



NAGAR YUWAK SHIKSHAN SANSTHA
Service Rules

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1. INTRODUCTION

- 1.1 These Rules define the conditions of service of the employees of Nagar Yuwak Shikshan Sanstha (NYSS). Nothing contained in these Rules shall have the effect of altering the provisions of any special law, rules or regulations for the time being in force in India.
- 1.2 These rules are neither exhaustive nor illustrative.

2. SHORT TITLE AND COMMENCEMENT

- 2.1 These rules shall be called "THE SERVICE RULES OF NAGAR YUWAK SHIKSHAN SANSTHA (NYSS)" (hereinafter referred to as "Rules" for the sake of brevity).
- 2.2 These Rules shall come into force from the date as shall be notified by the Competent Authority and shall supersede all or any previous rules or practices on matters covered by these rules.

3. APPLICABILITY

- 3.1 These Rules shall apply to all the teaching and non-teaching employees of Nagar Yuwak Shikshan Sanstha, Nagpur and its institutions as under -
 - (a) Yeshwantrao Chavan College of Engineering
 - (b) Rajiv Gandhi College of Engineering & Research
 - (c) Shri. Datta Meghe Polytechnic
 - (d) Sharad Pawar College of Pharmacy
 - (e) Datta Meghe Institute of Management Studies
 - (f) Bapurao Deshmukh Sharirik Shikshan Mahavidyalaya

These rules shall also be applicable to those institutions / organizations which will be established under Nagar Yuwak Shikshshan Sanstha in future.

- 3.2 Where it is specifically provided that a rule shall apply to teachers, it shall not apply to non-teaching employees. Similarly, if a rule specifically applies to non-teaching employees, it shall not apply to teachers.
- 3.3 In these rules, unless the contrary appears from the context-
 - (a) the pronoun "he" and its derivatives are used for any person, whether male or female; that is to say that the words denoting "masculine gender" shall include "feminine gender".
 - (b) the words importing the singular number include the plural number, and vice-versa.

4. INTERPRETATION

- 4.1 In case of any ambiguity, the Competent Authority shall have the right to interpret and such interpretation shall be final, binding and conclusive.
- 4.2 Where a particular situation is not explicitly covered by these rules, it shall be dealt with by the Competent Authority judiciously in his discretion and his decision shall be final, binding and conclusive on all employees and every person interested therein.

5. AMENDMENT AND MODIFICATION

- 5.1 Notwithstanding anything contained in these rules, the Competent Authority shall have the right to amend, modify, annul, delete, suspend or supersede any of these rules and to issue such orders or instructions as may be considered expedient and appropriate. Such amendments shall become effective from the date specified therein and to that extent shall apply immediately to all the employees of the Sanstha or Institution.

6. DEFINITIONS

In these rules, unless there is anything repugnant in the subject or the context the expression -

- a. "Administrative Officer" means a person designated as Administrative Officer by the Competent Authority.
- b. "Appellate Authority" means the 'Institutional Grievance Redressal Committee' constituted for grievance redressal of employees; as per the direction of statutory authority.
- c. "Appointing Authority" means the authority competent to make appointment to the class or grade in which the employee is for the time being included, or the post which the employee for the time being holds.
- d. "Apprentice or Trainee" means a learner who is paid stipend during the period of his Apprenticeship or Training.
- e. "Board of Management" means the Board of Management constituted as per UGC Eleven Plan guidelines and / or guidelines notified by AICTE from time to time,
- f. "Calendar year" means a period of twelve months commencing from 1st January and ending on 31st December.
- g. "Competent Authority" means the Board of Management, or Governing Body, or Head of the Institution as the case may be and includes such other authority as may be designated to be so from time to time by the GB or BOM or Head of the Institution.
- h. "Continuous Service" means the service rendered by an employee without any break including the authorized leave availed by an employee.
- i. "Contract of Service" means an agreement entered into in writing between the employee and the Competent Authority or any Officer to whom such power is delegated by the Competent Authority.
- j. Controller of Examination means a person appointed by the Competent Authority as per guidelines of statutory authority.
- k. Dean" means a person so designated by the Competent Authority.
- l. Delegation of Power" means the delegation by the Competent Authority at any time all or some of its powers to a committee/head of the Institution/or any other officer as may be deemed necessary.
- m. "Delinquent employee" means an employee against whom any allegation or charge relating to a misconduct, or failure to perform a duty, or lack of integrity, or omission or commission of certain acts, has been imputed.
- n. "Department / Discipline / Programme" means a unit in the Institution, designated to be so by the statutory authority.
- o. "Departmental inquiry" means an inquiry held into any allegation or charge leveled against any employee, relating to a misconduct, or failure to perform a duty, or lack of integrity, or acts of omission or commission.
- p. "Deputation" means authorization to an employee to render service on any post in any Institution including the Institution in which such employee holds a substantive post, for a specific period.
- q. "Deserter" means an employee who absents from duty without permission for a period exceeding thirty days.
- r. "Disciplinary Authority" means the authority competent to impose any penalty under the rules and includes Chairman, Secretary, Treasurer of the Sanstha and/or Head of Institution, Registrar, Appointing Authority, Administrative Officer and such other authority as may be designated by the Competent Authority from time to time.

- s. "Director" means the Head of Management Institution appointed by the Competent Authority as per guidelines of statutory authority.
- t. "Duty" means and includes the service as a probationer and the assignments allocated by the Competent Authority from time to time including the joining time in case of lien, deputation and transfer.
- u. "Duty Hours" means the clock-time from which and the clock-time up to which an employee is required to perform duty in the Sanstha or institution, which shall be notified by the Competent Authority.
- v. "Employee" means any person engaged or employed by the Sanstha or institution to perform any work in any department in any capacity; whether teaching or non-teaching, officer or executive, supervisory or non-supervisory, staff or technician, clerical, or managerial, permanent or temporary, confirmed or unconfirmed, probationer or apprentice or trainee, term appointee or substitute, full time or part time or on-contract.
- w. "Emoluments" means pay, leave salary or subsistence allowance, compensatory allowance and any remuneration of the nature of pay received in respect of services rendered.
- x. "Enquiry Officer" means a person so appointed by the Competent Authority for the purpose of conducting an appropriate inquiry.
- y. "Family" in relation to an employee, means -
 - i. the legitimate wife or husband, as the case may be, of the employee, whether residing with the employee or not; but does not include a wife or husband, as case may be, separated from the employee by a decree or order of a competent Court;
 - ii. son or daughter; or step-son or step-daughter; or law fully adopted son or lawfully adopted daughter; of the employee and wholly dependent on him, limited to two, whether residing with the employee or not, but does not include a child or step-child or adopted child who is no longer in any way dependent on the employee or of whose custody the employee has been deprived by or under any law;
 - iii. parents, unmarried sisters and minor brothers wholly dependant on the employee, whether residing with the employee or not.
- z. "Governing Body" means the Board of Governors constituted in terms of guidelines notified by statutory authority from time to time.
- aa. "Habitual" means being guilty of omission or commission of any act including dereliction of any assigned duty for at least three times within a period of three months or as may be decided by the Competent Authority from time to time.
- bb. "Head of Department" means a teacher appointed or nominated as such in a Department of the Institution by the Competent Authority.
- cc. "Head of the Institution" means the Director or Principal of the Institution designated to be so by the Competent Authority.
- dd. "Holiday" means a Sunday, a weekly off or any other day notified by the Competent Authority as a holiday.
- ee. "Honorarium" means payment granted to an employee from the appropriate fund as remuneration for special work of occasional or of intermittent nature.
- ff. "House Rent Allowance" is an allowance granted towards defraying house rent being paid by the employee, or in lieu of provided accommodation.
- gg. "Institution" means an educational Institution governed by the Sanstha i.e. Nagar Yuwak Shikshan Sanstha, Nagpur as per approval of the Statutory Authority.
- hh. "Joining time" means the time, not exceeding seven days, permissible to an employee to join a new post on lien or deputation or transfer.
- ii. "Leave" means authorized absence of an employee from duty.
- jj. "Librarian" means a person designated as Librarian by the Competent Authority.
- kk. "Lien" means the right of an employee to hold the permanent post, to which he has been appointed substantively; after termination of the period of absence.

- ll. "Local Managing Committee" means the Local Managing Committee constituted as per guidelines of Affiliating University.
- mm. "Misconduct" means any offence or act of commission or omission on the part of an employee which is violative of any statutory provision, and/or rule, regulation, bye-law or practice or convention of the Sanstha or Institution and which falls within the generic notation of the word misconduct.
- nn. "Month" means a calendar month.
- oo. "Non Vacational Staff" means the teaching and non-teaching staff who shall not be entitled to vacation.
- pp. "On-contract employee" means a person who is employed for a specific period and for a particular job, under the terms of contract of employment which automatically ceases after the expiry of such period or completion of such job, whichever is earlier; and who is entitled to contractual benefits.
- qq. "Part-time employee" means an employee who is engaged to work for a period shorter than the ordinary weekly working hours of a full time employee and is entitled to such benefits as are admissible to him in terms of his appointment.
- rr. "Pay" means the amount payable on monthly basis to an employee for the work done by him, as prescribed by the Sanstha or Institution from time to time.
- ss. "Permanent Employee" means an employee who has been confirmed in a permanent vacancy of the Sanstha or Institution in writing by the Competent Authority.
- tt. "Person" means any individual or body of individuals.
- uu. "Personal Pay" means such pay granted to an employee to save him from a loss of substantive pay in respect of a permanent post due to revision of pay or due to any reduction of such substantive pay otherwise than disciplinary measures.
- vv. "Principal" means the Head of the Institution, appointed by the Competent Authority as per guidelines of Statutory Authority.
- ww. "Probationer" means a person who is provisionally employed on probation against a permanent vacancy in a post and who has not been confirmed in writing on that post.
- xx. "Recess" means a time spell/period allowed to an employee as an interval for meal or tea / coffee break during the work hours as prescribed by the Competent Authority.
- yy. "Registrar" means the person appointed by the Competent Authority.
- zz. "Research Centre" means a centre designated to be so by the Affiliating University for performing research related activities.
- aaa. "Reservation Roster" means reservation of teaching posts in a cadre for different categories with reference to the applicable percentage of reservation duly approved by the Statutory Authority.
- bbb. "Rules" means the Service Rules for the Sanstha and its Institution.
- ccc. "Salary" means the amount payable on monthly basis to an employee for the work done by him, as prescribed by the Sanstha or institution from time to time.
- ddd. "Sanstha" means the registered Society / Trust i.e. Nagar Yuwak Shikshan Sanstha registered under Society's Registration Act, 1860 bearing No. MAH-653/71 – Nagpur and registered under Public Trust Act, 1950 bearing No. F-1288 – Nagpur.
- eee. "Scheduled Diseases" means the suffrage from the Tuberculosis, Leprosy, Cancer and Heart diseases.
- fff. "Selection Committee" means a committee constituted for the purpose of recruitment of the employee.
- ggg. "Service" means the period during which an employee is on duty and includes the period of his authorized, sanctioned and permissible absence.
- hhh. "Sexual harassment" means such unwelcome sexual determined behavior, whether directly or by implication, as physical contacts or advances; or a demand or request for sexual favours; or sexually coloured remarks; or showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature as given in the operative guidelines on sexual harassment at the workplace.
- iii. "Special Allowances" means an allowance granted in consideration of the specially arduous nature of duties or a specific addition to the work or responsibility including recognition of the special expertise as decided by the Competent Authority.

- jjj. "Statutory Authority" means AICTE/DTE/MSBTE/UGC/Affiliating University.
- kkk. "Subsistence Allowance" means a monthly allowance made to an employee who is not in receipt of pay or leave salary.
- lll. "Substantive Appointment" means an appointment made in substantive or permanent capacity in a permanent post, which is clearly vacant or on which another person holds a suspended lien.
- mmm. "Substantive Pay" means the pay other than personal pay to which the employee is entitled on account of a post to which he has been appointed substantively.
- nnn. "Substitute employee" means an employee who is for the time being substituting an employee holding a substantive post.
- ooo. "Superannuation" means the attainment of such age as prescribed when an employee shall vacate the employment.
- ppp. "Suspension" means debarment of an employee for specified period, from exercise of function or enjoyment of a privilege relating to his duty.
- qqq. "Teacher" means the Principal, Director, Dean, Professor, Associate Professor, Assistant Professor, Head of the Department, Lecturer and Teaching Assistant appointed by the Competent Authority; and such other person who is designated to be so as per the guidelines of Statutory Authority.
- rrr. "Temporary Employee" means an employee engaged for a limited period or for work of a temporary nature due to exigencies of work and whose services shall stand automatically terminated at the end of his period of appointment.
- sss. "Tenure Employee" means a person who is employed for a specific period under the terms and conditions of tenure employment which automatically ceases after the expiry of such period unless the tenure period is extended or services are regularized by written orders, and who is entitled to tenure employee benefits.
- ttt. "Transfer" means movement of an employee from one Institution to other Institution run by the Sanstha or from one Department of the Institution to another Department of Institution.
- uuu. "Travelling Allowance" means an admissible allowance grantable to an employee to cover the incidental expenses which he incurs during official travel.
- vvv. "Vice Principal" means a person so designated by the Competent Authority.
- www. "Working Hours" means prescribed hours on each working day during which an employee is required to perform duty assigned to him.
- xxx. "Workshop Superintendent" means a person so designated by the Competent Authority.

