

- (12) The fact of recognition of an Association shall not imply any admission by the University of any claim of the Association or by a member thereof a right of strike or stoppage of work.

RECRUITMENT, APPOINTMENT AND OTHER SERVICE CONDITIONS INCLUDING CONDUCT AND DISCIPLINE RULES OF NON-TEACHING STAFF IN THE COLLEGES AFFILIATED TO HEMCHANDRACHARYA NORTH GUJARAT UNIVERSITY (OTHER THAN GOVERNMENT COLLEGES OR COLLEGES MAINTAINED BY THE GOVERNMENT)

O.144:

1. (a) Qualifications:

The following qualifications are prescribed for the appointment of the non-teaching staff in colleges affiliated to the Hemchandracharya North Gujarat University (other than Government colleges or colleges maintained by the Government).

Sr. No	Name of the Post	Qualifications and Experience
1	Librarian	(ii) A Master's degree in Library Science / Information Science / Documentation or an equivalent professional degree with atleast fifty-five percent marks or its equivalent grade plus a consistently good academic record; OR A Master's degree in Arts/Science/Commerce or an equivalent degree with atleast fifty-five percent marks or its equivalent grade with a Bachelor's degree in Library Science / Information Science / Documentation or an equivalent professional degree with atleast fifty-five percent marks or its equivalent grade plus a consistently good academic record ;
	Note : No Selection will be valid unless atleast two experts are present	
2	Computer Programmer	A Master's Degree in Computer Applications OR B.E. Computer Science / Engineering OR Bachelor's degree in any subject with 50% marks and P.G. Diploma in Computer Science and Application (P.G.D.C.A.) with 55% marks as recognized by the University and one years' experience as a programmer in reputed organizations.
3	Office Superintendent	For new recruitment. Graduate and 5 years' experience of office work in an educational institution. For Promotion.

		H.S.C. or Old S.S.C. with 11 years' schooling and 5 years' experience as a Head Clerk in the same college or other colleges under the same management.
		OR
		H.S.C. or Old S.S.C. with 11 years' schooling and 5 years' experience as an Accountant in the same college or other colleges under the same management.
4	Head Clerk	For new recruitment. Graduate and 3 years' experience of office work in an educational institution. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 3 years' experience as a Senior Clerk in the same college or other colleges under the same management.
5	Accountant	For new recruitment. B.Com. and 5 years' experience of accounts work in an educational institution. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 5 years' experience in the same college or other colleges under the same management.
6	Senior Clerk	For new recruitment. Graduate with 2 years' experience of office work in an educational institution. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 2 years' experience as a Junior Clerk in the same college or other colleges under the same management.
7	Accounts Clerk	For new recruitment. B.Com. and 2 years' experience of accounts work. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 2 years' experience of Accounts work in the same college or other colleges under the same management.
8	Senior Typist	For new recruitment. Graduate with 2 years' experience as a typist. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 2 years' experience as a typist in the same college or other colleges under the same management.
9	Storekeeper	For new recruitment. B.Sc. and 2 years' experience of store work in a Science Laboratory of a Science College. OR B.Sc. and 4 years' experience of store work in the Laboratory of a Chemical Industry. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and 5 years'

- 10 Junior Clerk experience of the store work in the same science college or other science colleges under the same management.
For new recruitment.
Graduate.
For Promotion.
H.S.C. or Old S.S.C. with 11 years' schooling and confirmed qualifying employment in the same college or other colleges under the same management.
- 11 Cashier For new recruitment.
B.Com.
For Promotion.
H.S.C. or Old S.S.C. with 11 years' schooling and confirmed qualifying employment in the same college or other colleges under the same management. Experience as a Cashier preferred.
- 12 Typist and Typist-cum-Clerk For new recruitment.
Graduate and typing speed of 40 w.p.m. and 25 w.p.m. in English and Gujarati respectively.
For Promotion.
H.S.C. or Old S.S.C. with 11 years' schooling and typing speed of 40 w.p.m. and 25 w.p.m. in English and Gujarati respectively and confirmed qualifying employment in the same college or other colleges under the same management.
- 13 Library Clerk For new recruitment.
Graduate.
For Promotion.
H.S.C. or Old S.S.C. with 11 years' schooling and confirmed qualifying employment in the same college or other colleges under the same management. Experience as a Library Clerk preferred.
- 14 (i) Laboratory Assistant For new recruitment.
B.Sc.
For Promotion.
H.S.C. or Old S.S.C. with 11 years' schooling and 1 year experience of Laboratory work in the same Science College or Other Science Colleges under the same management.
- (ii) Laboratory Assistant (For Home Science Laboratory) For new recruitment.
(B.A. or B.Sc. with Home Science.)
For Promotion.
Diploma in Home Science and 1 years' experience of working in Home Science Laboratory of the same college or other colleges under the same management.
- 15 Gas Mechanic (i) I.T.I Certificate in Mechanic trade.

OR

16	Electrician	(ii) Diploma in Mechanical Engineering (i) I.T.I Certificate in Electric Wireman's trade. OR
17	Plumber	(ii) Diploma in Electrical Engineering Passed Std. VII and passed in plumbing examination with experience of plumbing work.
18	Plant Collector	For new recruitment. B.Sc. For Promotion. H.S.C. or Old S.S.C. with 11 years' schooling and experience of Garden work preferred.
19	Head Peon (Nayak)	Passed Std. VII and 5 years' experience as a peon.
20	Wireman	I.T.I Certificate in Electric Wireman's trade.
21	Peon	Passed Std. VII and possessing skill or riding a bicycle.
22	Library Attendant	Passed Std. VII experience of Library work preferred.
23	Duplicating Machine man	Passed Std. VII and possessing experience of duplicating machine man.
24	Gardener	Passed Std. VII and possessing experience of garden work.
25	Watchman	Passed Std. VII and possessing sound health and experience of Watchman's work.
26	Technical Assistant in Electronics	B.Sc. with Electronics OR Diploma in Electronics Radio Engineering (D.E.R.E.)
27	Sweeper	Passed Std. IV
28	Computer Technician	Diploma in Computer Engineering for BCA College
29	Computer Operator	(a) Second Class Bachelor's degree in any subject and Diploma in Computer Science of a recognized University.

OR

- (b) (i) Engineering Degree in Computer Technology or
Computer Science or Electronics Engineering or
Electronics & Communication Engineering from
a recognized University.

OR

- (ii) Master of Computer Application.

OR

- (iii) At least Second Class Diploma in Computer
Technology / Computer Science / Electronics
Engineering / Electronics Communication
Engineering after 12th Science stream from a
recognized Technical Board of Gujarat State or
equivalent with one year's experience in the
relevant field.

OR

- (c) Post Diploma in Computer Science & Application

after Diploma in Engineering Branch from Technical Examination Board at Gujarat State or equivalent with one year's experience in the relevant field.

- (b) All appointments to the posts shall be made through selection by a Staff Selections Committee of the college from amongst the candidates whose names should have been obtained in accordance with the instructions given by the State Government from time to time. However, in case of a Librarian's post, applications shall also be invited through an advertisement which should be given in two leading daily newspapers with wide circulations. Out of these two, one should have state wide circulation and the advertisement in it should be published in all its regional editions. The other advertisement may be in a local daily newspaper.

- Note:** (1) In case of a collage other than a Government college or a college maintained by the Government, the minutes of the Selection Committee should be prepared in the form prescribed by the University and sent to the University.
- (2) In case of a Government college or a college maintained by the Government or a college established and administered by minority based on a religion or language, the provision of Selection Committee shall not apply.

I. The Selection Committee for all categories except that of the librarian shall consist of a following person.

- (a) Chairman of the Governing body of the college or his nominee.
- (b) Principal of the college.
- (c) A nominee of the Director of Higher Education.

II. For the selection of a Librarian, the selection committee shall consist of the following persons.

- (a) Chairman of the governing body or his nominee.
- (b) Principal of the College.
- (c) Two nominees of the Vice-Chancellor, One of whom shall be a subject expert.
- (d) Two subject experts, not connected with the college/institute, to be nominated by the chairperson of the Governing Body out of a panel of names approved by the Vice-Chancellor.

- Note:** (1) Recommendation of the Selection Committee for the post of a Librarian shall be subject to the approval of the Vice-Chancellor.
- (2) The quorum for the meeting should be five of which at least two must be, out of three subject experts.

