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Statutes Governing the Terms and Conditions of Service of the Teachers Working in the College and Recognised Institutions

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CHAPTER I
PRELIMINARY

- S.151. (1) These Statutes may be called the "Statutes Governing the Terms and Conditions of Service of the Teachers working in the Colleges and Recognised Institutions". Short Title and Commencement.
- (2) These Statutes shall come into force with effect from _____ 1998.
- S.152. The teacher shall accept the employment in the College or Recognised Institution, as the case may be, with full understanding and agreement to work in furtherance of the objectives, development and welfare of the University, Recognised College and Institution that he serves, by placing all his time, energy, intelligence and skill at the disposal of the employer and by complying with the provisions of the Act, Statutes, Ordinances and Regulations and such other directives of the University Authorities, orders of the Management and of the Officers, competent to issue them, and orders of the Government issued from time to time. Hence these Statutes shall apply to all the teachers working in the Colleges and Recognised Institutions. Extent of Applications.
- S.153. The Chancellor shall have the right of interpretation of these Statutes. Right to interpret.
- S.154. The Statutes may be amended or repealed as provided under the Act. Powers to amend and repeal the Statutes.
- S.155. The powers to implement these Statutes shall rest with the Vice-Chancellor. The Vice-Chancellor may from time to time issue such orders or directives as may be necessary to give effect to, and carryout the provisions of these Statutes and to secure effective control over the teachers working in the Colleges and Recognised Institutions. Powers to implement the Statutes.
- S.156. Where the Chancellor is satisfied that the operation of any of these Statutes causes or is likely to cause undue hardship in the case of any teacher or teachers, working in the Colleges and/or Recognised Institutions, he may exempt any such teacher(s) from any provisions of these Statutes or may direct that such provisions shall apply to said teacher(s) with such modifications not affecting the substance thereof as may be specified. Power of Relaxation.

Validity
of Terms
of
Contract.

S.157. The terms of a specific contract enforceable as provided by the Act, necessarily override the provisions of these Statutes.

Exercise
and
Delega-
tion of
Powers.

S.158. No powers may be exercised or delegated under these Statutes, except in consultation with the Appointing Authority, as mentioned in the Act.

Defini-
tions.

S.159. The definitions given in the Act shall hold good for the purpose of these Statutes. In these Statutes, unless the context otherwise requires :

- (1) 'Act' means the Maharashtra Universities Act, 1994;
- (2) 'Agreement' means the contract entered into in writing between the teacher and the Competent Authority/Officer or the person authorised;
- (3) 'Appendix' means appendix appended to these Statutes;
- (4) 'Appointing Authority' means the authority competent to make the appointments;
- (5) 'Audit Officer' means an Audit Officer appointed by the Comptroller and Auditor General of India, whatever his official designation, in whose circle of audit the teacher is serving or has served;
- (6) 'Authority' means the authority of the University as provided by or under the Act;
- (7) 'Cadre' means strength of the service or a part of service, sanctioned as a separate unit, by the University Grants Commission and accepted by the University, from time to time;
- (8) 'Chancellor' means the Chancellor of the University;
- (9) 'Coaching Classes' (Private Tutions) means a place or premises and/or Institution where the teacher or group of teachers are engaged in Coaching/preparing the students for award of Certificate, Diploma, Degree or any other course, recognised by the University or the Government;
- (10) 'College' means affiliated, conducted and/or autonomous college of the University;
- (11) 'Competent Authority' means the authority competent to exercise different powers under the Act and in these Statutes;

- (12) 'Continuous Service' means service rendered by the teacher, under the Appointing Authority or Authorities, without any break or with condoned break(s);
- (13) 'Compensatory Allowance' means allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed;
- (14) 'Controller of Examinations' means the Controller of Examinations of the University;
- (15) 'Department' means a department teaching a particular subject or a group of subjects in a College or Recognised Institution as prescribed under these Statutes;
- (16) 'Director, BCUD' means the Director of Board of College and University Development of the University;
- (17) 'Disciplinary Authority' means the Authority or the Officer authorised to take disciplinary action against the teacher, except otherwise provided in the Act, and the Management in case of the teacher working in the College or Recognised Institution;
- (18) 'Duty' means the compliance of the things the teacher is expected to do by virtue of his taking a job or assuming an office and as explained in these Statutes;
- (19) 'Employee' means a teaching and non-teaching employee duly appointed in the employment of the University, College or Recognised Institution on approved post, on a scale of pay, by following the procedure prescribed;
- (20) 'Employer' means the Management of the College or Recognised Institution, as the case may be;
- (21) 'Employment Exchange' means the office established by the Government where the eligible and desirous candidates register their names for employment and includes Social Welfare Office, Tribal Development Office and such other bodies authorised by the Government for the purpose;
- (22) 'Emolument' means salary, leave salary, subsistence allowance or compensatory allowance, if any, payable to the teacher and includes any remuneration of the nature of salary received in respect of foreign service;

- (23) 'Family' means the wife or husband of the teacher, as the case may be, legitimate children including adopted children, step children, parents, sisters and brothers, if residing with and wholly dependent on him;
- (24) 'First Appointment' means the appointment of a teacher who is not holding any appointment, for the time being, under the College or Recognised Institution, even though he may have previously held any such appointment either temporary or on tenure basis;
- (25) 'Form' means a form appended to these Statutes;
- (26) 'Foreign Service' means service in which the teacher receives his salary, with the sanction of the Competent Authority, from any source other than funds and finance of the Management of the College, Recognised Institution or any other Organization;
- (27) 'Finance and Accounts Officer' means the Finance and Accounts Officer of the University;
- (28) 'Government' means the Government of Maharashtra;
- (29) 'Grievances Committee' means a Committee constituted under the Act;
- (30) 'Holiday' means a Sunday, a weekly off or any other day declared as holiday by the University;
- (31) 'Honorarium' means recurring payment granted to the teacher from the College or Recognised Institution fund, as remuneration for special work of occasional or of intermittent character;
- (32) 'Joining Time' means the time limit prescribed for and the period availed of by the teacher to join a new post and includes period of travel to or from a station to which he is posted or transferred;
- (33) 'Joint Director' means the Joint Director of Higher Education of the Region concerned;
- (34) 'Leave' means permission granted by the Competent Authority to the teacher to remain absent from duty;
- (35) 'Leave Salary' means the monthly emoluments paid by the College or Recognised Institution to its teacher on leave;
- (36) 'Lien' means title of the teacher who holds substantively, either immediately or on the termination of the period or periods of

absence, a permanent post, to which he has been appointed substantively;

- (37) 'Local Managing Committee' means the Committee constituted for the College or Recognised Institution under the Act;
- (38) 'Medical Authority' means the Medical Board constituted by the Competent Authority or the Registered Medical Practitioner from the panel approved by the Management of the College or Recognised Institution;
- (39) 'Management' means the Trustees or the managing or the governing body by whatever name called, of any trust registered under the Bombay Public Trust Act, 1950 (or any Society registered under the Societies Registration Act, 1860) under the management of which one or more Colleges, Recognised Institutions are conducted and admitted to the privileges of the University;

Provided that, in relation to any College or Recognised Institution established or maintained by the Central Government or the State Government or Local Authority like Zilla Parishad, Municipal Council or Municipal Corporation, it means, respectively, the Central Government or State Government or the Zilla Parishad or the Municipal Council or the Municipal Corporation, as the case may be;

- (40) 'Month' means a calendar month i.e. any one of the twelve portions into which the conventional year is divided, or a period from any day in one month to corresponding day of the next calendar month;
- (41) 'Officiate' means to carry out function and/or duties of the post on which another person holds a lien or of the vacant post on which no other teacher holds a lien;
- (42) 'Other Backward Class' means and includes persons belonging to such classes or groups within such classes as adopted by the State Government to be Other Backward Classes;
- (43) 'Non-Vacational Academic Staff' means such staff as the Government may classify to be non-vacational academic staff and includes all such staff which is complimentary to academic staff but,

- shall not include the staff engaged purely in discharging administrative functions;
- (44) 'Pay' means the amount drawn on monthly basis sanctioned for a post, in scale of pay held substantively or in officiating capacity and includes Personal pay, Special pay, Dearness pay and any other emoluments specially classed as 'Pay' by the Government, from time to time;
- (45) 'Permanent Post' means the post, carrying a definite running scale of pay, sanctioned without time limit;
- (46) 'Pension' means monthly emoluments payable to the teacher after his retirement from the service, as per the Government Rules, changing from time to time and includes gratuity;
- (47) 'Pensionable Pay' means average pay earned by the teacher for the period as may be decided by the Government, from time to time;
- (48) 'Pensionable Service' means service, which qualifies the teacher to receive a pension from the Government;
- (49) 'Personal Pay' means additional pay granted to the teacher to save him from a loss of substantive pay in respect of permanent post other than the tenure post, due to revision of pay or due to any reduction of such substantive pay, otherwise than as a disciplinary measure;
- (50) 'Presumptive Pay' means the pay of a post to which the teacher would be entitled, had he held the said post and had he been performing his duties;
- (51) 'Principal' means a Head of the College or Recognised Institution appointed by or under the Act and approved by the University;
- (52) 'Provident Fund' means the College, or Recognised Institution Staff Provident Fund;
- (53) 'Post-graduate Department' means a department in the College or Recognised Institution of higher learning, research or specialised studies, recognised to be so by the University and imparting post-graduate instruction or guidance for research;
- (54) 'Qualifying Service' means the service rendered by the teacher for which the pension is payable, under these Statutes;
- (55) 'Registrar' means the Registrar of the University;

- (56) 'Recognised Institution' means an institution of higher learning, research or specialised studies other than an affiliated College, recognised to be so by the University;
- (57) 'Salary' means total monthly emoluments drawn by the teacher and includes pay and allowances admissible, from time to time;
- (58) 'Salary Grant' means the grant received from the Government against the salary of approved employees and the teachers working in the College or Recognised Institution;
- (59) 'Scale of pay' means running scale of pay which, subject to any conditions prescribed in these Statutes, rises by periodical increments from a minimum to a maximum;

Explanation : The Scales of Pay are said to be identical if the minimum, the maximum, the period of increment and the rate(s) of increments are same.

- (60) 'Scheduled Castes' means such castes, races or tribes or part of or group within such castes, races or tribes as are deemed to be scheduled castes, in relation to the State of Maharashtra under Article 341 of the Constitution of India;
- (61) 'Scheduled Tribes' means such tribes or tribal communities or parts or groups within such tribes or tribal communities as are deemed to be scheduled tribes in relation to the State of Maharashtra under Article 342 of the Constitution of India residing in any part of Maharashtra and for the purposes of these Statutes, includes Denotified and Nomadic Tribes;
- (62) 'Scheme' means the academic planning or programmes approved by the Competent Authority or by the funding agency and shall include the programme not covered by the Salary Grant Scheme of the Government, the programme funded by the other agencies like UGC, DST, CSIR, etc. which is not supported by the Government, the research chair to which the Government Salary Grants are not sanctioned or the activity under the University which is covered by the provisions of Sub-Section (2) of Section 8 of the Act;
- (63) (a) 'Selection Grade' means the Selection Grade sanctioned to the teacher as per the recommendations of the University Grants Commission and accepted by the Government and the University, from time to time;

- (b) 'Senior Scale' means the senior scale sanctioned to the teacher as per the recommendations of the University Grants Commission and accepted by the Government and the University, from time to time;
- (64) 'School' means a school of studies maintained by or recognised as such by the University;
- (65) 'Special Pay' means additional pay granted to the post and/or to the teacher in consideration of the specially arduous nature of duties or specific addition to the work of responsibility;
- (66) 'Subsistence Allowance' means monthly grant paid to the teacher, who is not in receipt of pay or leave salary during the period of his suspension;
- (67) 'Substantive appointment' means an appointment made in a substantive or a permanent capacity in a permanent post which is clearly vacant;
- (68) 'Substantive pay' means the pay, personal pay or emoluments classed as pay, under these Statutes to which the teacher is entitled, on account of a post to which he has been appointed substantively or by reasons of his substantive position in the Cadre; but does not include special pay;
- (69) 'Surplus Teacher' means the teacher duly declared as surplus by the Government and the University due to the non-availability of the teaching work in the College or Recognised Institution, or due to closure of the faculty, department or subject in the College or Recognised Institution or due to closure of the College or Recognised Institution, as the case may be;
- (70) 'Teacher' means and shall include Principal, Professor, Associate Professor, Assistant Professor, Reader, Lecturer, Demonstrator, Tutor, Method Master, Director of Physical Education, Librarians in affiliated, conducted, Autonomous Colleges, Recognised Institutions and approved by the University;

Provided that, the term Teacher shall include full-time as well as part-time Teacher, honorary Teacher, and such other Teachers who are to be designated as the academic non-vacational staff by the Government, from time to time;

Provided further that, this definition of Teacher shall apply merely in the context of the service conditions only;

- (71) 'Tribunal' means the Tribunal established under the Act;
- (72) 'Temporary appointment' means an appointment made on purely temporary basis either in a permanent post, not more than twelve months against temporarily vacant post or a tenure post or against a temporary position;
- (73) 'Tenure post' means a post which the teacher may not hold for more than a limited time without reappointment or a temporary post which is sanctioned/created for a specified limited period only;
- (74) 'Transfer' means the transfer of the teacher from one post to another post at the same or another station, either to take up the duties of other post or in consequence of change of head-quarter;
- (75) 'Transit time' means the actual period required to reach the destination or transfer from headquarter or from one outstation to another; subject to maximum as prescribed;
- (76) 'Union' means Teachers' union registered under Trade Union Act, 1926 and duly recognised under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971;
- (77) 'University' means the University specified in the Act;
- (78) 'University Fund' means the funds of the University as provided by the Act;
- (79) 'Vice-Chancellor' means the Vice-Chancellor of the University;
- (80) 'Working hours' means the working hours prescribed by the University Grants Commission and respective Central Councils established by the Act of the Parliament and accepted by the Government and the University for the teachers working in the College or Recognised Institution, from time to time;
- (81) 'University Grants Commission' means the University Grants Commission established under the University Grants Commission, Act, 1956.

CHAPTER II

CLASSIFICATION AND RECRUITMENT

- Classification.** S.160. The teachers of the College and Recognised Institution shall be classified into following categories :
- (1) Professor
 - (2) Principal
 - (3) Vice-Principal
 - (4) Associate Professor/Assistant Professor/Reader
 - (5) Lecturer in Selection Grade
 - (6) Lecturer in Senior Scale
 - (7) Lecturer
- Qualification.** S.161. (1) Arts, Commerce, Science and Education Colleges and Recognised Institutions :
- The qualifications for the various cadres of the teachers working in the Arts, Commerce, Science, Education Colleges and Recognised Institutions shall be as recommended by the University Grants Commission and the University, from time to time.
- (2) Professional colleges :
- The qualifications for the various cadres of the teachers working in the professional colleges under the faculties of Engineering and Technology and Law shall be as recommended by the All India Council of Technical Education and Bar Council of India, etc. respectively and the University, from time to time.
- Work-load.** S.162. (1) Arts, Commerce, Science and Education Colleges and Recognised Institutions :
- The workload of the teachers working in the Arts, Commerce, Science and Education Colleges and Recognised Institutions shall be as recommended by the University Grants Commission and accepted by the Government and the University, from time to time.
- (2) Professional Colleges :
- The workload of the teachers working in the Professional

Colleges shall be as recommended by their respective Councils like All India Council of Technical Education and Bar Council of India, etc. and the University, from time to time.

(3) Remission in workload :

The full-time teacher who is appointed/nominated as the Vice-Principal or Head of the Department etc. as the case may be, shall be entitled to remission in workload in the following manner :

- | | |
|---|--|
| (a) Vice-Principal | 4 periods per week |
| (b) Head of the Department | 2 periods per week |
| (c) The Recognised Post-Graduate teacher in the College or Recognised Institution | 2 periods of under graduate teaching against one period of Post-graduate teaching of 60 minutes duration |
| (d) Ph.D./M.Phil. Supervisors in the College or Recognised Institution | 2 periods per week |
| (e) The teacher who is elected or nominated to the Management Council of the University or elected or nominated as the Dean of the faculty, as the case may be, shall be entitled to remission of six periods per week. | |
| (f) Remission in workload for the post-graduate teaching shall be allowed only if the teacher is engaging post-graduate classes in the College or Recognised Institution which have been granted affiliation by the University on grant-in-aid basis. | |

Provided that, the maximum remission to the teacher shall not exceed more than six periods per week.

Provided further that, the multifaculty Colleges shall be allowed to appoint only one Vice-Principal.

- S.163. (1) Ordinarily, at the end of every academic year, in the month of March, the Principal of the College or Recognised Institution, shall take a review of the existing workload in each of the subject and probable increase in the workload in the next academic year either due to the rise in students' strength or due to the introduction of new courses/subjects with prior permission of the Government and the

Recruitment.

University and submit the proposal to the University for getting approval for appointment of additional teachers in the subject, if any.

Provided that, in case of the professional colleges the requirement of the additional teachers, shall be as per the norms of the respective Central Councils and approved by the University.

- (2) After receipt of such proposal(s) from the Principal, the University shall scrutinise the same as per the existing norms of the workload and reservation rules and grant approval for the creation of additional post(s) of full-time or part-time teachers, as the case may be, within fifteen days or in any case before the end of the first week of April of every academic year.
- (3) After receipt of the University's approval, the Principal, shall prepare the draft of the advertisement as per the Statutes and submit the same to the University for its approval within 10 days.
- (4) After receipt of the draft of the advertisement, the "Special Cell" in the University shall, after scrutinizing as per the norms of reservation, the roster maintained, and other related information which is to be incorporated in the advertisement, give approval to the advertisement, with modifications if any, if necessary.
- (5) The College or Recognised Institution, after getting approval for the advertisement from the University, shall publish the advertisement in two leading newspapers, one at the District level and other at the State level.

Provided that, the Principal shall complete the procedure mentioned in Clause (1), (3), (4) and (5) by the end of April in every academic year.

- Procc-
dure.
- S.164. Every post of the teacher to be filled in by selection, shall be duly and widely advertised, according to the draft approved by the University as indicated in Statute 163 above, together with the minimum and desirable qualification, as prescribed, the Scale of Pay and number of posts to be reserved for the members of Scheduled Castes, Scheduled Tribes, Other Backward Community, and women candidates and reasonable time, to be determined by the University, normally which shall not be less than twentyone days, within which the applicant may, in response to the advertisement, submit his application.

After the last date is over, the office shall prepare the summary of each candidate with his date of birth, qualifications, experience, caste, present emoluments, etc. and shall place the same before the Scrutiny Committee.

S.165. There shall be a separate Scrutiny Committee for the post of the Principal and the teacher to be appointed in the College or Recognised Institution :

Scrutiny
Commit-
tee.

- (1) for the post of the Principal :
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) One nominee of the Management to be nominated by the Management
 - (c) Seniormost teacher in the College or Recognised Institution to be nominated by the Management.
- (2) for the post of the teacher :
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) Principal
 - (c) Head of the Department of the subject concerned.

Provided that, if regular Principal is not appointed in the College or Recognised Institution the Acting Principal shall be the member of the Scrutiny Committee.