7. CLASSIFICATION OF EMPLOYEES AND GRADES

7.1 All employees of the Sanstha shall be classified as under-

- (i) Permanent Employee
- (ii) Temporary Employee
- (iii) Probationer
- (iv) Substitute employee
- (v) Part-time employee
- (vi) Tenure employee
- (vii) On-contract employee

- 7.2 The employees so classified above shall be graded in terms of the accruable pay scale as under: (For Non-teaching)

	VI pay commission	V pay commission
Class-I	15600-39100 with grade pay of Rs. 6000/- and above	8000-275-13500
Class-II	Rs. 9300 – 34800 with grade pay of Rs. 4200/- and above	6500-200-10500
Class-III	Rs. 5200 – 20200 with grade pay of Rs. 1900/- and above	3050-75-3950-80-4590
Class-IV	Rs. 4440 – 7440 with grade pay of less than Rs. 1500/-	2550-55-2660-60-3200 (Peon and watchman & sweeper and other)
Class-IV	Rs. 4440-7440 with grade pay of less than 1800/-	2610-60-2910-65-3300- 70-40000 (Attendant)

	VI pay commission	V pay commission
Principal	37400-67000 Grade Pay 10,000 (Spe. Pay 3000)	18400-500-22400
Director (MBA)	37400-67000 Grade Pay 10,000	16400-450-20900-500-22400
Professor	37400-67000 Grade Pay 10,000	16400-450-20900-500-22400
Associate Professor	37400-67000 Grade Pay 9,000	—
Asst. Prof.	15600-39100 Grade Pay 6,000	12000-420-18300
Lecturer – Selection Grade	15600-39100 Grade pay 8000	12000-420-18300
Lecturer – Senior Grade	15600-39100 Grade pay Rs. 7000	10000-325-15200
Lecturer	15600-39100 with grade pay Rs. 6,000 and above	8000-275-13500

8. APPOINTMENT

- 8.1 Every employee shall be appointed by a suitable letter of appointment.
- 8.2 Every appointment shall be subject to medical fitness for employment, to be certified by a Registered Medical practitioner.
- 8.3 Every appointment shall be made by the Competent Authority as per minimum qualification prescribed for various posts including those of teachers in consonance with the regulations of statutory authorities and Standard Code to the extent applicable.
- 8.4 On clearance of reservation roster by the Statutory Authority, the appointments for teaching posts shall be made as per allocation of reservations through Selection Process committee, comprising nominees of statutory authorities. However, in case of non availability of suitable candidate in reserved category, appointment shall be made in open category temporarily. And the services of such appointed person will automatically be terminated on completion of session / period. Such appointed person shall have no right to claim on such post since it falls under reservation category as per approved reservation roster.
- 8.5 The age of the person to be appointed on a post shall be prescribed by the Competent Authority depending upon the post to which he is appointed but shall in no case be less than 18 years as on the date of appointment.
- 8.6 If a candidate who has been appointed to any post in the Sanstha or Institution fails to join the service on or before the date mentioned in his letter of appointment, his appointment shall stand automatically cancelled unless he obtains prior written permission of the Competent Authority to do so.
- 8.7 The service of an employee who is appointed for a specified duration and or particular assignment shall stand terminated automatically on completion of such duration/assignment, without any notice, unless a time-

extension is allowed to him by an order passed by the Competent Authority in writing. The Competent Authority may however terminate the service of such employee at any time during continuance of period for which he was appointed.

- 8.8 On initial appointment, a person shall draw the pay or salary as prescribed by the Sanstha for the post to which he is appointed, unless a higher starting pay or salary is recommended by the selection committee in deserving cases and is duly approved by the Competent Authority.
- 8.9 No person shall be appointed if he -
- (a) has been dismissed from any service for any misconduct; or
 - (b) is or at any time has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors; or
 - (c) is found to be a lunatic or becomes of unsound mind; or
 - (d) is or has been convicted of any offence involving moral turpitude.

9. RECRUITMENT

- 9.1 Recruitment to any post shall ordinarily be made by selection or by promotion.
- 9.2 Recruitment shall be made on the basis of the age, qualification and experience of the person concerned, as specified by the statutory authority. In addition to qualification, experience may also be given due weightage, as may be prescribed by the Competent Authority for a specific post.
- 9.3 Recruitment by promotion shall be made on the basis of seniority-cum-merit and on such other conditions as may be prescribed by the Competent Authority from time to time.
- 9.4 Employment notice specifying the requisite details shall be placed on the website and/or notice board of the Sanstha and/or Institution and/or shall be published in the newspapers.
- 9.5 All recruitments shall be ordinarily made in the pay scale or pay-band with grade pay prescribed by the Sanstha.
- 9.6 All recruitments for a period exceeding four months invariably shall be made by the Appointing Authority on the recommendation of the duly constituted Selection Committee.
- 9.7 A long term or a temporary vacancy arising in teaching cadre by reason of leave or illness or otherwise of an employee may be filled in by the Head of the Institution by recruitment for a period not exceeding four months with the prior approval of the Competent Authority. The services shall be terminated on completion of specified period without any notice in regard to teaching staff. Ordinarily recruit shall not be entitled to natural extension.

10. NOMINATION

- 10.1 An employee shall, on his initial confirmation in a service or post, make a nomination, conferring on one or more persons the right to receive the death-cum-retirement gratuity, benefits under Employees Provident Fund and Employees Pension Scheme and other legitimate dues, in the event of his death while in service.

11. TERM OF PRINCIPAL / DIRECTOR / HEAD OF THE DEPARTMENT

- 11.1 The term of appointment of a Principal / Director shall be five years with eligibility for reappointment. for the period as prescribed by the Statutory Authority (Body)
- 11.2 The term of the Head of the Department shall normally be 3 years and shall be eligible for reappointment for one more term, but not for two consecutive terms as far as possible.

12. PROBATION AND CONFIRMATION

- 12.1 Every appointee shall be required to undergo a specified period of probation prior to getting permanency in employment, unless contrary is provided in his appointment order. The period of probation shall ordinarily be for two years, which may be extended for a further period of one year.
- 12.2 In case a probationer remains absent beyond the period of leave to which he is entitled, his period of probation shall be deemed to have been extended by the period of such absence.
- 12.3 In case during the period of probation, the employee performs the duties assigned to him to the satisfaction of his superiors, the Appointing Authority may curtail his period of probation and may confirm him by an order passed in writing. However, such curtailment shall in no case exceed a period of one year.
- 12.4 In case in the opinion of the Competent Authority, the work or behavior of any probationer during the period of the probation is not satisfactory, the Competent Authority may without assigning any reason terminate the services of such probationer at any time during the period of his probation, after giving him one month notice or one month salary in lieu thereof. There shall be no appeal against such termination. No leave except casual leave shall be admissible during notice period.
- 12.5 An employee on probation may terminate his employment either by giving one month's notice to the Competent Authority or by depositing one month's salary in lieu thereof. The acceptance of the resignation shall however be subject to the approval of the Competent Authority, taking into consideration the needs of the Institution at that point of time and as per the guidelines of the relevant statutory bodies. No leave except casual leave shall be admissible during notice period.
- 12.6 An employee promoted to a higher post shall be treated as on probation for a period of two years extendable by one more year and if his performance is not satisfactory during his period of probation, he shall be liable to be reverted to the post held by him prior to his promotion.
- 12.7 An employee shall be granted permanent status only upon satisfactory completion of the probationary period by him and only upon issuance of an order of confirmation, in writing, by the Appointing Authority with prior approval of the Competent Authority designated by the Sanstha.
- 12.8 In case no order of confirmation in writing is passed at end of first period of probation, the period of probation of the concerned employee shall be deemed to have been extended and if no order of confirmation in writing is passed at the end of extended period of probation then the services of an employee shall be deemed to be terminated.
- 12.9 The authority under whom an employee is undergoing probation shall send to the respective Competent Authority a report about his work at least one month before the end of the prescribed probationary period along with specific recommendation for his confirmation or otherwise.
- 12.10 If the report sent is adverse, it shall be supported by full particulars relating to the performance and conduct of the employee.
- 12.11 Upon consideration of the report, the Competent Authority, may -
 - (i) confirm the employee in service from a particular date; or
 - (ii) extend his probation for any period not exceeding one year in cumulative, at the end of which the employee shall either be confirmed or his service dispensed with; or
 - (iii) terminate his service; or
 - (iv) revert him to a post if any he held in the Institution prior to his appointment on probation.

13. LIEN

- 13.1 Lien shall be allowed to an employee only upon the prior approval of the Competent Authority.
- 13.2 A permanent employee who has completed minimum three years of continuous service after confirmation may apply in writing to the Competent Authority through the proper channel for a post outside Sanstha or Institution with lien on his substantive post for sufficient and valid reasons.
- 13.3 An application for lien shall be made at least three months in advance.
- 13.4 On receipt of such application, the Competent Authority shall consider the same and may allow or reject it in his sole discretion.
- 13.5 Lien may be granted to an employee subject to following conditions-
 - (a) The employee applying for a lien must be a permanent employee and must have completed three years of continuous service after confirmation;
 - (b) The lien must have been applied for a substantive permanent vacant post to which the applicant employee has been appointed substantively;
 - (c) No other employee from the department should hold a lien on the substantive permanent vacant post on which such employee has applied for a lien;
 - (d) Any subsequent lien may be considered on completion of ten years of continuous service and thereafter at an interval of ten years.
- 13.6 An employee applying for lien shall be required to submit an undertaking in writing to the effect that upon reverting to his original post, he shall serve the Sanstha or Institution for a period which is at least double the period of lien. On grant of such lien he shall execute a bond in the prescribed form stating the date of his return to resume duties in the Sanstha or Institution and binding himself to pay to the Sanstha or Institution an amount as may be specified in the bond, in case of breach thereof.
- 13.7 The period of Lien shall in no case exceed two years and shall be subject to year to year approval by the Competent Authority.
- 13.8 An employee shall be treated to be on lien from the date he relinquishes his charge till the date on which he resumes the charge on repatriation from lien.
- 13.9 An employee who has been granted lien and is desirous of extension of same may make an application to the Competent Authority for extension of period of lien. Such application must be made through his outside employer before expiry of first year of lien. The Competent Authority may, for good, cogent and exceptional reasons made out in the application, extend the period of lien for such period as may be determined by the Competent Authority in its sole discretion.
- 13.10 The period of lien shall ordinarily not exceed two years, but may be extended on specific request made by the employee on lien in this behalf for a further period to be determined by the Competent Authority for valid and good reasons.
- 13.11 The period of lien shall be treated as continuous service and shall count for notional increment, promotions, placement, leave, and inter-se seniority.
- 13.12 The employee on lien shall be entitled to seven days joining time while reverting to substantive post.
- 13.13 The Competent Authority may appoint an employee in a provisionally substantive capacity to a post on which another employee holds a suspended lien, however, such appointment shall automatically terminate as soon as the other employee who holds a suspended lien of that post, reverts to the post.
- 13.14 The lien of an employee ordinarily shall not be terminated, but the Competent Authority may recall the services of an employee on lien by giving one month notice to such employee and to the Institution to which such employee has been deputed.
- 13.15 In case the employee on lien fails to revert to his original post in the Sanstha or Institution within a period of seven

days after completion of the period for which his lien was approved or on completion of the extended period of lien, as the case may be, he shall lose his claim on his substantive post, unless otherwise directed.

- 13.16 The lien of an employee shall not be ordinarily terminated, but the lien shall cease to be operative when such employee ceases to be in service by virtue of his retirement, resignation, discharge, dismissal, acquiring a lien to a higher post or his absorption to the post to which he has been sent on lien.
- 13.17 In case an employee is rendered surplus in a cadre by the reason of return of the senior employee from lien or leave, or reversion of the senior employee from a higher cadre to a lower cadre, or joining of an employee by selection in the cadre, or reduction in the strength of the cadre etc., the junior most officiating employee in that cadre shall be reverted to the lower cadre.

