



Ref. : NYSS/2022-23/25\

15.07.2022

AMENDMENT NOTIFICATION

In exercise of the power conferred upon by Rule 5.1 of the Service Rules of Nagar Yuwak Shikshan Sanstha, Atrey Layout, Nagpur, the Competent Authority hereby declared and published copy of amendment of 'Service Rules of the Nagar Yuwak Shikshan Sanstha, Nagpur', which shall come in force with immediate effect.

The copy of (1) Amended Service Rules & (2) Annexure – Procedure of Departmental Enquiry is enclosed herewith for your record and implementation.


SECRETARY

Copy to –

- The Principal, YCCE, Wanadongri, Nagpur
- The Principal, DMAMCHR, Wanadongri, Nagpur
- The Principal, DMCON, Wanadongri, Nagpur
- The Principal, DMCOP, Wanadongri, Nagpur
- The Director, DMIMS, Wanadongri, Nagpur

NAGAR YUWAK SHIKSHAN SANSTHA

Atrey Layout, Nagpur – 440 022.

AMENDMENT NOTIFICATION FOR **SERVICE RULES**

Prevalent	:	Amended Service Rules
<p>1.1 These Rules shall apply to all the teaching and non-teaching employees to Nagar Yuwak Shikshan Sanstha, Nagpur and its institutions as under -</p> <p>(a) Yeshwantrao Chavan College of Engineering</p> <p>(b) Rajiv Gandhi College of Engineering & Research</p> <p>(c) Shri. Datta Meghe Polytechnic</p> <p>(d) <u>Sharad Pawar College of Pharamcy - Deleted</u></p> <p>(e) Datta Meghe Institute of Management Studies</p> <p>(f) <u>Bapurao Deshmukh Sharirik Shikshan Mahavidyalaya - Deleted</u></p> <p><u>To add new institutions:</u></p>		<p>1.2 These Rules shall apply to all the teaching and non-teaching employees to Nagar Yuwak Shikshan Sanstha, Nagpur and its institutions as under -</p> <p>(a) Yeshwantrao Chavan College of Engineering</p> <p>(b) Rajiv Gandhi College of Engineering & Research</p> <p>(c) Shri. Datta Meghe Polytechnic</p> <p>(d) Datta Meghe Institute of Management Studies</p> <p>(e) Datta Meghe College of Nursing</p> <p>(f) Datta Meghe College of Physiotherapy</p> <p>(g) Datta Meghe Ayurvedic Medical College, Hospital & Research</p>

<p>2. DEFINITIONS</p> <p>In these rules, unless there is anything repugnant in the subject or the context the expression –</p> <p>aa. "</p> <p><u>- To replace with -</u></p> <p>ll. "</p> <p><u>- To replace with -</u></p> <p>yyy. = "Academic Year" – Definition not provided</p> <p>zzz - "Ad-hoc Appointment" - Definition not provided</p>		<p>In these rules, unless there is anything repugnant in the subject or the context the expression -</p> <p>aa. "Habitual" – means being guilty of commission or omission of any act as per the service rules and shall also including dereliction of any assigned duty, thrice in one year.</p> <p>ll. "Local Managing Committee" or "College Development Committee" shall means a Committee constituted by the College as per guidelines of Affiliating body.</p> <p>yyy - "Academic Year" shall means the annual period of session of an educational Institution, usually beginning on the 1st day of July and ending on the 30th day of June of the next year or as notified by the affiliating university.</p> <p>zzz - "Ad-hoc Appointment" means temporary appointment of a person for a fixed period, who is otherwise duly qualified for being appointed on a post.</p>
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<p>aaaa. “Adjunct Faculty” - Definition not provided</p> <p>bbbb. “Contributory Faculty” - Definition not provided</p> <p>cccc. ‘Fixed Term Employment’ - Definition not provided</p> <p>dddd - “Visiting Faculty” - Definition not provided</p> <p>eeee. “Consultant” – Definition not provided</p> <p>ffff. “Presenting Officer” – Definition not provided</p>	<p>aaaa - “Adjunct faculty” shall mean an educator appointed on a contractual, part-time basis, often teaching the courses semester-by-semester throughout an academic year.</p> <p>bbbb - “Contributory Faculty” means a faculty appointed on “Clock-hour- basis” for teaching various undergraduate & post graduate courses.</p> <p>cccc - “Fixed Term Employment” (FTE) means an employment contract by which an employer recruits an employee for a fixed period of time for specific or temporary task, as mentioned in the appointment order and comes to end on expiry of the period mentioned in the appointment order.</p> <p>dddd - “Visiting Faculty” means a person employed by the institution for teaching a specific topic / subject / course, for a period not to exceed one (1) academic year.</p> <p>eeee - “Consultant” means person engaged to provide professional advice on the specific area of his expertise.</p> <p>ffff - “Presenting Officer” means a person so appointed by the Disciplinary Authority for the purpose of presenting documents, evidences, conducting arguments etc , on behalf of the Management, in the Departmental Enquiry conducted by the Institution against any of the employee.</p>
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<p>gggg. “Reemployment” – Definition not provided</p>		<p>gggg “Reemployment” means appointment of a person after superannuation / retirement from the services, on the terms & conditions deemed fit by the Institution.</p>
<p>hhhh “Stipend” - Definition not provided</p>		<p>hhhh - “Stipend” means a sum of money paid to the Trainees / Apprentices.</p>