Provided further that, if there is no Head of the Department in the subject concerned then seniormost teacher in the subject in the College or Recognised Institution shall be the member of the Scrutiny Committee.

- (3) The Scrutiny Committee shall verify all the documents submitted by the candidates and after getting satisfied with the documents, shall recommend the names of the candidates for the interview.
- (4) Ordinarily the suitable and qualified candidates with higher merits calculated on the basis of provisions made in S.167 shall be invited for the interview and shall not exceed the following ratio of number of vacancies to number of candidates : 1:8, 2:14, 3:20, 4:26, 5:32, and for more than five vacancies, the candidates invited shall be upto five candidates per vacancy to be filled in.

Selection
Commi-
tee.

S.166. There shall be a separate Selection Committee for the post Principal and the teacher to be appointed in the College or Recognised Institution.

- (1) for the post of Principal :
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) One member of the Management to be nominated by Management
 - (c) Vice-Chancellor's nominee not below the rank of Professor/Principal
 - (d) Three experts not below the rank of Professor/Principal to be nominated by the Vice-Chancellor, out of which one shall be from reserved category and atleast one shall be female
 - (e) Joint Director of Education or his nominee not below the rank of Professor or Principal.
- (2) for the post of the teacher :
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) Two nominees of the Vice-Chancellor out of which one shall be from the reserved category
 - (c) Three experts in the subject concerned having teaching experience of sixteen years to be nominated by the Vice-Chancellor out of which one shall be female
 - (d) Principal - Member Secretary
 - (e) Head of the Department in the subject concerned
 - (f) Joint Director or his nominee, who has atleast sixteen years of teaching experience.

Explanation : In respect of the Professional Colleges, Joint Director means the Joint Director of Technical Education, Medical Education or Ayurved Medicine, as the case may be.

Provided that, in case of the Management which runs more than one College or Recognised Institutions, seniormost Principal who is nominated by the Chairman shall be the member of the Selection Committee.

Provided further that, in case of the Management which runs more than one College or Recognised Institutions, seniormost Head of the Department shall be the member of the Selection Committee.

- (3) It shall be the responsibility of the nominee(s) of the Vice-Chancellor to see that person(s) other than the members of the Selection Committee is not attending the meeting.
- (4) Quorum :
- (a) for the post of Principal :
- The quorum to constitute a meeting of the Selection Committee shall be five members, of whom one person nominated under Clause (c) and at least two shall be persons nominated under clause (d) of the Statute 166 (1).
- (b) for the post of teacher :
- The quorum to constitute a meeting of Selection Committee shall be six members of whom at least one shall be person nominated under clause (b) and two from clause (c) of Statute 166 (2).
- (5) The date of the meeting of the Selection Committee shall be so fixed as to allow a notice of at least fifteen clear days of such meeting, being given to each member and candidate; and the particulars of each candidate shall be sent to each member of the Selection Committee so as to reach him at least seven clear days before the date of the meeting.
- S.167.** To ensure that the selection procedure of teacher and Principal is highly objective, and persons with merit are given adequate recognition and to minimise subjective discrimination, the members of the Selection Committee shall adopt the procedure as given below : Mode of Interview.
- (1) Objective Marking :
- (a) Academic
- | | |
|-----------------------------------|--|
| (i) Merit at Graduate level | - percentage to be taken as absolute figure |
| (ii) Merit at Post-graduate level | - percentage to be taken as absolute figure |
| (iii) Merit at M. Phil. Degree | - 'O' grade 5 points
'A' grade 3 points
'B' grade 2 points |
| (iv) Ph.D. Degree | - 10 points |
| (v) SET/NET Examination | - 5 points |

(b) Research Publication :

- (i) Research paper published at State level Journal - for each paper 2 points
- (ii) Research paper published at National level Journal - for each paper 3 points
- (iii) Research paper published in International Journal - 5 points for each paper
- (iv) Publication of Text-Book or Book in the subject concerned - 10 points.

(c) Experience :

One point for each completed year of teaching experience as a full-time teacher and in the case of Principal administrative experience.

Explanation 1 : Research papers published only in reputed academic Journals shall be considered.

Explanation 2 : Text-books or other books published in the subject and included in the syllabus of the University for which candidate has applied shall alone be considered for awarding the point.

Explanation 3 : For teaching experience as part time teacher one point shall be awarded for two years teaching experience and so on.

(d) Extra-curricular activities :

- (i) Participation in N.S.S. 1 point
- (ii) N.C.C. 'B' Certificate 1 point
- (iii) N.C.C. 'C' Certificate 2 points
- (iv) Sports Winners at University/
State/National level Tournaments 1 point at each level

(e) The office, based on the information available from the documents submitted by the candidates, shall prepare a consolidated sheet showing the total points scored by each of the candidates in Sub-Clause (a), (b), (c) and (d) as mentioned above in the form appended.

(f) Evaluation of the performance of the candidates during the interview :

- (i) Normally, Selection Committee, shall interview the candidates for 15 to 20 minutes and adjudge the merit of the candidate by asking him questions based on his subject, specialization, general knowledge. The Selection Committee shall also take into account the personality and the communication skill of the candidate.
- (ii) 50 points shall be allotted to the personal interview of the candidate.
- (iii) Each member of the Selection Committee shall give points based on his own judgement of the candidates.
- (iv) After the interviews are over, the Chairman shall prepare the consolidated statement by taking the average of the points given by each of the members of the Selection Committee.
- (v) The Selection Committee, then, shall take the total of the points obtained in (a), (b), (c),(d) and the points scored in personal interview and shall prepare the merit list by taking into consideration the number of post(s) for reserved category and women candidates, etc.
- (vi) The proceedings of the Selection Committee shall, then be sent to the University within two days for the approval of the Vice-Chancellor in the form appended.
- (vii) The Vice-Chancellor, after scrutinizing the proceedings of the Selection Committee shall approve the appointment and inform the Management accordingly.

Provided that, if the Vice-Chancellor does not agree with the recommendations of the Selection Committee, he shall record his opinion in writing and direct the Management to readvertise the post(s) and the Management shall comply with the same.
- (viii) Management, after receipt of the approval of the University, shall appoint the teacher(s) strictly as per the approval of the University.
- (ix) The Management of the College or Recognised Institution shall in any case complete the process of the appointment of the teachers before 20th June of every academic year, failing which a penalty shall be imposed by the Management Council of the University on such Management, College or Recognised Institution, as the case may be.

- (x) The appointment order shall be given to the teacher strictly in accordance with the proforma appended. A reasonable time not less than 15 days in the appointment order shall be given to the teacher to join his duties. The appointment order shall be sent to the approved candidate(s) by Registered Post.
- (xi) The teacher shall be appointed only on probation for a period of not more than twenty four months, if the appointment is against the substantive post.
- (xii) The Principal shall send the changes in staff form of such teacher to the University within a month from the date of his joining the service for approval.
- (xiii) The University, after verification of the changes in staff form, shall give the approval to the appointment of the teacher within one month.

The University shall also send a copy of the appointment letter to the concerned teacher to his home address and to the Joint Director for the approval of the salary.

- (xiv) In case of the Principal of College or Recognised Institution who happens to be selected from amongst the teachers of the same College or Recognised Institution under the present Management he shall have the option to go back as a teacher to the Department to which he belonged originally within a period of two years from his appointment.

The Management shall have the option of relieving him from the duties as the Principal within a period of two years from his appointment, in which case he shall revert to his original post of teacher in the College.

Provided that, the Principal shall have the right to make his claim upon his earlier post.

Tempo- S.168. Only in exceptional circumstances and in the interest of teaching, Management shall make temporary appointment against the substantive vacancy in the following manner:

- (1) If the vacancy of the teacher is to be filled in temporarily for a period not exceeding one term, the Principal of the College or Recognised Institution, in consultation with the Chairman, shall

appoint a qualified person and the information shall be sent to the University within a week for its approval.

- (2) If the vacancy of the teacher exists for a period exceeding one term but not more than one year, then vacancy shall be filled in on the recommendation of Local Selection Committee constituted as follows :
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) Principal
 - (c) Head of the Department in the concerned subject or seniormost teacher nominated by the Principal.
 - (3) Local Selection Committee shall interview the eligible/qualified candidates and recommend the name(s) in order of merit for the appointment.
 - (4) The proceedings of the Local Selection Committee shall be sent to the University within a week for its approval.
 - (5) Selected candidate, after getting due approval from the University, shall be appointed against the substantive vacancy.
 - (6) Principal shall send the changes in staff form of such teacher(s) within two weeks from the date of his joining, to the University for its approval.
- S.169. (1) If, for any subject, the workload of nine to eleven periods per week (for Arts, Commerce, and Science College) is available, then the Management may appoint the part-time teacher after getting the approval of the University.

Appoint-
ment of
Part-time
Teacher.

Provided that, if the workload in a particular subject is less than nine, then the Management shall appoint a teacher on clock hour basis.

- (2) The procedure of appointment of full-time teacher shall be made applicable to the part-time teacher and teacher to be appointed on clock hours basis.
- (3) The part-time teacher shall be eligible proportionately for all kinds of leaves.
- (4) The part-time teacher shall be paid half the basic pay and half the annual increments of a full-time teacher, per month and other allowances admissible on that basic pay.

- (5) The part-time teacher shall be allotted examination work Supervision, Assessment of answer scripts, paper setting etc.
- (6) If, for any subject, the part-time teacher is appointed through proper selection committee procedure and if subsequently work in the same subject is increased to 12 periods or more, due to reason, then such part-time teacher shall automatically be made full-time.

Appoint-
ment of
the Vice-
Principal.

S.170. The Management, on the recommendations of the Principal of College or Recognised Institution, may appoint the Vice-Principal to assist the Principal in day to day routine administration in the following manner :

- (1) In the case of the College or Recognised Institution having more than one faculty, the Vice-Principal shall be appointed from a faculty other than that of the Principal.
- (2) The Vice-Principal in the single faculty College or Recognised Institution shall be appointed, if the strength of the students is more than five hundred.
- (3) The teacher to be appointed as the Vice-Principal shall have less than ten years of teaching experience.
- (4) When the post of the Vice-Principal falls vacant, the Principal shall, by a circular, invite applications from eligible teachers from the same College or the Recognised Institution.
- (5) The Selection for the post of the Vice-Principal shall be made strictly on the recommendations of the Selection Committee constituted.
- (6) The Selection Committee for Vice-Principal shall consist of:
 - (a) Chairman of the Management or his nominee (Chairman)
 - (b) One nominee of the Vice-Chancellor not below the rank of Professor or the Principal
 - (c) Two experts not below the rank of the Professor or Principal, to be nominated by the Vice-Chancellor, of whom one shall be from the reserved category including female class
 - (d) The Principal - Member Secretary.
- (7) The quorum to constitute a meeting of the Selection Committee shall be four persons, of whom one shall be from (b) and two from (c) above.

- (8) The report of the Selection Committee shall be sent to the University for the approval of the Vice-Chancellor. The decision of the Vice-Chancellor in this behalf shall be final.
- (9) The Vice-Principal shall be appointed for a period of three years. However he shall be eligible for reappointment for one more term.
- (10) The Vice-Principal shall be eligible for remission in workload as laid down under these Statute.
- S.171. (1) The appointments and advertisement of the various categories of teachers in the College and Recognised Institution shall be subject to the reservation policy determined by the Government, from time to time Reserva-
tion.
- (2) The relaxation in the qualifications, age limit etc. shall be as recommended by the University Grants Commission and accepted by the Government and the University, from time to time.
- (3) The College or Recognised Institution shall maintain the Roster as per the Government rules, from time to time and the same shall be made available for inspection to Special Cell of the University.
- (4) The College or Recognised Institution shall constitute Standing Committee as per the recommendation of the University Grants Commission for the welfare of the backward community teachers and employees including women candidates.
- (5) There shall be not less than three meetings of the Standing Committee in a year and the proceedings of these meetings shall be made available for inspection to the Special Cell.
- S.172. (1) The person working as the Principal of the College or Recognised Institution shall be entitled to Senior Scale(s) as recommended by the University Grants Commission and accepted by the Government and the University, from time to time. Place-
ment of
Teacher
in Senior
Scale
and
Selection
Grade.
- Provided that, if the Management runs more than one College or Recognised Institution, such Senior Scale shall be given to the Principal strictly as per the seniority of the Principals within the Management.
- (2) The teacher working in the College or Recognised Institution shall be eligible for Senior Scale and Selection Grade as recommended by the University Grants Commission and accepted by the Government and the University, from time to time.

- (3) There shall be a Screening Committee to assess the cases of eligible teachers for placement in Senior Scale and Selection Grade, as the case may be. The Screening Committee shall consist of :
- (a) Principal (Chairman)
 - (b) Head of the concerned Department
 - (c) One subject expert to be nominated by the Vice-Chancellor who has more than 16 years of teaching experience in the subject concerned
 - (d) The Joint Director of Education or his nominee not below the rank of the teacher working in selection grade.
- (4) The Principal shall constitute the Committee six months prior to the date on which the teacher shall become eligible for placement in the appropriate scale grade.
- (5) The Principal shall prepare the case of such teacher with all the documents and place before the Screening Committee for its consideration.
- (6) The Screening Committee, after scrutinizing the proposal of the concerned teacher, shall recommend the same to the University in duplicate for its approval, the University, then shall forward the said proposal to the Joint Director for implementation.
- Provided that, while scrutinizing the proposal of the teacher, the Screening Committee shall go through all relevent documents like Service Book, Performance Appraisal Reports, Research Publication, and such other documents as may be required as per the norms.
- (7) Joint Director, Higher Education, after due scrutiny of the proposal, shall give approval for the placement in appropriate scale within one month from the date of receipt.
- (8) The Principal after receipt of the approval of the Joint Director, shall inform the concerned teacher in writing about his placement and shall make the necessary entries in the Service Book.
- (9) If the teacher working in the College or Recognised Institution possesses a Ph.D. degree and fulfils other requirements of Selection Grade, then he shall be designated as Reader.

However, the workload of such designated Reader shall remain the same and his promotion shall be treated as a personal promotion.

- S.173. (1) The University, at the end of the every academic year, shall prepare the academic calendar for the next academic year, which shall include the term end, public holidays, dates of University examinations which are scheduled in first and second half of the said academic year, etc. Vacation and University Examination Work.
- (2) The teacher working in the College or Recognised Institution shall be entitled to 90 days vacation during the academic year.
- (3) Every teacher shall be expected to undertake such work in the College, Recognised Institution or in the University during the vacation relevant to his duties such as NSS, NCC, etc. which may be assigned to him by the Principal, from time to time.
- (4) Every teacher during the vacation shall be expected to assist the Principal in smooth conduct of the College whenever necessary;
- (5) During the vacation, if the teacher is detained for non-remunerative work in connection with University activities such as Youth Festivals, Adult Education, cocurricular activities, etc., then he shall be entitled to compensatory holidays to the extent of 1/3 of the days spent on duty during the vacation.

CHAPTER III

APPOINTMENT

- S.174. (1) The Appointing Authority shall appoint the teacher(s) by selection as recommended by the Selection Committee under these statutes strictly as per the recommendations of the Selection Committee and approval of the University. Appointment.
- (2) The appointment order shall be issued only in the proforma given in the Appendix.
- (3) The teacher appointed on a post shall produce a Discharge Certificate, Service Book and Last Pay Certificate from his previous employer, if any, before joining the post, in the proforma given in the Appendix.
- (4) The teacher appointed on a post shall produce a Medical Fitness Certificate from the competent Medical Authority, within a month after joining the post.

- (5) The teacher appointed on a post shall produce the authentic proof of the date of his birth before joining the post.
- Service. S.175.** (1) The teacher appointed in the service of the College or Recognised Institution shall sign a Contract in the form prescribed in the Appendix.
- (2) The service of the teacher shall commence from the date on which he joins the duties before 12 noon, otherwise from the next date.
- (3) The service of the teacher on leave, in foreign service or on deputation, shall commence from the date he assumes charge before 12 noon, otherwise from the next date.
- (4) The service of the teacher shall cease from the date on which he relinquishes the post before 12 noon, otherwise from the next date.
- (5) If the teacher expires while in service, he shall be deemed to have ceased to be in service from the next day, irrespective of the hour at which he dies.
- Probation. S.176.** (1) The appointment to a permanent post by selection shall be on probation for not more than a period of twenty-four months.
- (2) During the period of probation, the teacher shall comply with conditions of successful completion of the period as prescribed under these statutes.
- (3) (a) Head of the Department, shall be the Assessing Authority under whom the teacher on probation is working. He shall submit teacher's Self Assessment Report; as prescribed by the University to the Reviewing Authority every six months from the date of joining.
- (b) Deficiencies, adverse remarks, remarks of appreciation, if any, mentioned in the Self Assessment Report shall be communicated in writing to the teacher for his guidance and improvement.
- (c) The Self Assessment Report of the last six monthly period shall be submitted to the Reviewing Authority, at least three months prior to the expiry of probationary period with specific recommendations of confirmation or otherwise.
- (4) On receipt of the last Self Assessment Reports, and consideration of all the reports, the Reviewing authority may -

- (a) confirm the teacher on probation in the service from a specific date, *OR*
 - (b) terminate his service after giving him one month's notice in writing,
 - (c) if the Reviewing Authority does not inform the teacher as per (a) or (b) above, then the teacher shall be deemed to have been confirmed in the service at the end of his probation period.
- (5) If the teacher on probation avails any leave other than casual leave, his period of probation shall be deemed to have been extended to that extent.
- S.177. (1) The Management shall give the teacher an order of confirmation immediately after the probation period is over. Substantive Appointment.
- (2) The Appointing Authority may give to the teacher, a provisional substantive appointment to a post on which another teacher holds a suspended lien and shall cease to be on such appointment as soon as the teacher holding suspended lien reverts to the post.
- (3) In case, a vacancy occurs for a temporary period, or is about to be filled in on a regular basis by selection the Appointing Authority may appoint any teacher who fulfils the conditions of educational qualifications for a period not exceeding six months.
- S.178. (1) (a) Whenever any confirmed teacher working in the College or Recognised Institution is rendered surplus due to reduction in workload, closure of the subject, closure of the faculty, closure of the College or due to any other reason which is beyond the control of the teacher, he shall be first absorbed in College or Recognised Institution within the Management and then within University jurisdiction otherwise anywhere in the State. Surplus
- (b) While absorbing such teacher in any other University, College or Recognised Institution, service conditions of the teacher shall not be changed to his disadvantage.
- (2) The Principal of the College or Recognised Institution, shall send the details of such teacher rendered surplus to the University and the Joint Director, who together shall absorb such surplus teacher as per the Government rules, from time to time.