14. DEPUTATION

- 14.1 Deputation of an employee to the Sanstha or institution or any other institutions shall be allowed with the prior approval of the Competent Authority.
- 14.2 A permanent employee who has completed minimum three years of continuous service after confirmation may apply in writing to the Competent Authority through proper channel for an outside post and requesting for a deputation on such post for sufficient and valid reasons.
- 14.3 The application for deputation shall be made at least three months in advance.
- 14.4 On receipt of such application, the Competent Authority shall consider the same and may allow or reject it in its sole discretion.
- 14.5 The period of deputation shall ordinarily not exceed two years, but may be extended for a further period on specific request made by the employee on deputation in this behalf. The period of extension shall be determined by the Competent Authority for cogent reasons.
- 14.6 An employee who has been granted deputation and is desirous of extension of same may make an application to the Competent Authority for extension of period of deputation. Such application must be made through his outside employer before expiry of first year of deputation. The Competent Authority may, for good, cogent and exceptional reasons made out in the application, extend the period of deputation for a period to be determined by the Competent Authority in its sole discretion.
- 14.7 The Competent Authority may by special resolution place the services of an employee with his consent on deputation to a Institution run by the Sanstha. In that event, the position of the employee so deputed and the terms and conditions of his service shall remain the same as in the cadre from which he is being deputed. the Institution to which such employee has been deputed shall reimburse to the parent Institution towards leave salary, employees provident fund, gratuity or pension contribution for the period of deputation at the rates prescribed by the parent Institution from time to time under intimation to the employee. However, the allowances, if any, shall be paid by the Institution to which the employee is deputed.
- 14.8 The period of deputation shall in no case exceed three years and shall be subject to year to year approval by the Competent Authority.
- 14.9 An employee who has been granted deputation to any other Institutions, not being run by the Sanstha, shall be required to execute a bond in the prescribed form stating the date of his return to resume duties in the Sanstha or institution and binding himself to pay to the Sanstha or the Institution an amount as may be specified in the bond, in case of breach thereof.
- 14.10 Before proceeding on deputation to any Institution, not being Institution run by the Sanstha, every employee shall be required to submit an undertaking in writing to the effect that upon reverting to his original post, he shall serve the institution for a period which is at least double the period of deputation.
- 14.11 An employee shall be treated to be on deputation from the date he relinquishes his charge till the date on which he resumes the charge on repatriation from deputation.

- 14.12 The period of deputation shall be treated as continuous service and shall count for notional increment, promotions/placement, leave, inter-se seniority.
- 14.13 The employee on deputation shall be entitled to seven days joining time while reverting to original post.
- 14.14 The deputation of an employee ordinarily shall not be terminated, but the Competent Authority may recall the services of an employee on deputation by giving one month notice to such employee and to the Institution to which such employee has been deputed.
- 14.15 The deputation shall cease to be operative when the employee on deputation is recalled, or ceases to be in service by virtue of his retirement, resignation, discharge, dismissal, or his absorption to the post to which he has been sent on deputation.
- 14.16 The Competent Authority may appoint an employee in a provisionally substantive capacity to a post rendered vacant as a consequence of grant of deputation to the employee holding it. However, such appointment shall automatically terminate as soon as the employee who is on deputation, repatriate to the post.
- 14.17 In case an employee on deputation fails to repatriate to his original post in the Sanstha or institution within seven days after completion of the period for which his deputation was approved or on completion of the extended period of deputation, as the case may be, he shall lose his claim on his substantive appointment, unless otherwise directed.

15. PROMOTION – GENERAL CONDITIONS

- 15.1 Every employee shall have a fair opportunity of growth of his career.
- 15.2 Every employee shall be offered promotion to next higher post depending on possession of prescribed qualification and experience, completion of stipulated length of service, eligibility, seniority, past record of conduct, annual confidential reports, annual performance report of previous years, availability of posts etc.
- 15.3 The Competent Authority shall have powers in the matters of identifying the posts for internal promotion and prescribing essential qualifications, experience etc. with respect to each post to be filled in by promotion.
- 15.4 The Competent Authority may also prescribe passing of any departmental examination as a condition precedent for being considered for promotion.
- 15.5 No employee shall claim promotion as a matter of right exclusively on the basis of eligibility to hold the promotional post, or by the reason of seniority or has been temporarily placed in charge of the post. When a higher post falls vacant the Competent Authority shall consider all available eligible employees. The promotion of an employee from a lower post to a higher post shall be determined on the basis of seniority, merit, quality of service, loyalty, conduct, efficiency, ability, and health, and the individual's suitability for the nature of the job.

15.6. PROMOTION OF NON TEACHING EMPLOYEES

- a) Avenues of internal progression and/or promotion shall be made available to the non-teaching employees of the Sanstha and/or institution as under:
- (i) The progression to the non-teaching employees of the Sanstha or its institutions shall be governed in terms of the Assured Career Progression Scheme (ACPS) as notified by Competent Authority as may be notified in future from time to time.
- (ii) The promotion shall be made by the Competent Authority on the recommendations of the duly constituted committee for the said purpose.
- (iii) Where an employee has been promoted to a higher post and is not confirmed on his promotional post, he will be reverted to his substantive post and the period of promotion will be considered as period of continuation of his service on the substantive post. He will be entitled to all the benefits due to him as an employee on the substantive post. A promoted employee can also be reverted to his substantive post if he is not found suitable during the period of his probation.

15.7. PROMOTION OF TEACHING EMPLOYEES

Career Advancement Scheme (CAS)

- (i) Avenues of internal promotion shall be made available to the teaching employees of the Sanstha and/or institution.
- (ii) The promotion to the teachers of the institutions shall be governed in terms of the Career Advancement Scheme (CAS) notified by the respective Statutory Authorities.
- (iii) A teacher promoted to a higher post shall be treated as on probation for a period of two years extendable by one year. If, during the period of probation, the work and conduct of a promoted teacher is not satisfactory, he shall be liable to be reverted to the post which he held prior to promotion at the sole discretion of the Competent Authority.

16. TRANSFERS

- 16.1 All teaching employees are liable to need based transfer without any notice to corresponding and matchable institutions run by the Sanstha or which may come into existence at the time of transfer.
- 16.2 All non-teaching employees are liable to need based transfer without any notice to any of the institutions run by the Sanstha or which may come into existence at the time of transfer.
- 16.3 An employee may request for transfer from one institution to another run by the Sanstha, which may be considered by the Competent Authority depending upon the availability of the post and suitability of the applicant on case to case basis.
- 16.4 An employee availing request transfer shall not be entitled to joining time and other incidental allowances.

17. CLOSURE ON UNFORESEEN CIRCUMSTANCES

- 17.1 In case of fire, flood, natural calamity, catastrophe, epidemic, civil commotion, strike, Act of GOD or any other compelling circumstances beyond control, the Competent Authority may, at any time, close down the sections or classes of the Institutions or of any institution, wholly or partially, for such period as may be warranted.
- 17.2 In case the sections or classes of the institution so closed down cannot be reopened within a reasonable period, the Competent Authority may terminate the services of employees of such Institutions and pay to them all their legitimate dues.
- 17.3 For the reasons beyond the control and contemplation of the management such as abolition of a subject, class, section, department, financial non-viability & non-availability of students the services of permanent employees may be terminated after giving ninety day's notice or salary in lieu thereof.

18. DOCUMENTS REQUIRED TO BE PRODUCED BY AN EMPLOYEE AT THE TIME OF JOINING THE SERVICE

- 18.1 On joining the service, each employee shall produce the following documents :
 - (a) Bio-data in prescribed format
 - (b) Proof of age- Any one of the following documents shall be acceptable as proof of age-
 - (i) School Leaving Certificate
 - (ii) SSC Board Certificate

- (iii) Certificate of birth issued by notified agencies for registration of Birth & Death
- (c) Recent Passport size photo of the Employee,
- (d) Photo ID proof issued by Government Authorities : Any one of the following documents shall be acceptable as ID proof -
 - (i) Passport
 - (ii) PAN Card
 - (iii) Voter ID
 - (iv) Driving Licence
 - (v) Adhar Card
- (e) Proof of residence-

Any one of the following documents shall be acceptable as proof of residence-

 - (i) Passport
 - (ii) Voter Card
 - (iii) Electricity Bill
 - (iv) Telephone Bill
- (f) Joining report at the present institution
- (g) Attested photo copies of certificates of Diploma and Degree and Postgraduate Degree, along with their originals for verification
- (h) Copy of experience certificate for all previous appointments
 - (i) Caste certificate along with validity certificate
- (j) Nomination Form
- (k) Relieving order from the previous institution
- (l) PAN Card
- (m) Certificate of fitness from a registered medical practitioner
- (n) Copy of Gazette notifying change of name after marriage for female.

19. RESIGNATION

- 1.1 If a permanent employee intends to discontinue his services, he shall give three months' written notice in that behalf or shall pay an amount equal to three months salary in lieu thereof.
- 1.2 In the case of a probationer employee, the notice period shall be of one month, waiveable by payment of an amount equal to his one month's salary.
- 1.3 The Competent Authority may waive the condition of notice or payment in lieu thereof, in genuine and deserving cases.
- 1.4 The resignation tendered by an employee on duty under his signature shall be effective from the date of its acceptance by the Competent Authority.
- 1.5 The resignation of the teacher shall not be accepted in mid-term of any academic session.
- 1.6 No leave except casual leave shall be admissible during the notice period.
- 1.7 Resignation tendered by an employee will not be ordinarily accepted -
 - (i) If disciplinary proceedings are contemplated, or have been instituted or are continuing against such employee.

- (ii) If the employee is under a bond to serve the Sanstha or Institution for a specified period, which is yet to expire.
- (iii) If there are any dues and other borrowed materials to be recovered from the employee.
- (iv) If the employee is on leave or is absent from duty.
- (v) for any other sufficient ground to be recorded in writing.
- (vi) In mid-term of any academic session

20. RECORD OF AGE

- 2.1 The date of birth of an employee as furnished by him at the time of joining shall be supported with one of the following documents before it is accepted as correct.
 - (i) School leaving certificate, or
 - (ii) SSC Board Certificate, or
 - (iii) Certificate of birth issued by Notified Agencies for registration of Birth and Death
- 2.2 The age of the employee verified as above shall be the conclusive proof of the age of the employee for all purposes relating to his employment including retirement. No change thereafter shall be accepted.

21. COMMENCEMENT OF SERVICE

- 3.1 The service of a person shall commence from the date on which he joins his first appointment provided he reports for duty on that day before 12 noon, otherwise from the next date.
- 3.2 The service of an employee who returns from leave or from deputation shall commence from the date he assumes charge of the post before 12 noon, otherwise from the next date.
- 3.3 The service of an employee shall cease from the date on which he relinquishes his post for whatever reason, before 12 noon otherwise from the next date.

22. CHANGE OF NAME, MARITAL STATUS AND ADDRESS

- 4.1 Whenever a change occurs in the name, marital status and residential address or permanent address of an employee, he shall immediately intimate such change in writing to the Appointing Authority.
- 4.2 Change of name after marriage for female employee shall be recorded only after submission of Gazette to that effect.

23. SENIORITY

- 5.1 A Teacher shall rank in seniority in a cadre according to the date of his commencement of service in the cadre.
- 5.2 When a post is filled in by nomination or selection and the probation is completed within the normal probationary period, seniority of the candidates selected at the same interview shall be in the order in which they are ranked by the selection committee.

However in case the probationary period of an employee is extended and his date of confirmation is postponed to any subsequent date, his seniority shall be determined with reference to the date from which he completes his probationary period.

- 5.3 An employee promoted to a post in a higher cadre shall rank below those employees who are already in that cadre on the date of his promotion, irrespective of their inter-se seniority in the lower cadre. An employee promoted to a higher cadre earlier shall be considered senior to the employee promoted to that cadre at a later date, irrespective of their inter-se seniority in the lower cadre or the pay drawn.
- 5.4 If the promotion of a junior employee is ordered temporarily because a senior employee is not immediately available on account of medical or other personal grounds, junior employee shall not lose his original seniority in the substantive post.
- 5.5 When an employee holding a particular grade is reduced to a lower grade, he shall be placed on the top of the lower grade, unless the authority ordering the reduction directs that he shall rank in such lower grade next below any specified number thereof.
- 5.6 Seniority of a teaching / non-teaching employee in a cadre shall be determined on the basis of continuous service in that cadre in the Sanstha or institution. The date of joining the service on probation or the date of promotion shall be taken as the date of continuous service for this purpose.
- 5.7 An employee confirmed in a permanent post shall rank higher to one appointed in an officiating capacity i.e. an employee who is appointed to work in place of a permanent employee.
- 5.8 In the case of an employee who requests for change in the cadre of equivalent level, the Competent Authority may examine the merits of the request and relative utility in granting the request, and may grant the same. In such case, the employee shall rank lowest in the seniority and the date of order of transfer of cadre shall be considered as a continuous officiating date in that cadre.
- 5.9 If the Competent Authority is of the opinion that the services of any employee are more useful in another cadre of equivalent level, the Competent Authority may, by a written order, transfer the employee to the other cadre. In such case, the employee shall rank at the appropriate place with reference to the date of his continuous officiating or confirmation in the former cadre, and his seniority in the transferred cadre shall be fixed accordingly.
- 5.10 In case employee has requested for a change from higher cadre to lower cadre, and if the Competent Authority grants his request, the employee shall not get higher seniority in the lower cadre that he would have held, had he not been so shifted from higher cadre to lower cadre.
- 5.11 The Sanstha or institution shall prepare, maintain and publish annually a seniority list, for all the employees, service-wise, cadre-wise department-wise, Sanstha and institutions-wise.
- 5.12 In case two or more persons have equal length of continuous service in a particular cadre or the relative seniority of any person is in doubt, the Head of the Institution may on his own notion and shall at the request of any such person, remit the matter to the Board of Management / Governing Body for decision, which shall be final & binding.

