

## RAJGHAT SAMADHI RULES, 1952

(Approved by the Government of India in the Ministry of Works, Production & Supply letter No. 3554-WI/52 dated 5th June, 1952)

### Creation of Samadhi Fund

1. (1) There shall be formed a fund to be called the Samadhi Fund, and there shall be placed at the credit thereof all sums received by the Committee as donations and grants or on any other account approved by the Government of India.
- (2) The Samadhi Fund shall be vested in the Committee and balance standing at the credit of the Fund shall be kept in such custody as the Committee may, with the approval of the Government of India, from time to time decide.

### Objects to the Samadhi Fund may be applied

2. The Samadhi Fund shall be applicable to the following objects :
  - (1) To payments for the maintenance or repair or embellishment of the Samadhi;
  - (2) To the payment of the salaries and allowances of the establishment employed by the Committee for the purposes of the Act; [m.o.v.d. notification no. 25011/2/83-103 dated 5.3.1987]
  - (3) to the payment of the cost of audit of the Samadhi Fund :
  - (4) to the payment of any other expense incurred by the Committee in carrying out the provisions of the Act; and

- (5) to any object which may be declared by the Committee with the concurrence of the Government of India, to be an object to which the Samadhi Fund may be applicable.

3. The annual budget shall be prepared by the Secretary of the Committee and shall be placed at a meeting of the Committee in the month of January each year. A copy of the approved budget shall within ten days of the Committee's resolution be sent to the Chief Commissioner who will have power to issue directions in respect of the budget.

#### Audit of accounts and annual report

4. (1) The accounts of the Samadhi shall be audited every year by the Comptroller and Auditor General of India [m.o.U.D. notification no. 25014/2/72-w3 dated 21.11.1974]
- (2) The Committee shall publish an annual report on the Administration of the Samadhi with a financial estimates and the report of the auditor.

#### Power Over funds

5. (1) The Secretary of the Committee shall have powers to sanction petty expenditure not exceeding Rs. 5000/= (Rupees five Thousand) in any one financial year. Any expenditure exceeding R. 5000/= shall require the prior approval of the Committee.
- (2) The Chairman of the Committee shall have powers to sanction an emergent expenditure exceeding Rs. 5000/= on any approved object in anticipation of the sanction of the Committee, but such an expenditure shall be reported to the next meeting of the Committee.

[M.o.u.D. notification no. 25012/1/79-w3 dated 3.3.1987]

#### Appointment of a Secretary

6. The Committee shall exercise its power of administration, control and management of the Samadhi

through a Secretary appointed by itself.

[M.o.u.D. notification no. 25011/2/83-w3 dated 5.3.1987]

#### Access to the Samadhi

7. (1) Subject to such rules, restrictions and levy of charges as may be prescribed by the Committee from time to time, the public shall have a right of access to the Samadhi.
- (2) The Committee may prohibit the entry of visitors to the whole or part of the Samadhi premises for a temporary period.
- (3) The Committee may authorise the Secretary caretaker or any other employee to expel out of Samadhi premises any person found violating any rules or directions laid down for observance by the visitors and if necessary reasonable force may be used for carrying out the said purpose.  
[m.o.u.d. notification no. 25011/2/83-W3 dated 5.3.1987]
- (4) Such rules or directions may relate to the taking out of shoes and the washing of hands before entering the enclosure where Mahatma Gandhi was cremated, the plucking of flowers, the use of fountain water for drinking or other allied purposes, the spoiling of grassy plots, trees, furniture, building or other valuables within the premises of the Samadhi.
- (5) The Committee may due provision for the protection of the Samadhi from pollution or desecration.

#### Custody and use of the common seal

8. The Common seal of the Committee shall remain in the custody of the Secretary and shall be affixed to all agreements, contracts notices and other allied instruments made and executed in the name of the Committee.

