participating State and furnish the statement to their respective governments together with a request for payment of their contributions, in conformity with sub-para 1 of Rule 25 of the Statutory Rules. The adopted budgetary proposals and the statement of contributions shall be submitted to the Organization for final approval.
- 1.6. The Secretary-General shall implement the approved budget with regard to the respective heads and sub-heads. He may, however, sanction if necessary, at any time during the year, transfer of funds from one head or sub-head of the budget to another head or sub-head of the budget subject to the provision that:
 - (i) In the case of transfer from one head of account to another head of account, it should not exceed 3% of the allocated amount of the head from which the amount is sought to be transferred; and

- (ii) In the case of transfer from one sub-head of account to another sub-head under the same head of account, it should not exceed 5% of the allocated amount of the sub head from which the amount is sought to be transferred.

Any transfer of funds exceeding the percentage indicated at (i) and (ii) above, may be made by the Secretary-General after due consultation with the Liaison Officers in accordance with sub-rule (2) of Rule 26 of the Statutory Rules. Any transfer of funds made by the Secretary-General from one head or sub-head of the budget to another head or sub-head of the budget shall be reported to the Liaison Officers.

CHAPTER – II

MAINTENANCE OF ACCOUNTS AND EXPENDITURE

- 2.1. Contributions from Member States and other miscellaneous receipts in United States Dollars or Indian Rupees, as the case may be, shall be deposited in the name of the Organization, if the receipts are in Dollars in the Dollar Account with the State Bank of India, Overseas Branch, New Delhi and if in Indian Rupees, in the Rupee Account of the Organization with the State Bank of India, Overseas Branch, New Delhi or the Lajpat Nagar Branch of the State Bank of India, New Delhi.
- 2.2. The expenditure of the Organization shall be drawn out of such bank accounts.
- 2.3. The accounts of the Organization shall be operated by the Secretary-General or the International Category Officer in-charge of budget or financial matters of the Organization.
- 2.4. Contributions received by the Organization from the Member States shall be duly acknowledged as soon as possible.
- 2.5. Any amount remaining surplus after meeting outstanding liabilities at the close of the financial year shall, in principle, be credited to the Reserve Fund.
- 2.6. Disbursements shall be made only after proper authorization and on the basis of supporting vouchers and other documents, giving details of the goods or services received or rendered.
- 2.7. All disbursements shall be recorded in the account books of the Organization at the time or immediately after the transaction.
- 2.8. Disbursements shall be made in principle by bank cheques, and cash disbursements shall be avoided as far as possible.
- 2.9. For disbursements of petty cash to meet the day expenses of the Secretariat, an amount not exceeding Rs. 3000/-, shall be handled by a staff member designated by the Secretary-General for that purpose under the supervision of the International Category Officer in-charge of budget and financial matters.
- 2.10. The staff member so designated shall maintain a petty cash book and enter the transactions regularly.
- 2.11. A monthly statement of expenditure shall be prepared at the close of every month. Monthly bank statements shall also be obtained and scrutinized for bank reconciliation and other purposes.
- 2.12. Bank statements of interest on fixed deposits, if any, shall also be scrutinized.
- 2.13. The sale proceeds of publications and of other items of obsolete and unserviceable stores shall be promptly credited to the Organization's bank account.

CHAPTER – III

PURCHASE, CUSTODY AND SALE OF STORES

- 3.1. Purchases shall be made in the most economical manner after obtaining the sanction of the Secretary-General. In the case of cars, approval of the Liaison Officers shall be obtained before the purchase. Any item of expenditure over ten thousand Indian Rupees or equivalent thereof, which has not been provided for in the budget, shall require prior consultation with the Liaison Officers.
- 3.2. The items purchased shall be entered in the appropriate stock registers.
- 3.3. An inventory of the properties of the Organization other than consumable items shall be made once a year by an Officer designated by the Secretary-General for that purpose. The result of such inventory shall be recorded in such registers. All discrepancies notices shall be properly investigated and brought to account immediately.
- 3.4. The Publication and Research Officer or the Librarian shall be responsible for proper maintenance of the Organization's library. The Librarian shall maintain inventories of all items with which they are concerned apart from books, magazines, documents and journals either purchased or received in the Organization. Physical verification of books and other publications shall be carried out from time to time and any discrepancy explained and rectified. The inventories shall be subject to check by an officer designated by the Secretary-General.
- 3.5. The Secretary-General may authorize the writing off of losses of assets and stores if they are unserviceable, obsolete or damaged beyond repair. The unserviceable or damaged stores shall be disposed of by sale. The newspapers, magazines, journals and books, which are old and are not likely to be needed, shall also be disposed of by sale, after the approval of the Secretary-General.
- 3.6. The vehicles of the Organization shall be disposed off by sale to the State Trading Corporation of India (STC) after obtaining the approval of the Liaison Officers.

CHAPTER – IV
FINANCIAL STATEMENT AND AUDIT

- 4.1. At the end of each financial year, the Secretariat shall prepare a statement of receipts and expenditure including a statement on the financial position of the Organization. The same shall be audited by a reputed professional external auditor to be selected by the Secretary-General in consultation with the Liaison Officers for a period not exceeding three years.
- 4.2. The same auditor shall be eligible for selection for a further period not exceeding three years in consultation with the Liaison Officers.
- 4.3. The Annual Audit Report shall be placed before a meeting of the Liaison Officers by or in the month of September each calendar year.

CHAPTER – V

GRATUITY FUND

- 5.1. There shall be a separate account in the Bank, in the name of the Organization, in which the staff gratuity admissible for the staff members of the Organization shall be deposited every year in conformity with the provision made in the budget for accumulation in the fund as a reserve for the gratuity payable to the staff members.
- 5.2. The resources accumulated in the Gratuity Fund may be utilized for giving loans to the staff members.

CHAPTER – VI
CONTRIBUTORY PROVIDENT FUND

There shall be a separate account in the bank in the name of the Organization for maintenance of the Contributory Provident Fund for the staff members of the Organization.

PART – III AMENDMENTS

These regulations may be amended from time to time by the Organization.