24. CONFIDENTIAL RECORD OF THE EMPLOYEE

- 24.1 A service book shall be maintained for every employee appointed in the Sanstha or institution except substantive post, temporary post or on contract post or Apprentices or for those appointed for a period of less than one year.
- 24.2 The service book shall be in prescribed form and shall contain a record of service of each employee covering all relevant and essential events in his official career.
- 24.3 The service record of an employee shall be kept in the safe custody of an official designated by the Competent Authority.
- 24.4 All entries in the service book shall be periodically completed and at the end of the relevant year shall be shown to the employee and his signature obtained thereon.
- 24.5 An employee may peruse the entries in the service book to ensure that the record is correctly maintained.
- 24.6 The date of birth of the employee shall be recorded in the service book as mentioned in the specified documents. In the event that the year of birth is known but the date and month are not known, the first of July of that year shall be

taken as the date of birth. When the year and month are known and exact date not known, the 16th of the month shall be taken as the date of birth.

- 24.7 The copy of service book duly completed in all respects may be given to an employee on his retirement, acceptance of his resignation, and his discharge from service without fault. The copy of service book may be given to the person who has been nominated in the declaration form, in the event of termination of service of the employee on account of his death. In case no such application for obtaining copy of service book is made within six months, the service book may be destroyed after appropriate panchanama.
- 24.8 The service book of an employee whose services are terminated by removal or dismissal shall be retained. In case of any legal proceedings in connection with the removal or dismissal has been instituted, the service book shall be retained till the legal proceedings are finally disposed off by the last Court exercising appellate or revisional jurisdiction.
- 24.9 An annual confidential report and/or any other performance appraisal system in respect of each employee shall be maintained in the prescribed form and shall be taken into account at the time of promotions, increments etc.
- 24.10 Adverse or outstanding remarks recorded in the confidential report and/or any other performance appraisal system, shall be brought to the notice of the concerned employee in writing.
- 24.11 In case, adverse remarks are recorded and communicated, the concerned employee shall be entitled to make representation there against to the reviewing authority. The decision of reviewing authority shall be final and binding.
- 24.12 A personal file shall be opened for every employee immediately on his appointment wherein all orders and papers in connection with his official record shall be properly filed.
- 24.13 The personal file shall not be open for inspection and perusal of the employee or his representative.

25. CODE OF CONDUCT

25.1 Every employee shall –

- (i) be governed by code of conduct notified by the Competent Authority from time to time.
- (ii) observe strict moral and ethical standards in their work and personal life.
- (iii) render services with complete personal integrity.
- (iv) be proud of the dignity of his work or profession.
- (v) be impartial, sympathetic and helpful to all Learners and co-workers.
- (vi) strive to cultivate the freedom of thought and expression and to develop a scientific temper in himself and in his learners and co-workers.
- (vii) organize and promote all activities which foster a feeling of universal brotherhood among pupils and co-workers.
- (viii) take a stand against unhealthy customs and practices in modern society and strive his best to instill into the minds of his pupils and co-workers the principles of co-operation, justice and social service.
- (ix) strive to inculcate by precept and example, into the mind of the pupils the care and love for the motherland and respect for all and for rule of law
- (x) all times be courteous and considerate towards the authorities of Sanstha or institution, students, parents, patients, colleagues, visitors, superiors and co-workers.
- (xi) maintain absolute integrity, a high sense of devotion to duty, good behavior and standard of conduct.
- (xii) be honest and loyal to the Sanstha and institution and abide by the rules notified from time to time.
- (xiii) carry out the work assigned to him by his superiors conscientiously in accordance with the specific or general instructions and shall maintain discipline at all times in the department or work places or premises

of the Sanstha or institution.

- (xiv) co-operate with his superiors and co-employees and not commit a nuisance and abet indiscipline among others.
 - (xv) at any time, not to indulge in maligning or falsely implicating the authorities, superiors or any other employee of the Sanstha or institution.
 - (xvi) accept any work allotted to him by the Sanstha or institution or Department or by the Appointing Authority, Administrative Officer in addition to the work allotted to the particular post held by the employee, keeping in mind the ethos of the Sanstha or institution.
 - (xvii) always be neatly dressed while on duty and shall keep their person and work-places tidy and clean and at all times maintain cleanliness of the Sanstha and institution.
- 25.2 Employees who are required to follow the dress code or have been provided with uniform shall wear it while on duty. Any employee, who violates the dress code on any day, shall be liable for being marked absent on the day of such violation and also for disciplinary action.
- 25.3 Every employee shall wear the identity card issued to him by the Sanstha or Institution while on duty.
- 25.4 The uniform and identity card provided by the Sanstha or Institution shall not be worn during off-duty hours. 25.5 Employees shall take proper care of machines, tools, materials, equipment, furniture, movable and immovable property and all other sundry property of the Sanstha or Institution and shall not misuse or carelessly use the material and facilities provided by the Sanstha or Institution.
- 25.6 Every employee shall comply with all safety and health rules and procedures at all times and shall perform the work assigned to him carefully in such manner as will protect him and others from any risk.
- 25.7 Every employee shall ensure that work environment is safe by identifying and controlling hazards or unsafe situation, helping and encouraging others to work safely, and placing safety first.
- 25.8 Every employee shall report at his work place at the time prescribed by the Head of the Institution. However, a grace period of ten minutes may be allowed over and above the stipulated time. If an employee fails to report for work within such grace period, he shall be considered as late for the day. For every three late comings in a month, one day casual leave shall be deducted. If casual leave is not available at the credit of such employee, deduction shall be made from his earned leave. In case both casual leave and earned leave are not at credit, it will be considered as extraordinary leave without pay. If an employee comes late by more than thirty minutes than the stipulated reporting time, then half-day casual leave shall be deducted. If casual leave is not available at the credit of such employee, deduction shall be made from his earned leave. In case both casual leave and earned leave are not at credit, it will be considered as extraordinary leave without pay.
- 25.9 In case an employee leaves his work place prior to the scheduled clock time, he shall be considered to have left early. For every three such early goings by less than thirty minutes each, in a month, one day casual leave shall be deducted. If casual leave is not available at the credit of such employee, deduction shall be made from his earned leave. In case both casual leave and earned leave are not at credit, it will be considered as extraordinary leave without pay. If an employee leaves the workplace early by more than thirty minutes than the scheduled clock time, then half-day casual leave shall be deducted. If casual leave is not available at the credit of such employee, deduction shall be made from his earned leave. In case both casual leave and earned leave are not at credit, it will be considered as extraordinary leave without pay.
- 25.10 The provision relating to late coming and early going shall run consecutively.
- 25.11 No employee, after being marked present, shall abstain himself from the Sanstha or Institution, or from the class or duty which he is required to attend except with the prior permission from the concerned authority of the Sanstha or Institution.
- 25.12 After entering the premises of the Sanstha or Institution for duty and marked present, no employee shall be permitted to go out of the premises of the Sanstha or the Institution unless he has obtained permission in writing from the authorized person and has made an entry to that effect in the movement register kept at the gate with his name, time of exit and signature. On return, such employee shall record in the same register the time of his return in the premises and put his signature, otherwise he shall not be allowed to enter the premises.

- 25.13 No employee shall, without proper sanction, avail himself, for private or personal purpose, or take out any material, which is the property of or has been paid for by the Sanstha or Institution.
- 25.14 Employees are not permitted to accept gifts in cash or kind from students, visitors, parents, contractors, vendors or any other parties connected with the activities of the Sanstha or Institution.
- 25.15 No employee shall tamper or cause to be tampered with the records or notices of the Sanstha or Institution.
- 25.16 An employee should respect the confidentiality of information acquired in the course of his work and should not disclose any such information to a third party without specific approval from the Competent Authority unless there is a legal obligation to disclose the same.
- 25.17 No employee shall disturb the peaceful atmosphere of the Sanstha or Institution by demonstration, shouting, loud talking or in any manner whatsoever, or shall indulge in an act which is prejudicial to the interest of peaceful working of the Sanstha or Institution.
- 25.18 No employee shall indulge in quarrels, cross-talking, abuses, fights, violence or any other disorderly or indecent behavior on the premises of the Sanstha or Institution.
- 25.19 No employee shall collect money in any manner on any premise without a written permission of the Competent Authority.
- 25.20 No employee shall interfere with the work of other employees, disturb or cause annoyance to them at work.
- 25.21 No employee shall disfigure or damage in any manner the property of the Sanstha or Institution.
- 25.22 No Employee shall discriminate or be discriminated on any ground including but not limited to color, race, religion, gender, sexual orientation, national origin, ethnicity, age, disability, pregnancy, veteran status or other legally protected factors.
- 25.23 No employee shall bring or consume alcohol or intoxicant drugs in the premises or report to work in an unfit condition resulting from previous indulgence in or under the influence of intoxicants or drugs.
- 25.24 No employee, while in the premises, shall have in his possession firearms, weapons or other articles detrimental to the security of the Sanstha or Institution or persons thereat.
- 25.25 No employee shall, without a written permission of the Competent Authority of the Institution undertake employment while in service of the Sanstha or institution or carry on, directly or indirectly a business or trade or private practice, tuitions or associate himself/herself directly or indirectly with any coaching classes.
- 25.26 No employee shall indulge in or encourage, any form of malpractice or any other anti-social activity prejudicial to the fair name, credit and credibility of the Sanstha or Institution.
- 25.27 Each employee shall render necessary assistance and service in respect of works related to examination, preceptor-ship, autonomous cell & any other ancillary work assigned to him from time to time over and above his routine duties.
- 25.28 Every employee shall at all times conduct himself in accordance with the specific or implied order of the Sanstha or institution or any other person authorized in this behalf regarding behavior and conduct which may be issued and enforced from time to time.
- 25.29 No employee shall, except with the approval of the Competent Authority participate in editing or managing a newspaper or periodicals, participate in radio, T.V. broadcast or contribute an article or write a letter either anonymously or in his own or in the name of any other person to a newspaper or an agency derogatory to the good name of the Sanstha or Institution.
- 25.30 No employee shall indulge in activity which may embarrass the cause of the Sanstha or Institution.
- 25.31 No employee shall bring or attempt to bring any outside influence to bear upon a superior authority to further his interest in respect of matters pertaining to his employment.

- 25.32 No employee shall carry on or propagate any political activity, or canvas for contesting elections to any political party, or hold any such meeting for the purpose within the premises of the Sanstha or Institution without prior permission.
- 25.33 No employee shall be a member of any group or organization that is banned or outlawed by the government
- 25.34 Every employee on first joining shall have to deposit with the Sanstha or Institution a sum equal to one month's salary payable to him, in ten monthly equal installments towards interest free salary deposit. If, an employee who has not been confirmed in service, voluntarily terminates his employment in between the academic session, his salary deposit shall be forfeited. In case of successful completion of the probationary period, the salary deposit shall be refunded to the employee after he has rendered five year's service from the date of his joining the service. In case the staff member resigned by following stipulated process, he shall be entitled for refund of deposit if nine months deduction is made.
- 25.35 No employee shall commit an act in contravention of or in derogation of any of the provisions of these service rules and any other enabling provisions of relevant statutory rules or instructions.
- 25.36 An employee, who has been granted leave, or has been laid off, suspended, discharged, dismissed or has resigned or is not working for any reason, shall vacate the premises of the institution forthwith unless allowed to stay back by the Competent Authority.
- 25.37 An employee shall always act in the best interest of the Sanstha or Institution and shall ensure that any business or personal association which he may have, does not involve a conflict of interest with the working of the Sanstha and Institution and his role therein.
- 25.38 An employee shall make full disclosure to the Competent Authority of any interest which he or any member of his family may have with the Sanstha or Institution. Any deliberate non disclosure on the part of an employee shall render him liable for disciplinary action.
- 25.39 Every employee is liable to be searched while entering into, remaining in or leaving out of, the premises of his work. Search may be conducted every day or on any day or days as the Competent Authority may direct by an order passed in writing in this behalf. The search of an employee shall be carried out by another person of the same gender.
- 25.40 Non disclosure of any conflict of interest by the employee to the Competent Authority would amount to disciplinary breach on his part
- 25.41 Contesting Election by an Employee
- (i) Subject to the provisions of this rule, an employee may, with prior permission of the Competent Authority in writing contest elections to public offices at the Local, District, State or National level.
 - (ii) The permanent employee shall, immediately after filling the nomination form for contesting such elections and the same being declared as valid, proceed on leave due and admissible to him, and if there is no leave to his credit. He shall proceed on extraordinary leave, and shall continue to be on leave till the declaration of the election results:
 - (iii) Provided that, the Competent Authority may require a temporary employee contesting such election to resign his post even during the election campaign, if in the opinion of the Competent Authority the election campaign is likely to adversely affect the duties of the employee.
 - (iv) The employee contesting such an election shall not involve the Competent Authority, employees or students of the institution in which he is employed, in the election campaign.
 - (v) The permanent employee who is on leave till the declaration of election results, and in the event of his being elected he shall resign the post he held immediately on his election to the public office.