**Rajghat Samadhi—Revised Bye Laws 1994**

approved by the Govt. of India M.o.u.D. Vide letter no. 20512/  
1/88-w3 the 7th July, 94

**PART—A**

**PRELIMINARY**

1. Short title and commencement : (1) These Bye-laws may be called the Rajghat Samadhi Committee Bye-Laws, 1993.  
  
(2) They Shall come into force on the date of their publication in the Gazette of India.
2. Application : These Bye-Laws shall apply in all matters of Administrative and Financial Management of the Committee and to every employee of the Committee.
3. Definitions : In these Bye-Laws, unless the context otherwise requires.
  - (a) "Appointing Authority" in relation to any post, means the authority competent to make appointment to that post;
  - (b) "Chairman" means the Chairman of the Committee;
  - (c) "Committee" means the Rajghat Samadhi Committee constituted under the Rajghat Samadhi Act, 1951 (41 of 1951);
  - (d) "employee" means any person serving the Committee in any post specified in the Recruitment Rules for the posts concerned;

(e) "Secretary" means the Secretary of the Committee.

## PART—II

### FUNCTIONING OF THE COMMITTEE

Meeting of the Committee : (1) The Chairman shall convene a meeting of the Committee atleast once in four months.

(2) The Chairman may, on the receipt of a requisition of any three members, convene a meeting of the Committee.

Time and Place of Meetings : The time and place of all the meetings shall be fixed by the Chairman.

Notice of Meeting : (1) A written notice for every meeting shall be sent or circulated to every member atleast two days before the scheduled date.

(2) The notice shall state the place, the date and the time of the meeting and shall specify the business to be transacted thereat.

(3) No business, which is not on the agenda, shall be considered at the meeting without the permission of the Chairman.

Procedure for bringing matters before the Committee :

Any member wishing to bring any matter before the Committee shall send his proposal to the Secretary who shall submit it to the Chairman for orders. The Chairman shall refer the proposal to the Committee, but, in special case, in which he considers reference of the proposal to the Committee

is inexpedient or unnecessary, he may, for reasons to be recorded in writing, refuse to do so and after such refusal the matter shall be deemed to be dropped.

8. Quorum : Three members shall form the quorum for a meeting.
9. Chairman to preside at meeting : The Chairman shall preside at every meeting of the Committee. In his absence, the members present may elect any other member as Chariman and, thereupon, the business of the meeting shall be transacted under the Chairmanship of the member so elected.
10. Decision by majority : All questions and matters before the Committee at a meeting shall be decided by a majority of votes of the memebtrs present. In case of equality of votes, the Chairman of the meeting shall have a second or casting vote.
11. Same question not to be brought before Committee until after lapse of three months : Any question decided by a resolution of the Committee shall not again be brought for consideration until after a lapse of three months from the date of the resolution. Provided that the Chariman may, for sufficient reasons, allow any such question to be brought before the Committee at any time.
12. Minutes : The minutes of the proceedings of every meeting of the Committee shall be recorded in a book under the signature of the Secretary. The minutes shall also be signed by the Chairman at the next meeting after the same are confirmed.
13. Receipts for money : A receipt shall be issued for any money received by or on behalf of the Committee, by the Secretary or by his subordinate, if he is authorised by the Secretary to do so, in terms of rule 82 of the Central Treasury Rules.

14. Annual Report : The Committee shall publish an Annual Report on the administration of the Samadhi together with a financial statement and the report of the Auditor.

### PART—III

#### ESTABLISHMENT

15. Secretary : (1) The Committee shall appoint a person as a part-time Secretary to assist it in the efficient performance of its duties assigned under section 5 of the Rajghat Samadhi Act, 1951 (41 of 1951).
- (2) The Secretary so appointed shall perform such duties as may be entrusted to him by the Committee.
- (3) The Secretary shall be paid such allowances, as the Committee may decide from time to time.
16. Other Staff : (1) Any other post needed for the office of the Committee, equivalent to the posts in Group 'C' and 'D' in the Central Government Offices, may be created on the orders of the Committee and the Chairman and the Secretary respectively shall be the appointing authorities for these posts.
- (2) The creation of posts equivalent to Group 'A' and 'B' in the office of the Committee shall be approved by the Ministry of Urban Development as per the provisions of the Delegation of Financial Power Rules, 1978, and appointments there to be made as per the Central Civil Services (Classification, control and Appeal) Rules, 1965.