- (c) No person shall be substantively appointed to any permanent post carrying minimum salary of Rs.750/- in an affiliated college unless he produces a medical certificate of fitness from a Registered Medical Practitioner which may be affixed to his first pay bill. The production of a fresh medical certificate under this rule is not necessary in case of a person's promotion in the same college.
- (d) A medical certificate of fitness for service in an affiliated college shall be in the following form.

"I hereby certify that I have examined _____, a candidate for employment in _____ college, and cannot discover that _____ has any diseases (communicable or otherwise). Constitutional weakness or bodily infirmity _____ except _____ I do not consider this a disqualification for employment in the office of an affiliated college. His age according to his own statement is _____ by appearance he is about _____ years of age. He has been vaccinated. Marks _____ of _____ identification _____ the impression of the left thumb of _____ is given hereunder."

Date:
Place:

Signature of the
Registered Medical Practitioner

- (e) (i) An employee in an affiliated college shall ordinarily be appointed on one year's probation in the first instance. The period of probation may however, be extended to a period of two years in special circumstances.
- (ii) If a non-teaching employee of an affiliated college desires to submit his resignation, he shall tender the same in person to the Registrar of this University and a resignation by a college non-teaching employee shall not be accepted by the management of a college unless it is so tendered and forwarded to the management by the Registrar duly endorsed. The submission of such a resignation shall not bind the management to accept it. The acceptance of any resignation tendered in contravention of this clause shall be ineffective.

Notwithstanding anything stated above, if a non-teaching employee of an affiliated college desires to submit his resignation while on a visit to a foreign country, he may do so in presence of a notary public and get it endorsed by him and send it to the Registrar who will then forward it to the college management concerned.

- (f) The whole time employee of the affiliated college may be employed in any manner for the college work required by the affiliated college.
- (g)
 - (i) No employee of an affiliated college shall, without the previous sanction of the management, engage directly or indirectly in any trade or business or undertake any other employment provided that an employee of the affiliated college, may without such sanction, undertake honorary work of a social and charitable nature or occasional work of literary, artistic or scientific character subject to the condition that his official duties do not undertake such work or shall discontinue it if so directed by the management.
 - (ii) No employee of an affiliated college shall be required to obtain previous permission of the management for writing, translating or editing books and for participating in the programme of All India Radio and for accepting remuneration there from. He shall, however, furnish information in this regard to the management.
- (h) An employee of an affiliated college, shall not except with the previous sanction of the management, (i) accept directly or indirectly on his own behalf or on behalf of any person any gift, gratuity or reward from a person, not a member of his family, or (ii) permit any member of his family to do so.
- (i) An employee of an affiliated college may not, unless generally or specially empowered in writing by the Management or Principal in this behalf, communicated directly or indirectly to any other employee of the affiliated college or a non-official person or the press, any document or information which has come into his possession in the course of his duties, or has been prepared or collected by him in the course of his duties, whether from official sources or otherwise.
- (j) No employee of an affiliated college shall publish or cause to be published any statement of fact or information which may embarrass the authorities of his college.

- (k) No employee of an affiliated college shall become a member of any political party or organization that has been declared by the Government unconstitutional or unlawful.
- (l) No employee of an affiliated college shall apply for employment elsewhere directly. Every such application should be submitted through the Principal of his college. The principal shall forward his application within a reasonable time.
- (m)
 - (i) No permanent employee shall resign his post without giving at least Three calendar month notice in writing
 - (ii) In case of an employee, temporary or on probation, the minimum Period of notice shall be one calendar month.
 - (iii) No employee shall leave the employment without giving to the authorities three month's notice if he is confirmed, or one month's notice if he is temporary or on probation. In case, however, he does not give the required notice, the college authorities shall be entitled to claim from him an amount not exceeding three month's or one months' basic pay, as the case may be, as may be payable to him for the period of notice.
 - (iv) The management of the college may, however, relieve such employees earlier if it so desires.
- (n) A temporary employee may be discharged from the service without assigning any reason with at least one calendar month's notice or one month's basic pay in lieu thereof.
- (o) The employee shall be entitled to the benefit of medical aid as per the rules applicable to the employees of the State Government as amended from time to time provided that these benefits will be effective on the approval thereto being given by the State Government vis-à-vis its grant-in-aid rules for the affiliated colleges.

2. Promotion and Seniority Rules:

- (a) In the case of posts up to and inclusive of the Office Superintendent, the vacancy, shall be filled by promotion on the basis of seniority-cum-merit as per the following rules from amongst the non-teaching employees of the colleges concerned, or in case there are more colleges than one under the same management, non-teaching employees of such colleges taken together who possess the minimum qualifications prescribed for the post. The employee who declines the offer in writing or does not accept the offer written specified time limit shall lose his right to promotion on that post for that turn only.

- (b) The seniority of the employees in any particular cadre shall be considered on the length of service put in by them in that cadre.
- (c) In case two or more employees in any particular cadre have joined on the same date, the person joining before noon shall be considered senior.
- (d) In case two or more persons joining in the same cadre on the same date and at the same time, the seniority shall, notwithstanding what is stated in clause (a) above, be considered on the basis of the total length of continuous service put in by such employee in the college as equals. The seniority shall be considered on their educational qualifications (including the class obtained by them) which they possess on the dates on joining.
- (e) If, two persons, join on the same date and time with identical educational qualifications, and are also given promotion, and join on the post to which they are promoted on the same date and at the same time, the person older in age shall be considered senior.
- (f) The seniority of employees working in the same cadre in various sections and departments of the colleges will be considered commulatively.
- (g) Out of total number of vacancies to be filled in the cadre of a clerk/typist, 25% shall be filled in by promotion from class IV cadre if the incumbent is educationally qualified to be appointed on that post and found fit for the appointment by the selection committee as per rule I (b).

3. Dismissal, Removal or Reduction in Rank:

- (a) No college employee shall be dismissed or removed or reduced in rank nor shall his service be otherwise terminated by the Manager of a college except after-
 - (i) an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges, and
 - (ii) The action proposed against him is approved by the Vice-Chancellor. Provided that nothing in this provision shall be applicable to any college employees who are appointed temporarily for a period less than a year.
- (b) The Vice-Chancellor shall communicate to the manager of the college in writing his approval or disapproval of the action proposed within a period of forty five days from the date of the receipt by the Vice-Chancellor or such proposal.

- (c) Where the Vice-Chancellor fails to communicate either approval or disapproval within the period of forty five days specified in (b) above, the proposed action shall be deemed to have been approved by the Vice-Chancellor.
- (d) No penalty (being the penalty other than that referred to in (a) above) shall be imposed on a college employee unless such employee has been given a reasonable opportunity of being heard.
- (e) (i) Where an employee of an affiliated college (other than Government college or a college established and administered by minority whether based on religion or language) is suspended by the manager of a college, pending any inquiry proposed to be held against him, the fact of such suspension together with the grounds therefore, shall be communicated by the Manager of the College to the Vice-Chancellor within a period of seven days from the date of the receipt of the communication in this behalf by the Vice-Chancellor, and if such ratification is not communicated to the manager of the college employee shall cease to have effect on the expiry of such period.

Provided that the college employee shall, during the period of suspension, be entitled to subsistence allowance as may be prescribed by the Executive Council from time to time.

- (ii) If a non teaching employee of an affiliated college (other than Government college or a college established and administered minority whether based on religion or languages) desires to submit his resignation, he shall tender the same in person to the Registrar of this University and a resignation by a college non teaching employee shall not be accepted by the management of a college unless it is so tendered and forwarded to the management by the Registrar duly endorsed. The submission of such a resignation shall not bind the management to accept it. The acceptance of any resignation tendered in contravention of this clause shall be ineffective.

4. Pay Fixation:

- (a) An employee holding a post in a substantive, temporary or officiating capacity promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of grater importance than those attaching to the post held by him, in the normal course of promotion or transfer, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay

in respect of the lower post by an increment at the stage at which such pay has been fixed provided that where an employee immediately before his promotion or appointment to the higher post is drawing pay at the maximum of the time-scale of the lower post, the benefit of the notional increase shall be extended, and for this purpose, the pay of the employee be increased notional by adding an amount equal to the amount of the last increment in the lower post, and then his pay should be fixed at the stage next higher to the notional pay so worked out. These orders shall not apply in case where an employee is appointed to another post by nomination through a competitive test or otherwise by department selection board or committee. In all cases of pay fixation due to revision of pay scale, the pay fixation should be done in the revised scale at a stage next above the existing pay.