- 26.1 The Competent Authority may, at any time, direct an employee to be examined for medical fitness by a Registered Medical Practitioner and the employee shall be bound to comply with the same.

27. WORKING – HOURS

- 27.1 General working hours and weekly holidays shall be as notified by the Sanstha or Institution. These working hours and weekly holidays are subject to such changes by the Competent Authority as warranted by the administrative necessities.
- 27.2 The clock-time from which and the clock-time up to which an employee shall carry out his work shall be declared by the Competent Authority as per administrative necessities.
- 27.3 The working hours may be different for different category of employees.
- 27.4 In case of academic or institutional exigencies, an employee may be required to work beyond his specified working hours. He may be asked to report to work before the scheduled clock- time and/or to continue the work after the scheduled clock-time, which the employee shall be bound to obey. Any refusal thereto by the employee shall amount to disciplinary action.
- 27.5 If any additional work is assigned to an employee of Class-III and Class-IV cadre, by his superior in the academic and institutional interest of the Sanstha or Institution; or is required to work beyond his specified working hours, such employee shall be under obligation to accomplish the same within stipulated time, even by working on weekly holidays or Sundays or any other declared holidays and/or beyond his specified working hours for which he shall be suitably compensated. Any refusal thereto by the employee shall amount to disciplinary action.
- 27.6 The teaching staff may be asked to take classes, or to accompany students on excursion, or to travel with the students on study tours, on such days which fall on weekly offs, Sundays and other declared holidays, for which no remuneration or compensation shall be admissible.

28. PAY AND ALLOWANCES

- 28.1 The pay-period shall not exceed a period of one month.
- 28.2 The pay days shall be determined by the Competent Authority, provided that no pay- day shall fall after expiry of ten days after the last day of the pay-period in respect of which the pay is payable.
- 28.3 If the pay-day falls on a Sunday or a closed Holiday notified by the Competent Authority, the payment shall be made on the preceding workday.
- 28.4 Any pay due to a deceased employee shall be paid to his legal heirs before expiry of the 30th working day after the day on which a valid claim is presented by his heirs or legal representatives provided that such claim is submitted within three years of the death of the employee.
- 28.5 The payment of pay shall be made by crediting the same to the employee's bank account under his authorization.
- 28.6 The Competent Authority may grant personal pay to an employee to save him from the loss of substantive pay in respect of a permanent post, on account of revision of pay or any reduction of such substantive pay otherwise than by disciplinary measures; or in any exceptional circumstances on personal considerations.
- 28.7 The pay of an employee who dies in harness shall be drawn up to the date of his death irrespective of the hour of death.
- 28.8 An employee, who is holding for more than 15 days but less than six months, the charge of an additional post, whether equivalent to or higher than his original post, shall be entitled to receive additional pay on satisfactory performance of the duties of the additional post. Such additional pay shall not exceed 20% of the pay or salary which he would have drawn, had he been appointed to that post.

- 28.9 An employee shall be entitled to receive the additional pay, only when -
- (i) the additional post, the charge of which the employee was holding, is not subordinate to the original post;
 - (ii) there has been substantial addition of work and responsibilities for the employee while holding the charge of the additional post; and
 - (iii) the additional post is an independent post having independent jurisdiction;
- 28.10 If an employee reverts to a lower post after a spell of promotion in a higher post, his pay in the lower post shall be fixed at the stage in the time-scale of the lower post at which he would have drawn pay, had he not been promoted.
- 28.11 Where the reversion of an employee from higher to lower post is made as a penalty, the Competent Authority may fix the pay of such employee at any stage in the prescribed pay scale of the lower post, which it may think appropriate. Provided that the pay allowed to be drawn by an employee under this rule shall not exceed the pay which he would have drawn in the prescribed pay scale of the higher post which he was holding prior to reversion, had he not been reverted.
- 28.12 If an employee, who has been reverted to a post carrying a lower prescribed pay scale, is subsequently promoted or reinstated, his previous service in the post from which he was reverted, shall count for increments; unless the Competent Authority declares that it shall not be so counted either in whole or in part.
- 28.13 When an employee is promoted either in a substantive or an officiating capacity to a post carrying a higher prescribed pay scale or is appointed to a post carrying higher duties and responsibilities, his initial pay shall be fixed at the minimum of the higher scale of pay or at the stage next above the pay notionally arrived at by increasing his pay in the lower post by one increment at the stage at which such pay is accrued, whichever is more. If the employee has reached the maximum of the prescribed pay scale in the lower post, his notional pay shall be arrived at by increasing that pay by adding an amount equivalent to the last increment.
- 28.14 An increment shall ordinarily be drawn by every employee annually, as a matter of course.
- 28.15 If an employee is appointed directly to a post on probation during the period of probation, his first increment shall be released on completion of one year of his probationary period, subject to satisfactory performance as per annual confidential report or annual performance report and the subsequent increment shall be released on his completing the probationary period satisfactorily.
- 28.16 A probationer, whose probationary period is extended for any reason whatsoever shall be allowed to draw second increment only with effect from the date of satisfactory completion of the probationary period and shall not be eligible for arrears.
- 28.17 A promoted employee shall be entitled to draw the increment only on completion of the full increment period in the new post.
- 28.18 For the purpose of arriving at the date of next increment in a prescribed pay scale, the total of all such periods as do not count for increment in that prescribed pay scale shall be added to the normal date of increment.
- 28.19 The following periods shall be counted for increment in a prescribed pay scale of the post in which the employee has been confirmed-
- (i) All duty periods in a post on a prescribed pay scale;
 - (ii) all leave, except extraordinary leave or leave without pay, taken otherwise than on medical certificate for a scheduled disease;
 - (iii) extraordinary leave or leave without pay on medical grounds, if the Competent Authority by order in writing directs that such leave shall not affect the normal date of increment of an employee;
 - (iv) extraordinary leave taken for any cause beyond the control of the employee;
 - (v) study leave taken for prosecuting higher studies;
 - (vi) service on lien / deputation in or out of India whether for training or otherwise;
 - (vii) temporary transfer to another department;
 - (viii) period spent on undergoing a course of training or instruction, during which the employee is treated as on duty.

- (ix) service in another post other than a post carrying less pay whether in a substantive or officiating capacity;
 - (x) service in a higher post in officiating or temporary capacity, on reversion to the lower post;
 - (xi) service rendered in a temporary post, if post is on a prescribed pay scale
provided further that the service rendered in a post carrying a lower prescribed pay scale will not count for increment in the higher post.
- 28.20 If the conduct of an employee has not been good or his work has not been satisfactory; the Competent Authority may withhold his increment as a penalty by passing a reasoned order in writing in this behalf.
- 28.21 In case an employee is reduced to a lower stage in his prescribed pay scale as a measure of penalty, the Competent Authority in the order of such reduction shall state—
- (i) the period for which the order shall be effective and the increment of such employee shall be withheld;
 - (ii) whether on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent; and whether the period for which the increment has been withheld will be exclusive of any interval spent on leave before the period is completed.
- 28.22 If an employee is reduced to a lower grade or post, or to a lower pay scale, as a measure of penalty the Competent Authority ordering such reduction may or may not specify the period for which the reduction shall be effective; but where the period is specified, the Competent Authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and if so, to what extent.

29. OTHER ALLOWANCES

- 29.1 The employees working in the prescribed pay scale shall be entitled to Dearness Allowance, House Rent Allowance, and such other allowances as may be sanctioned by the Competent Authority from time to time.
- 29.2 For the purpose of calculating allowances which are related to pay, the term "pay" shall include basic pay and grade pay. Other allowances shall not however count as pay.
- 29.3 Dearness allowance may be drawn during the period of any kind of leave except extraordinary leave and leave without pay.
- 29.4 House Rent Allowance shall be admissible to employees at the rates sanctioned by the Competent Authority in terms of the policy of Govt. of Maharashtra in vogue.
- 29.5 The Competent Authority may, in deserving cases, grant other allowances as deemed necessary.

30. LEAVE RULES AND PROCEDURES

- a) Leave cannot be claimed as a matter of right.
- b) Leave applied for by an employee may be granted subject to balance of leave at his credit. However, when exigencies of service demand, leave of any description may be refused or revoked by the sanctioning authority.
- c) Leave shall invariably be applied for and sanctioned before it is availed of, except in case of emergency, in which case a leave application must follow immediately, as a rule.
- d) Leave ordinarily shall begin and ends on the dates for which it is sanctioned.
- e) If an employee, after proceeding on leave, desires an extension thereof, he shall, before the expiry of the leave originally granted to him, make an application in writing giving reasonable time to respond. The extension of leave may either be granted or refused at the sole discretion of sanctioning authority. The decision of sanctioning authority shall be communicated to the concerned employee. Every employee, going out of station on leave, shall furnish in his leave application the outstation address and contact details.
- f) An application for medical leave shall be supported by a medical certificate from a registered medical practitioner or a medical officer designated by the Sanstha or Institution, failing which the applicant shall be deemed to be

absent.

- g) In case an employee remains absent from duty on the pretext of being sick, the Sanstha or Institution may direct such employee to report to the Sanstha or institution immediately and get himself examined by a Registered Medical Practitioner designated for the purpose.
- h) Leave is not deemed to have been granted unless sanctioned in writing. An employee absenting himself when leave is not granted will be marked absent and will not earn pay or salary for the period of his absence. Further, such employee shall be liable for disciplinary action or other consequences under the service rules.
- i) An employee, who has been granted leave on medical grounds shall produce medical fitness certificate from a registered medical practitioner at the time of resuming duty.
- j) An employee, against whom a departmental enquiry is instituted or is proposed to be instituted, shall not be entitled to leave. However the sanctioning authority may, in his sole discretion, grant to such employee a short leave on condition that the employee shall make himself available for enquiry as and when required.
- k) No leave shall be admissible to an employee who is under suspension, or is discharged or is under orders of removal or dismissal.
- l) If an employee who is already on authorized leave, submits a notice of resignation, he shall cease to draw any leave salary with effect from the date from which his resignation is accepted. No leave shall be adjusted against the period of notice of resignation, except casual leave and leave on medical grounds. In case medical leave is sanctioned to such employee, the notice period shall be extended by the same quantum.

30.1 TYPES OF LEAVE

a) Casual Leave

- (i) Casual leave is meant for a short period of absence necessitated by sudden and unforeseen urgent work.
- (ii) The grant of casual leave may be refused at any time according to the exigencies of service and the need of the Sanstha or institution.
- (iii) No employee shall, except in unavoidable circumstances, avail himself of casual leave, unless it has been sanctioned.
- (iv) Eight days of casual leave shall be admissible in a calendar year or as amended by the Govt. of Maharashtra from time to time.
- (v) Casual leave may be granted not exceeding four days at a time. The same may be prefixed or suffixed with Sundays or holidays provided the total number of days does not exceed six days at a time.
- (vi) The employee who are on temporary / probation / tenure based status shall be allowed to avail casual leave in such proportion of eight days commensurate with the period of duty rendered by him during the calendar year.
- (vii) Casual leave shall not be carried forward or accumulated. (viii) Casual leave cannot be combined with any other kind of leave.
- (ix) If an employee remains absent or applies for casual leave for a day which the Sanstha or institution observes as half-working day, his casual leave shall be treated for full day and one-day casual leave shall be deducted from his leave account.

b) Earned Leave

- (i) An employee who is not entitled to vacation, shall be entitled to earned leave of thirty days in a calendar year. Fifteen days of earned leave shall be credited in advance on 1st January and 1st July, every year. The advance credit for the half year in which the employee is appointed shall be at the rate of two and a half days of each completed calendar month of service. While affording credit, fraction shall be rounded off to the nearest day subject to the accumulation of maximum of three hundred days of leave.