<p>7. CLASSIFICATION OF EMPLOYEES AND GRADES</p> <p>7.1 All employees of the Sanstha shall be classified as under-</p> <ul style="list-style-type: none"> (i) Permanent Employee (ii) Temporary Employee (iii) Probationer (iv) Substitute employee (v) Part-time employee (vi) Tenure employee (vii) On-contract employee <p>- <u>To add further -</u></p>		<p>7. CLASSIFICATION OF EMPLOYEES AND GRADES</p> <p>7.1 All employees of the Sanstha shall be classified as under-</p> <ul style="list-style-type: none"> (i) Permanent Employee (ii) Temporary Employee (iii) Probationer (iv) Substitute employee (v) Part-time employee (vi) Tenure employee (vii) On-contract employee (viii) Adhoc employee (ix) Fixed Term Employment (x) Adjunct / visiting/ contributory teaching faculty. (xi) Reemployed Employee (appointed after superannuation)
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<p>7.2 The employees so classified above shall be graded in terms of the accruable pay scale as under:</p> <ul style="list-style-type: none"> (i) Class-I : Rs. 15600-39100 with grade pay of Rs. 6000/- and above (ii) Class-II : Rs. 9300 – 34800 with grade pay of Rs. 4200/- and above (iii) Class-III : Rs. 5200 – 20200 with grade pay of Rs. 1800/- and above (iv) Class-IV : Rs. 4440 – 7440 with grade pay of less than Rs. 1800/- <p>- <u>To replace with -</u></p>		<p>7.2 The grading of the employees as Class-I, Class-II, Class-III & Class-IV shall be based on the accruable pay scale, payable to the said employees, as per the regulations notified by the Statutory Authority/ Competent Authority., from time to time.</p>
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<p>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.</p> <p>- To add further -</p>		<p>8.8(a) - The appointment shall be done in accordance with the policy decision of the Competent Authority in the form of SOPs, HRD, Circulars, drawn from time to time.</p>
<p>8.9 No person shall be appointed if he -</p> <ul style="list-style-type: none"> (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. 		<p>8.9. No person shall be appointed if he -</p> <ul style="list-style-type: none"> (a) has been dismissed from any service for any misconduct or other reasons; (b) is found to be a lunatic or has becomes of unsound mind; or (c) is or has been convicted of any offence involving moral turpitude. (d) Has suppressed any information regarding pendency any proceedings between him and his previous employer, along with the details thereof; (e) Any other reason, which according to the employer, does not justify appointment of a person in the Institution, in the interest of the Institution;
<p>9.5 All recruitments shall be ordinarily made in the pay scale or pay-band with grade pay prescribed by the Sanstha. -</p> <p><u>-To replace with -</u></p>		<p>9.5 - All ad-hoc, probationary, temporary, fixed term, part time, contributory, adjunct/ visiting faculties' recruitments shall be ordinarily made on consolidated payment or hourly payment basis. However, employee selected as per duly stipulated process of selection, conducted by duly constituted committee, shall be placed on pay scale or pay band or grade pay as prescribed by the Institute, from time to time.</p>

<p>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.</p> <p><u>- To add Further -</u></p>		<p>10.1 An employee shall, on his initial confirmation in a service or post, make a nomination, conferring on one or more persons, of his family or choice, 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, and shall also furnish a proof of such nomination to the Institute. The employee shall furnish the e-nomination on the portal of Employees Provident Fund Office for the purpose of PF and Pension nomination and shall furnish a separate nomination to the Institute for the Gratuity , Cooperative Society benefit etc.</p>
<p>2.1 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. -</p> <p><u>To replace with -</u></p>		<p>12.1 – Period of Probation as per UGC Regulations, 2018</p> <p>(i) The minimum period of probation for a teacher shall be one year, for all new appointees and promotee to the next level, which will be extendable by a maximum period of one more year in case of unsatisfactory performance.</p> <p>(ii) The Competent Authority of the Institute shall consider the performance of the employee on probation and on being satisfied with the performance of the probationer, issue a written order to the said extent and in absence of a written order, the probation shall not be deemed to have been completed satisfactorily and the employee shall be deemed to have been discharged from the appointed post, or reverted from the promoted post, from the date of the completion of initial, or extended period of probation.</p> <p>(iii) In absence of written order, as provided in clause (ii) above, the employee shall not be deemed to have completed the probation and shall not be entitled to claim permanency in the service.</p>

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. -

- **To replace with.**-

12.6 - Probation on promotion- A teacher promoted to a higher post shall be treated as on probation for a period of one year, 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.

sub-clause 12.6 (A) - Probation for non-teaching staff -

(i) A non-teaching staff appointed to a permanent post by selection shall be put on probation for a period of two years.