- (b) If the pay so fixed for an employee is higher than that of an employee who is senior in the cadre, the pay of the senior employee should be stepped up so as to enable him to draw the pay equal to his newly appointed junior in that cadre.

5. Pay Scales:

The salary scales and allowance for members of the non-teaching staff in all the affiliated colleges shall be such as may be laid down by the Executive Council, subject to the approval of the State Government.

6. Rules Regarding Suspension:

- (a) If the Management or the Principal of an affiliated college is of the opinion that the presence or behavior of a particular permanent employee in his college is against the interest of the institutions, he shall immediately suspend such employee from the service. Such a suspended employee shall not enter the premises of the affiliated college concerned during the period of inquiry without the written permission of the Principal or the Management.

It shall be the duty of such employee to co-operate fully in the inquiry against him and he shall have to provide all the necessary information required for that purpose.

- (b) During the first three months' period of suspension, the suspended employee shall be entitled to receive 50% of the basic salary plus allowances taken together other than the personal allowance, if any.
- (c) In excess of three months' period of suspension the suspended employee shall be entitled to receive 75% of the basic salary plus allowances taken together other than the personal allowance, if any, provided that non completion of inquiry is attributed to the delay caused by the management or the inquiry officer.

- (d) No suspended employee shall undertake any work, either remunerative or otherwise, during the period of inquiry without the prior approval of the management.
- (e) At the end of the inquiry of such employee is declared innocent, he will be paid the full pay (including allowances) for the period of suspension and will be entitled to all the rights and benefits as per rule to which he would have been entitled had he not been suspended. If, however he is found guilty, he shall have to undergo the punishment (including the loss of remaining salary) that may be imposed by the management, subject to the approval by the Vice-Chancellor of the University.

The above mentioned clause shall not apply to the Government college or college established and administrated by minority whether based on religion or language.

7. Leave Rules:

- (a) No leave can be claimed as a matter of right, but it may be granted after taking into account, the exigencies, if any, of the service and the need of the institution. All the leave at credit on the date of superannuation shall lapse.
- (b) The Principal of an affiliated college will be competent to sanction all kinds of leave mentioned below to the members of his staff.

(A) Casual Leave:

- (i) An employee of an affiliated college will get 12 days casual leave in a calendar year, subject to a maximum of 8 days at a time.
- (ii) Sundays or weekly offs in lieu thereof, if any, and public holidays may be allowed to be enjoyed in conjunction with any spell of casual leave, whether by prefixing or suffixing or both. Any Sunday or weekly off in lieu thereof, if any, or a public holiday, falling within a period of casual leave would not be counted as a part of casual leave.
- (iii) An employee proceeding on such leave is entitled to full pay including all the allowances, if any, during the period of this leave.
- (iv) A new employee will be entitled to such leave commensurate with the period of his appointment during the year, even though he may not have actually earned it at the time of his going on leave. If he fails to complete the full period of appointment,

proportionate deduction will be made from his salary at the time of the last payment.

(B) Earned Leave:

- (i) The leave account of each employee shall be credited with earned leave in advance, in two installments of 15 days each on the first day of January and July of every calendar year subject to credit of 240 days.

The credit for the half year in which an employee is due to retire or resign from the service shall be afforded only at the rate of 2 1/2 days per completed calendar month up to the date of retirement or resignation.

When an employee is removed or dismissed from the service or dies while in service, credit for earned leave shall be allowed at the rate of 2 1/2 days per completed calendar month up to the end of the calendar month proceeding the calendar month in which he is removed or dismissed from service or dies in service.

While affording credit of earned leave, fractions of days shall, be rounded off to the nearest day.

- (ii) The employee shall be entitled to full pay during such leave.
- (iii) Earned leave can be joined with sick leave, if any.
- (iv) No employee shall be entitled to earned leave, unless he has put in at least five and a half month's service.
- (v) The earned leave will accumulate up to a period not exceeding two hundred and forty days.
- (vi) However the earned leave so accumulated, as specified above may be granted to an employee, prior to eight months of his retirement, as a special case treating the same as leave preparatory to retirement. Period spent on earned leave shall count for increment, as well as for gratuity and pension.

Note: Pay includes all allowances excluding work and conveyance allowance.

(C) Half pay Leave:

The half pay leave account of an employee shall be credited with half pay leave in advance, in two installments of

ten days each on the first day of January and July of every calendar year.

The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service in proportion to the service which he is likely to render in the half year of the calendar year in which he is appointed as under:

- (i) An employee of the affiliated college appointed during the half year.
- (ii) An employee of the affiliated college retiring / resigning during the half year.
- (iii) An employee of the affiliated college who is removed / dismissed or who dies, up to the end of the calendar month in which he is removed/dissmised/dies

The credit for the half year in which an employee, due to retirement or resignation from the service, shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.

The leave under this rule may be granted on medical certificate of an employee shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.

The leave under this rule may be granted on medical certificate of an employee. However, this leave may also be granted in the event of the production of a medical certificate of illness of any member of his family.

- (i) The employees shall be entitled to half pay only during the period of such half pay leave. In case of commuted leave, the leave salary shall be double the half pay.
- (ii) This leave can be accumulated up to any period but no employee shall be entitled to more than 6 month's commuted leave at a time.
- (iii) This leave can be joined with earned leave.
- (iv) A person returning from sick leave on medical grounds shall have to produce a certificate of a physical fitness from a Registered Medical Practitioner before resuming his duties.

- (v) The period spent on sick leave shall count for increment and pension.
- (vi) An employee appointed on a temporary basis shall not be entitled to such leave.

Note: Pay includes all allowances.

(D) Commuted Leave:

Commutated leave will be granted to an employee on production of a medical certificate of illness of the employee himself or his family members. When commuted leave is granted, twice the amount of such leave shall be debited the half pay leave due.

(E) Extra-Ordinary Leave:

- (i) Extra-Ordinary leave may be granted to any employee in an affiliated college on his submission in writing of an application for such leave.
 - (a) When no other leave is by rule admissible.
OR
 - (b) When other leave is admissible, but the employee in an affiliated college concerned applies in writing for the grant of extra-ordinary leave.
- (ii) Except in the case of permanent employee the duration of extra-ordinary leave shall not exceed three months on any occasion.
- (iii) The authority, empowered to grant leave may commute retrospectively a period of absence without leave into leave due.
- (iv) An employee proceeding on extra-ordinary leave shall not be entitled to any leave salary or allowances.

(F) (i) Maternity Leave:

A female employee in permanent employment shall be entitled to maternity leave for a period not exceeding 135 days from the date of proceeding on leave, or the date of confinement, provided that such leave shall not be granted to a female employee who has two living children.

Note: Leave under this clause is admissible in case of miscarriage or abortion but not in case of a female employee who has two living children.

(ii) Paternity Leave:-

A male employee in permanent employment with less than two surviving children shall be entitled to paternity leave for a period of 15 days during the confinement of his wife during the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before on leave shall not be debited against the leave account and may be combined with any other kind of leave. (As in the case of maternity leave)

(G) Leave rules for Laboratories Staff:

The laboratory staff from amongst the non-teaching staff of the affiliated colleges will be considered vacation staff and they will be entitled to earned leave on the terms and conditions laid down hereunder :-

- (i) The period of vacation will be such as may be declared as vacation by the University during the academic year.
- (ii) If the Principal of the college requires their services during a vacation for any work concerning the University examinations or the college itself, they shall remain present and render such services.
- (iii) In case they are required to work during a vacation, they will be entitled to 1/3 earned leave for the actual number of days of work so put in by them.

8. Date of Retirement:

The date of super-annuation of the non-teaching staff of affiliated colleges who have been appointed on and from 1.10.1984 is the date on which he attains the age of 58 years, except in case of class-IV where it will be 60 years, provided that the date of super-annuation of the non-teaching staff of affiliated colleges, who have been appointed before 1.10.1984 shall be the date on which they attain the age of 60 years. In case, however, the date of retirement falls during the calendar month, the date of super-annuation shall be the last date of that calendar month, provided that if it falls on the 1st of the calendar month, it shall be the last date of the previous calendar month.

9. Pension:

The members of the non-teaching staff of the affiliated colleges shall be eligible to pensionary benefit as made applicable by the Government of Gujarat to the non-teaching staff of Non-Government affiliated colleges of Universities situated in the State of Gujarat, as amended from time to time. However, in case of those employees who have opted out of Pension Scheme in term of Education Department, Government of Gujarat GR No. NGC/1584/CM/30(87)/KH, dated 3rd July, 1987, they may continue to be governed by the contributory P.F. rules as applicable to them before 1.10.1984.