- (ii) A maximum of ninety days of earned leave shall be granted at a time. However, in case of ensuing superannuation, quantum of hundred days of earned leave each year could be availed in the last three serving years subject to the availability of the leave at his credit.
- (iii) The earned leave admissible to a permanent employee entitled to vacations in respect of any year in which he is prevented from availing himself of the full or part of the vacations, shall be in such proportion of thirty days a year for the period he is required to work, provided that the employee shall cease to earn such leave when the earned leave due is accumulated to one hundred and eighty days.
- (iv) In case of compulsory recall to duty, the employee shall be allowed to avail the balance of his earned leave before expiry of the period of six months from the date on which he proceeded on earned leave or before he again proceeds on earned leave. The leave sanctioning authority shall grant leave if such employee applies for it. If however, the employee concerned does not himself ask for being allowed to avail the balance of the earned leave, the balance of the earned leave shall lapse and the said period shall be debited to his leave account as if he had availed it.
- (v) Minimum period of four days earned leave will be sanctioned at a time.
- (vi) Application for earned leave will have to be made seven days in advance and the employee can avail this leave on receipt of order sanctioning the earned leave.
- (vii) An employee will not be allowed to join on his own during the period of earned leave.
- (viii) The employee entitled to vacation shall not ordinarily club his earned leave with vacation. //

c) Leave on Half Pay

- (i) Subject to exigencies of service, all employees, including those who are entitled to vacation, shall be allowed "leave on half pay" to the extent of twenty days for every completed year of service.
- (ii) The leave on half pay so earned shall accumulate without any limitation.
- (iii) No employee shall be entitled for leave on half pay during the first year of his service.
- (iv) The leave on half pay may be granted to an employee either on medical ground or for personal reasons. The leave requested on medical ground shall have to be supported with the certificate from a Registered Medical Practitioner and on resumption of duty a fitness certificate must be produced.
- (v) The leave on half pay shall not be granted as leave preparatory to retirement.

d) Commuted Leave

- (i) An employee may, with prior approval of Competent Authority, commute leave on half pay at his credit on medical grounds on the following conditions, namely:-
 - (a) The commuted leave shall be debited to the account of leave on half pay at the rate of twice the number of days actually availed of,
 - (b) No commuted leave shall be granted for less than three days. However, in exceptional circumstances one day commuted leave for maximum three times in a year without medical certificate may be sanctioned by the Sanctioning Authority.
 - (c) No commuted leave shall be granted unless the Competent Authority is satisfied that there is reasonable prospect of the employee returning to duty on its expiry,
 - (d) The employee shall give to the Competent Authority an undertaking that in the event of his resignation or retiring voluntarily from service he shall refund the difference between the leave salary drawn during commuted leave and that admissible during half pay leave.
 - (e) Where an employee who has been granted commuted leave resigns from his service or at his request is permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered. Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

e) Leave not due

- (i) In respect of permanent employee who has served for more than ten years, if he has no earned leave or leave on half pay to his credit, the Competent Authority may grant him leave not due, for a period not exceeding one hundred and eighty days during the entire service. The employee shall be entitled to not more than ninety days at a time except on medical ground. Such leave availed of by the employee shall be debited against the leave on half pay and earned leave that the employee shall earn subsequently. Provided that the leave not due shall be granted only if the Competent Authority is satisfied that there are reasonable prospects of the employee returning to duty, on expiry of leave and has sufficient service to earn leave to compensate leave not due granted to him.

f) Study Leave

- (i) An employee of the Sanstha or institution shall be entitled to study leave for prosecuting higher studies or research directly related to his work or specialized training in his subject, either in India or Abroad.
- (ii) The study leave may be granted by the Competent Authority subject to availability of adequate personnel in the department.
- (iii) Study leave on full pay shall be admissible to all full time employees in the permanent establishment of the Sanstha or institution, who have put in not less than three years of continuous service as permanent employee on the date on which such leave is granted.
- (iv) Study leave shall not be granted to an employee who is due to retire within five years of the date on which he is expected to return to duty after the expiry of study leave.
- (v) An employee must apply for study leave at least 6 months in advance before he intends to avail himself of such study leave and shall specify the course of study or research contemplating any examination he may propose to undergo along with the detailed program.
- (vi) Study leave shall be on full pay without any allowance and shall not be debited to the leave account.
- (vii) Study leave on full pay without any allowance shall not ordinarily be granted for a period exceeding twenty four months at a time. The Competent Authority may, at its discretion, grant study leave without pay in continuation of twenty four months, but the total period of study leave shall in no case exceed thirty six months in one spell.
- (viii) Study leave may be granted not more than twice during one's career. Provided that, under no circumstances, the maximum of study leave admissible during the entire service period shall exceed five years.
- (ix) The Competent Authority in suitable cases may sanction such allowances in addition to the study leave on full pay as it may deem fit, but excluding house rent allowance, City Compensatory allowance, or any other specified allowance under the rules.
- (x) If the employee to whom any allowance has been granted in addition to the study leave on full pay, is in receipt of any stipend, scholarship, fellowship, or financial help from any agency, the accruable pay and the stipend, scholarship, fellowship, or financial help, as the case may be, together shall not exceed total emoluments drawn by such employee before proceeding on study leave.
- (xi) Employees availing study leave shall execute a bond to serve the Sanstha or institution for a period double the quantum of study leave availed. In the event of non-return from study leave either in India or Abroad, the employee shall be liable to refund the entire amount of salary drawn during the period of study leave together with accruable interest thereon as may be decided by the Competent Authority.
- (xii) The employee shall submit six monthly progress reports of his studies from his supervisors / guide / Principal to the head of the institution so as to reach him within one month from the date of the expiry of every six months of study leave.
- (xiii) The payment of leave salary to the employee shall be reviewed upon receipt of the six monthly satisfactory reports from the supervisors / guide / Principal to Head of the concerned Institution.
- (xiv) The period of study leave shall not count for the purpose of earning any kind of leave, but shall be counted for the following purposes, if the employee joins the Sanstha or institution on the expiry of his study leave -

- (a) Annual increments;
- (b) Service seniority;
- (c) Gratuity; and
- (d) Employees provident fund.

g) Maternity Leave

- (i) A female employee shall be entitled for the maternity leave on production of medical certificate to this effect which includes use of assisted reproductive technology and the surrogate mother.
- (ii) A permanent female employee is entitled to maternity leave for a period not exceeding 180 days.
- (iii) Notice of maternity leave shall be ordinarily given one month prior to the commencement of leave.
- (iv) If the confinement of a female employee occurs during the period of vacation to which she is entitled, the maternity leave of such female employee shall not run concurrently with the vacation.
- (v) In calculating the period of one hundred and eighty days, all holidays and leave falling in those months shall be included.
- (vi) Maternity leave shall not be granted more than two times in whole of service period of a female employee.
- (vii) During the period of maternity leave, a permanent and regular female employee shall be paid leave salary equal to pay drawn by her immediately before proceeding on leave.
- (viii) A female employee, who is on probation, shall be entitled for the maternity leave of one hundred eighty days, if such female employee has completed one year of continuous service.
- (ix) A female employee who is on probation and has completed one year of continuous service shall be entitled to maternity leave on half pay till the date of her confirmation in service.
- (x) The application for maternity leave shall be supported by a medical certificate as to the probable date of confinement and an undertaking to the effect that the employee shall report the date of confinement supported by a medical certificate.
- (xi) Leave under this rule shall be admissible in case of miscarriage or abortion including abortion under the Medical Termination of Pregnancy Act, 1971, subject to following conditions -
 - (a) the leave shall not exceed six weeks;
 - (b) the application for leave must be supported by a medical certificate;
 - (c) such leave shall be sanctioned for a maximum of forty five days in the entire service of a female employee.

h) Child Adoption Leave

- (i) If a female employee having less than two surviving children validly adopts a child below the age of one year, she will be entitled to Child Adoption Leave, for a period of one hundred and eighty days commencing from the date of valid adoption.
- (ii) During the period of child adoption leave, a permanent female employee shall be paid leave salary equal to pay drawn by her immediately before proceeding on leave.
- (iii) A female employee who is on probation, and has completed one year of continuous service, shall be entitled for the child adoption leave on half pay till her confirmation in service.
- (iv) In calculating the period of one hundred and eighty days, all holidays and leave falling in those months shall be included.
- (v) Child adoption leave may be combined with leave of any other kind.

i) Extraordinary Leave

- (i) Extraordinary leave without pay may be granted to an employee in special circumstances at the sole discretion of the Competent Authority.
- (ii) Extraordinary leave shall not be granted to run concurrently with the notice period of any kind.
- (iii) The period of extraordinary leave other than on medical grounds shall not count for increment. The

extraordinary leave shall have the effect of postponing the date of increment and the date of confirmation if on probation and shall affect such other privileges as may be dependent on the period of such leave.

- (iv) The extraordinary leave may be availed in combination with any other kind of leave with the approval of the Competent Authority.
- (v) Extraordinary leave shall be without pay and shall not be debited to the leave account of the employee.

j) Special Leave

The Competent Authority may sanction special leave, not exceeding fifteen days in a calendar year, to an employee for attending conferences, seminars, professional societies related activities etc. on behalf of the Sanstha or Institution and for external examiner-ship or for working as a member on a Committee appointed by other statutory bodies.

k) Duty Leave

Employees shall be entitled to duty leave for conduct of exams or for attending duly convened meetings, and such other duties approved by the Competent Authority.

l) Loss of Leave

- a. If an employee remains absent without sanctioned leave or overstay the leave originally granted or subsequently extended, he shall lose his leave immediately unless –
 - (i) He returns within ten days of the commencement of absence or the expiry of the sanctioned leave as the case may be.
 - (ii) He explains in writing to the satisfaction of the Competent Authority the reasons of his absence or his inability to return to duty on the expiry of leave.

31. VACATION

- a) All teaching posts except that of Director, Principal, Controller of Examination shall be treated as vacational post. For non teaching staff vacations shall be permissible to them who are attached to teaching departments including workshop (attendants & above but excluding clerk / sr. clerk and peons).
- b) A permanent employee holding a vacational post will be entitled to such vacation in a year as will be notified in the Academic Calendar by the statutory authority every year. However, the Competent Authority may curtail the vacation period in exigency of work and all such cases shall be entitled to conversion of duty period under vacation on pro rata basis as earned leave.
- c) An employee on a vacational post is not entitled to vacation or Earned Leave during the first year of service.
- d) In case of detention of services during vacation period, the number of days of detention shall be converted into Earned Leave with a proportionate as defined in the guidelines of statutory authority and / or notified by the Sanstha or institution.

32. PROVIDENT FUND

All employees shall subscribe to the provident fund scheme at a rate stipulated by the Employees' Provident Fund and Miscellaneous Provision Act of 1952.

33. NO WORK NO PAY

In all cases of absence from duty without leave or permission; or where an employee fails to discharge his duties, the principle of 'no work no pay' shall apply.

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34. GRIEVANCE REDRESSAL MECHANISM

- a) There shall be a standing grievance redressal mechanism put into force for the purposes of transparent dispensation of the grievances and complaints and for their appropriate redressal in a time bound manner.
- b) In order to achieve the same, following committees shall be constituted and operate.
- c) **Grievance Redressal Committee (GRC)**
 - (i) There shall be a Grievance Redressal Committee (GRC) to deal with grievances or complaints of the employees of the Sanstha or Institution. The aggrieved employee may submit his grievance or complaint in writing to such committee.
 - (ii) The Grievance Redressal Committee will meet at least once in three months and may meet as often as required.
 - (iii) The Grievance Redressal Committee shall give hearing to the complainant and on examining the evidence adduced by the complainant before it, shall submit recommendations to the Competent Authority for approval in a time bound manner.
 - (iv) The decision of the Competent Authority shall be final and binding.
 - (v) No appeal shall be admissible against the decision of the Competent Authority.
- d) **Sexual Harassment Redressal Committee (SHRC)**
 - (i) The Sanstha or institution recognize that in a large setup with thousands of faculty, staff, and students, the instances of perceived or actual sexual harassment may occur. Every possible effort has been taken for implementing both preventive and remedial measures to make the workplace safe for women.
 - (ii) There shall be a Sexual Harassment Redressal Committee (SHRC) to deal with any kind of complaint relating to sexual harassment at the work place made individually from any level including students across the institution.
 - (iii) On receipt of any complaint relating to sexual harassment, the SHRC shall dispose it off in the manner provided in the relevant bye laws.
- e) **Task Based Committees**
 - (i) The Competent Authority may constitute 'Task Based Committees' with defined terms of reference as may be warranted from time to time to deal with the grievances and complaints which are otherwise not allocable to the standing committee.

35. MISCONDUCT

The omission or commission of following acts shall be treated as misconduct-

- (a) Willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior,
- (b) Theft, fraud or dishonesty in connection with the business or property of the Sanstha or Institution or of other employees, or visitors or attempting to do so.
- (c) riotous or disorderly behaviour during working hours at the Sanstha or Institution or any act subversive of discipline,
- (d) Using institutional facilities unauthorizedly for personal gain.
- (e) Engaging in private work or trade within the premises of the Sanstha or institution.