- Lien. S.179.** (1) The teacher who has given a substantive appointment on a permanent approved vacant post shall be entitled to a lien on that post.
- (2) The lien of the teacher on any post shall not be terminated under any circumstances. The lien shall cease to be operative when he ceases to be in the service, absorption in foreign service, retirement, resignation, discharge or dismissal.
- (3) The teacher who has given a provisional substantive appointment, shall be given fully substantive appointment, if the lien of another teacher ceases to be operative.
- Duties. S. 180.** (1) It shall be the duty of the teacher to lawfully discharge the functions and perform the official task assigned to him in accordance with the Act, Statutes, Ordinances, Regulations and the orders issued thereunder, from time to time. The teacher shall comply with the obligations attached to the post he holds and perform the specific functions, shall meet the specific norms of behaviour and avoid prohibited conduct.
- (2) The period spent on duty as specified in these Statutes shall be the duty period and include -
- (a) Service as a probationer.
 - (b) Joining time.
 - (c) A course of instruction or training authorised by the Competent Authority.
 - (d) A course of instruction or training authorised by the Competent Authorities like Vice-Chancellor, Management of the College or Recognised Institution, Principal as the case may be.
 - (e) The period spent on :
 - (i) attending any obligatory examination, like SET/NET,
 - (ii) attending Refresher/Orientation Courses provided to improve the professional competence, organised by the Government, Government of India, U.G.C., NIEPA, and such other bodies, as the case may be.
 - (f) Period of absence from headquarters for attending the meeting(s) convened by the Government, meeting(s) of committee(s) appointed by the Government, University Grants Commission and such other authorities; attending Selection

Committee meeting(s) or such other meeting(s) convened by other University etc. as may be approved by the Competent Authority.

(g) Period of absence from headquarters for attending the business of the University, College or Recognised Institution, as the case may be.

(3) Subject to the provisions of the Act, Statutes, Ordinances and Regulations, the duties of the teacher including the Principal shall be as specified in Chapter IX.

S.181. (1) The Competent Authority shall have the right to transfer the teacher from one College, Recognised Institution to other College, Recognised Institution under the same Management. Such teacher may be transferred - Transfer of the Teacher.

- (a) on administrative exigencies.
- (b) as a routine periodical transfer.
- (c) as a measure of disciplinary action.
- (d) on a specific request of the teacher.

(2) While making the transfer of the teacher, the Management shall observe the following norms :

- (a) ordinarily teacher on probation shall not be transferred.
- (b) transfer shall not be made during the academic year and shall be made only during the summer vacation.
- (c) transfer order shall be issued to the teacher at least one month in advance.
- (d) the service conditions of the teacher shall not be changed to his disadvantage.

(3) Transfer of teacher shall not be made for more than four occasions during his entire service.

Provided that, if teacher is required to be transferred for more than four occasions, then the Management shall take the prior permission of the University.

(4) If the teacher is to be transferred to a place outside the University jurisdiction, then the Management shall take prior permission of the University before effecting such transfer.

Committee meeting(s) or such other meeting(s) convened by other University etc. as may be approved by the Competent Authority.

(g) Period of absence from headquarters for attending the business of the University, College or Recognised Institution, as the case may be.

(3) Subject to the provisions of the Act, Statutes, Ordinances and Regulations, the duties of the teacher including the Principal shall be as specified in Chapter IX.

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- (c) transfer order shall be issued to the teacher at least one month in advance.
- (d) the service conditions of the teacher shall not be changed to his disadvantage.

(3) Transfer of teacher shall not be made for more than four occasions during his entire service.

Provided that, if teacher is required to be transferred for more than four occasions, then the Management shall take the prior permission of the University.

(4) If the teacher is to be transferred to a place outside the University jurisdiction, then the Management shall take prior permission of the University before effecting such transfer.

- (5) If both husband and wife are working under the same Management, then, their transfer shall be made at one and the same place.
- (6) Mutual transfers on the express request of the teachers shall be made only at the beginning of the term or at the end of the academic year.

Provided that, in case of such mutual and request transfers, teachers shall not be entitled to Travelling, Daily and Transport allowances.

- (7) If the teacher is elected, nominated or co-opted as a member of the authorities or bodies of the University and or the Local Managing Committee of the College or Recognised Institution, as the case may be, then he shall not be transferred during the period for which he is elected, nominated or co-opted.
- (8) A physically handicapped teacher ordinarily shall not be transferred.
- (9) The teacher, if he desires, during the last seven years of his service, shall be transferred to his native place or a place of his choice.
- (10) If the teacher feels that, the transfer made is by way of punishment, then he shall appeal to the University against such transfer. In such case, transfer shall not be effected, unless the Grievances Committee decides the case.

Provided that, after hearing both the sides, the Grievances Committee shall decide such cases within one month and decision of the University shall be final and the Management shall comply with it.

Provided further that, until a case of such teacher is decided by the Grievances Committee, the College or Recognised Institution where the teacher is already working, shall pay his salary and allowances admissible to him.

- (11) Joining Time on Transfer :

When the transfer involves change from one station to another, joining time of eight days shall be given to the teacher.

Assessment.

- S.182. (1) The Assessing Authority shall prepare the Self Assessment Report in the form prescribed in the Appendix for the year ending 31st March, in respect of teacher placed under his control. If the teacher has worked under the Assessing Authority for part of the year, that authority shall write the report for such period.

(2) The Self Assessment Report shall be reviewed by the Reviewing Authority as prescribed under the Statute. Such Reviewing Authority shall carefully examine the remarks, whether adverse or outstandingly good in character, verify the same with the factual position and satisfy himself. If the Reviewing Authority does not agree with the remarks of the Assessing Authority, he shall state the reasons for not agreeing and shall record his own assessment about work and conduct of the teacher.

(3) The following shall be the Assessing and Reviewing Authorities :

<i>Sr. No.</i>	<i>Category</i>	<i>Assessing Authority</i>	<i>Reviewing Authority</i>
(a)	Principal	—	Chairman of the Management
(b)	Head of the Department	—	Principal
(c)	Lecturer	Head of the Department	Principal

(4) The remarks in the Self Assessment Report, either adverse or outstandingly good, shall be brought to the notice of the teacher, in writing, within three months. The adverse remarks not duly communicated to the teacher shall be disregarded.

(5) The teacher, who has been communicated adverse remarks, may within thirty days of receipt, represent his case in writing to the Reviewing Authority. The Reviewing Authority, in consultation with the Assessing Authority, may expunge or retain such remarks and his decision shall be final and shall be recorded in writing.

(6) The Self Assessment Report of the teacher shall be the basis for determining the merit. The record of the service shall be deemed to be satisfactory if there is nothing adverse in the report for previous three reporting years. Adverse remarks not duly communicated in writing to the teacher within one month shall be disregarded for the purpose.

S.183. (1) The Service Book, as prescribed by the Government, shall be maintained by the Appointing Authority, for every teacher appointed substantively or in officiating capacity on a permanent post or

Service Book.

appointed to a temporary post which is not of a purely temporary nature.

- (2) The Service Book shall contain the record of service of each teacher covering all essential events in his official career such as (a) date of birth, (b) caste, (c) marks of identification, (d) permanent address (e) first appointment, (f) subsequent appointment(s) or transfer(s) to higher, equivalent or lower grade, (g) substantive or officiating nature of appointment, (h) the scale of pay applicable, (i) basic pay, (j) increment(s) sanctioned, (k) stoppage of increment; for any reason(s), (l) punishment with relevant offense or misconduct, (m) leave, except casual leave, granted from time to time, (n) Refresher Courses and Orientation Courses and additional qualifications, if any, (o) such other relevant entries.
- (3) (a) The date of birth of the teacher shall be carefully recorded in the Service Book only at the time of joining the service in the College or Recognised Institution and shall be verified with reference to the documentary evidence such as S.S.C. Certificate or Extract of Birth Register from appropriate authority, such as Municipal Council or Corporation, village record. However, any other document such as horoscope, an affidavit or medical certificate shall not be considered as an authentic document for this purpose.
(b) In case of inaccurate entry of date of birth, the teacher may apply in writing. The Appointing Authority shall, after satisfying itself about the bonafides of the date of entry regarding the date of birth, issue order for correction to be made in the Service Book and attest the correction thereof. However, such correction shall be made only within two years from the date of his first joining the service, and no correction shall be made thereafter under any circumstances.
- (4) Whenever the teacher is reduced to a lower pay scale, grade or post, removed or dismissed from the service or suspended from employment, the action and reasons thereof shall be briefly recorded in the Service Book with due authentication by the Competent Authority.
- (5) The Appointing Authority shall keep the Service Book in safe custody and shall not allow it to remain with the teacher.

- (6) The teacher may peruse the entries in his Service Book to ensure that the service record is correctly maintained. All the entries shall be shown to the teacher at the end of every year and signature obtained thereon.
- (7) A duplicate copy of the Service Book may be supplied to the teacher on specific request.
- (8) The Appointing Authority may cause to verify periodically the Service Book of each teacher for correctness of entries.
- (9) The Service Book shall be retained in the office after the teacher ceases to be in service permanently.

- S.184. (1) The Appointing/Competent Authority may retain the Self Assessment Report and other reports of the teacher in a separate Confidential File. Any letter of appreciation for good work or memo for misdemeanour, order granting additional increment(s) or promotion, order inflicting penalty or punishment, shall be maintained in such confidential file. Service Record.

The Principal shall be the Competent Authority for this purpose only.

- (2) A Personal File shall be maintained for every teacher immediately after his appointment and all orders and papers in connection with his official record shall be properly maintained therein.

- S.185. Seniority of the teachers working in the College of Recognised Institution shall be determined as below : Seniority of the teachers.

- (1) The Principal of the College or Recognised Institution shall be seniormost teacher.
- (2) The full-time teacher shall be senior to part-time teacher.
- (3) The Seniority of the teachers working in the College or Recognised Institution shall be decided on the basis of their date of joining the duties in the College or Recognised Institution, under same category.

Provided that, in the case of the Management which runs more than one College or Recognised Institution Seniority shall be decided on the basis of the first joining the duties in the Management.

Incapa- **S.186.** The teacher shall be considered to be incapacitated to discharge his duties
city. either on physical or mental grounds for the reasons stated below or otherwise as may be determined by the competent Medical Authority.

- (1) The teacher may be considered to be physically incapacitated -
 - (a) due to accident, resulting in loss of limb or being seriously injured, etc. so that he is unable to perform his duties,
 - (b) due to severe illness such as Paralysis, Cancer, Leprosy, etc. making him unable to perform his duties.
- (2) The teacher may be considered mentally incapacitated to render his services, if -
 - (a) he has turned insane,
 - (b) he is not capable of meeting with the requirement of the post to which he is appointed, despite his mental equilibrium having been properly set.
- (3) Wherever teacher is to be declared to be incapacitated either physically or mentally, his case shall be referred to the Committee constituted by the Competent Authority as per Government Rules from time to time. Constitution of such committee shall be :
 - (a) Principal - Chairman.
 - (b) Five Registered Medical Practitioners nominated by the Management.
 - (c) Seniormost teacher in the College/Recognised Institution nominated by the Chairman of the Management.

Provided that, the five Medical Practitioners nominated by the Management shall be with Post-Graduate Degree and Specialists in different fields.

The Committee shall scrutinise the case of the teacher and shall submit its report to the Competent Authority.

- (4) After receipt of the report, the Competent Authority shall refer the report to Medical Board, constituted by the Government for the purpose of their opinion.
- (5) After receipt of the medical report from the Medical Board, the Competent Authority shall take the final decision.

Provided that, the Competent Authority shall consider such case keeping in view prime interest of the College or Recognised Institution and with sympathetic view towards the teacher.

- (6) The teacher declared incapacitated either physically or mentally shall be retired from the service of the College or Recognised Institution by the Competent Authority with effect from the date of medical report. The teacher concerned shall be eligible for the post-retirement benefits, provided he fulfils the minimum requirements as laid down by the Government, from time to time.
- (7) If the teacher working in the College or Recognised Institution, expires during the active service or retires on medical grounds, one of the relatives of such teacher, shall be appointed on compassionate ground in the services of the College or Recognised Institution, as the case may be, in the lowest post in the Class III or IV as per the Government Rules, from time to time, provided he fulfils the required qualifications.

Provided that, such appointment shall be made only against approved and clear vacant post. In no case, a new post shall be created for such appointment.

Provided further that, for the purpose of appointment on compassionate ground the term 'relative of employee' means the relative as specified in the Government orders for this purpose, from time to time.

CHAPTER IV

PAY AND ALLOWANCES

- S.187. (1) The teachers of the College or Recognised Institution shall, unless otherwise directed, be entitled to receive the pay, for the services rendered in the scale of pay prescribed for the cadre in which the teacher is appointed, with effect from the commencement upto the cessation of the service in the College or Recognised Institution under the same or different Management. Pay.
- (2). (a) The scales of pay for the teachers of the various cadres working in the Arts, Commerce, Science and Education Colleges and Recognised Institution shall be as recommended by the University Grants Commission and accepted by the Government and the University, from time to time.
- (b) The scales of pay, for the teachers of the various cadres working in the professional colleges shall be as recommended by

their respective Central Councils and accepted by the Government and the University, from time to time.

- (c) Whenever the University Grants Commission or the respective Councils revise the scale(s) of pay, for the teachers of College or Recognised Institution, the pay of the teachers shall be revised according to the formula(e) prescribed by the University Grants Commission and the Councils accepted by the University.
- (3) The initial pay of the teacher selected by the College or Recognised Institution shall be minimum of the scale of pay.

Provided that, the principle of protection of pay shall be applicable in respect of the teacher who is already in the service of College or Recognised Institution as per the Government rules, from time to time.

- (4) In respect of the teacher who expires while in service, his pay shall be drawn for the day on which the teacher dies. The hour at which the death takes place shall have no effect on the claim.
- (5) (a) The officiating pay, deputation allowance shall be taken into account for calculating pensionable pay.
- (b) Pay drawn by the teacher while in foreign service shall not count for pension. In such case, the pay which the teacher would have drawn had he not been sent to foreign service shall be taken into account.

Additional Charge. S.188. If the teacher is assigned to hold the additional charge of the post of Principal, he shall receive additional pay, based on his presumptive pay, as may be prescribed by the Government and accepted by the University, from time to time.

Provided that, this additional pay shall be admissible, if the period of additional charge is more than 15 days but not more than six months.

Pay on Placement in Higher Grade/Scale. S.189. (1) On placement in substantive post carrying a higher scale of pay, the initial pay of the teacher in the higher post 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 reached, whichever is more.

(2) If the teacher has reached the maximum of the scale of pay on the lower post, his notional pay for the purpose of this statute shall be

arrived at by increasing that pay by adding an amount equivalent for the last increment.

- (3) If the teacher placed in higher post/scale happens to draw lesser pay than his junior, placed in the said post/scale, the pay of the senior teacher shall be stepped upto a figure equal to the pay of his junior teacher, as prescribed by the Government, from time to time.

S.190. (1) The teacher on reversion shall draw pay in the lower scale of pay, not less than that which he would have drawn, had he not been so placed in higher scale. Pay on Reversion.

- (2) If the teacher is reverted by way of major punishment on account of misconduct, the Competent Authority may fix his pay at any lower stage in the lower scale of pay under these statutes.

Provided that, the subsistence allowance already paid to the teacher shall be fully recovered either from the pay and allowances as the case may be or from the leave salary payable to him, if it happens to be in excess of his revised total emoluments, to the extent of excess pay only.

- (3) When the teacher is reverted on account of misconduct to a post carrying lower scale of pay, and is subsequently reinstated, his previous service in the post which he was reverted, shall count for increments unless the Competent Authority declares that it shall not be so counted either in whole or in part.

Provided however that, the teacher, proceeding to join or returning from the foreign service, shall be entitled to the pay payable to him on the post in foreign service.

S.191. During the joining time, the teacher shall be entitled to the pay drawn by him in the earlier post, irrespective of whatever post held by him is equivalent, lower or higher in grade and/or in responsibilities. Pay during Joining Time.

Incre-
ments

S.192. (1) The teacher, having his pay on the scale of pay, shall draw increment every year unless it is withheld. The benefit of increment falling due on any date of the calendar month shall be extended to the teacher from the first date of that calendar month, without affecting the date of increment(s).

- (2) The Competent Authority withholding increment shall expressly state in the order the period for which increment has been withheld, and whether it shall be inclusive or exclusive of any interval spent on leave before the period is completed.

- (3) (a) If the teacher is placed in higher grade / post, he shall draw the increment on completion of full period for increment in the higher post and higher scale of pay.
- (b) If the teacher placed in higher post, finds it beneficial to postpone his date of increment to the date of increment in the lower grade, the teacher shall have an option to choose either of the dates on accepting the promotion, as prescribed by Government and accepted by the University, from time to time.
- (4) Service rendered, by the teacher on probation, in the circumstances mentioned below, shall count for increment in the scale of pay :
- (a) The teacher on probation shall draw first increment on completion of twelve months.
- (b) He shall draw the second increment only on completion of probation satisfactorily, irrespective of the period from the date of first increment.
- (c) The first and/or second date(s) of increment shall be extended by the period for which the teacher on probation has availed any leave, except the casual leave, in the intervening period(s).
- (d) The date on which the teacher completes the probation satisfactorily shall be the date of subsequent increment(s), unless the same is modified later due to some other reason such as revision of pay, period of extraordinary leave, etc.
- (5) Service rendered in the circumstances mentioned below shall count for increment :
- (a) All duties whether continuous or otherwise in a post on a scale of pay.
- (b) Authorised leave other than extraordinary leave.
- (c) Extraordinary leave on medical grounds with the permission of the Competent Authority.

Provided that, in exceptional circumstances, if teacher is required to avail of extraordinary leave for reasons beyond his control, the Appointing Authority, by an order in writing may direct that the absence on account of leave without pay shall not affect his normal date of increment.

- (d) The duty performed by the teacher in higher post in officiating or temporary capacity, on reversion to the lower post.
- (e) The period spent on deputation to foreign service.

- (6) The teacher on authorised leave shall draw the annual increment falling due, during the leave period, on the date due, however, shall receive the effect on resumption of duty after expiry of leave, alongwith the arrears. The leave shall not have effect on the date of increment, except the extraordinary leave which is declared to have effect on the date of increment.
- (7) The Competent Authority may withhold, by an order in writing, the increment of the teacher if his conduct has not been found to be satisfactory, or his work has not been satisfactory. The Competent Authority while ordering the withholding of the increment shall state the period for which it is to be withheld and whether the withholding shall have effect on future increments.

S.193. The Competent Authority may grant personal pay to the teacher to save him from loss of substantive pay in respect of a permanent post, other than a tenure post, due to revision of pay or due to any reduction of such substantive pay otherwise than as a measure of disciplinary action. Personal Pay.

- S.194. (1) The teacher working on a post in the scale of pay shall be entitled to allowances such as the Dearness Allowance, Compensatory Local Allowance, House Rent Allowance and such other allowances as may be sanctioned by the Government, from time to time to its employees working in equivalent scale of pay. Allowances.
- (2) For the purpose of calculating allowances which are related to pay, the term pay shall include basic pay, additional pay, officiating pay, personal pay or special pay, if any, as may be determined by the Government, from time to time.
- (3) Dearness Allowance may be drawn during the period of any kind of leave, except extraordinary leave.
- (4) The House Rent Allowance shall be admissible to teacher at the places and at the rates as sanctioned by the Government to its employees working in equivalent scale of pay, from time to time.

When the teacher is provided with residential quarter by the College or Recognised Institution either on rent free basis or on rent basis he shall not be entitled to House Rent Allowance. If the residential quarter is provided to the teacher (the College or Recognised Institution) then he shall pay the maintenance and other charges as per the Government Rules, from time to time.