(ii) During the period of probation, the employee shall comply with conditions for successful completion of probation, prescribed by the competent Authority from to time to time

(iii) The Head of the Department/ Section In-charge under whom the employee on probation is working shall send to the Head of the Institution his report about work performance and conduct of probationer, after every six months from the date of his joining. The deficiencies, if any, mentioned in the report shall be conveyed to the probationer.

(iv) The Head of the Department / Section In-charge under whom the probationer is working, shall send to the Head of the Institution at least 03 months before the expiry of probationary period, a report about the work performance and conduct of the employee with specific recommendations for his confirmation in service or otherwise. When the concerned Head of the Department / Section Incharge, recommends confirmation or otherwise, he shall furnish justification / sufficient particulars about the probationer's performance and conduct in support of his recommendation.

		<p>(v) On receipt of each report, the Head of the Institution shall place the report and the recommendations before the Competent Authority for consideration. The competent authority may -</p> <ul style="list-style-type: none">a) Confirm the probationer in service, from a specific date orb) Extend his probationary period, maximum by one year, (six months at a time) on expiry of which he shall either be confirmed or his service shall be dispensed with, by passing a written order to the said extent. However, absence of any written order, confirming the services of the probationer, the probation shall not be deemed to have been completed and the employee shall be deemed to have been relieved from the services on completion of period mentioned in the order of probation or its extension, orc) Terminate his service. <p>(vi) If in the opinion of the Appointing Authority, the work or behaviour of any probationer, during the period of probation, is not satisfactory, the appointing authority may, without assigning any reason, terminate the services of the probationer at any time during the period of his probation, after giving him one month's notice or one month's salary in lieu of notice period.</p> <p>(vii) A Non-teaching Staff promoted to a higher post shall be treated as on probation for a period of one year, extendable further for a period of 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.</p>
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<p>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. – - - <u>To replace with</u> -</p>		<p>13.11- The period of lien shall be treated as continuous service and shall be counted for notional increments. However, said period of Lien shall not be counted for earned leaves & medical leaves. Continuity in service and Notional increment shall be considered only after fulfilment of the conditions of Lien.</p>
<p>14.07 Deputation – <u>To add further</u> -</p>		<p>Sub-clause 14.7 (a) – An employee whose services are to be deputed to any Institution, not being a constituent Institution of the Sanstha, it shall be obligatory for the Competent Authority to obtain consent, of the said employee, for such deputation, in the prescribed format.</p>
<p>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. – - <u>To replace with</u> -</p>		<p>14.8 The period of deputation shall in no case exceed Five years and on completion of five years period, his deputation, on consent, be extended on year to year basis as per approval of the Competent Authority, if the Competent Authority desires to extend the said period of deputation.</p>
<p>14.13 The employee on deputation shall be entitled to seven days joining time while reverting to original post. – - <u>To replace with</u> -</p>		<p>14.13 The employee is required to join duties immediately at the deputed Institute, on receipt of order of deputation and relieving letter from parent Institute.</p>
<p>14.18 - New clause in Deputation Chapter</p>		<p>14.18 The deputed employee cannot be shown as new appointment in the deputed Institute, though the post on which he is deputed is vacant and needs to be filled as per statutory body. The deputed employee shall not be entitle to the status of University Approved employee of the Institution at which he is deputed.</p>

<p>15.6 Promotion to Non-Teaching Employees</p> <p>15.06 (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 the Government of Maharashtra vide Resolution dated 1.4.2010 and as may be notified in future from time to time.</p> <p>- <u>To replace with</u></p>	<p>15.6 Promotion to Non-Teaching Employees :-</p> <p>15.6 (a) (i) The progression to the non-teaching employees of the institute or institutions shall be governed in terms of the Assured Career Progression Scheme (ACPS) as per the policy decision of the Sanstha, floated from time to time, after considering the notifications issued by the Government of Maharashtra. However, the employee shall be entitled to be considered for the aforesaid benefit only if the average confidential report for previous 05 years are as follows -</p> <p style="text-align: center;">1st Sr. Grade - B+ (Good)</p> <p style="text-align: center;">2nd Sr. Grade - A (Very Good)</p> <p style="text-align: center;">3rd Sr. Grade - A+ (Excellent)</p>
<p>(i) 15.6 (a) (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. -</p> <p>- <u>To Replace with -</u></p>	<p>15.6 (a) (iii) - A Non-teaching Staff promoted to a higher post shall be treated as on probation for a period of one year extendable by one more year. Where an employee has been promoted to a higher post and if 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. The said employee shall 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.</p>
<p>18. DOCUMENTS REQUIRED TO BE PRODUCED BY AN EMPLOYEE AT THE TIME OF JOINING THE SERVICE</p> <p>- <u>To add further -</u></p>	<p>(o) Last Pay Certificate duly signed by the previous employer with stamp & date</p>