GRATUITY RULES

O.145 Full-time permanent teaching and non-teaching employees of the affiliated colleges, recognized institutions and approved institutions of the University shall be paid gratuity as prescribed by the State Government from time to time.

CULTURAL ACTIVITIES FEE

O.146 Every student admitted to an affiliated college, recognized institution or University Department shall pay a fee of Rs.7.00 per term towards the expenses for organizing cultural activities in the University. The fees so collected by the College/Institution/University Department shall be remitted to the University within one month from the date of commencement of the term.

The amount shall be used towards the expenditure incurred in the organization of the activities of the University Students community.

RECRUITMENT, APPOINTMENT AND OTHER SERVICE CONDITIONS INCLUDING CONDUCT AND DISCIPLINE RULES AND LEAVE RULES OF THE NON-TEACHING STAFF OF THE UNIVERSITY

O.147

1. Short title, commencement and application:

This Ordinance may be called "The University non-teaching Staff Conditions of Service (Conduct and Discipline) Rules Ordinance 1986. It will apply to all University employees who are the members of non-teaching staff of the University unless otherwise provided.

2. (a) The pay scales, qualifications and procedure for recruitment for the various posts to be filled in the University shall be such as may be

12. The University may not hear any Association which has not been recognized in accordance with the provisions of this Ordinance.
13. No representation or deputation shall be received by the University from an Association except one relating to a matter which is, or raises questions which are, of common interest to all or any class of employees or the University.
14. The approval of rules or recognition of Association shall not imply any admission by the University of any claim of employees to a right of strikes or stoppage of work.

RECURITMENT, APPOINTMENT AND OTHER SERVICE CONDITIONS INCLUDING CONDUCT AND DISCIPLINE RULES OF THE TEACHERS OF AFFILIATED COLLEGES (OTHER THAN GOVERNMENT COLLEGES OR COLLEGES MAINTAINED BY THE GOVERNMENT)

O.148

1. This Ordinance may be called "The College Teacher's Condition of Service (Conduct and Discipline) Rules Ordinance, 1987." The Provisions of this Ordinance shall not apply to a Government College or a Colleges maintained by the Government.
2. (a) (i) Every teacher shall, on his appointment, be provided with a letter of appointment, the terms and conditions of which shall not be repugnant to those prescribed by the University from time to time.
(ii) If a teacher including Principal of an affiliated college (other than a college established and administered by minority whether based on religion or language) desires to submit his resignation, he shall tender the same in person to the Registrar of this University, and a resignation by a college teacher (including Principal) shall not be accepted by the management of a college concerned, unless it is so tendered and forwarded to the management by the Registrar duly endorsed. The submission of such a resignation shall not bind the management to accept it. The acceptance of any resignation tendered in contravention of these clauses shall be ineffective.

Notwithstanding anything stated above, if a college teacher, including Principal desires to submit, his resignation while on a visit to a foreign country, he may do so in the presence of a notary public and get it endorsed by him and send it to the Registrar, who will forward it to the college management concerned.

- (b) The salary scales and allowances for members of the teaching staff in all the affiliated colleges shall be such as may be laid down by the Executive Council, subject to the approval of the State Government.
3. Subject to the under mentioned provision, a member of the teaching staff in an affiliated college who ceases to be a teacher shall be paid the vacation salary in accordance with the following :
- (a) If he has served for the major part to the whole academic year, he shall be paid three month's salary and in the case of part-time teachers, three month's emoluments as vacation salary.
 - (b) If he has served for the major part in any of the terms he shall be paid one month's salary and in case of part-time teachers one month's emolument as vacation salary.
4. Maximum teaching load of a teacher shall be as prescribed under Ordinance 88 in force from time to time.
5. No person appointed as a teacher in an affiliated college shall be required to put in not more than two years' service as a probation before he is confirmed. During the probation period he shall be entitled to a yearly increment in his salary.

EXPLANATION: A teacher who has put in not less than two year's continuous service in College or Institution concerned shall be deemed to be a confirmed teacher for purposes of this Ordinance.

A teacher may be transferred from one affiliated college to another affiliated college, provided they are under the same management and are located in the same city, town or village.

6. Members of the teaching staff in affiliated colleges (except those who have opted for pension) who have been confirmed shall be entitled to the benefit of Provident Fund as per rules that may be framed by the University from time to time.
7. Leave rule for college teachers shall be such as may be prescribed by the Executive Council.
8. No member of the staff shall leave the employment of the college in the midst of any term and without giving to the authorities three months' notice if he is confirmed or one month's notice if he is temporary or on probation, provided that such notice shall not end in the middle of an academic term. In case, however, a member does not give the required notice, the college authorities shall be entitled to claim from him an amount not exceeding the salary and such allowances as may be payable to him for the period falling

short of notice. No teacher shall be entitled to payment of salary from both the colleges.

If a member of the staff leaves the service in the middle of an academic term without due notice and joins any college affiliated to the University, the Executive Council may not approve his appointment in the new college as a teacher for the academic term.

9. A teacher (including Principal) who has given a written acceptance of an appointment in an affiliated college shall be bound to join and serve that college for at least one academic term. If he fails to do so without a reasonable cause, he shall not be considered as a recognized teacher for appointment in an affiliated college for one year.
10. A teacher in an affiliated college when applying for a post elsewhere shall forward his/her application through the Head of his/her college.
11. It shall be incumbent the principal of the college to forward the application of any teacher working under him for a post elsewhere.
12. Where a teacher is appointed on a specified contract, the period and conditions of such contract shall not be inconsistent with the conditions as laid down by the University and the terms of such contract shall be submitted to the University for approval.
13.
 - (1) Every appointment of an officiating principal by the management of an affiliated college shall require prior approval of the University.
 - (2) Ordinarily the senior most teacher in the college shall be appointed as the officiating Principal. In case the management desires to make an exception on this provision, the management shall obtain the prior approval of the Vice-Chancellor stating reasons thereof.
 - (3) Officiating appointment of the Principal shall not be made for more than a year.

A member of the staff appointed temporarily to the post of principal shall be given the Principal's scale of pay and allowance admissible to the Principal and other benefits if he officiates for more than three months and additional Expenditure incurred in this regard shall be born by the management itself.

14. Conduct and Discipline:

A college teacher is expected to work with the consciousness of the responsibilities and the trust placed in him to mould the character of the youth and to advance knowledge, intellectual freedom and social progress and he is expected to realize that he can fulfill the role of moral leadership

more by example than precept through a spirit of dedication, moral integrity and purity in thought, words and deeds.

Without prejudice to the above mentioned general principles the following code of conduct is laid down for college teachers.

(A) Mis-conduct:

The following lapses would constitute improper conduct on the part of a college teacher.:

- (1) Failure to perform academic duties such as preparation of lectures, demonstrations, assessment, guidance, invigilation and all other work connected with the examinations.
- (2) Gross partiality in assessment of students, deliberately over marking or under marking or attempts at victimization on any grounds.
- (3) Inciting students against other students, colleagues or administration. This does not interfere with the right of a teacher to express his opinion on principles in seminars or such occasions where students are present.
- (4) Raising questions of caste, religion, race or sex in his relationship with his colleagues and trying to use the above considerations for improvement of his prospects.
- (5) Refusal to carry out the decision of appropriate administrative and academic bodies and/or functionaries of the College. This will not inhibit his right to express his opinion on their policies or decisions.

(B) Maintenance of Integrity and devotion to duty:

- (1) Every College teacher shall, at all times, maintain absolute integrity and devotion to duty.
- (2) In his way of living and outlook, every college teacher shall set an example to his colleagues and students.
- (3) Every College teacher shall, at all times conduct himself in accordance with the orders regulating behaviour and conduct which may be in force in the college.
- (4) No college teacher shall discriminate against any pupil on grounds of caste, creed, sect, religion, sex, nationality or languages or any of them. He shall also discourage such tendencies amongst his colleagues and students.
- (5) Every College teacher shall devote himself diligently to his work and unifies his time in the service of the College and for the cause of education and give full co-operation in all academic programmes and other activities conductive to the welfare of the student community.