- (5) In case where both husband and wife are in service under the same College or Recognised Institution they shall draw dearness and house rent allowances if otherwise admissible to them. If one of them is provided with a rent free accommodation, then he shall pay the maintenance and other charges and other shall be entitled to the house rent allowance.

Leave S.195. (1)
Salary.

- (a) The teacher on earned leave shall be entitled to the pay drawn by him immediately prior to the commencement of leave, plus allowances admissible on that pay.
- (b) The teacher on half pay leave or on leave not due shall be entitled to half the amount of pay drawn by him immediately prior to the commencement of the leave, plus allowances admissible on such amount.
- (c) The teacher on commuted leave is entitled to leave salary equal to the amount admissible under clause (a).
- (d) The teacher, who is granted leave not due, shall be entitled to leave salary equal to the amount admissible under clause (a) or (b), as the case may be.
- (e) The teacher, who is granted special disability leave, shall be entitled to leave salary equal to the amount admissible under clause (a) for the first one hundred and twenty days and amount admissible under clause (b) for the remaining period.
- (f) The female teacher on maternity leave shall be entitled to leave salary, admissible as under :
- (i) clause (a), in case the female teacher is permanent.
- (ii) clause (a), in case of probationary / temporary female teacher, who has put in at least two years continuous service.
- (iii) clause (b), in case of probationary / temporary female teacher who has put in more than one year continuous service but less than two years continuous service.
- (iv) the temporary female teacher with less than one year service shall not be entitled to any leave salary.
- (2) (a) Surrender Leave : The teacher who is allowed to surrender his leave shall be entitled to leave salary as per Sub-Clause (a) of Clause(1), with thirty days reckoned as a month. The surrender leave salary shall include pay, personal pay, compensatory

local allowance, dearness allowance, but shall not include house rent allowance, additional pay, officiating pay, special pay, if any.

(b) The surrender leave salary shall be paid immediately prior to commencement of leave, and shall not be liable to deduction on account of provident fund, house rent, repayment of dues of cooperative societies, etc.

(3) The teacher on study leave, on special leave or on sabbatical leave shall be entitled to leave salary as per Sub-Clause (a) of Clause (1).

S.196. The teacher, on ceasing to be in the service, shall be entitled to encash the unutilised earned and half pay leave to his account on the date, as prescribed by the Government, from time to time, as follows :

Encashment of Leave.

(1) The amount of encashment of unutilised leave shall be with thirty days being reckoned as a month. The same shall be inclusive of pay and dearness allowances admissible but shall not include compensatory local allowance and house rent allowance.

(2) The amount of encashment of unutilised leave shall be paid in one lump sum and as one time settlement. No deduction shall be made from this amount on account of pension or pensionary equivalent or other retirement benefits.

(3) The teacher who retires from service on attaining the age of retirement while under suspension shall be paid cash equivalent of leave salary under Clause (1) to his credit on the date of his superannuation, provided that the teacher has been fully exonerated and the suspension was wholly unjustified.

(4) With a view that the retiring teacher receives cash equivalent of unutilised leave without delay, the following procedure shall be followed :

(a) The teacher retiring on superannuation or on voluntary basis shall inform in writing to the Competent Authority, three months in advance, that he desires to avail of cash equivalent of the unutilised earned or Commuted leave to his credit, on the date of his retirement.

(b) The Competent Authority shall, after satisfying itself that leave, if any, availed of by the teacher after receipt of his written intimation as in Sub-Clause (a) is actually deducted from the leave due and admissible as on the date of retirement, arrange

to issue necessary orders sanctioning encashment of unutilised leave, within a week of the date of his retirement.

- (c) In case of the teacher retiring on compassionate/invalid pension or resigning his post, the Competent Authority shall issue necessary orders without requiring the intimation as above.
- (d) Payment of cash equivalent of leave salary in respect of unutilised leave to the credit of retiring teacher, shall be made irrespective of whether or not 'No Demand Certificate' from the Management of the College or Recognised Institution, as the case may be.

Subsistence Allowance.

- S.197. (1) The teacher under suspension shall be paid the subsistence allowance at the rate of half the pay for a period of the first three months, and at the rate of full pay thereafter, if the period of suspension is prolonged, for reasons not directly attributable to the teacher and the allowances admissible thereon, from time to time.
- (2) The teacher under suspension shall be paid the subsistence allowance at the rate of half the pay and the allowances thereon, if the period of suspension is prolonged for the reasons directly attributable to the teacher.
- (3) The teacher shall furnish every month the following certificate before he is paid the subsistence allowance: "I certify and declare that I did not engage myself in any private employment, trade or business during the period ———."

Provided that, if the Competent Authority suspects genuineness of the certificate, he may have the same duly verified, if necessary through the police authorities, and if the teacher is found to have furnished a false certificate it shall be construed as an act of misconduct and shall be an additional charge in the enquiry against him.

- (4) Any other compensatory allowance payable to the teacher shall be subject to the extent and the conditions as may be prescribed by the Competent Authority.
- (5) (a) If the teacher, under suspension is undergoing a trial in a criminal court and departmental enquiry under these statutes, he shall be provided with the subsistence allowance under Clause (1) or (2) above.

- (b) If the teacher under suspension is convicted by the competent court and sentenced to imprisonment, the subsistence allowance shall be reduced to a nominal amount of Re. 1/- (Rupee One) per month till he undergoes punishment or till he is deemed to be in service of the College or Recognised Institution, whichever is earlier.
 - (c) If the teacher under suspension is acquitted in appeal he shall draw subsistence allowance at the normal rate under Clause (1) or (2) from the date of acquittal till the disposal of inquiry under these Statutes.
- (6) If the teacher under suspension attains the age of superannuation, he shall deem to have been retired and shall not be entitled to any subsistence allowance. If he is covered by the Contributory Provident Fund scheme, he shall be entitled to his own share of contribution but shall not be entitled to the Management share. If he is covered by the Pension scheme, he shall be entitled to provisional pension not exceeding the maximum pension admissible to him for qualifying service upto the date of suspension. The Management share of CPF or the final pension and the gratuity shall be paid to him after final decision of proceedings against him.
- (7) If the teacher under suspension is exonerated and/or it is observed that the suspension was wholly unjustified, the teacher shall receive full pay and allowances to which he would have been entitled had he not been so suspended.
- (8) When the teacher under suspension is reinstated, after undergoing the punishment/penalty under these Statutes unless the Competent Authority has already passed such orders at the time of inflicting the punishment, the Competent Authority may by order state :
- (a) whether the said period be treated as duty leave or leave not due, and
 - (b) the nature of pay and allowances to be paid for the period.
- (9) The substitute teacher appointed in place of the teacher under suspension, with the prior approval of the University and the Joint Director, shall be paid the salary from the Management funds and shall be admissible for 'salary grant', not otherwise.
- (10) In case the Management fails to pay the subsistence allowance, the Joint Director shall pay the same and deduct the amount from the

grants payable to the College or Recognised Institution, as the case may be.

- Traveling Allowance. S.198. (1) The teacher required to undertake tour in the course of discharge of his duty, shall be entitled to travelling allowance and daily allowance as prescribed by the University.
- (2) The teacher proceeding to his home town or otherwise and back under leave travel scheme, shall be entitled to leave travel allowance as per the rules and rates prescribed by the Government, from time to time.
- (3) The teacher is entitled for the Leave Travel concession to visit any place within the Maharashtra State as prescribed by the Government, from time to time.
- (4) The teacher shall be entitled to Travelling Allowance, Daily Allowance and Transport Allowance to be paid by the Management on transfer from one station to another and to return from place of work to place of his residence on retirement, as prescribed by the Government, from time to time.

Medical Reimbursement. S.199. The teacher working in the College or Recognised Institution shall be eligible for the Medical Reimbursement as per the Government rules, from time to time.

Vacation Salary. S.200. The teacher shall be entitled to vacation salary as may be specified under these Statutes.

The person who ceases to be a teacher of the College or Recognised Institution either at the end of the first term or at the end of the academic year shall be entitled, for vacation salary in the following manner :

- (1) If the teacher has served for the whole of the first term or for the major part of the term, then he shall be entitled for the winter vacation salary.
- (2) If the teacher has served for the whole of the academic year or major part of the academic year, then he shall be entitled for the summer vacation salary.
- (3) If the teacher has served for the whole of the second term or major part of the second term, then he shall be entitled for one month's salary in summer vacation.
- (4) The teacher may remain absent, with the prior permission of the Principal, at the beginning or at the end of the first and/or second term, as the case may be.

CHAPTER V

LEAVE

General
Condi-
tions.

- S.201.-(1) The teacher shall earn and be entitled to the leave, generally in proportion to the period of service/duty and of the kind specified herein below. However, the leave cannot be claimed as matter of right.
- (2) The teacher may be granted leave only on his request. The teacher shall not be compelled to proceed on leave.
 - (3) The Competent Authority may sanction or refuse the leave applied for, but shall not alter the nature of leave, except with the request / consent of the teacher.
 - (4) The Competent Authority may not grant leave to the teacher so as to deplete the strength of department below essential minimum. In such a case and particularly if a large number of applications for leave are received, the Competent Authority may consider the following factors :
 - (a) special circumstances for which leave is requested;
 - (b) amount of leave due to the applicant;
 - (c) whether applicant was recalled from his last leave or has been refused leave in the interest of the students;
 - (d) the teacher who can for the time being best be spared;
 - (e) whether any of the teachers already on leave can be recalled to duty in order to spare the teacher for availing of his leave.
 - (5) The teacher may combine one kind of leave with another, except casual leave, subject to the limit of aggregate period of absence as may be prescribed under these Statutes.
 - (6) Application for leave on medical ground shall be accompanied by a certificate of Registered Medical Practitioner, indicating the nature and probable duration of illness. The teacher returning from leave on medical ground, shall produce a certificate of fitness.
 - (7) If the teacher frequently applies for medical leave with short intervals, he may be referred to the Medical Authority to examine the state of his health, the period of recovery and whether he would be fit for duty after the rest and treatment.

- (8) The teacher, on leave, shall not engage himself in any other employment, trade or business, either full-time or part-time except casual literary work or public service of casual nature.
- (9) Ordinarily the teacher shall resume his duties immediately after the period of leave sanctioned, otherwise it shall be construed as over-stay and may entail refusal of leave or leave salary and may be treated as misconduct unless the Competent Authority condones the irregularity, for reasons to be recorded. The teacher shall not be permitted formally to join the duties at the end of leave with the intention of taking leave again within a few days.
- (10) The teacher discharged or removed, on account of misconduct if reappointed, the leave to his account prior to date of ceasing to be in service shall lapse and he shall not be entitled to claim leave in respect of service rendered prior to his discharge, removal as the case may be.
- (11) If the teacher, retired on compassionate grounds and on invalid pension is reemployed and allowed to count the past service for pension, he shall be entitled to count his previous and subsequent services towards leave.
- (12) The teacher appointed on contract basis in scale of pay shall be entitled to leave in accordance with the terms of the contract entered into by him with the Competent Authority.

Leave
Sanction
Autho-
rity.

S.202. Subject to the overall control of the Appointing Authority, the following shall be the Competent Authority to sanction leave under these rules :

No.	Category	Kind of Leave	Competent Authority
(1)	Principal	All kinds of leave	Chairman of the Management
(2)	Teachers	All kinds of leave	Principal

Provided that, the Competent Authority may further delegate to other subordinate officer, the power to sanction particular kind of leave.

Casual
Leave.

- S.203. (1) (a) The teacher shall be entitled to fifteen days casual leave in an academic year, as prescribed by the University Grants Commission and accepted by the Government and the University, from time to time.
- (b) The teacher shall obtain permission for casual leave ordinarily before the day from which it is required. In exceptional

circumstances where application of casual leave cannot be submitted before it begins, the teacher shall apply for *ex-post-facto* sanction within three days.

- (c) In case the teacher is unable to attend his duty for reasons of natural calamity, the Principal may sanction the same as casual leave.
- (d) The teacher shall be entitled to not more than six days casual leave at a time. The Sundays and/or Public Holidays so also a holiday or a series of holidays are permitted to interpose between the period of casual leave. However, the total period of casual leave and holidays enjoyed in continuation at one time shall not exceed seven days, save only in exceptional circumstances, when the same be extended upto ten days.
- (e) Casual leave cannot be combined with any other kind of leave except duty leave.
- (2) The following kinds of special casual leave shall not be debited to the casual leave admissible to teacher :
- (a) Special Casual Leave under the Family Planning Scheme :

<i>Occasion</i>	<i>Special Casual Leave Admissible</i>
(i) Vasectomy or tubectomy operation	Not exceeding six working days
(ii) Female Employees undergoing non-puerperal sterilization	Not exceeding fourteen days
(iii) Female employees undergoing I.U.C.D. insertion	One day, subject to production of a medical certificate
(iv) Teacher whose wife undergoes Generic-Sterilization (non-puerperal tubectomy)	Not exceeding seven days, subject to production of a medical certificate
(v) Teacher whose wife undergoes tubectomy operation immediately after the delivery.	Not exceeding four days, subject to production of a medical certificate.

Explanation : The special casual leave under sub-clause (iv) or (v) may be combined with ordinary casual leave or regular leave provided the application is supported by a medical certificate, by the doctor performing the operation, to the effect

that the presence of the teacher is essential to look after his wife during the period of leave.

(b) Special Casual Leave on other occasions :

- | | |
|--|--|
| (i) Anti-rabic treatment | Upto three weeks |
| (ii) Participation in national or international sports including its selection trials as player, coach, manager, umpire, referee | Upto thirty days, subject to the provisions of explanations (1) and (3) |
| (iii) Mountaineering | Upto thirty days, subject to the provisions of explanations (2) and (3). |
| (iv) Free Blood Donation | One day (either on the same day or on the very next day of donation of blood but not on any other subsequent day). |

Explanation (1) : When the teacher is selected for such participation in International Sports event(s) by National Sports Federation or Association recognised by All India Council or Board approved by Ministry of Human Resource Development of Government of India.

Explanation (2) : When the teacher is selected for such participation in sport event of national importance held on an Inter-State, Inter-Zonal or Inter-Circle basis in a team or in his personal capacity.

Explanation (3) : Special casual leave for Mountaineering shall be admissible when expedition is approved by the Indian Mountaineering Foundation.

- (3) Account of casual leave and Special Casual leave availed of by the teacher shall be maintained separately.
- (4) Competent Authority may refuse casual leave if it is requested on flimsy pretext. The Competent Authority shall have the power to grant casual leave in proportion to the period of the academic year and the casual leave availed of until then. The Competent Authority may grant leave without pay of shorter duration if no casual leave is available to the teacher.

S.204. The teachers who are declared non-vacational academic staff shall be entitled to earned leave for the period spent on duty, at the rate and subject to the accumulation of maximum, as prescribed by the Government and accepted by the University, from time to time. Earned Leave.

- (1) The teacher shall apply, in prescribed form, for the leave from his account of earned leave and proceed only after the approval and relief. The teacher may be granted not more than 120 days earned leave at a time.
- (2) The teacher, if required to attend his duties during vacation at the instructions of the Principal or Head of the Department, shall earn leave at the rate of one-third number of days spent on duty. He shall be entitled to accumulate the same upto the limit, as prescribed by Clause (1) and to avail the same.
- (3) (a) The teacher may, at his request, be allowed to surrender earned leave upto thirty days, only once in a financial year on availment of not less than thirty days earned leave, subject to approval by the authority competent to sanction earned leave and to the following conditions, namely:
 - (i) The number of days of earned leave surrendered under these rules shall be reckoned as surrendered on the date of commencement of actual leave taken and shall be deducted from the leave account of the teacher on that date.
 - (ii) The total of earned leave actually availed of and surrendered shall not exceed the maximum leave admissible to the teacher at any one time, namely 120 days.
 - (iii) On return from earned leave the teacher shall serve the College or Recognised Institution for a period of not less than that of the earned leave surrendered.
- (b) In case of the teacher on the verge of retirement, the period of leave surrendered shall not exceed period of duty between the date of expiry of leave availed of and the date of retirement.
- (c) The teacher who is permitted to surrender leave shall not ordinarily be permitted to rejoin duty before the expiry of the thirty days leave sanctioned to him.
- (d) In case the teacher, on earned leave with surrender, is compulsorily recalled to duty, he may be allowed to enjoy the balance

S.204. The teachers who are declared non-vacational academic staff shall be entitled to earned leave for the period spent on duty, at the rate and subject to the accumulation of maximum, as prescribed by the Government and accepted by the University, from time to time. Earned Leave.

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- (2) The teacher, if required to attend his duties during vacation at the instructions of the Principal or Head of the Department, shall earn leave at the rate of one-third number of days spent on duty. He shall be entitled to accumulate the same upto the limit, as prescribed by Clause (1) and to avail the same.
- (3) (a) The teacher may, at his request, be allowed to surrender earned leave upto thirty days, only once in a financial year on availment of not less than thirty days earned leave, subject to approval by the authority competent to sanction earned leave and to the following conditions, namely :
 - (i) The number of days of earned leave surrendered under these rules shall be reckoned as surrendered on the date of commencement of actual leave taken and shall be deducted from the leave account of the teacher on that date.
 - (ii) The total of earned leave actually availed of and surrendered shall not exceed the maximum leave admissible to the teacher at any one time, namely 120 days.
 - (iii) On return from earned leave the teacher shall serve the College or Recognised Institution for a period of not less than that of the earned leave surrendered.
- (b) In case of the teacher on the verge of retirement, the period of leave surrendered shall not exceed period of duty between the date of expiry of leave availed of and the date of retirement.
- (c) The teacher who is permitted to surrender leave shall not ordinarily be permitted to rejoin duty before the expiry of the thirty days leave sanctioned to him.
- (d) In case the teacher, on earned leave with surrender, is compulsorily recalled to duty, he may be allowed to enjoy the balance

earned leave before expiry of six months from the date on which he was proceeded on earned leave with surrender. The Competent Authority may grant leave to the teacher during the prescribed period, if he applies for it. However, if the teacher does not ask for the balance of earned leave, the balance shall lapse and the said period shall be debited to his leave account as if he had enjoyed it.

- Leave on Half Pay. S.205. (1) The teacher, shall be entitled to leave on half pay to the extent of 20 days for every completed year of service. The leave so earned can be accumulated without limit during the entire service. The teacher shall not be entitled to leave on half pay during the first year of his service. The leave on half pay due may be granted to the teacher either on medical ground or for private reason. The leave requested on medical ground shall be supported by the certificate from the Registered Medical Practitioner.

Provided that, the period of suspension, if any, finally treated as suspension shall be excluded for counting completed years of service for this purpose.

- (2) If the teacher is on leave on the day on which he completes a year of service, he shall be entitled to half pay leave without having to return to duty.

- Com-muted Leave. S.206. The teacher may, avail commuted leave on half pay at his credit on the condition that, the commuted leave shall be debited to the account of leave on half pay at the rate of twice the number of days actually availed of.

- Leave not Due. S.207. If the permanent teacher, has no earned leave or leave on half pay, as the case may be, to his credit, the Competent Authority may grant him leave not due, for a period not exceeding 180 days during the entire service. The teacher shall be entitled to not more than 90 days, of leave not due, at a time except on medical ground. Such leave availed of by the teacher shall be debited against the earned leave or the leave on half pay that the teacher shall earn subsequently.