<p>21 Commencement of Service –</p> <p>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.</p> <p><u>- To replace with -</u></p>	<p>3.2 – Commencement of Service – The services of an employee who returns from leave or from Lien or deputation or from study leave shall commence from the date he assumes charge of the post before 12 noon, otherwise from the next date.</p>
<p>22. CHANGE OF NAME, MARITAL STATUS AND ADDRESS</p> <p>4.2 Change of name after marriage for female employee shall be recorded only after submission of Gazette to that effect.</p> <p><u>- To replace with -</u></p>	<p>4.2 – Change of name by an employee shall be recorded only after submission of following documents :</p> <p>a) Attested copy of Marriage Certificate from Registrar of Marriages of the government, in case the change in name is due to marriage of the said employee.</p> <p>b) Affidavit on non-judicial stamp paper of Rs.100/- regarding change of name.</p> <p>c) Gazette of Govt. of Maharashtra or others state</p>
<p>24 CONFIDENTIAL RECORD OF THE EMPLOYEE</p> <p>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.</p> <p><u>- To replace with</u></p>	<p>24 CONFIDENTIAL RECORD OF THE EMPLOYEE</p> <p>24.1 A service book shall be maintained by the concerned Institutions for every appointed employee, except temporary, contract, Apprentices, Adjunct Faculty, Visiting, Adhoc basis, Reemployed staff and for those appointed for a period of less than one year.</p>

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.

- To Add further -

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.

- (a) **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**
- (b) **Reporting Officers awarding "A" or "A+" higher grades to any employee or awarding a lower grade i.e. grade "C", shall mention the reason / explanation, in a separate write up for awarding the higher / lower grades, so as to apprise the Competent Authority for the grades awarded by him.**
- (c) **In case the aforesaid reasons / explanation offered by the Reporting Officer, is found to be unjustified by the Reviewing Officer, he shall return the said recommendation to the Reporting Officer for reconsideration, specifying in brief, the reasons for returning the said recommendation.**
- (d) **On receipt of the recommendations from the Reviewing Officer, as specified in the Clause (c) above, the Reporting Officer shall reconsider the case of the concerned employee, keeping in mind the reasons mentioned by the Reviewing Officer in his order, and shall, thereafter, pass appropriate order related to the allotment of grade to the concerned employee.**
- (e) **In case, after considering the decision of the Reporting Officer, after undertaking the process mentioned in clause (d) above, the Reviewing Officer is of an opinion that the said employee is entitled for different grade, than the one proposed by the Reporting Officer, the decision of the Reviewing Officer prevail over the decision of the Reporting Officer and the said decision of the Reviewing Officer shall be final & binding.**

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.

- To Add further -

24.10 In case, adverse remarks are recorded and communicated, the concerned employee shall be entitled to :-

(a) Make representation against the said adverse remarks to the Reviewing Authority, thereby pointing out his entitlement to better Confidential Report (CR) gradation. The Reviewing Authority shall consider the said representation & pass a reasoned order thereon, accepting or rejecting the said representation of the employee. The said decision of Reviewing Authority shall be final and binding.

(b) In case the employee has been awarded lower grade i.e. 'C' i.e. Below Average and the same continued even after the review process as provided in clause (a) above, employee shall be deemed to be guilty of negligence in performance of duties, during the said period, and thereafter, the Employer shall :-

(i) Issue a show cause notice to the concerned employee, seeking explanation as to why action under the provisions of Service Rules be not taken against him ;

(ii) On receipt of reply, if any, to the above show cause notice, the Competent Authority shall consider the same and pass a reasoned order, thereby accepting or rejecting the explanation in the said reply. In case of rejection, of the said explanation, the Competent Authority may initiate appropriate disciplinary proceedings against the said employee and impose punishment of withholding / forfeiting one annual increment for that respective year, in case the charges against the said employee are proved.

1.1 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.

- To Add further -

25.8 (a) 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. The Grace period of 10 minutes, is a privilege and cannot be claimed as a matter of right by any of the Employee.

(b) In case employee reports beyond the grace period thrice in a month, then one day casual leave shall be deducted from his credit. In case, the casual leave is not available to the credit of employee, for effecting such deduction, then one day Earned Leave (EL) shall be deducted from the credit of the said employee.

Provided further that in case both Casual Leave and Earned Leave are not available in the credit of the concerned employee, for affecting the above deduction, then such deduction shall be made by treating the same as Leave Without Pay (LWP).

(c) If an employee reports late for the duty, by more than thirty minutes, from the stipulated reporting time, half-day Casual Leave shall be deducted from the credit of the said employee, for each such default. If casual leave is not available at the credit of such employee, the deduction shall be made from his Earned Leave. In case Casual Leave and Earned Leave are not available to the credit of the said employee, the said default shall be considered as extraordinary leave without pay.

(d) In case the employee reports late to the duty beyond the grace period, on three occasions in a year, in addition to the action provided in other rules, the privilege of reporting for duty within the grace period of 10 minutes, shall be withdrawn for a period of three months, wef the subsequent calendar month.

Provided further that during the aforesaid period of three months, the Competent Authority shall monitor the attendance record of the concerned employee and on being satisfied of reporting of the said employee within the stipulated reporting hours, shall pass an order thereby restoring the privilege of said grace period in reporting for duty. However, if the Competent Authority, on monitoring the attendance record of the employee during the aforesaid period of three months, comes to a conclusion that the default in reporting for duty, on part of the employee, has continued even during the said period of three months, the same shall be treated as breach of service conditions and thereafter, the Competent Authority shall pass an order for conducting appropriate disciplinary proceedings against the said employee. If the charges against the said employee are found to be proved, the Competent Authority may impose appropriate punishment on the said employee as provided in the Rules.