(C) Taking part in politics and elections:

- (1) No college teacher shall, without previous intimation to the Vice-Chancellor, stand for election or accept nomination to any local body, Legislature of the State or parliament; none shall, in any manner, force his subordinates or his students against their will to canvass for his election.
- (2) A college teacher shall, before seeking election or accepting nomination as aforesaid, give an under-taking to the College that in the event of his being elected or nominated he shall, if so required by the College, remain on leave with or without pay as may be admissible to him under the rules for the period he remains a member of such Local body, Legislature of Parliament.
- (3) The college may direct a College teacher who has been elected or nominated to any Local body, Legislature or Parliament to apply for leave for the whole or a part of the period referred to in sub-rule (ii) and the teacher shall comply accordingly.

Provided that the granting of any leave to a College teacher nominated to any Local body, Legislature or Parliament shall not prejudice his right to promotion, increments or other benefits, if any, to which he would have been entitled had he not proceeded on leave.

(D) Unauthorised communication of information:

No college teacher shall, except in accordance with any general or special order of the University or in the performance in good faith or duties assigned to him divulge or communicate directly or indirectly any official document or other information whatsoever to any College or to any other person to whom he is not authorised to divulge or communicate such document or information.

(E) (i) Private trade, employment or tuition:

No college teacher shall, except with the previous sanction of the Vice-chancellor or Management, be engaged directly or indirectly in any trade or business or undertake any other employment.

- (ii) No college teacher shall engage himself in any private tuition for which a fee/remuneration is charged either within or outside the premises of the College in which he is working.

(F) Borrowing:

No college teacher shall borrow money from his subordinate or students.

(G) Canvassing of non-official or other outside influence:

No college teacher shall bring or attempt to bring any influence to bear upon any question in respect of matters pertaining his services.

(H) Unauthorized communication or information:

No college teacher shall enter into any pecuniary arrangement with any other college teacher or student of the college so as to offer any kind of advantage to either or both of them in any unauthorised manner or against the specific or implied provisions of any rule of the time being in force.

(I) Improper use of amenities:

No college teacher shall misuse or carelessly use amenities provided to him by the college to facilitate the discharge of his duties.

15. Age of Retirement:

The date of super-annuation of a teacher when he attains the age of 62 (Sixty Two).

Provided further that a teacher including principal whose age of retirement falls between 15th June and 31st October shall retire on 31st October, and whose age of retirement falls between 1st November and 14th June shall retire on 14th June.

Provided further that in case of teachers in the pharmacy colleges, the age of super-annuation retirement for the teachers recruited before 1.4.1989 shall be 60 (Sixty) years.

Provided further a teacher including Principal whose age of retirement falls between 15th June and 31st October shall retire on 31st October and whose age of retirement falls between 1st November and 14th June shall retire on 14th June. Provided further that during such an extended period, such a teacher already retired shall not be entitled to be or to continue to be a member of any authority or body of the University.

16. Gratuity:

A teacher who has been appointed on or before 1.4.1982 and has retired on or after 1.4.1982, prior to the date of issue of Education Department, Government Resolution No. NGG/MISC/1582/9505/84/KH and who has not opted for pension shall be paid gratuity as per provisions of Ordinance 145, whereas a teacher who has opted for pension under above stated Government Resolution shall be paid gratuity as per State Government rules in this behalf.

17. Pension:

A teacher who has been appointed on or before 1.4.1982 and has retired on or after 1.4.1982 and prior to the date of issue of Education Department, Government Resolution No. NGG/MISC/1582/9505/84/KH, shall be entitled to pensioners benefits given by the State Government to its employees from time to time.

A teacher, who has been appointed on or after 1st April, 1982 shall automatically, be governed by pension's scheme as per Government Resolution quoted above. Such teachers shall not be allowed to opt for Contributory Provident Fund Scheme.

18. Suspension:

- (a) Where an employee of an affiliated college (other than a college established and administered by minority whether based on religion or languages) is suspended by the management of a college pending any inquiry proposed to be held against him, the fact of such suspension together with the grounds therefore, shall be communicated by the management of college to the Vice-Chancellor of the University within a period of seven days after such suspension and such suspension shall be subject to ratification by the Vice-Chancellor within a period of forty-five days from the date of receipt of the communication in this behalf by the Vice-Chancellor and if such ratification is not communicated to the Vice-Chancellor and if such ratification is not communicated to the management of the college by the Vice-Chancellor within such period, the suspension of the college employee shall cease to have effect on the expiry of such period.

Provided that the college employee shall, during the period of suspension, be entitled to such subsistence allowance and on such terms and condition as may be prescribed by the Executive Council from time to time.

- (b) At the end of inquiry, if such employee is declared innocent, he will be paid the remaining pay (including allowances) for the period of suspension and will be entitled to all the rights and benefits as per rules to which he would have been entitled had he not been suspended.

- (c) Dismissal, Removal or Reduction:

At the end of inquiry if such employee is convicted, an appropriate punishment will be inflicted on him according to the procedure of law subject to the following conditions:

- (1) No college employee (including Principal) shall be dismissed or removed or reduced in rank nor shall his service be otherwise terminated by the management of a college except after
 - (i) an inquiry in which he has been informed of the charge against him and given a reasonable opportunity being heard in respect of those charges, and
 - (ii) The action proposed against him is approved by the Vice-Chancellor. Provided that nothing in this provision shall be applicable to any college employee who is appointed temporarily for a period less than a year.
- (2) The Vice-Chancellor shall communicate to the management of the college in writing, his approval or disapproval of the action proposed within a period of forty-five days from the date of the receipt by the Vice-Chancellor of such proposal.
- (3) Where the Vice-Chancellor fails to communicate either approval or disapproval within the period of forty-five days specified in (2) above, the proposed action shall be deemed to have been approved by the Vice-Chancellor. Provided that nothing contained in above provision shall apply to an employee of a Government college or a college maintained by Government or a college established and administered by minority based on religion or language.

19. Re-employment of teachers after voluntary retirement:

Teachers who have availed of the benefits of voluntary retirement shall not be appointed in a college affiliated to this University or a Department of this University.

Provided, however, that in special circumstances, after a lapse of five years from the date of voluntary retirement, such a teacher may be appointed after obtaining prior approval of the Vice-Chancellor.

20. Seniority of Teachers:

- (a) Seniority of the teachers in a college affiliated to Hemchandracharya North Gujarat University in any particular cadre (i.e. Cadre of Professor, Lecturer, Tutor, Demonstrator, Physical Training Instructor, Director of Physical Education) shall be considered on the length of continuous service put in by then in that cadre in the same college. The hierarchy among the cadre shall be considered in the order of (1) Professor (2) Lecturer (3) Tutor (4) Demonstrator

- (5) P.T.I. / D.P.E., Where other cadres other than above mentioned cadre, are assigned to teachers the seniority shall be considered on the basis of hierarchy of the pay scale attached those cadres.
- (b) In case two or more teachers in a particular cadre have joined the college on the same date, the person joining before noon shall be considered senior.
- (c) In case two or more teachers have joined the same cadre on the same date and at the same time then the length of service in the next lower cadre in the same college shall be considered senior.
- (d) In case two or more teachers have equal length of service in one or more cadres in the same college then the total length of cadre wise continuous service put in by them as teachers shall be considered for the seniority. The teacher having longer service in higher cadre shall be considered senior.
- (e) In case two or more teachers are equal in all respect as per the clauses (a), (b), (c) and (d) then the seniority shall be considered on the basis of hierarchy of qualifications including the percentages of marks.
- (f) In two or more teachers are equal in all respect as per the clauses (a), (b), (c), (d) and (e) the older one in age shall be considered senior.

LEAVE RULES FOR TEACHERS OF THE UNIVERSITY / COLLEGES

O.148-A:

1. LEAVE ADMISSIBLE TO PERMANENT TEACHERS

The following kinds of leave would be admissible to permanent teachers:

- (a) Leave treated as duty, viz:
- (1) Casual leave
 - (2) Special Casual leave: and
 - (3) Duty leave
- (b) Leave earned by duty:
- (1) Earned leave
 - (2) Half pay leave and
 - (3) Commuted leave
- (c) Leave not earned by duty:
- (1) Extra-ordinary leave
 - (2) Leave not due
- (d) Leave not debited to leave account:
- (1) Leave for academic pursuits:
 - (i) Study leave and
 - (ii) Sabbatical leave / Academic leave
 - (2) Leave on grounds of health:
 - (i) Maternity leave
 - (ii) Quarantine leave
- (e) Paternity Leave
- (f) Adoption Leave

(g) Duty Leave

(h) Vacation

(a) (1) **Casual Leave:**

- (i) Total casual leave granted to a teacher shall not exceed eight days in an academic year.
- (ii) Casual Leave cannot be combined with any other kind of leave except special casual leave. It may be combined with holidays including sundays. Holidays or sundays falling within the period of casual leave shall not be counted as casual leave.