Provided that, the leave not due shall be granted only if the Competent Authority is satisfied that there are reasonable prospects of the teacher returning to duty, on expiry of leave and has sufficient service to earn leave to compensate leave not due granted to him.

- S.208. (1) The permanent female teacher, who has two or less than two living children, on the date of the application, shall be entitled to full pay maternity leave for a period of ninety days from the date of its commencement. Such leave shall not be debited to her leave account. In case of the female teacher, if the confinement takes place during the vacation, the maternity leave shall run concurrently with it.
- (2) The female teacher on temporary basis or on probation who has put in at least two years of continuous service shall be eligible for maternity leave referred to in Clause (1).
- (3) The temporary female teacher appointed on probation and who has put in continuous service for a period exceeding one year, but less than two years, shall be entitled to maternity leave of ninety days, on half pay, which shall not be debited to her leave account.
- (4) The temporary female teacher with less than one year service shall not be entitled to maternity leave and the period of absence shall be treated as extraordinary leave.
- (5) The application for maternity leave shall be supported by medical certificate as to the probable date of confinement.
- (6) The female teacher may avail other leave, including commuted leave, if she so desires, in continuation of the maternity leave, upto a maximum of sixty days without production of a medical certificate.
- (7) Leave under this Statutes shall be admissible in a case of miscarriage or abortion including Medical Termination of Pregnancy, subject to the following conditions namely :
- (a) the leave does not exceed forty-five days during the entire service,
 - (b) the leave may be sanctioned to female teacher irrespective of the number of living children,
 - (c) after the Medical Termination of Pregnancy, if female teacher requires rest for more than the leave admissible as per sub-clause (a) above, she can avail of the other leave due or not due,
 - (d) the application for the leave is to be supported by Medical Certificate.
- (8) If the teacher, adopts a child, then he or she shall be eligible for the leave of the kind due or not due, as prescribed by the Government, from time to time.

- Extraordinary Leave. S.209. (1) Extraordinary leave, without pay and allowances may be granted to the teacher in special circumstances :
- (a) when no other leave is admissible, *and/or*
 - (b) the teacher applies in writing for the grant of such leave.
- (2) The teacher who is permanent in service shall be granted extraordinary leave on any one occasion upto the following limits :
- (a) three months;
 - (b) six months, if the teacher has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under Sub-Clause (a) and his request for such leave is supported by a medical certificate as required by these Statutes;
 - (c) twelve months, if the teacher has completed five years continuous service on the date of expiry of leave due and admissible under the Statutes including extraordinary leave under Sub-Clauses (a) and (b) if the extraordinary leave is required on account of illness of the teacher as certified by the Medical Authority.
- (3) The extraordinary leave shall be debited to the teacher's account and if the same is not counted for increment it shall postpone his date of increment, and affect such other privileges as may be dependent on the period of such leave.
- (4) The extraordinary leave may be availed of in combination with any other kind of leave with the approval of the Competent Authority.
- (5) The Competent Authority may commute retrospectively the period of absence without leave not exceeding two years on each occasion, into extraordinary leave.

Explanation : The power of commuting the period of absence without leave into extraordinary leave retrospectively is absolute and subject to conditions, as may be laid down by the Competent Authority only.

- Leave Preparatory to Retirement. S.210. (1) The teacher may avail of leave, as the leave preparatory to retirement on superannuation or on voluntary basis, to the extent of earned leave due, upto the limit prescribed by Statute 54 together with leave on half pay due, subject to total period of leave of twenty-four months.

- (2) The leave preparatory to retirement shall not extend beyond the date of his retirement.
- (3) The teacher on leave preparatory to retirement shall not be required to join his duties before he actually retires.
- (4) The teacher shall be entitled to the benefits of encashment of unutilised leave, if any.

S.211. The Authority competent to grant the leave shall sanction to the teacher, who retires on attaining the age of superannuation, on compassionate grounds and on invalid pension, on voluntary basis or on resignation, the cash equivalent of leave salary in respect of the period of earned leave and commuted portion of leave on half pay, to his credit on the date of his retirement, subject to a maximum as prescribed by Clauses (1) of Statutes 204 and Statute 205.

Encashment of Leave.

S.212. (1) In the case of a teacher re-employed after retirement on superannuation, the provisions of these rules shall apply as if he had entered in the service of the College or Recognised Institution for the first time on the date of his re-employment.

Leave on Re-employment.

- (2) In case the teacher, retired on voluntary basis or on compassionate grounds or on invalid pension, is re-employed and if the benefit of encashment of unutilised leave is not extended to him, the balance of leave on such retirement shall be taken into account.

S. 213. The teacher shall be entitled to, twelve months full pay leave, if he is suffering from Tuberculosis, Leprosy, Cancer, Malignant diseases, AIDS or Brain ailment or such other diseases, which may be specified by the Competent Authority, from time to time and is undergoing treatment in a recognised Clinic or under a Specialist recognised by the Government, from time to time.

Special Medical Leave for Tuberculosis, Cancer and Heart Surgery.

Provided that, such leave shall only be admissible to the teacher if he has no other leave to his credit.

Provided further that, the teacher who is suffering from Heart disease shall be entitled to a maximum of three months full-pay leave.

S.214. The teacher shall be eligible for special leave for :

Special Leave.

- (1) attending N.C.C./N.S.S. Camp
- (2) attending H.S.C. Board Meeting
- (3) attending M.P.S.C., U.P.S.C. work
- (4) for attending the meetings of the recognised union/association.

Provided that, such special leave sanctioned shall not exceed more than Ten days in a year.

Duty Leave. S.215. The teacher may be sanctioned duty leave for attending conferences, seminars, workshops, symposia, organised by the academic bodies and approved by the University, from time to time.

Provided that, such duty leave shall not exceed ten days in a year.

Provided further that, in exceptional cases the Principal may sanction duty leave for more than ten days

On Duty leave. S.216. Leave of absence of the teacher may be treated as On Duty, if he is permitted to attend Refresher Courses, Orientation Courses, N.C.C./N.S.S. training programme, SET/NET Examination work and for attending the meetings of the University Authorities and bodies.

Study Leave. S.217. The teacher working in the College or Recognised Institution shall be eligible for full-pay study leave in the following manner :

- (1) Study leave to the teacher shall be sanctioned by the Management.
- (2) Study leave with full-pay may be granted to the teacher who is confirmed in his post and who has teaching experience of not less than five years.

Provided that, the teacher who once avails study leave shall not be eligible for such a leave again unless he works for the period of five years after availment of the Study Leave.

- (3) The study leave at the discretion of the Management, shall be sanctioned to the teacher for undertaking specialised training or research within India or abroad in his subject which shall be either useful to the teacher or his College/Recognised Institution.

Provided that, such study leave sanctioned to the teacher, shall not be, ordinarily more than twenty-four months.

Provided further that, if the teacher is sanctioned such study leave, no substitute appointment shall be made against such vacancy and workload of such teacher shall be equally distributed amongst the teachers working in the Department.

- (4) The teacher, for study leave, shall apply at least six months in advance to the Management, with the details such as nature of studies to be undertaken, duration, permission letter of the Authority where the teacher intends to work etc. through his Head of the

Department who will make the alternative arrangements for his teaching work.

- (5) The teacher, shall not be eligible for study leave, for studies leading towards award of Degree or Diploma.

Provided that, if the teacher is awarded teacher fellowship by the University Grants Commission or any other funding agencies then, he shall be eligible for full-pay study leave as per the rules of the University Grants Commission or the funding agency, as the case may be.

- (6) If the teacher is awarded short term fellowship by University Grants Commission or any other funding agencies within India or abroad; he shall be eligible for full-pay study leave with second proviso of Clause (2) above.
- (7) Study leave shall not be ordinarily granted to more than one teacher in the Department at a time.
- (8) The total period spent on study leave shall not exceed more than forty-eight months in entire service of the teacher.
- (9) The teacher who is granted study leave, shall enter into an agreement with the Management to serve the College or Recognised Institution for at least five years.
- (10) The teacher shall refund the salary to the Management, earned during the period of the study leave, if he does not rejoin his duties immediately after availing the study leave, in the College or Recognised Institution or does not comply with the terms and conditions as laid down in the agreement.
- (11) The study leave granted to the teacher shall not be debited to any leave account.

S.218. The male teacher working in the College or Recognised Institution shall be entitled to paternity leave in the following manner : Paternity Leave.

- (1) Paternity leave shall be granted to male teacher who has two or less than two living children.
- (2) The confirmed teacher shall be entitled to 15 days paternity leave. Such leave shall not be debited to leave account.
- (3) Paternity leave shall be granted to the teacher subject to the production of Medical Certificate.

- (4) The male teacher who is not confirmed shall also be entitled for paternity leave as under :
- (a) The male teacher who has put in two years of continuous service shall get 10 days paternity leave.
 - (b) The male teacher who has completed one year of continuous service shall get 10 days paternity leave on half-pay.
 - (c) In case of miscarriage or abortion including abortion under Medical Termination of Pregnancy, paternity leave not exceeding 10 days shall be granted to the male teacher.

Sabbatical
leave.

S.219. Confirmed teacher working in the College or Recognised Institution shall be eligible for the full-pay sabbatical leave in the following manner :

- (1) The teacher shall get the sabbatical leave within India or abroad for increasing his professional/administrative competence, which ultimately shall be useful to the institution.

Provided that, such sabbatical leave shall not be granted for Studies/Research leading to the award of Degree and/or Diploma.

- (2) The sabbatical leave shall not be granted to a teacher who is not confirmed and who has less than seven years of teaching experience.
- (3) The sabbatical leave may be granted twice in the entire service of the teacher.
- (4) The sabbatical leave shall be granted to one teacher in the Department at a time.

Provided that, if the sabbatical leave is granted to the teacher and the teacher proceeds on sabbatical leave no substitute appointment shall be made against the said post. The workload of such teacher shall be equally shared by other teachers in the Department.

- (5) The sabbatical leave upto one year at a time shall be granted to the teacher to visit library and/or laboratories in India or abroad in connection with his project.
- (6) The teacher, before he proceeds on sabbatical leave shall submit detailed programme of his research/study which he intends to undertake during the period of leave.
- (7) The teacher, on return from sabbatical leave shall submit a report to the Principal within three months on the nature of study, research or writing work undertaken during the period.

- (8) The teacher, during the period of sabbatical leave shall not accept any appointment in any other organization in India or abroad.
- (9) If it is revealed that, during the period of sabbatical leave the teacher has accepted a job, he shall, refund the salary to the College or Recognised Institution and this act shall be treated as misconduct.
- (10) The teacher who has availed himself of study leave to the full extent shall not be entitled to sabbatical leave.

CHAPTER VI

CONDUCT, DISCIPLINE AND APPEALS

- S.220. (1) The teacher shall be at the disposal of the College or Recognised Institution for full-time and shall serve in such capacity and at such place, as he may, from time to time, be so directed. Conduct.
- (2) The teacher shall conform to and abide by the provisions of the Act, Statutes, Ordinances, Regulations, and Rules and Directives and decisions of the Competent Authority. The teacher shall also observe, comply with and obey all orders and instructions which may, from time to time, be given to him by the University, College or Recognised Institution.
 - (3) The teacher shall at all time maintain absolute integrity, show devotion to his profession and shall do nothing which is unbecoming of a teacher.
 - (4) The teacher shall extend utmost courtesy and attention to all persons with whom he has to deal in the sphere of his duties. He shall strive hard to promote the interest of the University, College or Recognised Institution.
 - (5) The teacher shall not, without the express sanction of the Competent Authority, ask for or accept contribution to or otherwise associate himself with the raising of funds or other collections in cash or otherwise for his own benefit.
 - (6) The teacher shall not accept or permit any member of his family or any person acting on his behalf to accept any gift in cash or in kind for his own benefit from any person including another teacher or employee for a work to be done in connection with the business of the University, College or Recognised Institution.

Provided that, the collection of monthly subscription of membership at the prescribed rate collected by the office bearer of the Association, Union or the Club and in respect of which a due receipt is tendered, shall not amount to gift or realisation of other contribution for this purpose.

- (7) (a) The teacher shall seek prior permission of the Competent Authority before applying for job, post or scholarship outside the College or Recognised Institution, as the case may be.
- (b) The teacher shall seek prior permission of the Competent Authority before applying for any course of study leading to diploma, degree, certificate, etc. and shall not enter upon a course of studies or appear to any examination by the University or other bodies, without such permission.
- (8) The teacher shall not, without prior permission of the Competent Authority, absent himself from his duties. In the circumstances or reasons beyond his control, he shall intimate or cause to intimate to Competent Authority within five days from the first date of absence, failing which the absence may be treated as leave without pay, and he shall further be liable to such disciplinary action as the Competent Authority may deem fit.

However, that the Competent Authority shall condone this condition in respect of a teacher who for reasons beyond his control was unable to convey the cause of his absence.
- (9) (a) The teacher or his relative shall neither bid directly or indirectly, at any auction of any College or Recognised Institution property nor submit any tender for any supply to the College or Recognised Institution.
- (b) The teacher or his relative shall not use the College, Recognised Institution property including the residential accommodation for conducting any trade or business, coaching classes, tuition, occupation or for any other purpose.
- (c) The full-time teacher shall not engage himself in any trade, business coaching classes, tuition or any other occupation which is not part of his duties as prescribed under these Statutes.
- (10) The teacher shall not engage himself in conducting private coaching classes or tuition, guidance imparting instructions leading to any certificate, diploma or degree course(s).

(11) The teacher shall not write guides, notes for circulation and questions and answers etc.

S.221. The breach of any of the provisions of the previous Statute, or any one or more of the following acts on part of the teacher shall be deemed as a ^{Miscon-}
^{duct.} misconduct and include :

- (1) any action by the teacher contrary to the provisions prescribed in these Statutes,
- (2) refusal to accept charge-sheet, order or other communication served according to the Statutes,
- (3) obtaining employment under the University, College or Recognised Institution by misleading or by misrepresenting the facts,
- (4) misappropriation of any amount and/or movable and immovable property of the College or Recognised Institution,
- (5) wilful and persistent negligence of duty,
- (6) incompetence,
- (7) involvement in non-academic activities such as writing guides, likely questions, questions and answers, etc. directly or indirectly,
- (8) participation in private coaching classes, directly or indirectly accepting tuitions,
- (9) indulging in or promoting unfair practices in the conduct of College or University examinations,
- (10) theft, fraud or dishonesty,
- (11) wilful or negligent damage of the University or College or Recognised Institution property,
- (12) any action, involving moral turpitude and attracting conviction in court of law,
- (13) attending the duties in an intoxicated state and committing nuisance during working hours,
- (14) misbehaviour with students, another teacher, or member of public,
- (15) insubordination.

Explanation :

- (1) wilful negligence of duty shall among other things include the following :
 - (a) dereliction of duties like not engaging the allotted classes or not completing the prescribed syllabi under circumstances not beyond his control.

- (b) negligence of academic or extra-curricular, co-curricular duties assigned to the teacher by the Vice-Chancellor or Principal which are not consistent with the Act, Statutes, Ordinances, Regulations or Rules.
- (c) incompetence among other things shall include the following
 - (i) failure to complete the teaching of the prescribed syllabi within the prescribed period, because of inability to teach, and
 - (ii) such other incapacities in teaching as would lead to failure in imparting of instruction to the students.

Disciplinary Authority. S.222. The Disciplinary Authority in respect of the teacher working in the College and Recognised Institution shall be the Management.

Provided that, the Principal of the College or Recognised Institution may impose minor penalties to the teacher.

Penalties. S.223. Without prejudice to the provisions of any law for the time being in force, the following penalties may, for good and sufficient reasons, and as herein after provided, be imposed on the teacher found guilty of misconduct. The penalty to be imposed shall essentially be commensurate with the severity or gravity of the misconduct committed and shall be imposed only after sufficient opportunity is provided to the teacher for being heard and to defend himself.

- (a) Minor Penalties :
 - (i) censure,
 - (ii) fine,
 - (iii) withholding of increment of pay for specific period,
 - (iv) recovery from his pay, or such other amounts as may be due from him.
- (b) Major penalties :
 - (i) stoppage of increment with or without effect on future increments,
 - (ii) reduction to a lower scale of pay, grade, post or service,
 - (iii) compulsory retirement,
 - (iv) removal from service,
 - (v) dismissal from service,
 - (vi) termination of service.

Explanation (1) : The order under (a) (iii) of withholding increment shall not affect subsequent increment(s).

Explanation (2) : The order under sub-clause (a)(iv) for recovery shall expressly state the amount of the whole or part of any pecuniary loss caused by him to the College or Recognised Institution, by negligence or by breach of orders.

Explanation (3) : Reduction under sub-clause (b) (ii) shall ordinarily be a bar to the placement of the teacher to the scale of pay, grade, post or service from which he was reduced, with or without further directions regarding condition of restoration to the scale of pay, grade, post or service from which he was reduced, and seniority and pay on such restoration.

Explanation (4) : The order of penalty of reduction, under sub-clause (b) (ii) shall expressly state whether the period of reduction shall be exclusive of any interval spent on leave or otherwise.

Explanation (5) : Removal under sub-clause (b)(iv) and termination under sub-clause (b) (vi) shall not be a disqualification for future employment under the University, College or Recognised Institution.

Explanation (6) : Dismissal under sub-clause (b)(v) shall be a disqualification for future employment under the University, College or Recognised Institution.

S.224. If the Disciplinary Authority is satisfied that the misconduct committed by the teacher is serious enough to inflict any of the minor penalties, the Disciplinary Authority shall -

- Proce-
dure for
imposing
Minor
Penalty.
- (1) issue a notice to the teacher in writing alongwith the imputation(s) of misconduct and require him to show cause as to why the action proposed be not taken against him;
 - (2) give reasonable opportunity to the teacher to furnish the explanation;
 - (3) take into consideration the explanation of the teacher and record findings on each imputation of misconduct;

- (4) issue the order imposing one or many of the minor penalties, or if satisfied, drop the imputation(s) and exonerate him of the charge(s);
- (5) the appeal against the minor penalty imposed by the Principal shall lie with the Management.

Provided that, the teacher aggrieved by the decision of the Management may appeal to the Grievances Committee.

- (6) the Principal aggrieved by the decision of the Management may appeal to the Grievances Committee.

- Action Not Amounting to Penalty.** S.225. The following shall not amount to penalty within the meaning of Statute, namely :
- (1) non-placement of teacher either in senior scale or selection grade;
 - (2) reversion of the teacher appointed as the Principal on probation;
 - (3) compulsory retirement of the teacher in accordance with the provision relating to his superannuation or retirement;
 - (4) Termination of Services :
 - (a) the teacher appointed on probation will be liable to be terminated during or at the end of the period of probation in accordance with terms and conditions of his appointment; *OR*
 - (b) the temporary teacher may be terminated in accordance with the direction made in that behalf;
 - (5) termination of service of a teacher appointed under agreement in accordance with the terms and conditions of such agreement;
 - (6) repatriation of the service of the teacher whose service has been borrowed from outside authority or recalling the teacher from foreign employment to such authority;
 - (7) termination of the service due to abolition of the post(s).