<p>2.2 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.</p> <p><u>- To amend Clause -</u></p>	<p>25.9 - No employee shall leave the work place before the completion of the schedule working hours. In case an employee leaves his work place, before the completion of scheduled working hours, he shall be deemed to have worked only for half day , which shall be deducted from the casual leave available in his credit. In case Casual Leave is not available to the credit of the said employee, one day Earned Leave (EL) shall be deducted, for the said default on each of such default.</p> <p>Provided further that in case, the casual leave and earned leave is not available in the account of concerned employee for affecting the above deduction, the early departure from the working place shall be considered as extraordinary leave without pay for half day.</p>
<p>25. CODE OF CONDUCT</p> <p><u>- To Add further -</u></p>	<p>25.42 The Competent Authority, shall set Annual Workload and targets for the teaching employees, with a purpose of achieving defined parameters of statutory bodies and for accomplishing ranking and accreditation to Institution. The employee (teaching category) shall achieve the Annual Work Load (AWL) and targets assigned to the employee by the Competent Authority, within the stipulated period of time.</p> <p>Provided that, if the employee (teaching category) fails to achieve the assigned Annual Work Load (AWL) and the targets, within the stipulated period of time, the same shall be treated as dereliction of duties and the said employee shall be liable for disciplinary action as per the rules.</p>

<p>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.</p> <p><u>- To replace with -</u></p>	<p>26.1 The employee shall undergo yearly medical check-up at the hospital notified by the Competent Authority and shall submit his fitness report to the Employer on or before 30th June of every year.</p> <p>26.2. In addition to rule 26.1 above, as and when directed by the Competent Authority, the employee shall be under obligation to undergo a medical check up at a Hospital notified by the Competent Authority and submit his report fitness report to the employer, within the period stipulated by the Competent Authority in the said order.</p>
<p>28 - PAY AND ALLOWANCES -</p> <p>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.</p> <p><u>- To replace with -</u></p>	<p>28.8 An employee, holding an additional charge of a post, whether equivalent to or higher than his original post, for a period of more than 30 days, the said employee shall be entitled to receive additional pay on satisfactory performance of the duties of the additional post, for the said period. The Competent Authority shall decide the quantum of additional allowance to be paid to the said employee, for discharge of additional works.</p>
<p>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.</p> <p><u>- To replace with -</u></p>	<p>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.</p>

<p>28.17 A promoted employee shall be entitled to draw the increment only on completion of the full increment period in the new post. . <u>- To replace with -</u></p>	<p>28.17 - A promoted employee shall be entitled to draw the increments as per the date mentioned in the recommendations of the pay commissions, from time to time, after the same is implemented by the employer / institution.</p>
<p>30.1 TYPES OF LEAVE <u>- To Add further -</u></p>	<p>Clause 30.1 (b)- (ix) : Earned Leave - An employee shall be entitled to encash the earned leave, balance to his credit, on the date of his superannuation, to the maximum extent of thirty days or as per the subsequent policy decision taken by the Competent Authority, from time to time.</p>
<p>30. C (i) Leave on Half Pay- 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 <u>- To replace with -</u></p>	<p>Clause 30.1 (c)- (i) : Leave on Half Pay - Subject to exigencies of service and the terms & conditions of the appointment order/s, all permanent 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. However, the employees who are on probation shall be entitled to half pay leave only from the second year of probation only on medical grounds.</p> <p>30.1 (c) (i) - The employee shall be entitled to avail Medical Leave by producing necessary Medical certificate from Registered Medical Practitioner (RMP). However, such Medical Certificate shall not be necessary, if the employee avails a Medical Leave for 01 day. Provided further that the employee shall be entitled to such Medical Leave of one day, to the extent of maximum period of three times in a calendar year and any further medical leave of one day, shall be sanctioned only on production of necessary Medical Certificate from the Registered Medical Practitioner (RMP) and failure to produce the same will result in treating the said leave as Leave Without Pay.</p>

	<p>Provided, further, such 01 day Medical Leave shall not be sanctioned, if it falls between two public holidays, Weekly Offs, institution declared holidays, or a Sunday.</p>
<p>30.1(e)-(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.</p> <p><u>- To replace with -</u></p>	<p>30.1 (e)- (i) : Leave not due – 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. Such leave availed of by the employee shall be debited initially to earned leave account, if the same is available to the credit of the concerned employee, and if the same is not so available, then from leave on half pay that the employee shall earn subsequently. If such leave is not available in the credit of the concerned employee, the Competent Authority may grant leave to the extent of 90 days for medical reasons.</p> <p>Provided further that if medical leave of 90 days is sanctioned by the Competent Authority, the same shall be debited to half pay leave account, if the same is available to the credit of the concerned employee. However, if the said half pay leave is not so available to the credit of the employee, then the same be debited from the earned leave of the employee available to his credit or earned by him in subsequent year.</p> <p>In the event of death/resignation/VRS of an employee, prior to the sanctioned of leaves, the monetary quantum for the said leaves, shall be recovered from the dues payable to the said employee, at the time of death/resignation/ VRS.</p>
<p>30.1(f) – (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 -</p>	<p>30.1 (f)- (xiv) : The period of study leave shall not be counted for any other purpose, except the following, if the employee joins the Sanstha or Institution on the expiry of his study leave period :-</p> <p>30.2</p>