- (f) Engaging in the same or a different profession outside the Sanstha or institution without the written permission of the Competent Authority.
- (g) willful damage or loss of employer's goods or property
- (h) An act or conduct within and / or outside the premises which is likely to damage the good name of the Sanstha and institution.
- (i) Using indecent language or making false allegations against co-employees or others.
- (j) Speaking in an abusive manner to superiors or others.
- (k) Non-compliance of any lawful and reasonable order of a superior, and/or instigating others to insubordination or disobedience.
- (l) Refusal to accept or obey an order of transfer from one job to another or from one department to another in Sanstha or institution.
- (m) Furnishing false or incorrect information
- (n) Withholding, concealing or veiling of relevant or pertinent information at the time of appointment or at any other time.
- (o) Trespassing or forcible occupation of a portion of the premises of the Sanstha or institution, unauthorized use or occupation of the accommodation or refusal to vacate the same when asked to do so.
- (p) Unauthorized use of the name, address, telephone or any other description of the Sanstha or institution.
- (q) Tampering with the records of the institution, falsification, defacement or destruction of any of the records of the Sanstha or Institution or attempting to do so.
- (r) Disclosing to an unauthorized person, without written permission of the Competent Authority, information adversely affecting the interest of the Sanstha or institution with regard to procedures, practices and functioning of the Sanstha or Institution.
- (s) Gambling within the premises of Sanstha or institution; or bringing or consuming liquor or other intoxicants, including additives and drugs; or reporting for work in an unfit condition because of previous indulgence in or under the influence of an intoxicant; or disorderly indecent behaviour in the premises of the Sanstha or institution.
- (t) Possessing unauthorized firearms, other weapons or other articles in the premises detrimental to the security of the Sanstha or institution or persons.
- (u) Creating disturbance or nuisance inside or in the immediate neighbourhood of the premises including its residential quarters by fighting, abusing, threatening to assault other employee, other riotous or disorderly behaviour.
- (v) An act subversive of discipline or good behaviour in the premises or outside the premises if it adversely affects the discipline or administration or reputation of the Sanstha or institution or has a bearing on its smooth and efficient working.
- (w) Intimidating other employees by threats, pressures or other means, with a view to prevent them from attending to their duties.
- (x) Preaching, carrying on or canvassing for religious or political activity on the premises, in any manner whatsoever.
- (y) Gheraoing or surrounding or forcibly detaining the superiors or other employees of the Sanstha or institution or resorting to hunger strike or similar action in or outside the premises.
- (z) Habitual breach of the service rules or any other statutory rules and regulations in force in the Sanstha or institution.
- (aa) Conviction in court of Law or Detention in police or magisterial custody for criminal charge for more than forty eight hours.
- (bb) Sexual harassment or inappropriate behavior with the opposite sex. (cc) Habitual late attendance.
- (dd) habitual absence without leave or absence without leave for more than ten days,
- (ee) Leaving the place of work during working hours without permission including extended lunch break.

- (ff) Absence without permission from the place of work.
- (gg) Laziness, lethargy, inefficiency or carelessness in discharging duties.
- (hh) Poor efforts at work and performance of duty below acceptable standards
- (ii) habitual negligence or neglect of work,
- (jj) striking work or inciting others to strike work in contravention of the provision of any law, or rule having the force of law;
- (kk) Borrowing or lending money in the Sanstha or institution premises.
- (ll) Taking or giving bribes or any illegal gratification.
- (mm) Taking donations or unauthorized money collection.
- (nn) Sleeping while on duty.
- (oo) Entering a section or department except for purposes of assigned duties.
- (pp) Unauthorized entry into prohibited area as notified by the Sanstha or Institution.
- (qq) Failure to report at once to superiors any accident or a hazard noticed inside the premises of the Sanstha or Institution or to report promptly any occurrence or defect or mistake which might damage the property of the Sanstha or Institution or that of any others.
- (rr) Unauthorized handling or misuse, mishandling of a machine, apparatus, equipment or material.
- (ss) Failure to timely report the loss of tools or instruments or materials entrusted to an employee, in the performance of duties or failure to account for the same.
- (tt) Soliciting, demanding, collecting or canvassing of money from anyone, or sale of any kind of tickets within the premises for a purpose or reason without prior permission of the Competent Authority
- (uu) Erection, inscription, exhibition of a matter whatsoever on the property of the Sanstha or Institution including its building, walls, fences, trees, boards or vehicles, disfiguring of an inscription, notice or publication put up by the Sanstha or Institution.
- (vv) Unauthorized removal from or affixing of notice on the notice-board or any other place in the Sanstha or Institution or its premises.
- (ww) Organizing, holding, attending or taking part in the meeting, exhibition (demonstration), sticking or distributing handbills, notices, leaflets, pamphlets or posters in the premises or in its immediate neighbourhood prejudicial to the interest of the Sanstha or Institution.
- (xx) Obstructing the movement of goods, persons or vehicles pertaining to the activities of the Sanstha or Institution
- (yy) Taking private tuitions or running coaching classes.
- (zz) Non-adherence to the job profile given to an employee.
- (aaa) Failure to keep proper record in prescribed manner & format.
- (bbb) Loss or shortage of any material or article under the control of an employee.
- (ccc) Issue of material or chemicals after its expiry date.
- (ddd) Non-compliance to the remarks or observations of the Internal Auditor.
- (eee) Repeated or habitual omission & commission of any act prejudicial to the laid down procedures or administrative system.
- (fff) Involvement in taking out any material for private or personal purpose, which is the property of or has been paid for by the Sanstha or Institution.
- (ggg) Advertent or inadvertent mistake in calculation, measurement, evaluation & assessment reports.
- (hhh) Non-observance or unscrupulousness in observance of the directions of the Examination Centre Incharge or any other authority related to work & conduct of examination.
- (iii) Physical or verbal abuse to higher authority, colleagues or members of the public including parents & students.

- (jjj) Failure to achieve set targets within stipulated period without justifiable reasons.
- (kkk) Non-adherence to the guidelines, policies, procedures, returns & time schedule of statutory agencies or bodies.
- (lll) Failure to maintain the discipline in the hostels & non-adherence to the laid down policy related to head count.
- (mmm) Failure to protect himself and others in compliance of all safety & health rules and procedures.
- (nnn) Failure to keep work place clean, hygienic and work worthy.
- (ooo) Use of vehicles of the Sanstha or Institution for any purpose other than assigned task.
- (ppp) Working under the influence of any drug, or any medication which is likely to affect the work and/or performance adversely.
- (qqq) Tampering with or failing to maintain absolute security of the premises.
- (rrr) asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment.
- (sss) Non-adherence to the provisions of "UGC regulations on curbing the menace of ragging in higher educational institutions, 2009".
- (ttt) Failure to promptly report an incident of ragging.
- (uuu) Failure to take timely steps and prompt action to prevent an incident or incidents of ragging.
- (vvv) Displaying an apathetic or insensitive attitude towards complaints of ragging;
- (www) Being a member or associate of any political party or any organization which takes part in politics;
- (xxx) taking part, aiding or assisting any political movement or activity;
- (yyy) Canvassing, interfering, influencing or taking part in an election to any legislature or local authority;
- (zzz) displaying on the person, vehicle or residence of any electoral symbol;
- (aaaa) proposing or seconding the nomination of a candidate at the election to any legislature or local authority.

36. PENALTIES FOR MISCONDUCT

The Disciplinary Authority may impose any one or more of the following penalties on an employee.

a) Minor Penalties

- (i) Censure
- (ii) Fine
- (iii) Withholding of promotion
- (iv) Withholding annual increment,
- (v) Withdrawal of HOD ship.
- (vi) Recovery from pay or from such other amount as may be due to the employee of the whole or part of any pecuniary loss caused to the Sanstha or Institution due to negligence, by breach of orders on his part,
- (vii) Compulsory/Forced leave of minimum of 90 days

b) Major Penalties

- (i) Reduction to a lower stage in the time-scale of pay, for a specified period with further direction as to whether or not employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction shall or shall not have the effect of postponing the future increments of his pay.
- (ii) Reduction to a lower time-scale of pay, grade, post or services which shall, ordinarily be a bar to the promotion of the employee to the time-scale of pay, grade, post or service from which he was reduced, with or without further directions regarding condition of restoration to the time-scale of pay, grade, post or service from which he was reduced, and his seniority and pay on such restoration,

- (iii) compulsory retirement
- (iv) removal from service, which shall not be a disqualification for future employment under Sanstha or institution.
- (v) dismissal from service, which shall be a disqualification for future employment under Sanstha or institution.

c) Procedure for Imposing Minor Penalty -

When it is proposed to impose a minor penalty on an employee, to be referred to as "Delinquent Employee", for a misconduct committed by him, the following procedure shall be followed-

- (a) the Delinquent Employee shall be informed by the Disciplinary Authority in writing of the proposal to take action against him and the imputations of misconduct on which it is proposed to be taken.
- (b) Thereupon the Delinquent Employee shall be given a reasonable opportunity to make such representation as he may wish to make against the proposal.
- (c) If the Disciplinary Authority considers that an inquiry into the misconduct is necessary, it may direct conducting an inquiry.
- (d) The Disciplinary Authority shall consider the representation, if any, submitted by the Delinquent Employee and the record of inquiry, if any.
- (e) Upon consideration of representation and record of enquiry, the Disciplinary Authority shall record a finding on each imputation of misconduct, and pass an order giving reasons there for. No order imposing on Delinquent Employee any of the minor penalties shall be made without following the above procedure.

d) Procedure for imposing Major Penalty:

No order imposing any of the major penalties shall be made except after an inquiry held in the manner provided hereunder.

- a. The Disciplinary Authority shall issue a written communication to the employee, specifically stating the nature of misconduct alleged to have been committed by him and calling upon him to submit his explanation thereto within a period stipulated in the communication.
- b. Upon receiving the said communication, if such employee does not submit his explanation within the specified time, or submits his explanation within stipulated time but denies the allegations made against him on the grounds which are found to be unsatisfactory by the Disciplinary Authority, the Disciplinary Authority may proceed to inquire into such allegations.
- c. If the Disciplinary Authority is satisfied that there are sufficient grounds for inquiring into the truth of any imputation of misconduct against an employee, to be referred to as "Delinquent Employee", it may itself inquire into, or appoint an authority, to be known as "Enquiry Officer", to conduct an inquiry into the truth thereof.
- d. Where it is proposed to hold an inquiry against a Delinquent Employee, the Disciplinary Authority shall draw up or cause to be drawn up—
 - (a) The substance of the imputations of misconduct into definite and distinct articles of charge;
 - (b) A statement of the imputations of misconduct in support of each article of charge.
 - (c) A statement of all relevant facts including any admission or confession made by the employee; and
 - (d) A list of documents and an authenticated copy of those documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- (e) The Disciplinary Authority shall deliver or cause to be delivered to the Delinquent Employee, a copy of articles of charge, the statement of the imputations of misconduct, and the list of documents and of witnesses by which each article of charge is proposed to be sustained.
- (f) The Disciplinary Authority shall by a written notice require the Delinquent Employee to submit to it within such time as may be specified in the notice, a written statement of his defence. (g) In case no written statement of defence is submitted by the Delinquent Employee within the time specified in the notice, the Disciplinary Authority may itself inquire into the articles of charge or may appoint an authority, to be known as "Enquiry Officer", for the purpose.

- (iii) compulsory retirement
- (iv) removal from service, which shall not be a disqualification for future employment under Sanstha or institution.
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- (c) If the Disciplinary Authority considers that an inquiry into the misconduct is necessary, it may direct conducting an inquiry.
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- d. Where it is proposed to hold an inquiry against a Delinquent Employee, the Disciplinary Authority shall draw up or cause to be drawn up—
 - (a) The substance of the imputations of misconduct into definite and distinct articles of charge;
 - (b) A statement of the imputations of misconduct in support of each article of charge.
 - (c) A statement of all relevant facts including any admission or confession made by the employee; and
 - (d) A list of documents and an authenticated copy of those documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.
- (e) The Disciplinary Authority shall deliver or cause to be delivered to the Delinquent Employee, a copy of articles of charge, the statement of the imputations of misconduct, and the list of documents and of witnesses by which each article of charge is proposed to be sustained.
- (f) The Disciplinary Authority shall by a written notice require the Delinquent Employee to submit to it within such time as may be specified in the notice, a written statement of his defence. (g) In case no written statement of defence is submitted by the Delinquent Employee within the time specified in the notice, the Disciplinary Authority may itself inquire into the articles of charge or may appoint an authority, to be known as "Enquiry Officer", for the purpose.