(3) In respect of any matter not specifically provided in these Bye-laws regarding general conditions of service, pay and allowances, leave salary, joining time, the provisions of the Fundamental Rules, the Supplementary Rules and the orders and decisions applicable to the Central Government servants shall apply, mutatis mutandis to the employees of the Committee.

17. Posts and pay Scales : The Committee may have the following posts in the scale of pay noted against each :

S. No.	Posts	Scale of Pay	No. of posts
	<b>Group C</b>		
(i)	Sanrakshak	Rs. 1400-40-1600-50-2300 EB-60-2600	1
(ii)	Sahayak Sanrakshak	Rs. 1200-30-1560-EB-40-2040	1
(iii)	Clerk-cum General Assistant	Rs. 950-20-1150-EB-25-1500	1
	<b>Group D</b>		
(iv)	Jamedar	Rs. 775-10-965-EB-12-1025	1
(v)	Chowkidar	Rs. 750-8-790-EB-10-940	25
(vi)	Peon	Rs. 750-8-790-EB-10-940	1
(vii)	Safai Sewak	Rs. 750-8-790-EB-10-940	7

18. Age limits : The minimum and maximum age for appointment to posts mentioned in regulation 17 shall be as laid down in Government orders for corresponding posts in the Central Government except for the post of Secretary, for whom the lower age limit shall be 21 years and the upper age limit shall be 50 year.

19. Qualifications : (1) The Sanrakshak shall be a graduate and preference shall be given to a person holding the Degree of Master of Arts. He shall be well versed in Gandhian concepts and ideologies and possess administrative capacity.
- (2) Sahayak Sanrakshak shall be a Graduate and shall possess the knowledge of Gandhian concepts.
- (3) Clerk-cum-General Assistant shall be atleast a Matriculate with fair knowledge of typing and book-keeping.
- (4) Jamedar, Chowkidar and Peons shall be atleast middle School pass. Knowledge of cycling is desirable.
- (5) Safai sewak shall have elementary knowledge of reading, writing and arithmetic.
- (6) In case of the Scheduled Caste or the Scheduled Tribe candidates qualifications may be relaxed, in accordance with the orders issued by the Central Government from time to time in this regard.
20. Appointing Authority : (1) The Secretary shall be the appointing authority in respect of posts of Jamedars chowkidars, Peons and Safai sewak.
- (2) The Chairman shall be the appointing authority in respect of posts of Sanrakshak, Sahayak. Sanrakshak and clerk-cum-General Assistant or any other full time or part time staff.
21. Recruitment : (1) Recruitment to a post under the Committee shall be made as per the provisions of the Employment Exchange (Compulsory Notification of Vacancies), Act, 1959, (31 of 1959) and in accordance with such rules and orders for the reservation of vacancies for the Scheduled Castes and Scheduled Tribes, as have been or may be issued

by the Central Government from time-to-time by adopting any of the following methods namely :

- (a) by direct recruitment;
- (b) by promotion;
- (c) by appointment on deputation basis from other Central or State Government Departments; or
- (d) on contract for a specified period.

22. Appointment. Probation and Confirmation :

(1) Medical Examination on first appointment : Candidates selected for appointment in the Committee shall be required to undergo a medical examination by a Medical Authority as may be specified by the Committee.

(2) Probation : On initial appointment, either by direct recruitment or by Promotion to a higher category of post, an employee other than the Secretary shall be placed on Probation for a period of two years which may be extended by the Appointing Authority, if necessary.

(3) Confirmation : After satisfactory completion of the period of probation an employee may be confirmed in the establishment of the Committee.

#### PART—IV

### DUTIES AND CODE OF CONDUCT

23. Duties of the Employees : The Secretary and other employees of the Committee shall exercise such powers and perform such duties as the Committee may, from time-to-time assign to them.

24.

Conduct and Discipline : (1) Conduct : The Central Civil Services (Conduct) Rules, 1964, as amended from time-to-time, shall be applicable to all employees of the Committee.