<p>(a) Annual increments;</p> <p>(b) Service seniority;</p> <p>(c) Gratuity; and</p> <p>(d) Employees provident fund.</p> <p><u>- To replace with -</u></p>	<p>(a) Annual notional increments;</p> <p>(b) Service seniority;</p> <p>(c) Gratuity; and</p> <p>(d) Employees provident fund.</p> <p>The above benefits shall be extended only after fulfilling the conditions of the Study Leave.</p>
<p>30(1) (g) A permanent female employee is entitled to maternity leave for a period not exceeding 180 days.</p> <p><u>- To replace with -</u></p>	<p>30(1) (g) A permanent female non-teaching employee and University Approved teaching employee is entitled to maternity leave for a period not exceeding 180 days on full pay. While, a permanent Female teaching employee who is non approved by the University shall be entitled to 90 days full pay maternity leaves.</p>
<p>30(1) (g) – <u>- To Add further -</u></p>	<p>(xii) -The employee will be entitled to combine her Maternity leave with any other leave, subject to permission from the Competent Authority.</p> <p>(xiii)A pregnant employee shall be exempted from the regular performance appraisal cycle, during the period of her maternity leave.</p>

<p>30. (1) (J) Special Leave</p> <p>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.</p> <p>- Deleted -</p>	<p>No Special Leave shall be granted to any employees for any developmental activities.</p>
<p>30. (1) (k) - Duty Leave- Employee shall be entitled to duty leave for conduct of institute’s exams or for attending duly conveyed meetings, and such other duties approved by the competent authority.</p> <p>- To add further -</p>	<p>30. (1) (k) - Duty Leave- Employee shall be entitled to duty leave for conduct of institute’s exams or for attending duly conveyed meetings, and such other duties approved by the competent authority.</p> <p>In addition to the above, the Competent Authority may also sanction ‘On Duty’ leave to a permanent employee, for attending conferences, seminars, professional societies related activities etc. on behalf of the Institute and for discharging duty as external examiner or for working as a member on a Committee appointed by other statutory bodies subject to service exigencies and the said period of On Duty leaves shall not exceed a period of 15 days in a year.</p>
<p>35. MISCONDUCT</p> <p>(bb) Sexual harassment or inappropriate behavior with the opposite sex.</p> <p>- To replace with -</p>	<p>35 (bb) - Sexual Harassment or inappropriate behaviour with the opposite sex including all such acts as covered under clause 2 (a) to (s) of the chapter “Sexual Harassment at Workplace” in “NYSS Service Rules Bye laws and other provisions of law, applicable to such cases, from time to time.</p>

<p>35. MISCONDUCT</p> <p>- <u>To add further</u> -</p>	<p>(bbbb) Non-adherence to the provisions of “UGC Regulations on curbing the menace of ragging in higher educational institutions, 2009” and its subsequent amendments, updates and revisions.</p> <p>(cccc) Failure to achieve Annual Work Load (AWL) targets assigned to the employees by the Competent Authorities.</p>
<p>36 PENALTIES FOR MISCONDUCT</p> <p>(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 <u>- To add further-</u></p>	<p>(viii) Forfeiting two month’s salary</p>
<p>36 (c) Procedure for Imposing Minor Penalty - <u>- To add further</u></p>	<p>(f) Enquiry commenced before the date of superannuation of any employee, shall be continued further and the employee shall be deemed to be in service, for the purpose of said enquiry.</p> <p>On the charges being proved against the employee, an amount equivalent to the extent of two months’ salary of the employee shall be forfeited.</p> <p>Provided further that during the pendency of the enquiry proceeding, the employer shall be entitled to withhold two</p>

months salary of the said employee, which shall be forfeited or released by the Component Authority, after considering the report of the said enquiry and the applicable rules thereto, without prejudice to the right of the employer to recover any further amount from the employee as per the rules.

Provided further that the Inquiry Officer shall attempt to complete the enquiry proceeding within a period of 6 months, by granting appropriate opportunity to the Delinquent and after complying with the principals of natural justice.

Provided further that in case it is observed by the Inquiry Officer that the Delinquent Employee is deliberately delaying the Enquiry proceedings, without any justified reason, making it difficult for the Inquiry Officer to conclude the enquiry within the period of 6 months, the Inquiry Officer shall pass an order mentioning reason for him to come to a conclusion that the said employee is deliberately delaying the enquiry proceeding and shall further pass an order of deducting\recovering an amount of Rs. 25000 from the Delinquent Employee towards the expenses of enquiry proceedings. (Refer Annexure 1 for Enquiry process) .