- (h) In case a written statement of defence is submitted by the Delinquent Employee within the time specified in the notice, the Disciplinary Authority shall examine the same to ascertain whether the Delinquent Employee has admitted all the articles of charge, or has admitted none of them, or has admitted only some of them and not admitted the others.
- (i) In case all the articles of charge have been admitted by the Delinquent Employee in his written statement of defence, the Disciplinary Authority shall record its findings on each charge after taking such evidence as it may think fit.
- (j) In respect of the articles of charge not admitted by the Delinquent Employee in his written statement of defence, the Disciplinary Authority may itself inquire into the same or may appoint an authority, to be known as "Enquiry Officer", for the purpose.
- (k) Where the Disciplinary Authority appoints an Enquiry Officer, it may, by an order, appoint another employee or a legal practitioner, to be known as the "Presenting Officer", to present the case in support of the articles of charge before the Enquiry Officer.
 - (a) The Disciplinary Authority shall forward to the Enquiry Officer—
 - (i) a copy of each of the articles of charge and the statement of the imputations of misconduct;
 - (ii) a copy of the statement of all relevant facts including any admission or confession made by the Delinquent Employee;
 - (iii) a copy of the written statement of defence, if any, submitted by the Delinquent Employee;
 - (iv) copies of statements of witnesses, if any;
 - (v) a copy of the documents by which, and of the list of witnesses by whom, the articles of charge are proposed to be sustained;
 - (vi) evidence proving the delivery of the documents to the Delinquent Employee; and
 - (vii) a copy of the order appointing the Presenting Officer.
- (b) Where the Enquiry Officer has concluded that some articles of charge imputed on the Delinquent Employee have been proved and some have not been proved, and the Disciplinary Authority agrees with the same, the Disciplinary Authority shall exonerate the Delinquent Employee in respect of the articles of charge not proved against him, and may proceed to impose on the Delinquent Employee any major penalty commensurate with the charges proved against him.
- (c) Where the Enquiry Officer has concluded that all articles of charge imputed on the Delinquent Employee have been proved and the Disciplinary Authority agrees with the same, the Disciplinary Authority may proceed to impose on the Delinquent Employee any major penalty commensurate with the charges proved against him.
- (d) Where the Disciplinary Authority proposes to impose any major penalty on the Delinquent Employee in respect to articles of charge proved against him, it shall, in writing, communicate to the Delinquent Employee the major penalty proposed to be inflicted on him and shall call upon the Delinquent Employee to make, within the period specified in writing, a representation against the proposed penalty, if he so desires.
- (e) If the Delinquent Employee makes any representation against the proposed penalty, the Disciplinary Authority shall, after considering the grounds raised therein, finally determine the penalty to be imposed on the Delinquent Employee, which may be the same or lesser than the penalty proposed.
- (f) While finally determining and awarding penalty, the Disciplinary Authority shall take into account the gravity of the misconduct, the previous record, if any, of the employee and any other extenuating or aggravating circumstances, that may exist.
- (g) The order imposing penalty on the employee shall be passed by the Disciplinary Authority in writing and a copy thereof shall be supplied to the Delinquent Employee.
- (h) The order imposing penalty shall clearly state the Appellate Authority before whom an appeal shall lie against it.
- (i) If the Delinquent Employee is aggrieved by the order imposing penalty, he may, within fifteen days from the date of receipt of the order by him, he can make an appeal to the Appellate Authority.
- (j) The Appellate Authority, after giving an opportunity to the appellant employee of being heard, shall pass such order

as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the appellant employee in writing.

- (k) Where the Disciplinary Authority disagrees with the conclusions drawn by the Enquiry Officer in respect to all or any of the article of charge, it shall record the reasons there for and may, at its sole discretion, direct a de novo enquiry on the articles of charge in respect of which he differs with the findings of the Enquiry Officer, and for that purpose, may appoint another authority.
- (l) If the major penalty is inflicted on the Delinquent Employee and accordingly he is discharged or dismissed, he shall be deemed to have been discharged or dismissed with effect from the date of suspension, unless otherwise is directed in the order of discharge or dismissal. (to be discussed in the Board of Management)

Actions not amounting to Penalty

- (a) The following shall not amount to penalty-
- (b) non-promotion of the employee, whether in substantiate or in officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible, on administrative ground not connected with his conduct;
- (c) Retirement of the employee in accordance with the provisions relating to superannuation or retirement.
- (d) Replacement of an employee, who was not qualified on the day of his appointment by a qualified one.
- (e) Discharge of an employee appointed on a short term officiating vacancy caused by the grant of leave or suspension.
- (f) Withholding of increment of pay of an employee in accordance with the rules or orders or the terms of his appointment.
- (g) reversion to a lower grade on administrative grounds not connected with the employees conduct.
- (h) Reversion of an employee on probation to any other service grade or post in accordance with the terms of such appointment or probation.
- (i) Repatriation of an outside employee to his parent employment or recalling an employee sent on deputation.
- (j) Premature termination of lien.
- (k) Termination of services of an employee appointed on probation, on temporary basis or under an agreement, in accordance with its terms.
- (l) Transfer.

37. SUSPENSION

The Competent Authority may, by an order in writing, place an employee under suspension with effect from the date specified in the order, if it is satisfied that it is necessary or desirable to do so pending further action in following cases-

- (i) Disciplinary proceedings against him are contemplated or are pending.
- (ii) A case against him relating to a criminal offence is under investigation or trial.
- (iii) He is detained in police custody or in magisterial custody for a period exceeding forty eight hours.
- (iv) He is charged with embezzlement of money.
- (v) He is charged with misbehavior with any authority, employee, student, parent or guardian in the Sanstha or institution. (vi) Where in the opinion of the Competent Authority he has engaged himself in activities prejudicial to the interest of the Sanstha or institution. After Suspension -
- (vii) While under suspension, the employee shall not be allowed to resign nor shall he be granted leave.
- (viii) The employee under suspension shall not accept any private or gainful employment.

- (ix) Employee under suspension shall not leave the headquarters during the period of suspension without the prior approval of the Competent Authority.

38. SUBSISTENCE ALLOWANCE

An employee who is placed under suspension shall be entitled to subsistence allowance at the rate and on the conditions mentioned below

- (i) The subsistence allowance payable to a suspended employee shall be equal to one-half (fifty percent) of the sum total of basic pay, grade pay and dearness allowance, as per the last pay drawn by him.
- (ii) No payment of subsistence allowance shall be made unless the suspended employee furnishes a certificate to the effect that he is not engaged in any other employment, business, profession or vocation during the period of suspension.
- (iii) Where the suspension relates to disciplinary proceedings pending against the employee and the employee continues to be under suspension for period exceeding one hundred and eighty days as a result of prolongation of such inquiry for the reasons not directly attributable to the employee, the Competent Authority may, for reasons to be recorded in writing, suitably increase the subsistence allowance of such employee.
Provided that such increase in subsistence allowance shall in no case exceed fifty percent of the subsistence allowance admissible to him during the first one hundred eighty days.
- (iv) If the Competent Authority is satisfied that the period of suspension of an employee has extended beyond the period of one hundred and eighty days for the reasons directly attributable to the employee himself, it may reduce the amount of the subsistence allowance by a suitable amount, not exceeding fifty percent of the subsistence allowance admissible to such employee during the first one hundred and eighty days and shall state in writing the reasons therefor.
- (v) The suspended employee shall be bound to obey the instructions issued from time to time by the Competent Authority.
- (vi) In case the suspended employee is exonerated on conclusion of disciplinary proceedings; or is acquitted by competent court of law in the criminal prosecution against him; he shall be entitled to the salary and allowances as reduced by the subsistence allowance received by him from the date on which he was suspended.

39. DESERTER

An employee who abstains from duty without permission for a period exceeding continuous thirty days, shall be deemed to be deserter and his services shall stand terminated automatically on the expiry of the period of thirty days. Provided that, the Competent Authority may, by a special order, condone the absence of such employee, if it is satisfied that he was prevented by the circumstances beyond his control from communicating his absence and reasons therefor.

40. CESSATION OR TERMINATION OF EMPLOYMENT

- 40.1 A permanent employee may terminate his employment by giving three working month's notice of his intention to resign to the Competent Authority or by payment of a sum equal to his pay of three months in lieu of notice.
- 40.2 The resignation tendered by an employee shall take effect from the date immediately after the date of expiry of the notice period, subject to its acceptance by the Competent Authority.
- 40.3 The Competent Authority shall have right to accept or refuse the resignation of an employee.
- 40.4 The Competent Authority may decline the resignation tendered by an employee, if there is any breach of contract on the part of such employee; or disciplinary proceedings are contemplated or pending against such employee; or recovery of any sum in excess of the salary payable to such employee during the notice period is to be made; or for any other reason whatsoever.

- 40.5 The acceptance or refusal by the Competent Authority of the resignation tendered by an employee shall be communicated to the employee concerned.
- 40.6 If no decision is communicated within the period of notice, the resignation tendered by the employee shall be deemed to be accepted by the Competent Authority and shall be effective on the date immediately after expiry of notice period. Notwithstanding anything contained in this rule, no such notice shall be necessary if the employee is a probationer.

41. DISCHARGE ON MEDICAL GROUNDS ON INCAPACITY

The Competent Authority may, at any time, by an order in writing, direct an employee to appear before a duly constituted Medical Board or a specialist approved by the Institution for his medical examination on a date specified in the order. If such employee fails, or deliberately neglects or avoids submitting himself for medical examination on the date specified in the order; he shall be deemed to be medically unfit and shall be discharged from service with effect from the date on which he was required to appear for medical examination before a duly constituted Medical Board or a specialist approved by the Institution.

- 41.1 An employee discharged from service on the ground of deemed unfitness shall forfeit his claim to compensation, though he shall be entitled to all legitimate dues.
- 41.2 Where the employee appears before the duly constituted Medical Board or a specialist approved by the Institution for his medical examination on the date specified in the order, his medical examination shall be conducted.
- 41.3 If upon medical examination, the employee is declared to be physically and/or mentally incapacitated, thereby rendered unfit for the work he was performing, and the chances of his becoming fit again for the same work are remote, it shall be considered to be the unfitness of such employee to hold the existing post as also to his appointment to a higher post.
- 41.4 The Competent Authority shall refer the case of such medically unfit employee to a specially constituted committee.
- 41.5 On receiving such reference, the committee shall thoroughly scrutinize the case, and if it considers necessary, may refer the case to a medical authority or such other person whom it may deem fit, for expert opinion.
- 41.6 The committee may afford an opportunity of hearing to the employee so declared to be physically and/or mentally incapacitated and rendered unfit for the work he was performing.
- 41.7 The committee shall take a decision having regard to -
- (i) The results of its scrutiny of the case;
 - (ii) The opinion of the medical authority or such other person to whom the case was referred by it;
 - (iii) Submissions of the employee made in course of his hearing;
 - (iv) The interest of the Sanstha and/or institution; and
 - (v) Sympathetic and considerate approach towards the employee.
- 41.8 The committee shall make a detailed report to the Competent Authority of its decision with reasoning.
- 41.9 The Competent Authority shall take an appropriate and judicious decision, considering the report of the committee.
- 41.10 It shall be the endeavor of the Competent Authority to accommodate such medically unfit employee in an alternative employment in the same or any other Institution of the Sanstha, whether on an equivalent post or on any lower post, if in its opinion, such employee is, despite his unfitness, capable of performing the duties attached to such post.
- 41.11 If the Competent Authority offers to such medically unfit employee an alternative employment, it shall be open to such employee to accept or refuse the same.
- 41.12 If such medically unfit employee declines the offer of alternative employment for any reason whatsoever; or he cannot be accommodated in the same or any other Institution of the Sanstha on an equivalent or lower post,

despite liberal and sympathetic consideration of his case, the Competent Authority shall discharge such employee from service on grounds of continued ill health.

42. SUPERANNUATION AND RETIREMENT

- 42.1 The age for retirement for a confirmed teaching employee shall be as determined by the Competent Authority from time to time.
- 42.2 An employee, who attains the age of superannuation on any day other than the first day of any calendar month, shall retire on the last day of the month in which he completes his age of retirement.
- 42.3 An employee, who attains the age of superannuation on first day of any calendar month, shall retire on the last day of the previous calendar month.
- 42.4 If an employee has been certified by a registered medical practitioner as incapacitated for doing further service on account of mental or physical infirmity, he may be compulsorily retired by the Competent Authority even before the age of superannuation.
- 42.5 If an employee having attained the age of fifty five years or having completed thirty years of total service, is declared by a duly constituted Medical Board or a specialist approved by the Institution to be mentally or physically unfit for the post, the Sanstha or institution may retire such employee any time by giving him three months' notice or three months' salary in lieu thereof.
- 42.6 The Competent Authority may require the employee to retire if the post which he is holding at present is abolished and if there is no suitable post for his absorption.
- 42.7 When an employee retires from service on the ground of medical unfitness, the Competent Authority may, at its sole discretion, grant him compensation of such amount as shall be determined by it taking into account all relevant factors.
- 42.8 The Competent Authority may, at its sole discretion, re-appoint an employee who has retired by the reason of attaining the age of superannuation. The employee so re-appointed, shall be entitled to such pay as may be prescribed by the Competent Authority and allowances admissible thereon.
- 42.9 Age for superannuation for non-teaching staff shall be as under as prescribed by the statutory authority from time to time.

43. ENTITLEMENT ON RESIGNATION, RETIREMENT OR DEATH

- 43.1 An employee who retires from the services of the Sanstha or institution on attaining the age of superannuation will be entitled to the following benefits:-
- (a) Gratuity
 - (b) Employees Provident Fund
 - (c) Payment under Group Insurance Scheme
- (a) **Gratuity:**
- Retirement gratuity is admissible to all employees who retire after completion of 5 years of qualifying service as may be prescribed from time to time as per the Payment of Gratuity Act, 1972.
- (b) **Employees' Provident Fund :**
- The employees' provident funds & miscellaneous provisions act 1952 shall be applicable to all category of employees on joining the establishment.
- (c) **Group Insurance Scheme :**
- Group saving insurance scheme shall be applicable to the employees for the purpose of providing life insurance

benefit to the employees. The premium payable shall be based on the classification of the employee and the amount of sum insured.

44 .APPEAL

44.1 An employee aggrieved by any order passed by any authority under these rules may, within a period of thirty days from the date of the receipt of the order, prefer an appeal in writing to the Competent Authority, as may be specified.

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend the said period by a further period of thirty days.

44.2 The appellate authority may, after giving the parties to the appeal a reasonable opportunity of being heard, confirm, modify or reverse the order under challenge