(2) Discipline : The Central Civil Services (Classification, Control and Appeal) Rules, 1965 as amended from time-to-time shall be applicable to all employees of the Committee. The following shall be the Disciplinary and Appellate Authorities in respect of the Staff of the Committee :

Category of Staff	Minor/Major penalties
Disciplinary Authority Equivalent to Group 'A'	Appellate Authority
Secretary /Chairman	President
Equivalent to Group 'C'	
All posts including Sanrakshak Secretary	Chairman
Equivalent to Group 'D'	
All posts Secretary	Chairman

PART V  
ALLOWANCES AND OTHER MISCELLANEOUS  
BENEFITS

25.

Allowances and other concessions : (1) The following allowances and concessions shall be admissible to the employees, at the same rates and on the same condition, as are admissible to the Central Government employees of comparable rank, from time-to-time :

1. Dearness Allowance

2. Compensatory Allowance
3. Children's Educational Allowance and Reimbursement of tuition fees.
4. House Rent allowance.
5. Washing Allowance
6. Leave Travel Concession

(2) Medical Allowance : Medical Allowance shall be paid at rupees seven hundred per year to employees equivalent to Group 'C' and at rupees five hundred per year to employees equivalent to Group 'D'.

26. Grant of Leave : (1) All leave to the employees of the Committee other than the Secretary may be sanctioned by the Secretary. Leave to the Secretary may be sanctioned by the Chairman.

(2) An employee can avail of casual leave for 12 days in a calendar year. The grant of any other kind of leave shall be governed by the Central Civil Services (Leave) Rules, 1972.

(3) Weekly Rest : Every employee shall be entitled to one day's rest in a week. This weekly rest shall be granted by the Secretary in rotation so that the work does not suffer.

(4) Holidays : All the employees shall be entitled to holidays for not more than 15 days in a year as may be declared by the Committee from time-to-time. In addition, an employee may also avail of Restricted holiday for not more than 2 days in a year out of a list of such holidays to be notified by the Committee in each year. If an employee is required to perform any duties on a holiday, he shall be allowed compensatory leave in lieu thereof by the Secretary in rotation so that the work at

the Samadhi does no suffer.

(5) The working hours for each category of employees, shall be such as may be decided by the Committee but these shall not be less than those prescribed for comparable posts in the Central Government.

27. Advance : The employees shall be entitled to Festival Advance, Cycle Advance, Leave Salary Advance on the scales and under the terms and conditions as are applicable to the Central Government Employees.
28. Uniforms : Uniforms shall be issued to Jamedars, Chowkidars, Peons and Safai Sewaks in accordance with the scales as are applicable to the Group 'D' employees of the Central Government.
29. Residential accommodation : Unfurnished residential accommodation may be provided for the Sanrakshak and the Sahayak Sanrakshak at the Samadhi premises free of licence fee. For the accommodation provided to the other members of staff, licence fee shall be charged under the rules applicable to the Central Government Employees at Delhi. Charges for electricity, water and municipal-taxes, if any, shall be payable by the occupant, at the rates as applicable to the Central Government Employees from time-to-time.

#### PART—VI

### RECORDS OF SERVICE

30. Service Books, Leave Accounts and Personal files : The Committee shall maintain service books, leave accounts, and personal files of each employee. Entries in the service books, leave accounts shall be

attested by the Secretary in all cases.

31. Character Rolls : Character Rolls of all Group 'C' and above employees of the Committee shall be maintained. It shall contain brief service particulars and self-appraisal of the employees, remarks of the Reporting Officer and Reviewing Officers. In the case of Group 'C' employees, Secretary shall be the Reporting Officer and Chairman shall be the reviewing Officer. In the case of the Secretary, the Reporting/Reviewing Officer shall be the Chairman.

#### PART—VII

### REGISTRATION, RETIREMENT AND TERMINATION OF SERVICES

32. Termination of Temporary Services : (1) The Services of a temporary employee equivalent to Group C and D shall be liable to termination at any time by a notice in writing given either by the employees equivalent to Group C and D to the Committee or by the Committee to the employee equivalent to Group C and D.

(2) The period of such notice shall be one month Provided that the services of any such employee equivalent to Group C and D may be terminated forthwith and on such termination the employee shall be entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice at the same rates at which he was drawing. The pay and allowances immediately before the termination of his service or, as the case may be, for the period by which such a notice falls short of one month.