If the Departmental Enquiry Proceedings or the outcome thereof is set aside by any Court / Tribunal, etc, on technical count, after the retirement of the concerned Delinquent Employee, it will be

	<p>open to the Employer to conduct a fresh Enquiry, and the said Employee shall be deemed to be in the employment of the Employer for the said Enquiry, however, shall not be entitled to any other monetary benefits, including subsistence allowance, if any.</p>
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(SECRETARY)

ANNEXURE - I

Before proceeding for Departmental Enquiry, following is expected –

STEP NO. 1

- (1) Memo No. 1 to be issued to the employee for the breach of service rules & seeking explanation
- (2) Memo No. 2 in case of repeated misconduct breaching service rules & seeking explanation
- (3) Memo No. 3 in case of repeated misconduct breaching service rules & seeking explanation

NOTE : In case of misappropriation of funds by any of the employee, directly or indirectly, a show cause notice should be issued to the concerned employee after considering his reply, further departmental enquiry proceedings be initiated under the orders of the Competent Authority.

NOTE : Where there is major misconduct like Sexual Harassment of Women at Workplace, Direct Show Cause Notice to be served upon and further proceedings to be initiated as per the relevant provisions of Law.

STEP NO. 2

On receipt of every explanation against Memo, a Warning letter stating non satisfactory reply to be issued to the concerned employee and further informing him that a note of adverse remark, relating to the said illegality, will be made in the Service Book of the concerned employee.

STEP NO. 3

On issuance of Three Memos, the employee considered to be a habitual breacher of service rules and therefore, his conduct falls in the category of MISCONDUCT for the organization. Therefore, a Show Cause Notice be issued seeking explanation from him as to why disciplinary action should not initiated against the employee for frequent breach of service rules.

STEP NO. 4

On receipt of explanation against Show Cause Notice, a communication by the Competent Authority will be required to be issued to the concerned employee, informing him that the explanation offered by him was unsatisfactory and was not acceptable to the Competent Authority. It should further be mentioned in the said communication that as the explanation given by the employee was not acceptable to the Competent Authority, it has decided to conduct impartial disciplinary proceedings / enquiry against him as per the applicable service rules.

In case, despite receipt of the show cause notice, wherein it is mentioned that if no explanation is given by the employee within stipulated period of time, the allegations mentioned in the said communication shall be deemed to be accepted by him, then appropriate order / action, commensurate to the allegations against him, be taken as per the applicable service rules.

The Competent Authority may also decide, as to whether the said employee needs to be suspended, during the enquiry, and pass necessary order, to that extent, if required.

In case an employee is placed under suspension, due care should be taken that he is paid appropriate suspension / subsistence allowance during the suspension period, till the conclusion of the Enquiry.

STEP NO. 5

The proceeding of Departmental Enquiry commences with the issuance of a Chargesheet to the delinquent employee, by the Competent Authority / Disciplinary Authority.

The Charge-Sheet should contain facts and circumstances serving as the basis for the charges so that the Delinquent Employee may have a reasonable opportunity to know fully what charges are levelled against him and what is background, so as to enable the said employee to defend himself and point out as to why the charges level against him are incorrect.

The charge-sheet to be issued to the delinquent employee should include the following:

(i) a statement of charges

- (ii) a statement of imputation of misconduct/misbehaviour leading to a distinct charge
- (iii) a list of witnesses and a list of documents in support of charges and
- (iv) a memorandum requiring the Delinquent Employee to submit a reply within a reasonable time (say 10 days from the date of receipt) asking him to state whether he pleads guilty and whether he wishes to be heard in person.

STEP NO. 6

If explanation is not satisfactory, the Competent Authority/ Disciplinary Authority shall issue a communication to the said Employee, informing him about not being satisfied with the explanation offered and further, initiation of Departmental Inquiry against him. The said communication should also mention name of the Inquiry Officer and Presenting Officer, appointed by the Competent Authority/ Disciplinary Authority for the purpose of the said Enquiry.

STEP NO. 7

Issue Appointment Letter to Inquiry officer along with copy of charge sheet, imputation of charges, list of witnesses, list of documents & relevant documents as annexure to appointment letters. Copy of the appointment letter to be given to delinquent employee (DE).

Issue Appointment letter to Presenting Officer also, along with copy of appointment letter of Inquiry Officer. Copy of the appointment letter to be given to DE.

The Presenting Officer is to conduct the proceedings on behalf of the Management /Institute before the Inquiry Officer. He will lead to evidence in support of the charges and cross-examine the witnesses deposing on behalf of the Delinquent Employee.

The Delinquent Employee may be allowed to have a staff member, from amongst existing staff members of the institute as Defense Assistant.

The Departmental Inquiry should be commenced with an advance notice to the Delinquent Employee intimating him the date, time and place of the inquiry and calling upon him to appear before the Inquiry Officer together with his witnesses, if any and granting him opportunity to produce evidence which he desires to rely upon him in support of his case. The Presenting Officer is required to coordinate with Inquiry Officer and Delinquent Employee in this regard.

A list of witnesses to be examined for the Institute should be furnished to the Delinquent Employee in advance.

(A) On the first day of inquiry, if the Delinquent Employee who is served with the notice of the inquiry, is 'Absent', the Inquiry Officer may give him another opportunity to appear, instead of proceed Inquiry without presence of Delinquent Employee and shall issue a communication intimating the next date fixed for the said Enquiry proceeding. However, if, even after granting the said additional chance of appearance, the Delinquent Employee remains absent, without any intimation or request for adjournment to the Enquiry Officer, the Enquiry Officer may pass an order to proceed Ex Parte with the Departmental Enquiry and shall further, conclude the same in accordance with Law.