(a) (2) **Special Causal Leave:**

- (i) Special casual leave not exceeding ten days in an academic year may be granted to a teacher -
 - (a) To conduct an examination of a University / Public Service Commission / Board of Examination or other similar bodies / Institutions; and
 - (b) To inspect academic institutions attached to a Statutory Board. Etc.

Note:

- (i) In computing ten day's leave admissible, the days of actual journey if any, to and from the places where such activities specified above takes place, will be excluded.
- (ii) In addition Special Casual leave to the extent mentioned below may also be granted.
 - (a) to undergo sterilization operation (Vasectomy or Salpingectomy) under the Family / Welfare Programme, Leave in this case will be restricted to six working days and
 - (b) To a female teacher who undergoes non-porurporal sterilization. Leave in this case will be restricted to fourteen days.
- (iii) Special casual leave mentioned here cannot be accumulated nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or a vacation.

(a) (3) Duty Leave:

- (i) Duty leave may be granted for -
 - (a) Attending conferences, conventions, symposia, seminars on behalf of the University or with the permission of the University.
 - (b) Delivering lectures in institutions and Universities as the invitation of such institutions or Universities received by the Vice-Chancellor.
 - (c) Working in another Indian or foreign University, any other agency, Institution or organization when so deputed by the University.
 - (d) Participating in a delegation or working on a committee appointed by the Government of India, the State Government, the University Grants Commission, a sister University or any other duty of the university.
 - (e) For performing any other duty for the University.
- (ii) The duration of leave would be such as may be considered necessary by the sanctioning authority on each occasion.
- (iii) The leave may be granted on full pay, provided that if the teacher receives a fellowship or an honorarium or any other financial assistance beyond the amount needed for normal expenses. He/She may be sanctioned duty leave on reduced pay and allowances. And
- (iv) Duty leave may be combined with earned leave, half pay leave or extra-ordinary leave.

(b) (1) Earned leave:

- (i) Earned leave admissible to a teacher shall be -
 - (a) 1/30th of actual service, including vacation,
plus
 - (b) 1/3rd of the period, if any, during which he/she is required to perform duty during vacation.

Note: For the purpose of computation of period of actual service, all periods of leave except casual leave, special casual leave and duty leave shall be excluded.

- (ii) Earned leave at the credit of a teacher shall not accumulate beyond 300 days. The maximum earned leave that may be sanctioned at a time shall not exceed 60 days. Earned leave exceeding 60 days may, however, be sanctioned in the case of higher study or training or leave with medical certificate or when the entire leave or a portion thereof is spent outside India.

Note: (1) When a teacher combines a vacation with Earned leave the period of the vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.

- (2) In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of the leave spent the aggregate exceed 120 days.

- (3) Encashment of earned leave shall be allowed to non – vacation members of the teaching staff as applicable to the employees of central / state Government.

(b) (2) Half pay leave:

Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on the basis of medical certificate from a registered medical practitioner or for private affairs or for academic purpose.

Note: A "completed year of service" means continuous service of specified duration under the university and includes periods of absence from duty as well as leave including extra-ordinary leave.

(b) (3) Commuted Leave:

Commutated leave not exceeding half pay the amount of half-pay leave due may be granted on the basis of medical certificate from a registered medical permanent teacher subject to the following conditions:

- (i) Commuted leave during the entire service shall be limited to a maximum of 240 days.
- (ii) When commuted leave is granted twice, the amount of such leave shall be debited against the half-pay leave due and
- (iii) The total duration to earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time. Provided that no commuted leave shall be granted under these 4 rules unless the authority competent to sanction the leave has reason to believe that the teacher will return to duty on its expiry.

(c) (1) Extra-ordinary Leave:

- (i) A permanent teacher may be granted extra-ordinary leave When:
 - (a) No other leave is admissible, or
 - (b) No other leave is admissible and the teacher applies in writing for the grant of extra-ordinary leave.
- (ii) Extraordinary leave shall always be without pay and allowances.

Extra-ordinary leave shall not count for increment except in the following cases:

- (a) Leave taken on medical certificates.
 - (b) Cases where the Principal of the college is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty to civil commotion or natural calamity, provided the teacher has no other kind of leave to his credit.
 - (c) Leave taken for prosecuting higher studies; and
 - (d) Leave granted to accept an invitation for a teaching post or a fellowship or a research-cum-teaching post or on assignment for technical or academic work of importance.
- (iii) Extra-ordinary leave may be combined with any other leave except casual leave and special casual leave provided that the total period of continuous absence from duty on leave(including periods of vacation when such vacation is taken in conjunction

with leave) shall not exceed three years except in case where leave is taken on a medical certificate. The total period of absent from the duty shall in no case exceed five years in all.

- (iv) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extra-ordinary leave.

(c) (2) Leave Not Due:

- (i) Leave not due may, at the discretion of the Vice Chancellor / Principal, be granted to a permanent teacher for a period not exceeding 360 days during the entire period of service, out of which not more than 90 days at a time and 180 days in all, may be otherwise than on a medical certificate. Such leave shall be debited against the half-pay leave earned by him/her subsequently.
- (ii) Leave not due shall not be granted unless the Vice-Chancellor / Principal is satisfied that, as far as can reasonably before seen, the teacher will return to duty on the expiry of the leave and earn the leave granted.
- (iii) A teacher whom "Leave not due" is granted shall not be permitted to tender his/her resignation from services so long as the debit balance in his/her leave account is not wiped off by active service, or he/she refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill health incapacitating the teacher for further service, refund of leave salary for the period of leave still to be earned may be waived by the Executive Council.

Provided further that the Executive Council may in any other exceptional case may waive, for reasons to be recorded the refund salary for the period of leave still to be earned.

(d) (1) Leave for academic pursuits:

(i) Study Leave:

- (1) Study leave may be granted after a minimum of 3 years of continuous service to pursue a special line of study or research directly related to his/her work in the University or to make a special study of the various aspects of university organization and methods of education.

The paid period of study leave should be for 3 years, but 2 years may be given in the first instance, extendable by one more year, if there is adequate progress as reported by the Research Guide Care should be taken that the number of teachers given study leave, does not exceed the stipulated of teacher in any department. Provided that the Executive Council/Syndicate may in the special circumstances of a case waive the condition of five years service being continuous.

Explanation in computing the length of service, the time during which a person was on probation or was engaged as a research assistant may be reckoned provided:

- (a) The person is a teacher on the date of application and
 - (b) There is no break in service.
- (2) Study leave shall be granted by the Executive Council / Syndicate on recommendation of the concerned Head of the Department. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Executive Council / Syndicate is satisfied that such an extension is unavoidable on academic grounds and necessary in the interest of the University.
 - (3) Study leave shall not be granted to a teacher who is due to retire within five years of the date on whom he/she accepted to return to duty after the expiry of his/her study leave.
 - (4) Study leave may be granted more than twice during one's career. However, the maximum of study leave admissible during the entire service should not exceed five years.
 - (5) No teacher who has been granted study leave shall be permitted to after graduate substantially the course of study or the programme of research without the permission of the Executive Council / Syndicate. When the course of study falls short of the study leave sanctioned, the teacher shall resume duty on the conclusion of the course of study unless the previous approval of the Executive Council / Syndicate to treat

the period of short-fall as ordinary leave has been obtained.

- (6) (a) Subject to the provisions of sub-clauses (d)(1)(i)7 and (d)(1)(i)8 below, study leave may be granted on full pay up to two years extendable by one year at the discretion of the university.
- (7) The amount of scholarship, fellowship or other financial assistance that a teacher granted study leave has been awarded will not preclude his being granted study leave with pay and allowances, but the scholarships etc. so, received shall be taken into account in determining the pay and allowances on which the study leave may be granted. The Foreign Scholarship/Fellowship would be offset against pay only if the fellowship is above a specified amount, which is to be determined from time to time, based on the cost of living for a family in the country in which the study is to be undertaken. In the case of an Indian fellowship which exceeds the salary of the teacher, the salary would be forfeited.
- (8) Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay leave, extraordinary leave or a vacation provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. A teacher, who is selected to a higher post during study leave, will be placed in that position and get the higher scale only after joining the post.
- (9) A teacher granted study leave shall on his return and re-joining the service of the University may be eligible to the benefit of the annual increment(s) which he/she would have earned in the course of time if he/she had not proceeded on the study leave. No teacher shall however be, eligible to receive arrears of increments.
- (10) Study leave shall be counted as service for Pension/Contributory Provident Fund, provided the teacher joins the college on the expiry of his/her study leave.