(3) The powers of termination of services of a tem-

porary employee of the Committee equivalent to Group A and B shall vest in the Central Government.

33. Compulsory Retirement : (1) The Committee shall, if it is of the opinion that it is in the public interest so to do, have the right to retire any of its employees, in a post equivalent to Group C or Group D by giving him or her a notice of not less than three months in writing or three months pay and allowances in lieu of such notice after he or she has attained the age of 55 years.

(2) The powers to retire an employee of the Committee who is holding a post equivalent to Group 'A' or Group 'B' after he has attained the age of 50 years, shall vest in the Central Government.

#### PAART—VIII

### RETIREMENT AND RETIREMENT BENEFITS

34. Retirement and other benefits : The normal age of retirement shall be 58 years for Sanrakshak, Sahayak Sanrakshak and Clerk-cum-General Assistant. For Jamedar, Peon, Chowkidar and Safai Sewak the age of retirement shall be 60 years.
35. Contributory Provident Fund : (1) The Committee shall maintain and administer a separate fund to be known as Rajghat Samadhi Committee Contributory Provident Fund. Every employee, except probationer or a casual worker or a part-time worker, shall contribute to the Contributory Provident Fund at such rate as is contained in the Contributory Provident Fund (India) Rules, 1962, as amended from time-to-time. The contribution shall be realisable from each month's pay and allowances of

the employees.

(2) The Committee shall contribute, from its own funds to the account of every employee in the Contributory Provident Fund on 31st March of every year, an amount equal to the total amount realised during the year from the employees concerned but not exceeding the rate contained in the Contributory Provident Fund (India) Rules, 1962, as amended from time-to-time.

(3) The Committee shall pay interest on the subscription made by an employee in accordance with the provision contained in the Contributory Provident Fund (India) Rules, 1962.

(4) The provisions of Contributory provident Fund (India) Rules, 1962 shall also apply to the subscribers to the Fund, in regard to advances from the Fund, withdrawal from th Fund, final withdrawal of accumulations in the Fund etc.

36. Gratuity : (1) An employee, who has completed five years continuous service, shall, on his retirement, be granted retirement gratuity equal to one fourth of his emolument for each completed six month period of service subject to a maximum of 16.5 times of the emoluments.

(2) If an employee dies while in service, the death gratuity shall be paid to his family in the same manner indicated in sub-rule (1) of rule (51) of the Central Civil Services (pension) Rules, 1972 at the rates given in Table below :

## TABLE

Length of service	Rate of death gratuity
(i) Less than 1 year	2 times of months emoluments
(ii) One year or more but less than 5 years	5 times of months emoluments
(iii) 5 years or more but less than 20 years	12 times of months emoluments
(iv) 20 years or more	Half the emoluments for every completed six monthly period of service subject to a maximum of 33 times of month's emoluments.

Provided that the amount of death-cum-retirement gratuity shall in no case exceed rupees one lakh.

(3) The emoluments for the purpose of gratuity shall be reckoned in accordance with rule 33 of the Central Civil Services (Pension) Rules, 1972.

(4) The death-cum-retirement gratuity shall not be admissible to an employee with less than 5 years service if he is dismissed or retired from service as a measure or penalty for a proven misconduct.

## PART IX

### GENERAL

37. (1) If any doubt arises about the interpretation of any of these bye-laws, the matter shall be referred to the Government of India in the Ministry of Urban Development whose decision shall be final.

(2) The Government of India in the Ministry of Urban Development shall have residuary powers to decide matters not specifically provided for in these bye-laws in accordance with the rules or regulations of the Committee and established practices in the Government Departments.

38.

Repeal and Savings : (1) On the commencement of the Rajghat Samadhi Committee Bye-laws, 1993, the bye-laws as approved by the Government of India in the Ministry of Works, Housing & Supply Letter No. 7771-WII56, (of 1956) dated 11.8.56 and Supplementary bye-laws as approved by the said Ministry's Letter No. 19.2.60-WI, dated the 1st January 1962 in force immediately before such commencement, shall in so far as it provides for any of the matters contained in these bye-laws, cease to operate.