(B) When the Delinquent Employee appears with reference to the notice of hearing, the Inquiry Officer shall read the charges to the Delinquent Employee and shall confirm the receipt of the charge sheet, along with all the documents filed therewith, by the Delinquent Employee.

(C) The witnesses on behalf of the Disciplinary Authority should be examined in the presence of the Delinquent Employee. The Delinquent Employee should be given liberty to cross examine all the witnesses. The Inquiry Officer should record the statements / evidence / cross examination in the presence of the Delinquent Employee & Presenting Officer.

(D) The Inquiry Officer shall take the signatures of the Delinquent Employee and Presenting Officers, on the recorded proceedings of every sitting. In case, the Delinquent Employee refuses to sign, a copy of the proceedings of the said date be sent to the Delinquent

Employee through 'Registered post' on the address of the Delinquent Employee, as per record of Establishment Section. If the Delinquent Employee refuses to accept the proceedings sent to him by Registered post, the same shall be deemed to have been duly served upon the Delinquent Employee and a note, to the said extent, shall be taken by the Enquiry Officer in the records of the Enquiry proceedings.

(E) After the Presenting Officer closes his evidence, the Delinquent Employee should be given a reasonable opportunity to lead evidence or produce his witnesses, in support of his case. The Inquiry Officer shall permit the Presenting Officer to cross examine the Delinquent Employee and his witnesses. If the Delinquent Employee declares that he has no evidence to offer or he fails to present his witnesses before the Inquiry Officer or protracts the proceedings in spite of the opportunities given to him, to produce his evidences, the Inquiry Officer shall grant a last chance to the Delinquent Employee for leading evidence and shall specifically mention in the order that in case the Delinquent Employee fails to lead any evidence on the date fixed, as last chance, it shall be deemed that the Delinquent Employee does not desire to lead any evidence in support of this case and thereafter, the Inquiry Officer shall fixed the case for submission brief / closing statements (oral or written) by the Presenting Officer as well as from the Delinquent Employee.

(F) The Inquiry Officer may also take the signature of each witness to the evidence recorded by him. This equally applies to the evidence of the Delinquent Employee.

(G) The Inquiry Officer should then draw up the 'Report' and forward it to the Disciplinary Authority. This should contain particulars of the charges framed against the Delinquent Employee, the explanation of the Delinquent Employee, the substance of the evidence of witnesses examined during the inquiry and the documentary evidence placed on record along with minutes of every sitting. It should also set out the conclusions on the charges supported by the evidence placed on record. He should conclude which of the imputations/ charges are proved or disproved or partially proved etc. In case a particular charge, as such is not established, but part of the allegation referred to it in the statement of imputations is established, the Inquiry Officer shall specifically mention the same in his

Report. The Inquiry Officer shall submit his Report to the Disciplinary Authority, with all supporting documents and the proceedings of the Inquiry.

STEP No. 8

On receipt of the Report of Enquiry Officer, the Disciplinary Authority shall issue a 'Show Cause Notice' to the Delinquent Employee, calling upon him explain as to why the said report be not accepted and punishment, as per the applicable provisions, be not imposed him. Copy of the Report of the Inquiry be supplied to the Delinquent Employee along with the said Show Cause Notice.

On receipt of the reply, the Disciplinary Authority shall apply its mind to the explanation / reply given by the Delinquent Employee to the aforesaid show cause notice and shall thereafter pass a reasoned order for accepting / not accepting the explanation submitted by the Delinquent Employee and shall further, pass an appropriate order regarding imposition of punishment or otherwise.

NOTE - It is the responsibility of Inquiry Officer and Presenting Officer to complete the proceeding of enquiry within a stipulated period of time given by the Disciplinary Authority. For completing Departmental Enquiry in stipulated time period, following is suggested -

- The proceedings shall be fixed at least once in a week and attempt be made to complete the said Enquiry within a period of three months, further extendable, considering the requirement, so as to ensure that the Delinquent Employee does not suffer because of prolonged pendency of Enquiry.
- Request for deferment of date made by Delinquent Employee shall be considered purely on the basis of reasons mentioned for the request of adjournment. In case the Enquiry Officer is of the opinion that the request made by the Employee, for adjournment, was a totally unjustified one and was with a sheer intention of prolonging the enquiry proceedings, the Enquiry Officer shall reject the said request. However, in order to grant a fair chance to the Delinquent Employee, the Enquiry Officer shall fix the Enquiry Proceedings of the immediately preceding day. In case the preceding day public holiday or Sunday, the Enquiry Officer shall fix the proceedings on the following working day.

- The Enquiry Officer shall not entertain any request by the Delinquent Employee, for supply of any documents, other than the documentary evidence relied upon by the Presenting Officer or the documents filed along with the Charge Sheet.
- For medical reasons, extension of date to be granted, based on valid medical reason supported by medical certificate of Medical Practitioner / Civil Surgeon.

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SECRETARY