- (11) Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction.

Provided that where the study leave granted has been so cancelled, the teacher may apply again for such leave.

- (12) A teacher availing himself/herself of study leave shall undertake that he/she shall serve the University for a continuous period of at least three years to be calculated from the date of his/her resuming the duty after the expiry of the study leave.
- (13) After the leave has been sanctioned, the teacher shall, before availing himself/herself of the leave, execute a bond in favour of the University, binding himself/herself for the due fulfillment of the conditions laid down in sub-clause (d)(1)(i)13 and (d)(1)(i)14 above and give security of immovable property to the satisfaction of the Finance Officer/Treasurer or a Fidelity Bond of an Insurance Company or a guarantee by a Scheduled Bank or furnish security of two permanent teachers for the amount which might become refundable to the college in accordance with sub-clause (d)(1)(i)14 above.
- (14) The teacher shall submit to the Registrar six monthly reports of progress in his/her studies from his/her Supervisor or the Head of the Institution. This report shall reach the Registrar within one month of the expiry of every six months of the study leave. If the report does not reach the Registrar within the specified time, the payment of leave salary may be deferred till the receipt of such report.

(ii) Sabbatical Leave:

- (1) Permanent whole-time teachers of the college who have completed seven years of service as Lecturer Selection Grade/Reader or Professor may be granted sabbatical leave to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the University and higher education system.
- (2) The duration of leave shall not exceed one year at a time and two years in the entire career of a teacher.

- (3) A teacher who has availed himself/herself of study leave would not be entitled to the sabbatical leave.

Provided further that sabbatical leave shall not be granted until after the expiry of five years from the date of the teacher's return from previous study leave or any other kind of training programme.

- (4) A teacher shall, during the period of sabbatical leave be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him/her immediately prior to his/her processing on the sabbatical leave.

- (5) A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He/She may, however, be allowed to accept a fellowship or a research scholarship or an adhoc teaching and research assignment with honorarium or any other form of assistance other than regular employment in an institution of advanced studies, provided that in such cases the Executive Council/Syndicate may, if it so desires, sanction sabbatical leave on reduced pay and allowances.

- (6) During the period of sabbatical leave the teacher shall be allowed to draw the increments on the due date. The period of leave shall be also counted as service for the purpose of Pension/Contributory Provident Fund, provided the teacher re-joins the college on the expiry of his/her leave.

- Note:**
1. The programme to be followed during the sabbatical leave shall be submitted to the University for approval along with the application for the grant of leave.
 2. On return from leave the teacher shall report to the university the nature of studies research or other work under taken during the period of leave.

(2) Leave on grounds of health:

(i) Maternity Leave:

- (i) Maternity leave on full pay may be granted to a woman teacher for a period not exceeding 135 days, to be availed of twice in the entire career. Maternity leave may also be granted in case of miscarriage including abortion subject to the condition that the total leave granted in respect of this to a woman teacher in her career is not more than 45 days, and

the application for leave is supported by a medical certificate.

- (ii) Maternity leave may be combined with earned leave, half-pay leave or extra-ordinary leave, but any leave applied for in continuation of maternity leave may be granted if the request is supported by a medical certificate.

(ii) Quarantine Leave:

The Executive Council/Syndicate may in exceptional cases, grant for the reasons to be recorded of the kinds of leave, subject to such terms and conditions as it may deem fit to impose.

(e) Paternity Leave:

Paternity leave of 15 days may be granted to male teachers during the confinement of their wives, provided the limit is up to two children.

(f) Adoption Leave:

Adoption leave may be provided as per the rules of the Central Government.

(g) Duty Leave:

Duty leave should be given also for attending meetings in the UGC, DST etc. Where a teacher is invited to share expertise with academic bodies, Government or NGO.

(h) Vacation:

- (i) Vacation may be taken in conjunction with any kind of leave including casual leave and special casual leave provided that a vacation shall not be both prefixed and suffixed to such leave.
- (ii) Except in special circumstance a vacation and earned leave taken together shall not extend beyond six months.
- (iii) When a vacation falls between two periods of leave so as to result in a continuous period of absence from duty during the entire such vacation shall be treated as part of the leave.

2 LEAVE FOR TEACHERS APPOINTED ON PROBATION

A teacher appointed as a probationer against a substantive vacancy and on definite terms of probation, shall, during the period of probation be granted leave which would be admissible to him/her post substantively if, for any reason, It is proposed to terminate the services of such a probationer, any leave granted to him/her should not extend beyond the date on which the

probationary period expires or any earlier date on which his/her services after terminated by the orders of the governing body of the college. On the other hand, a teacher appointed on probation to a post not substantively vacant to assess his/her suitability to the post, shall, until he/she is substantively confirmed, be treated as a temporary teacher for the purposes of grant of leave. If a person in the permanent service of the college, is appointed on probation to higher post, he/she shall not, during probation, be deprived of the benefits of the leave rules applicable to his/her permanent post.

3 PART-TIME TEACHERS

Part-time teachers of the affiliated colleges shall be entitled to six day's casual leave. No other leave shall be admissible to them.

O.148-B

Principals of affiliated colleges, when required to attend any meeting on engage themselves in any non-remunerative work on behalf of the University, shall be considered on duty for the duration of their absence from their headquarters. This provision will not apply to conferences, seminars, workshops etc. where they maybe deputed by the University for which separate provisions are made.

RULES OF PROVIDENT FUND FOR THE EMPLOYEES OF THE AFFILIATED COLLEGES

O.149 This Ordinance shall not apply to (1) Government college or colleges maintained by the Government and (2) Teachers who have opted for Pension as per Education Department, Government Resolution NO.NGU-1582/9505/84/ KH dated 15th October,1984.

- (1) The rules shall be called Provident Fund Rules.
- (2) In these rules, unless there is anything repugnant to the subject or context.
 - (a) An 'Employee' shall mean a person who is appointed to a permanent post in the service of the college either substantively or on probation;
(**Note:** Employees appointed on probation and subsequently confirmed shall subscribe to the fund retrospectively from the dates of their joining the college).
 - (b) 'College' means a College affiliated to the University.
 - (c) The term 'Contribution' means the amount credited under these rules to the credit of an individual account in the Provident Fund by the college by the way of addition to the subscription of the employees;

- (d) The term 'Salary' shall mean the basic salary of an employee and shall not include other allowances;
 - (e) 'Provident Fund' means the fund in which subscription of an employee is received and held on his/her individual account and includes any contributions and any interest accruing on such subscription and contributions under these rules, and it shall consist of the subscription and contribution received by the college of accumulations thereof and of interest credited in respect of such contribution and accumulations and of securities purchased there with and of any capital gains arising from the transfer of capital assets of the fund and of other sums;
 - (f) 'Service' means employment in the college to a permanent post either substantive or on probation;
 - (g) 'Subscription' means the amount liable to be deducted under this rule from the monthly salary of an employee;
 - (h) The 'Trustees' means the persons appointed as Trustees by the institution which runs the colleges and in whose names the money in respect of the fund shall for the times-being be held or by whom the said fund shall be managed and administered. However 1/2 of the trustees shall be from amongst the employees of the college at least one of whom shall be an employee belonging to the teaching staff ;
The Management which runs more than one colleges may, if it so desires, form a common trust for these colleges in respect of their Provident Funds.
 - (i) The word 'Family' shall be defined as meaning any of the following persons who reside with and are wholly dependent on the member , namely his wife, legitimate children, step-children, parents, sister and minor brothers;
- (3) All full-time employees appointed on permanent post shall, as a condition to his employment, subscribe compulsorily to the Provident Fund at the rate of 8.33% of the basic salary which is not less than one-twelfth of the basic salary of the employees;
 - (4) The contribution of the college shall be equal to the subscription of an employee;
 - (5) All provident Fund money shall be vested in trustees whose number shall not be less than three. The fund so contributed shall not be revocable save with the consent all of the beneficiaries;
 - (6) Any vacancy among trustees shall be filled in as soon as possible but in the meanwhile trustees may continue to act notwithstanding any vacancy. A trustees being an employees of the college is terminated for any reason shall in so fact cases to be trustee;