- Suspension.** S.226. (1) The Disciplinary Authority may, by an order in the form prescribed in the Appendix, place the teacher under suspension :
- (a) (i) where disciplinary proceedings against him are contemplated or are pending and are likely to result into imposing any of the major penalties,
 - (ii) where in the opinion of the Competent Authority he has engaged himself in activities prejudicial to the interests of the College or Recognised Institution, and
 - (iii) where there is reason to believe that his continuance in service is likely to cause embarrassment or to tamper with

the investigation of the case, or likely to tamper with the official record or document(s).

(b) where case against him in respect of any criminal offense is under investigation, enquiry or trial in a court of law.

(2) The teacher shall be deemed to have been placed under suspension :

(a) with effect from the date of his detention, in police or judicial custody, on a criminal charge, for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction, if, in the event of a conviction for an offense, he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired, consequent to such conviction and shall remain under suspension until the order of suspension is modified or revoked by the Competent Authority.

(3) While under suspension, the teacher shall not be allowed to resign.

(4) The teacher under suspension shall not engage himself in any private or gainful employment, trade or business.

(5) If the teacher under suspension attains the age of superannuation, he shall be deemed to have been retired. However, the departmental or judicial proceedings pending against him shall continue even after his retirement.

(6) The Disciplinary Authority shall suspend the teacher only with the prior approval of the University.

S.227. (1) Before holding the Departmental enquiry of the teacher, a preliminary enquiry shall be held by the following Committee : Preliminary Enquiry.

(a) In case of the Principal :

(i) Chairman of the Management - Chairman

(ii) Member of the Management Council to be nominated by the Vice-Chancellor

(iii) One Senior Principal who is not connected with the Management of the College or Recognised Institution to be nominated by the Vice-Chancellor.

(b) In case of teacher :

(i) Principal - Chairman

- (ii) The member of the Management Council to be nominated by the Vice-Chancellor
 - (iii) One Senior Teacher, who is not connected with the Management or College or Recognised Institution to be nominated by the Vice-Chancellor.
- (2) The Committee, after going through all the documents and evidence(s), shall see whether there is a *prima facie* case against the teacher.

Provided that, while holding the preliminary enquiry, full opportunity shall be given to the Principal/Teacher, as the case may be, to defend his case before the Committee.

- (3) The Committee, after going through all the documentary evidence(s) and giving full opportunity to the Principal/Teacher, as the case may be, shall prepare their report and submit the same to the Vice-Chancellor.
- (4) The Vice-Chancellor, after scrutinising the report of the Committee, may give permission to hold full-fledged Departmental enquiry of the Principal or Teacher, as the case may be.

Provided that, if the Vice-Chancellor, after scrutinising the report, does not agree with the findings of the report, he shall direct the Management accordingly and the Management shall comply.

Provided further that, if the Vice-Chancellor, after scrutinising the report, feels that the report is incomplete or requires some more documents/evidences, then he shall call for such additional documents/evidences and if necessary may appoint another Committee and after considering the report direct the Management accordingly and the Management shall comply.

Proce-
dure of
Enquiry.

- S.228. (1) Whenever the Disciplinary Authority is of the opinion that there are grounds for enquiry into the truth and/or substance of imputation(s) of misconduct on the part of the teacher(s), which may result in major penalty, it may itself enquire into or appoint an Enquiry Officer not below the rank of District Judge; to enquire into the truth thereof. The appointment order of the Enquiry Officer shall be issued in the Form appended in Appendix.
- (2) Where it is proposed to hold enquiry against the teacher, the Disciplinary Authority shall draw up or cause to draw up -
- (a) the substance of imputation(s) of misconduct into definite and distinct article(s) of charge(s).

- (b) a statement of imputation(s) of misconduct in support of each article of charge(s) which shall contain -
 - (i) a statement of all relevant facts including any admission or confession by the teacher, and
 - (ii) a list of documents by which and a list of witnesses by whom, the article(s) of charge(s) are proposed to be sustained.
- (3) The Disciplinary Authority shall deliver or cause to deliver to the teacher, in the Form appended, a copy of the article(s) of charge(s), the statement of imputation(s) of misconduct and a list of document(s) and of the witness(es) by which, each article of charge is proposed to be sustained, and shall by a written notice require the teacher to submit to it, within fifteen clear days, a written statement of his defence and to state whether he desires to be heard in person.
- (4) On receipt of written statement of defence and on admission of any or all article(s) of charge(s) by the teacher, the Disciplinary Authority shall record its findings on each charge admitted, after taking such evidence into account as it may think fit and shall act in the manner as prescribed.
- (5) On receipt of written statement of defence of any or all of the article(s) of charge(s) by the teacher or on its non-receipt, the Disciplinary Authority may further enquire or cause to enquire into the charge(s) not admitted in the manner as prescribed.
- (6) Where the Disciplinary Authority appoints the Enquiry Officer, it may by an order appoint another teacher or any other suitable person to present the case in support of the article(s) of the charge(s) before the Enquiry Officer. The teacher may take assistance of any other teacher or any other suitable person to represent the case on his behalf. In case the Enquiry Officer permits the teacher to engage a legal practitioner to represent on his behalf the Disciplinary Authority may appoint a legal practitioner as Presenting Officer.
- (7) The Disciplinary Authority shall forward to the Enquiry Officer :
 - (a) a copy of each of the article(s) of charge(s) and the statement of imputation(s) of misconduct,
 - (b) a copy of the order appointing the Presenting Officer,
 - (c) copies of the statements of witnesses,

- (d) evidence proving the delivery of documents to the teacher, and
 - (e) a copy of the written statement of defence by the teacher, if any.
- (8) The teacher shall appear in person before the Disciplinary Authority or the Enquiry Officer on such day and at such time within ten working days from the date of receipt by the teacher of the article(s) of charge(s) and the statement of imputation(s) of misconduct as the Disciplinary Authority or the Enquiry Officer may, by notice in writing specify or such further time not exceeding ten days as the Enquiry Officer may allow.
- (9) The Disciplinary Authority may, *suo moto* or on being moved by the teacher against whom enquiry is instituted, for just and sufficient reasons, transfer the proceedings to another Enquiry Officer constituted for the purpose.
- (10) If the teacher who has not admitted any of the article(s) of charge(s), in his written statement of defence or has not submitted any written statement of defence, appears before the Disciplinary Authority or Enquiry Officer, it shall ask him whether he is guilty or has any defence to make and if he pleads guilty of any of the article(s) of charge(s), it shall be so recorded under the signature of the teacher and of that Authority.
- (11) The Enquiry Officer shall return to the Disciplinary authority the findings in respect of those article(s) of charge(s) which the teacher pleads guilty.
- (12) If the teacher fails to appear within the specified time or refuses to plead or admits to plead, the Enquiry Officer shall require the Presenting Officer to produce the evidence by which he proposes to prove article(s) of charge(s), and shall adjourn the case to a later date not exceeding fifteen days, after recording the order that the teacher may, for the purpose of his defence -
- (a) inspect within five days of the order or within such further time not exceeding five days as the Enquiry Officer may allow, the documents specified in the list,
 - (b) submit a list of witness(es) to be examined on his behalf,
 - (c) give a notice within ten days of the order or within such further time not exceeding ten days as the Enquiry Officer may allow, for the discovery or production of any document(s), but

not mentioned in the list, indicating the relevance of such document(s).

- (13) The teacher may apply orally or in writing, for supply of copies of the statements of witness(es), if any, mentioned in the list and the Enquiry Officer shall furnish him such copies as early as possible, and in any case not later than three days before the commencement of the examination of the witness on behalf of the Disciplinary Authority.
- (14) (a) The teacher may, by notice to the Enquiry Officer, require copies of certain document(s) in possession of Appointing Authority or Disciplinary Authority. In that case, the Enquiry Officer, shall forward the same or copies thereof to the Authority in whose custody or possession the documents are kept, with a requisition for the production of the document(s) by a specified date.
- (b) On receipt of the requisition, the Authority having the custody or possession of the requisitioned document(s), shall produce the same before the Enquiry Officer.

Provided that, the Enquiry Officer may, for reasons to be recorded in writing, decline the requisition of any such documents, as are not relevant in the case and the Enquiry Officer may withdraw the requisition or press for the same.

Provided further that, if the Authority having the custody or possession of the requisitioned document(s), is satisfied, for the reasons to be recorded in writing that the production of all or any of such document(s) would be against the public interest, it shall inform the Enquiry Officer and the Enquiry Officer shall, on being so informed, withdraw the requisition and communicate the information to the teacher.

- (15) (a) The enquiry shall commence on the date fixed by the Enquiry Officer and shall continue thereafter on the dates as may be fixed from time to time.
- (b) The oral evidence shall be recorded or caused to be recorded by the Enquiry Officer in a question-answer form, on the completion of which it shall be read out to be correct and signed and dated by the teacher concerned, witness and the Enquiry officer. The copy(copies) of the deposition(s) may be made

available to the Disciplinary Authority and to the teacher(s) on request and on payment of charges.

- (c) The oral and documentary evidence by which the article(s) of charge(s) are proposed to be proved shall be produced by the Disciplinary Authority. The witness(es) may be examined by the Disciplinary Authority and cross-examined by the teacher. The Disciplinary Authority shall be entitled to re-examine the witness, on any point(s) on which he has been cross-examined. The Enquiry Officer may also put questions to the witnesses.
- (d) Before the close of the case by the Disciplinary Authority, the Enquiry Officer may allow the Presenting Officer to produce fresh evidence and include the same in the list or may itself call for the new evidence or recall and re-examine any witness(es) and in such cases, the teacher shall be entitled to a copy of the list of further evidence. The Enquiry Officer shall give the teacher an opportunity of inspection of document(s) before they are taken on record.

Provided that, no new evidence shall be permitted unless there is inherent lacuna(e) or defect(s) in evidence originally produced.

- (e) When the case of the Disciplinary Authority is closed, the teacher shall state his defence orally and/or in writing. The teacher may examine himself and the witness(es), may be cross-examined by the Disciplinary Authority, re-examined by the teacher and examined by the Enquiry Officer.

The Enquiry Officer may also allow the teacher to produce new evidence, if it is necessary in the interest of natural justice.

- (f) After the teacher closes his case and if the teacher has not examined himself, the Enquiry Officer may generally question him on the circumstances appearing against him, for the purpose of enabling the teacher to explain any circumstances appearing in the evidence against him.
- (g) The Enquiry Officer may, after the completion of production of evidence, hear the Disciplinary Authority or the Presenting Officer and the teacher and/or permit them to file written statements of argument of their respective case.

- (16) If the teacher to whom a copy of the article(s) of charge(s) has been served, does not submit a written statement of defence on or before the date specified or does not appear in person before the Enquiry Officer or otherwise fails or refuses to comply with the provisions of this Statute, the Enquiry Officer may hold the enquiry *ex-parte*.
- (17) (a) Wherever the Enquiry Officer, after having heard and recorded the whole or part of the evidence, ceases to exercise jurisdiction thereon and is succeeded by another Enquiry Officer, it shall act on the evidence so recorded by its predecessor and partly recorded by itself.

Provided that, if the succeeding Enquiry Officer is of the opinion that further examination of any of the witnesses, already recorded, is necessary in the interest of natural justice, he may recall, examine, cross-examine and re-examine him.

Provided further that, if the witness is recalled, he may be cross-examined and/or re-examined by the teacher or the Presenting Officer,

- (b) Where in the opinion of the Enquiry Officer, the proceedings of the enquiry establish any article(s) of charge(s) different from original article(s) of charge(s), he may record its findings on such article(s) of charge(s).

Provided that, the findings on such article(s) of charge(s) shall not be recorded, unless the teacher has either admitted the facts on which such article(s) of charge(s) is based and has been provided a reasonable opportunity of defending himself against such article(s) of charge(s).

S.229. Where two or more teachers are concerned in any case, the Disciplinary Authority, for the senior teacher amongst those concerned, shall take all actions and proceed as per provisions of these Statutes in respect of teachers concerned. Common Proceeding

- S.230. (1) After the conclusion of enquiry, the Enquiry Officer shall prepare a report. Such report shall contain - Enquiry Officer.
- (a) article(s) of charge(s) and the statement of imputation(s) of misconduct;
 - (b) the defence of the teacher in respect of each article of charge;
 - (c) an assessment of the evidence in respect of each article of charge; and
 - (d) the findings on each article of charge and the reasons thereof.

- (2) The Enquiry Officer, shall forward to the Disciplinary Authority, the record of enquiry which shall include -
- the report prepared by him;
 - the written statements of defence submitted by the teacher;
 - the oral and documentary evidence produced in the enquiry;
 - the written statements of argument filed by the Presenting Officer and the teacher, if any; and
 - the orders, made by the Disciplinary Authority and Enquiry Officer in regard to the enquiry.
- (3) The Disciplinary Authority, to which the record is forwarded may act on the evidence of the record or may, if it is of the opinion that further examination of any of the witnesses is necessary, recall the witness(es) and examine, cross-examine, and re-examine the witness(es) and impose on the teacher such penalty as it may deem fit in accordance with these Statutes.

Provided that, if any witness is so recalled, he may be cross-examined by the teacher.

Action
on
Enquiry
Report.

- S.231. (1) The Disciplinary Authority, shall consider the report and record his findings on each charge.
- (2) The Disciplinary Authority, himself not being the Enquiry Officer, shall consider the enquiry report and if he disagrees with the Enquiry Officer on any article(s) of charge(s), he shall record its reasons for such disagreement and refer the case back to the Enquiry Officer for further enquiry and report. The Enquiry Officer shall thereon proceed to hold further enquiry according to the provisions of the preceding Statutes.
- (3) The Disciplinary authority, having regard to the findings on the charges, comes to the decision that no penalty be imposed or that the teacher be exonerated, it shall so order.
- (4) If the Disciplinary Authority, having regard to the findings, comes to the conclusion that any of the minor penalties be imposed on the teacher, it shall notwithstanding anything contained in these Statutes, determine what penalty shall be imposed, it shall so order. The order should be issued in the form appended.
- (5) (a) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, comes to the conclusion that

- (2) The Enquiry Officer, shall forward to the Disciplinary Authority, the record of enquiry which shall include -
- (a) the report prepared by him;
 - (b) the written statements of defence submitted by the teacher;
 - (c) the oral and documentary evidence produced in the enquiry;
 - (d) the written statements of argument filed by the Presenting Officer and the teacher, if any; and
 - (e) the orders, made by the Disciplinary Authority and Enquiry Officer in regard to the enquiry.
- (3) The Disciplinary Authority, to which the record is forwarded may act on the evidence of the record or may, if it is of the opinion that further examination of any of the witnesses is necessary, recall the witness(es) and examine, cross-examine, and re-examine the witness(es) and impose on the teacher such penalty as it may deem fit in accordance with these Statutes.

Provided that, if any witness is so recalled, he may be cross-examined by the teacher.

Action
on
Enquiry
Report.

- S.231. (1) The Disciplinary Authority, shall consider the report and record his findings on each charge.
- (2) The Disciplinary Authority, himself not being the Enquiry Officer, shall consider the enquiry report and if he disagrees with the Enquiry Officer on any article(s) of charge(s), he shall record its reasons for such disagreement and refer the case back to the Enquiry Officer for further enquiry and report. The Enquiry Officer shall thereon proceed to hold further enquiry according to the provisions of the preceding Statutes.
- (3) The Disciplinary authority, having regard to the findings on the charges, comes to the decision that no penalty be imposed or that the teacher be exonerated, it shall so order.
- (4) If the Disciplinary Authority, having regard to the findings, comes to the conclusion that any of the minor penalties be imposed on the teacher, it shall notwithstanding anything contained in these Statutes, determine what penalty shall be imposed, it shall so order. The order should be issued in the form appended.
- (5) (a) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, comes to the conclusion that

any of the major penalties be imposed on the teacher, he shall -

- (i) furnish to the teacher, a copy of the Enquiry Report and his findings on each article of charge, expressly stating whether he agrees with the findings of the Enquiry Officer or otherwise, together with brief reasons for his disagreement, if any; and
- (ii) give to the teacher a notice in the form appended, stating the penalty proposed to be imposed on him by calling upon him, to submit within fifteen days of receipt of the notice or such further time not exceeding fifteen days, as may be allowed, such representation as he may wish to make on the proposed penalty and the cause as to why the penalty be not imposed on him.

(b) The Disciplinary authority shall consider the representation, if any, made by the teacher and determine the quantum of penalty that be imposed on him on the basis of the evidence adduced.

(6) The final orders made by the Disciplinary Authority under this Statute shall be communicated to the teacher and the Enquiry Officer. A second show-cause notice shall be issued to the teacher before the penalty is executed.

S.232. (1) Notwithstanding anything contained in these Statutes no appeal shall Appeal lie against -

- (a) any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of a disciplinary proceeding, other than an order of suspension;
- (b) any order passed by an Enquiry Officer in the case of an enquiry under these Statutes.

(2) Subject to the provisions of Clause (1), the teacher may prefer an appeal against all or any of the following orders, namely :

- (a) an order of suspension or deemed suspension made under Statutes 226.
- (b) an order imposing any of the penalties, by the Disciplinary authority.
- (c) an order enhancing any penalty imposed under these Statutes.

(d) an order which -

- (i) denies or varies to his disadvantage his pay, allowances or any other conditions of service;
- (ii) denies placement to which he is otherwise eligible according to the recruitment rules;
- (iii) interprets to his disadvantage the provisions of any such Statutes;
- (iv) reverts him while officiating in a higher service, to a lower service, grade or post, otherwise than as a penalty;
- (v) reduces or withholds the post-retirement benefits, if any;
- (vi) determines the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to have been under suspension or for any portion thereof;
- (vii) determines his pay and allowances, for the period of suspension or for the period of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time-scale or stage in a scale of pay, to the date of his reinstatement or restoration to his service, grade or post as the case may be; *OR*
- (viii) determines nature of the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, scale of pay or stage in a scale of pay or the date of his reinstatement or restoration to his service, grade or post, etc. as the case may be.

Appellate
Author-
ity.

S. 233. The teacher aggrieved by the decision of the Disciplinary Authority, may appeal to the Grievances Committee or the Tribunal, as the case may be under the Act.

Service
of
Orders,
Notices,
etc.

S. 234. Every order, notice and other process made or issued under these Statutes shall be served in person on the teacher concerned or shall be communicated to him by registered post. In case the registered post is not effectively served the notice shall be pasted on the door of his residence and published in at least one leading local newspaper.

CHAPTER VII
RETIREMENT

S.235. (1) The teacher after confirmation, shall continue in the service of the College or Recognised Institution till he attains the age of superannuation. Retire-
ment.

(2) The Competent Authority shall require the teacher to retire from the service of the College or Recognised Institution, if -

- (a) he has reached the age of superannuation.
- (b) he has committed misconduct and is imposed with the penalty under sub-clause (iv), (v) or (vi) of clause (b) of Statute 223 and is found to be inefficient.
- (c) he is found by the Medical Authority to be incapacitated for further service of any kind, which includes retirement on account of mental or physical infirmity.
- (d) the post held by the teacher is abolished and there is no suitable post equal to his post in which he can be absorbed.
- (e) he is retired on retirement pension.
- (f) he is absent from duties for five years or more.