- (7) The money of the fund not immediately required for the purpose of the fund shall be invested by the trustees in their joint names in (1) Securities of the nature specified in clause (1), (a), (b), (c), (d), or (e) of section 20 of the Indian Trusts Act, 1982 and payable both in respect of interest in India, or (2) in time deposits of scheduled banks;
- (8) The subscription of the members, collected as provided herein above shall for the purpose of investment be handed over to the trustees every month and the contribution of the college shall be handed over to the trustees not later than 3 months;
- (9) The trustees shall deduct one percent out of the income received by the trust from its investment as administration charges of the trust; the balance of the interest shall be utilized towards crediting the employee's subscription account and college contributions account annually;
- (10) The trustees shall maintain an account of the fund which shall be in such form and for such periods and shall contain such particulars as the central board of Revenue may prescribe from time to time.
- (11) Each employee shall have a pass-book or a statement supplied to him in which shall be entered the amount of the employee's subscription to the funds and the college's contribution as well as the advance, if any, made to the employees under the rules hereinafter contained and such other particular as the trustees may from time to time think fit to enter therein;
- (12) When an employees ceases to be in employment, he shall be entitled to get subject to deduction on account of the amount of advances and interest thereon, if any, and any money claim due to the college as under:
 - (a) The whole amount to his credit in his account on account of subscription interest thereon; and
 - (b) In case other than dismissal, amount to his credit in his account on account of contribution and interest thereon the following proportions:
 - (1) Nil, if the total period of service is less than three years.
 - (2) Full, if the total period of service is three year or more.

For the purpose of these rules service already put in by an employee of an affiliated college shall

be calculated from the date on which the first joined any affiliated college.

Note- The continuous services put up by an employee in more than one college under the same college.

The duration of the service put up as a surplus teacher in a High School shall also be considered for the purpose. However, the total service rendered by a surplus teacher in the college and High School is less than, three years he will not be entitled for contribution of the Management.

- (13) A subscriber who has completed at least twelve years of service in the employment of the college may be granted an advance by p.f. Trust committees of the college in its discretion for constructing or purchasing a house or carrying out the repairs of his house to the extent of his own subscription plus the contribution of the college credited to his provident fund account as on 31st March, immediately preceding his application such advance shall be repaid in monthly installment not exceeding 120 and at such rate of interest as may be fixed by the P.F. Trust Committee of the college from time to time.

Such advance shall be recovered by deductions from the salary paid by the college to the subscriber. The first of such deduction shall be made from the first payment of a full month's salary after the subscriber has drawn the advance. The amount of such installments shall cover the entire balance than to be refunded by the subscriber may, at his option, pay an additional sum over and above the amount of the installment fixed in round figures.

Advanced from the amount standing to the credit of subscription may, at the discretion of the P.F. Trust Committee of the college be granted to him in the case of the illness of the subscriber or of members of his family or for any other reason deemed sufficient by the P.F. Trust committee of the college. Such loans shall be repaid at a rate of interest and in a number of installments to be fixed by the P.F. Trust Committee of the college in each case.

The amount so sanctioned shall be paid directly to the Government or Semi-Government agency, as the case may be.

- (14) A Second advance shall not be permitted until the amount of the first advance has been fully paid up.
- (15) The amount advance shall be repaid in such equal monthly installments not exceeding 24 in all as the trustees may fix and in all cases it shall bear interest at the rate fixed by the trustees subject to

the condition that it shall not be less than the rate of interest which is created to the subscriber's account of the fund. Such interest being calculated on the amount outstanding from time to time. Interest shall be payable by the employee in the month succeeding the one on which the last installment is paid.

- (16) The collage shall deduct such installments, from the employee's pay; the deduction shall commence from the second monthly payment made after the advance, or in the case of employee on leave without pay, from the second monthly payment after his return on duty.
- (17) A non refundable advance:

After the completion of 15 years' service (including broken period of service, if any) of a subscriber or within ten years before the date of his retirement, or super-annuation, which ever is earlier final withdrawal may be made from (the aggregate amount of subscription and interest thereon standing to his credit in fund) for meeting the expenditure in connection with the betrothal/marriage of the subscribers' sons or daughter and any other family relation actually dependent on him.

Any sum withdrawn by a subscriber from the amount of subscription and interest thereon standing to his credit in the fund, shall not ordinarily exceed one half of such amount or six month's pay whichever is less. The standing authority may, however, sanction the withdrawal of an amount in excess of the said limit up to 3/4th of the balance of the aggregate amount of subscription and interest there on to his credit in the fund.

- (18) All lapses and forfeiture, accruing at any time shall be transferred to a separate account to be called 'The lapses and forfeiture account' and shall be used and applied by the trustees to meet any loss or in depreciation of investments of the money of the said Provident Fund of the collage or loss varying the investment or in selling the securities for making payments.
- (19) An employee shall make a declaration in the prescribed form stating the names of the persons to whom he desires the payments of the amount standing to his credit in the Provident Fund in the event of his demise.
- (20) Amounts payable to an employee under rule 12 shall be paid to the employee or in case of his demise to such person or persons as he may have nominated by the last of his declaration field with the college if major, or to their legal guardians, and failing such a declaration, to such of his legal representative as may produce a succession certificate, or letter of administrations or probate or such

other evidences may satisfy the trustees about the title of the legal representative to the effects of the deceased.

- (21) Save in so far as any powers are hereby reserved up to the college, the management, investment, administration and control of the fund, shall, in all respects, be vested in the trustees and the decision of the trustees on all matters relating to the fund, save as aforesaid, shall be final and binding on the employees, their representatives and on the college.
- (22) In the event of any difference or dispute arising between the trustees, regarding the execution or exercises by the trustees of any of the trusts, power of discretions hereby vested in them, decision of the majority of the trustees shall be final and binding.
- (23) Any payment authorized by these rules shall operate as a discharge in the fund either complete or prorata as the case may be.
- (24) Any loss diminution in value of the investment of the fund from whatever cause or source shall be borne by the fund alone and the trustees shall incur no responsibility by reason or on account thereof.
- (25) The trustees shall prepare and submit to the college every year the account of the fund duly outdebated by a Character Account showing the position on the last day of financial year of the college.
- (26) No trustees shall be responsible or chargeable save and except for money actually received by him notwithstanding his having signed any receipt for the sake of conformity or otherwise, nor shall he be responsible chargeable for the acts, default or neglects of his co-trustees nor of any bankers, brokers, auctioneers or other persons with whom or into whose hands any trust money or securities may be deposited or come, not for the insufficiency or deficiency of any security, not for any other loss unless the same shall happen, through his willful default or gross negligence.
- (27) The trustees shall pay and discharges all the expenses incurred in or about the execution of the trust or power conferred upon them.
- (28) Every trustee shall be at liberty to retire notice in writing in that behalf addressed to the governing body of the college.
- (29) The decision of the trustees shall be final and binding upon the employees in all respects and upon all matters, questions and disputes relating to or in connection with these rules of the fund of the administration there of, or the right or obligations of the employees including all disputes or differences which may arise between any employees or his executors, administrators,

nominees, or representatives and the trustees as to the meaning or effect of any rule or to any matter relating to or arising out of the same.

(30) The trustees shall have the power to make such rules and regulations from time to time for regulating the conduct of the meetings and the management of the funds and otherwise as they may think proper.

(31) Subscriber's account shall be closed:

- (a) On the date after the date of his death, or
- (b) From the day on which he ceases to be in this employment of the college.

No contribution or interest shall be credited in respect of any period after the date on which the account is closed.

(32) In case of part-time teachers working in two affiliated colleges, the rules hereunder shall be applicable to them in both the colleges.

O.150

(1) THE MINIMUM QUALIFICATIONS FOR APPOINTMENT AS THE PRINCIPAL IN AN AFFILIATED COLLEGE:

(A) Principal (Professor's Grade):-

- (1) A Master's Degree with at least 55% of the marks or its equivalent grade of B in the 7 point scale with letter grades O, A, B, C, D, E & F.
- (2) Ph.D. or equivalent Published work
- (3) Total experience of 15 years of teaching/Research in Universities/Colleges and other institutions of higher education.

(B) Principal (Reader's Grade)

- (1) A Master's Degree with at least 55% of the marks or its equivalent grade of B in the 7 point scale with letter grades O, A, B, C, E & F.
- (2) Ph.D. or equivalent Published work
- (3) Total experience of 10 years of teaching/Research in Universities/Colleges and other institutions of higher education.

Note: 1. The minimum requirement of 55% shall not be insisted upon for the existing incumbents who are already in the University System. However the minimum requirement in such case shall be at least 50% marks at Master's degree level.