S.236. The age of superannuation of the teacher shall be sixty years; however, he shall retire from the service on the afternoon of the last day of the month in which he attains the age of superannuation. Age of Super-
annua-
tion.

S.237. (1) The Competent Authority may, subject to the prior approval of the University, grant an extension of service to the teacher beyond the age of superannuation, on academic grounds only, which shall be recorded in writing. However, extension in service beyond the age of superannuation shall not be granted to the person working as Principal or Vice-Principal as the case may be and the retired teacher shall not be eligible to be appointed as the Head of the Department, Principal, Incharge Principal or Vice-Principal. Exten-
sion in
Service
beyond
the Age
of Super-
annua-
tion.

Provided that, in very exceptional circumstances, extension may be granted beyond the age of sixty years. Such proposal of granting extension to the teacher shall be forwarded to the University three months prior to his date of retirement.

Provided further that, if such proposal is accepted by the University then, the salary for the period for which the teacher is given extension shall not be held admissible for the Salary Grant.

- (2) The decision of the University to grant extension in the service to the teacher or otherwise shall be final and the Management shall comply.

Re-
employ-
ment.

S.238. (1) Notwithstanding anything contained in these Statutes, the Competent Authority may, subject to the prior approval of the University grant re-employment to any teacher already retired, in the interest of the College or Recognised Institution, which shall be recorded in writing.

- (2) The teacher who has retired before the age of superannuation voluntarily, on medical grounds, or for some other reasons but not for avoiding any departmental proceedings, may be re-employed by the Appointing Authority; with prior approval of the University. The specific reasons, carefully examined and recorded in writing by the Appointing Authority shall be communicated to the University. Such re-employed teacher shall be in the service of the College or Recognised Institution, as the case may be, upto his normal age of superannuation and shall be subject to the provisions of these Statutes.

Provided that, the Salary of such re-employed teacher shall be fixed as per the Government rules, from time to time.

Super-
annua-
tion
Pro-
posal.

S.239. (1) The case of each teacher, shall be taken up for examination atleast one year before the date of his retirement by the Competent Authority who shall prepare a list, every six months on 1st January and 1st July each year, of all the teachers who are due to retire within the next twenty-four months and forward the same to the Director of Higher Education, the Joint Director and the Audit Officer before 31st January or 31st July respectively.

- (2) The Competent Authority shall intimate the teacher one year in advance the date of his superannuation alongwith the documents related to pension proposal and require him to furnish them duly filled in, within two months. The Competent Authority shall scrutinise the same and complete other service record, documents and certificate required and forward the proposal to the Joint Director, eight months in advance, for consideration and approval. The Joint Director shall submit the pension papers to the Audit Officer, six months prior to the date of superannuation of the said teacher for his sanction.

his account, both as teacher's subscription and employer's contribution and interest thereon till the date of disbursement. The teacher shall also be entitled to such other terminal benefits as gratuity, encashment of unutilised leave and other post-retirement benefits at the rates applicable to the teacher covered by pension scheme.

- (3) The teacher shall clear all dues payable to the University, College or Recognised Institution outstanding to his account and vacate the residential accommodation, if provided, before the post-retirement benefits are extended to him, as may be prescribed by the Government, from time to time.
- (4) The teacher who has been declared as deserter or who ceases to be in service, may be entitled to the post-retirement benefits, as prescribed by the Government, from time to time, *pro-rata* upto the date he attended his duties regularly, provided the said period qualifies for such benefits.

CHAPTER VIII

MISCELLANEOUS

- S.246. (1) Subject to the provisions of these Statutes, the teacher may, by informing to the Competent Authority, contest elections to the University Bodies and Authorities in accordance with the provisions laid down in the Act and the Management shall comply. Contesting of Election.
- (2) Subject to the provisions of these Statutes, the teacher may, with previous permission of the Competent Authority in writing, contest elections to public offices other than those mentioned in Clause (1) at the Local, District, State or National level.
 - (3) The permanent teacher shall, immediately after filing the nomination form for contesting such elections as mentioned in clause (2) above and the same being declared as valid, proceed on leave due and admissible to him and shall continue to be on leave till the declaration of the election results.
 - (4) The Competent Authority may require the temporary teacher contesting such elections to resign his post even during the election campaign.

(5) The teacher contesting such election shall not involve the University, College or Recognised Institution, teachers or students of the institution in which he is employed, in the election campaign.

(6) (a) In the event of his being elected, the permanent teacher may apply for further extension of leave due and admissible to him and if there is no leave to his credit, the extraordinary leave for the period for which he is likely to continue to hold the office, shall be granted by the Competent Authority in relaxation of the limit prescribed in these Statutes.

Provided that, such a period spent on extraordinary leave availed by the teacher shall be counted for increments and post-retirement benefits.

(b) If the sessions or meetings of the public office are held at intervals he may be allowed to avail of leave due and admissible to him or the extraordinary leave, as the case may be, for the actual period of the sessions or meetings including the period of journey and may be allowed to attend his duties during the remaining periods.

(c) The period of extraordinary leave availed for the purpose, shall be counted for purpose of annual increments.

(7) In the event, a permanent teacher becomes either Minister or an Office bearer such as Chairman, President, Vice-President etc. which requires full-time attendance or long-time absence from normal duties, he shall apply for keeping his lien on the post which he had held and shall be granted the same by the Competent Authority.

Foreign
Service.

S.247. (1) The Appointing Authority may, by special resolution, upon requisition by an organisation (herein referred to as Foreign Employer) and on express consent by the teacher, place the services of the teacher at the disposal of the foreign employer.

(2) The position, terms and conditions of the teacher under the foreign employer shall be decided by the Competent Authority in consultation with the foreign employer. The terms and conditions of service thereunder shall not be too attractive to distract the teacher or any other teachers in the cadre.

(3) The teacher shall be treated to be on deputation from the date he relinquishes his charge and till he resumes the charge on repatriation.

- (4) Ordinarily, the period of deputation shall be of three years, which may be extended for a period which together shall not exceed five years.
- (5) The teacher shall retain lien on his permanent post during the period of deputation. The period of deputation shall be treated as continuous service and shall be counted for increments, promotions and pensionary benefits.
- (6) (a) The Competent Authority may recall the services of the teacher, by intimating, the teacher and the foreign employer, three months in advance. The foreign employer shall make necessary arrangements to release the teacher from that date.
(b) The teacher may request, by giving three months' notice, to the Appointing Authority and to the foreign employer, that he may be repatriated to the parent services. The Appointing Authority in consultation with the foreign employer shall make necessary arrangements to repatriate the teacher.
- (7) The foreign employer shall make, on the annual basis, contribution to the Appointing Authority towards Leave Salary, Contributory/General Provident Fund, Gratuity and Pension, etc. if any, at the rates prescribed by the Government, from time to time.
- (8) The teacher in service of the foreign employer shall be entitled to the benefits of Leave, Surrender Leave, Joining Time, Transfer, Travelling Allowance/Dearness Allowance, etc.
- (9) (a) The teacher on deputation to any organisation shall have to take prior permission and rejoins his parent service before he proceeds on deputation to another organisation.
(b) The foreign employer may grant the teacher Study Leave for pursuing studies connected with his foreign service and such period shall be treated as foreign service. The foreign service employer shall report the details of such study leave to the Competent Authority.
(c) The teacher seeking study leave, for studies not directly connected with his foreign service but connected with his parent service, shall apply to the Appointing Authority through the foreign employer for such leave and shall rejoin his parent service before proceeding on such study leave.

- Break
Condo-
nation.** S.248. The University or the Director of Higher Education, as the case may be, shall condone the break in service of the teacher for the purpose of pay and pensionary benefits, as per the Government rules, from time to time.
- Discharge
Certifi-
cate.** S.249. The Principal shall issue a Discharge Certificate to the teacher who leaves service after following due procedure as laid down under the Statutes, in the form appended.
- Nomina-
tion of
the
Head of
the
Depart-
ment.** S.250. Headship of the Department in the College or Recognised Institution shall be by rotation.
- The Principal shall nominate one of the teachers by rotation, as a Head of the Department for a period of five years, in the following manner:
- (1) If there is only one teacher in selection grade or designated Reader, he shall be appointed as Head of the Department.
 - (2) If there is no teacher in selection grade or designated Reader and there is only one teacher in senior scale then he shall be appointed as Head of the Department.
 - (3) In case, if there are more than one teacher in Selection grade or designated Reader, then Principal shall appoint one of them as Head of the Department.
 - (4) If there is no teacher in selection grade or designated Reader but there are more than one teacher in senior scale, then Principal shall appoint one of them as Head of the Department.
 - (5) If there is no teacher in selection grade or senior scale, then the Principal shall appoint one of the Lecturers as Head of the Department.
 - (6) Headship of the teacher before the completion of the tenure, shall not be withdrawn without the prior permission of the University.
 - (7) The teacher appointed as the Head of the Department shall be eligible for remission in workload as per the Statute.
- Lien.** S.251. (1) The teacher seeking appointment in another university, college, recognised institution or any other organisation shall apply for lien through the Appointing/Competent Authority. The Appointing/Competent Authority may forward such application subject to such conditions as may be prescribed.
- (2) In case the teacher is selected/nominated, he may resign the post or make specific request that he may be permitted to accept the new

assignment on lien. The employer may permit him to accept, subject to such conditions as may be prescribed and sign the agreement with the authority. The lien of such teacher shall be retained on his post for a period not exceeding five years, at the end of which he may have to rejoin his post or resign.

Provided that, if the teacher is appointed or nominated as the Pro-Vice-Chancellor, Registrar, Director BCUD, Controller of Examinations and Finance and Accounts Officer he shall be entitled to lien for a further period of five years.

- (3) In case the teacher is on probation at the time of such outside appointment, he shall resign his position before proceeding on to join the post.
- (4) The temporary teacher shall not be entitled to lien.

Provided that, if such a new post is under the College or Recognised Institution in the State of Maharashtra, he may be given benefit of protection of pay and of counting qualifying services for pensionary benefits.

- S.252. (1) If the teacher is appointed on a post which is sanctioned/created for a specific period of time, the teacher shall be governed by the specific provisions of the terms of contract and not by the provisions of these Statutes. He shall have no legal claim on the said or similar post in the College or Recognised Institution, except those specified in the contract. Tenure Post.

Provided that, if the post is extended on tenure basis, the teacher already working or the teacher who was working may be given preference. On the expiry of such extended period, the teacher shall be entitled to the terminal benefits as may be admissible.

- (2) The teacher may be appointed for a tenure period on a permanent or a temporary post, by a contract and shall be governed by the terms of contract and not by the provisions of these Statutes under the scheme.

- S.253. The teacher who is absent from duty without permission for a period of more than thirty days, he shall be deemed to be deserter and his services shall stand terminated automatically on the expiry of the period. Deserter

Provided that, whenever the teacher is not able to attend the duties as prescribed and not able to communicate reasons of his absence for

reasons beyond his control, the Competent Authority may, by a special order condone his absence.

Provided further that, before terminating the services of the deserter, the Competent Authority shall first give thirty days notice to the deserter in local newspaper, send the copy of the said notice to the deserter on permanent address by registered post and paste the copy of the notice on the door of his residence. After expiry of the notice period, the Competent Authority shall terminate the services of the deserter.

Disconti-
nuation
or
Termina-
tion.

S.254. (1) The teacher shall not leave or discontinue his service in the College or Recognised Institution without giving prior notice in writing to the Competent Authority of his intention to leave or discontinue the service. The period of notice shall be -

- (a) three calendar months in the case of the permanent teacher.
- (b) one calendar month in the case of the temporary/probationary teacher.
- (c) In case of breach of these provisions, the teacher shall pay to the College or Recognised Institution an amount equal to his basic pay for the notice period required to be given by him. In case he fails to pay the amount, it shall be recovered from the dues payable to him.

(2) If the Disciplinary Authority, after completing the procedure of departmental enquiry, comes to the conclusion that the teacher should be compulsorily retired or removed from service, it shall give three months' notice in case of the permanent teacher or pay the basic pay for the period in lieu thereof.

(3) The teacher on probation shall not leave or discontinue his service without giving one month's prior notice in writing or one month basic pay in lieu thereof.

(4) The Competent Authority shall not terminate the service of the teacher on probation without giving one month's prior notice in writing to the teacher or one month basic pay in lieu thereof.

Abolition
of Post.

S.255. (1) Post of the teacher shall not be abolished without prior permission of the University.

(2) If the teacher is declared as surplus for want of workload due to any reason, then such teacher shall be first absorbed in the College or Recognised Institution affiliated to the University. In case there is no vacancy within the university jurisdiction then he shall be

absorbed in the College or Recognised Institution anywhere in the State.

- (3) In case of the teacher who cannot be declared as surplus, as per the University and the Government, then the post held by such teacher shall be abolished in the following manner :
- (a) The Principal shall submit the proposal to the University for abolition of the post for either want of workload or closure of the subject/faculty or the College/Recognised Institution, as the case may be.
 - (b) The University, after scrutinising the proposal shall give the permission to abolish the post(s).
 - (c) The teacher(s) working against the post(s) which is/are to be abolished shall be entitled to the salary as follows :
 - (i) If the teacher has put in more than ten years of service, he shall be entitled to twelve months' salary.
 - (ii) If the teacher has put in more than five years service, he shall be entitled to six months' salary.
 - (iii) If the teacher who is confirmed and has put in more than two years but less than five years service, he shall be entitled to three months' salary.
 - (d) In case, the abolished post is again created due to any reason, then such teacher shall have option to come back to the said post.

S.256. Any teacher working in the College or Recognised Institution shall resign his post by submitting resignation letter to the Competent Authority in his own handwriting, which shall be attested by two senior teachers working in the same College or Recognised Institution. Resignation of Teacher

- S.257. (1) The teacher before leaving the service shall handover the charge of his post to the Principal or the person duly authorised by the Principal on his behalf. Handing over the Charge.
- (2) The teacher shall return to the University, College, Recognised Institution all the Library books, Advance(s), Consumer Society Loan, etc. and shall pay the maintenance charges of the accommodation provided to him, if any.
 - (3) The teacher shall vacate the quarter allotted to him before handing over the charge.

- (4) The College or Recognised Institution shall pay all the dues which are payable to the teacher before he is relieved.
- (5) The College or Recognised Institution shall handover the discharge certificate to the teacher in the prescribed form appended.

Con-
tributory
Provi-
dent
Fund.

S. 258. The teacher who is not covered under Salary Payment Scheme or Pension Scheme; as the case may be, shall be entitled to Contributory Provident Fund Scheme.

Provided that, the rate of monthly subscription of the employee's and the Management's share shall be as per the rules of Government of India or the Government, as the case may be, from time to time.

Provided further that, the teacher who is not covered under salary payment scheme and pension scheme shall be entitled for gratuity as per the Government rules, from time to time.

Special
Provi-
sions for
the
Female
Teach-
ers.

S. 259. In addition to the other provisions of these Statutes, the following provision shall apply to the female teachers working in the College or Recognised Institution :

- (1) Female teachers may be allowed to accumulate the casual leaves to the extent of sixty days for the purpose of her child rearing activities.
- (2) Where both husband and wife are working under the same or different managements, the creation of earned and half-pay leave bank may be permitted and the female teacher may be allowed to avail leave admissible for rearing of very young children.

Provided that, such period shall not exceed more than six years in entire service.

Provided further that, the female teacher shall be allowed to avail this leave facility if she has no other leave to her credit and there is earned leave to the credit of her husband.

- (3) The female teacher, in her entire service, may be allowed to work part-time for a period of not more than five years, when her children are young and family commitments are maximum.

Provided that, this part-time service shall be counted for the purpose of Seniority, Increments, and Retirement benefits, etc.

Provided further that, such female teacher as far as possible may be allowed to enjoy the benefits of flexi time-table convenient as per her requirements.

- (4) The break(s) in the service of the female teacher shall be condoned by the Government or the University, as the case may be, in the following manner :
- (a) the total number of breaks in service shall not be more than six in the entire service.
 - (b) the total period of such breaks shall not be more than six years irrespective of the length of break.
 - (c) the reason(s) for the break(s) shall include (i) marriage, (ii) transfer of both wife and husband, (iii) termination of service for reasons other than disciplinary measures, (iv) non-employment, (v) children's birth or family commitments or any other cause related to her dual responsibilities as a mother and the teacher.
 - (d) Such breaks shall be ignored for all the benefits such as Increments, Retirement benefits etc.
 - (e) The female teachers shall be allowed to rejoin the service (not necessarily in the same job/post) and the service rendered by such teacher prior to joining the new post shall be counted for the retirement benefits.
- (5) Priority may be given to the female teachers for Orientation and Refresher Courses organised nearer to their place of work.

CHAPTER IX

DUTIES, CODE OF CONDUCT AND PROFESSIONAL ETHICS

- S. 260. Subject to the supervision and general control of the Management, the Principal as the Principal Executive and Academic Head of the College/Recognised Institution, shall be responsible for -
- | | |
|---|---|
| <ol style="list-style-type: none"> (1) academic growth of the College. (2) participation in the teaching, research and training programmes of the College. (3) assisting in planning and implementation of academic programmes such as Refresher/Orientation course, seminars, in-service and other training programmes organised by the University/College for academic competence of the Faculty Member. | Duties and Responsibilities of the Principal of the College and Recognised Institution. |
|---|---|

- (4) admission of students and maintenance of discipline of the College.
 - (5) receipts, expenditure and maintenance of true and correct accounts.
 - (6) The overall administration of the College and Recognised Institution and their Libraries and Hostels, if any.
 - (7) correspondence relating to the administration of the College.
 - (8) administration and supervision of curricular, co-curricular/extracurricular or extra-mural, students' welfare activities of the College and Recognised Institution and maintenance of records.
 - (9) observance of the Act, Statutes, Ordinance, Regulations, Rules and other Orders issued thereunder by the University authorities and bodies, from time to time.
 - (10) supervision of the examinations, setting of question papers, moderation and assessment of answer papers and such other work pertaining to the examinations of College/Recognised Institution.
 - (11) overall supervision of the University Examinations.
 - (12) observance or provisions of Accounts Code.
 - (13) maintenance of Self Assessment Reports of teachers and their Service Books.
 - (14) any other work relating to the College or Recognised Institution relating to the administration of the College as may be assigned to him by the Management, from time to time.
- S.261. (a) The teacher shall devote his time and energy to develop and improve his academic and professional competence by availing all opportunities to attend and participate in academic programmes, such as Seminars, Orientation, Refresher Courses, In-service programme, etc. The Management shall give the teacher every possible opportunity to do so.
- (b) The teacher shall perform his academic duties such as preparation of lectures, demonstrations, assessment, guidance to research, tutorials, University, College and Recognised Institution examinations, will encourage pursuit of learning in the students.
- (c) The teacher shall engage the classes regularly and punctually and impart such lessons and instructions as the Principal shall allot to him, from time to time and shall not ordinarily remain absent from work without prior permission or grant of leave.
- (d) The teacher shall observe the provisions of the University Act, Statutes, Ordinances, Regulations and Rules in force and

as modified, from time to time and abide by the decisions of the University/Management, Principal and shall ensure the interest of the University, College or Recognised Institution. Such decisions, however, shall not be inconsistent with the provisions of the Act, Statutes, Ordinances, Regulations, etc. If it is found by the Management that damage or loss has been caused to the College or Recognised Institution by an act or negligence neglect or default on the part of the teacher, such damage or loss shall be recoverable from him.

- (e) In addition to the duties of teaching and allied activities the teacher shall when required, attend to extra-curricular, co-curricular activities organised by the University, College and Recognised Institution and administrative and supervisory work and maintenance of records and self reports or any other duties befitting the status of a teacher assigned to him by the Principal.
- (f) A teacher shall help the University, College or Recognised Institution authorities to enforce and maintain discipline and good habits among the students.
- (g) In case of Professional Colleges, a teacher shall perform such duties as are prescribed by their respective Central Councils and accepted by Government and University, from time to time.

S.262. In addition to the duties of the teacher as mentioned above, the Librarian shall perform the following duties :

Duties of Librarian.

- (a) The Librarian shall provide a wide range of services to the user, by making available in a convenient and attractive form to students and faculty members, a well organised and properly arranged stock of books, journals and other relevant materials which are to be kept properly indexed catalogued and up-dated.
- (b) The Librarian shall provide reading and lending facilities and service relating to reference, documentation and bibliography.
- (c) The Librarian shall always try to bring books, students and scholars together under conditions which encourage reading for pleasure, self discovery, personal growth and sharpening of intellectual curiosity.

S.263. (1) (a) The teacher shall perform all his duties faithfully and will not avoid his responsibility. However, following lapses would

Code of Conduct

constitute improper conduct on the part of the teacher :

- (a) Failure to perform his academic duties such as lecturing, demonstrations, assessment, invigilation etc.
- (b) Gross partiality in assessment of students, deliberately over/under marking or attempt of victimisation on any grounds.
- (c) Inciting or instigating students against other students, colleagues, administration. (This does not interfere with his right to express his differences on principles in seminars or other places where students are present.)
- (d) Raising questions of castes, creed or religion, race or sex in his relationships with the students and his colleagues and trying to use the above considerations for improvement of his prospects.
- (e) Refusal to carry out the decisions of appropriate authorities, officers, administrative and academic bodies of the University. This will not inhibit his right to express his difference with their policies or decisions, expression, provided that he will not use the facilities or forum of the University, College or Recognised Institution to propagate his own ideas or beliefs for or against particular political party or alignment of political or religious activities.
- (f) Accepting tuitions, conducting/participating in private coaching directly or indirectly or any classes or courses in any manner.
- (g) Violation of the Anti-bigamy Act and Anti-dowry Act in any manner directly or indirectly.
- (h) Involvement in non-academic activities directly or indirectly such as -
 - i) Writing of questions-answers guide, key, likely questions, cyclostyled or xeroxed notes, etc.
 - ii) Undertaking of any office of profit, agency.

The teacher shall not avoid any work related to the University examinations without reasonable grounds.

- (2) The behaviour of the teacher with male and female students and other employees shall be modest.

(3) The Teacher shall -

- i) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- ii) not consume any intoxicating drink or be under the influence of any intoxicating drink or drug, during the course of his duty; and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of any such drink or drug;
- iii) refrain from consuming any intoxicating drink or drug in a public place;
- iv) not appear in a public place in a state of intoxication;
- v) not use any intoxicating drink or drug in excess so that he is unable to control his behaviour.

Explanation : For the purpose of this rule, "Public Place" means any place or premises (including conveyance) to which the public have or are permitted to have access, whether on payment or otherwise).

S.264. (1) Teachers and their rights :

The Teachers shall enjoy full civic and political rights as provided by the constitution. The teachers shall have a right to adequate emoluments, social position, just conditions of service, professional independence and adequate social insurance.

Code of Professional Ethics for the Teachers.

(2) The Code of Professional Ethics :

(a) The teachers and their responsibilities :

Any person who takes teaching as profession assumes the obligation to conduct himself in accordance with the ideals of the profession. The teacher is constantly under the scrutiny of his students and the society at large. Therefore, every teacher shall see that there is no incompatibility between his precepts and practice. The national ideals of education which have already been set forth and which he should seek to inculcate among students must be his own ideals. The profession further requires that the teachers shall be calm, patient and communicative by temperament and amiable in disposition. Teacher shall -

- (i) adhere to a responsible pattern of conduct and demeanour expected of him by the community.

- (ii) manage his private affairs in a manner consistent with the dignity of the profession.
 - (iii) seek to make professional growth continuous through study and research.
 - (iv) express free and frank opinion by participation at professional meetings, seminars, conferences etc. towards the contribution of knowledge.
 - (v) maintain active membership of professional organisations and strive to improve education and profession through them.
 - (vi) perform his duties in the form of teaching, tutorial, practical and seminar work conscientiously and with dedication.
 - (vii) co-operate and assist in carrying out functions relating to the educational responsibilities of the College or Recognised Institution and the University such as : assisting in appraising applications for admission, advising and counselling students as well as assisting in the conduct of University and College examinations, including supervision, invigilation and evaluation, and
 - (viii) participate in extension, co-curricular and extra-curricular activities including community service.
- (b) Teachers and the students :
- The teacher shall -
- (i) respect the right and dignity of the student in expressing his opinion.
 - (ii) deal justly and impartially with students regardless of their religion, caste, political, economic, social and physical characteristics.
 - (iii) recognise the difference in aptitude and capabilities among students and strive to meet their individual needs.
 - (iv) encourage students to improve their attainments, develop their personalities and at the same time contribute to community welfare.
 - (v) inculcate among students scientific outlook and respect for physical labour and ideals of democracy, patriotism and peace.

- (vi) be affectionate to the students and not behave in a vindictive manner towards any of them for any reason.
 - (vii) pay attention to only the attainment of the student in the assessment of merit.
 - (viii) make himself available to the students even beyond their class hours and help and guide students without any remuneration or reward, in college premises.
 - (ix) aid students to develop an understanding of our national heritage and national goals, and
 - (x) refrain from inciting students against other students, colleagues or administration.
- (c) Teachers and Colleagues :
- The teachers shall -
- (i) treat other members of the profession in the same manner as they themselves wish to be treated.
 - (ii) speak respectfully of other teachers and render assistance for professional betterment.
 - (iii) refrain from lodging unsubstantiated allegations against colleagues to higher authorities.
 - (iv) refrain from allowing considerations of caste, creed, religion, race or sex in their professional endeavour.
- (d) Teachers and authorities :
- The teachers shall -
- (i) discharge their professional responsibilities according to the existing rules and adhere to procedure and methods consistent with their profession in initiating steps through their own institutional bodies and/or professional organisations for change of any such rule detrimental to the professional interest.
 - (ii) not undertake any other employment and commitment including private tuitions and coaching classes;
 - (iii) co-operate in the formulation of policies of the institution by accepting various offices and discharge responsibilities which such offices may demand;
 - (iv) co-operate with the authorities for the betterment of the institutions keeping in view the interest and in conformity with dignity of the profession;
 - (v) should adhere to the conditions of contract;

- (vi) give and expect due notice before a change of position is made; and
 - (vii) refrain from availing themselves of leave except on unavoidable grounds and as far as practicable with prior intimation, keeping in view their particular responsibility for completion of academic schedule.
- (e) Teachers and non-teaching employees :
- (i) the teachers should treat the non-teaching employees as colleagues and equal partners in a co-operative undertaking, within every educational institution.
 - (ii) the teachers should help in the function of joint staff council covering both teachers and the non-teaching employees.
- (f) Teachers and guardians :
- The teachers shall try to see through teachers' bodies and organisations that institutions maintain contact with the guardians of their students, send report of their performance to the guardians whenever necessary and meet the guardians in meetings convened for the purpose for mutual exchange of ideas and for the benefit of the institution.
- (g) Teachers and Society :
- The teachers shall -
- (i) recognise that education is a public service and strive to keep the public informed of the educational programmes which are being provided.
 - (ii) work to improve education in the community and strengthen the community's moral and intellectual life.
 - (iii) be aware of social problems and take part in such activities as would be conducive to the progress of society and hence the country as a whole.
 - (iv) perform the duties of citizenship, participate in community activities and shoulder responsibilities of public office.
 - (v) refrain from taking part in or subscribing to or assisting in any way, activities which tend to promote feeling of hatred or enmity among different communities, relations or linguistic groups but actively work for National Integration.

**INFORMATION OF THE CANDIDATE TO BE SENT TO THE UNIVERSITY
ALONG WITH THE PROCEEDINGS OF THE SELECTION COMMITTEE**

(S. 167 (I) (f) (vi))

*Academic Year in which appointment
of a teacher is to be made.....*

Information in respect of candidate recommended by the Selection Committee for the post of Principal/Professor/Asstt. Professor/Reader/Lecturer/Librarian/Director of Physical Education etc.

- (1) Name of the College:
- (2) Name of the Candidates:
- (beginning with Surname) (Surname) (Name) (Father's/Husband's Name)
- (In Devanagari Script) (.....) (.....) (.....)
- (3) Date and Place of Birth:
- (4) Appointment Order and Date:
- (Pl. attach a copy)
- (5) Whether belonging to Reserved Category:
- (if so, state whether SC, ST, DT/NT and attach an attached copy of the caste certificate)
- (6) Designation of the Post with Subject:
- (7) Nature of Appointment:
- (a) Full-Time:
- (b) Part-Time:
- (c) Clock Hour Basis:
- (8) Whether Temporary/Permanent/Visiting:
- or on Contract Basis/Lease basis (Please state the period) From To
- Yes No
- (9) Whether the Selection Committee procedure laid down in the Statute by the University was followed:
- (a) Date of the Meeting of the Selection Committee:
- (b) Whether there was quorum of the meeting (as per the Statute): Yes No

(2)

(c) Whether the University Subject Experts were present Yes No

(d) Whether the B. C. Nominee was present Yes No

(e) Whether the candidate was appointed from the names arranged in order of merit? Yes No

If so, indicate the rank Rank No.

(f) Was the vacancy of the teacher to be filled in temporarily by the Local Selection Committee. (Send the Local Selection Committee Report alongwith proposal) Yes No

(g) Whether the Selection Committee was constituted as per Statute 16 Yes No

(10) Total No. of posts of Teachers (including Principal) in the scale of pay in the College/Recognised Institution during the academic year referred to above Nos.

(a) Full-Time Full-Time

(b) Part-Time Part-Time

(c) No. of teachers (including Principal) to be appointed against the post reserved for the Members of backward classes

S.C.	(13%)	.....
S.T.	(7%)	.....
VJ (A)	(3%)	.....
NT (B)	(2.5%)	.....
NT (C)	(3.5%)	.....
NT (D)	(2%)	.....
OBC	(19%)	.....
SBC	(2%)	.....

(d) No. of teachers (including Principal) appointed in the college/ recognised institution Backward classes

S.C.	.....
S.T.	.....
D.T/N.T.	.....
VJ (A)	.....
NT (B)	.....
NT (C)	.....
NT (D)	.....
OBC	.....
SBC	.....

(e) Backlog carried forward

(f) How many times were the above post(s) advertised as reserved for members of the backward classes

(11) (a) Total workload of the Department Theory Practicals Total

(b) No. of Teachers in the Department (i) Full Time..... (ii) Part Time..... (iii) CHB....

(12) Vacancy arisen due to

(i) Increase in the workload,

(ii) Retirement OR / Substitute to a Staff

(Please state the name of previous incumbent)

(13) Educational Qualifications and Academic record of the teacher appointed :

(Please enclose attested copies of Degree Certificate(s) and Statement of Marks)

	Univer- sity	Year of passing	Subjects Offered stat- ing whether Spl./Major/ General	Marks obtained out of	Percentage of marks obtained	Class/ Division/ Grade
1	2	3	4	5	6	7
(i) Bachelor's Degree						
(ii) Master's Degree						
(iii) M.Phil. Degree						
(iv) Ph.D. Degree						
(v) NET/SET						
(vi) Any other						

14. Teaching Experience (Please enclose attested copies of the Certificates) if any :

University/ College/ Institute	Designation of the post held	Subjects and classes taught	Period of appointment with date	Nature of appointments	Whether the appointment was approved by the University. If yes, state the date of approval (attach true copy of the approval letter)
1	2	3	4	5	6

(15) Professional Experience if any of the teacher appointed (i.e. professional standing in case of C.A./ Advocates/Practitioner/Engineer)

(Please give details on a separate sheet with Date of Registration/Certificate of Practice)

I hereby certify that —

- (i) I have personally verified the Educational Qualifications, Caste Certificate and the information regarding the professional experience of Shri./Smt. mentioned above.
- (ii) the appointment of Shri./Smt. is made in accordance with the workload prescribed by the University/Government and that no appointment is made in excess of the appointments required.

All the attested true copies of Statements of Marks, Degree Certificate, Caste Certificate (if any), Experience Certificate, Marriage Certificate (if any) are enclosed.

The Selection Committee Report (University/Local) alongwith the information of the candidates selected for interview is also enclosed.

Place :

Date :

Signature of the Principal

..... College,

(College Stamp)

- (iii) In case of selection of the Principal -

I hereby certify that I have personally verified all the documents including the Caste Certificate if any of the above candidates for the post of Principal and also certify that the full-time teaching/professional experience of the candidate selected years is correct.

- (iv) The Selection Committee Report alongwith the information of the candidate(s) selected for the interview is enclosed.

Place :

Date :

Signature of the Chairman/President/Secretary.

(Stamp of the Institute)

(To be filled in by the University Office)

Recommendations of the University Office (Academic) :

- * (1) Since the candidate possesses good academic record with at least 55% marks in the relevant subject at Master's degree and he has passed the Eligibility Test for Lectureship conducted by the UGC/CSIR or a similar test accredited by the UGC, his appointment BE APPROVED.

- (2) Since the candidate possesses qualifications for professional Courses i.e. Medical, Engineering, Law, etc. laid down by the University/Respective Councils, his appointment BE APPROVED.
- (3) The approval is granted subject to the following conditions :
 - (i)
 - (ii)
 - (iii)
- (4) Since the candidate does not possess the minimum required qualifications/ experience his appointment be NOT APPROVED.

Superintendent / S. O.

Asst. Registrar

Dy. Registrar

Director, BCUD

Pro-Vice-Chancellor

Vice-Chancellor

-
- Strike out whichever is inapplicable.
 - Incomplete forms will not be entertained.

APPENDIX -II

PROCEEDINGS OF THE SELECTION COMMITTEE

(S. 167 (1) (f) (vi))

Name of the Management/College/Recognised Institution :

Interviews for the post of in the Subject of

Date of the Interviews : Pay Scale :

No. of Post(s) : No. of Post(s) reserved :

Name(s) of the Candidates

1 2 3 etc.

Objective marking

(a) Academic

- (i) Merit at graduate level
- (ii) Merit at Post-graduate level
- (iii) Merit at M.Phil. Degree
- (iv) Ph.D. Degree
- (v) SET/NET Examination

(b) Research Publications
Research papers published in

- (i) State level Journals
- (ii) National level Journals
- (iii) International Journal
- (iv) Publication of Text-books
or other books

(c) Teaching experience

- (i) Full-time
- (ii) Part-time

(d) Extra-curricular activities

- (i) Participation in N.S.S.
- (ii) NCC 'B' Certificate

(iii) NCC 'C' Certificate	
(iv) Sports Winners at University/ State/National level	
(e) Points scored in personal interview	
GRAND TOTAL	

Prepared by :

Checked by :

Signatures of the Members of Selection Committee :

(1) (2) (3)
(4) (5) (6)
(7) (8) (9)

APPENDIX - III
FORM FOR APPOINTMENT ORDER OF THE TEACHER
(S. 174 (2))

Name of the Management/College/Recognised Institution :

Ref. No.

Date :

To,

Shri/Smt.....

Sub. : Appointment to the post of
 In (Subject)

Sir/Madam,

In response to our advertisement dated you had applied for the post of
 You were interviewed for the above post by the Selection Committee constituted by the Management under Statute No. of the University.

I am pleased to inform you that the Management has appointed you on the said post in
 College/Institute at
 in the scale of Rs.
 with effect from Your appointment is subject to the following terms and conditions :

1. Your services will be governed by the Maharashtra Universities Act, 1994, Statutes, Code of Conduct, Ordinances and rules and regulations laid down by the University, from time to time.
2. (a) You are appointed in clear vacancy on full-time/part-time basis on probation for a period of twenty-four months from the date of joining.
- (b) Your appointment is purely temporary for a period of
 i.e. from to
- (c) Your appointment is on leave/lien vacancy for the period from
 to
- (d) The post is reserved for
 Since you belong to the said category, you are appointed on full-time basis on probation for a period of twenty-four months from the date of joining.
- (e) The post is reserved for
 Since you do not belong to the said category, you are appointed full-time

- on temporary basis against the reserved post for a period of
 You shall not have any claim on the said post in future.
- (f) This is temporary vacancy caused by
 Hence you are appointed full-time on purely temporary basis for a period of
- (g) Your appointment is on part-time/clock hour basis only.
3. (i) You will be paid basic pay of Rs./- per month in the scale indicated above. You will also be entitled to Dearness Allowance, House Rent Allowance and C.L.A. at the rates prescribed by the Government, from time to time. Your salary will be paid through Nationalised/Scheduled Bank.
- (ii) You will be paid remuneration at the rate of Rs. per lecture/per hour.
- (iii) Your appointment and salary shall be subject to approval by the University.
4. (a) You will have to pass the NET or the SET or similar test as the case may be as laid down by the University.
- (b) You will have to acquire the qualifications
 (SET/NET) as prescribed by the University within the
 period.
5. You will submit the originals as well as certified true copies of relevant testimonials such as marksheets, birth date, experience, discharge/relieving, last pay, Caste etc. certificates, at the time of joining duties.
6. In case you accept the appointment you shall have to execute Deed of Contract of Service as prescribed in the Statutes at the time of joining the duties.
7. You will be allowed to join the duties on production of —
- (i) Two Passport size Photographs.
- (ii) Discharge Certificate from previous employer (if any).
8. You will undergo medical examination by the approved Medical Officer or by the Civil Surgeon at the place of your duty, within three months from the date of joining the duties.
9. You are required to give the correct mailing address as soon as you join the duties and any change in the address given earlier should be communicated to the Principal. It will be presumed that any letter sent by Registered Post Acknowledgement Due (RPAD) on the address given, shall be deemed to have been acknowledged and duly signed by you.

10. You will not conduct or engage yourself in any private tuitions or private coaching classes and will not hold any office of profit.
11. You will not engage yourself in any other job paid full-time, part-time or otherwise, during the continuance of your service.
12. Your services are transferable to any other Colleges or Recognised Institutions run by the Management as per the Statutes.
13. You will have to communicate your acceptance to the Management/College/Institution within ten days from the date of receipt of this Order of Appointment, failing which your appointment is liable to be cancelled.

Yours faithfully,

Secretary/Principal.

Pl. strike out whichever is not applicable.

FORM OF DISCHARGE CERTIFICATE

(S. 174 (3))

Date :

This is to certify that Shri./Smt./Dr. _____
who was in the employment of this College/Recognised Institution
as _____ has left/has been relieved from the services of
the College/Recognised Institution from _____ (FN/AN). The pay
drawn by him/her on _____ in the Pay-Scale of Rs. _____
was Rs. _____ p.m. The date of his/her next increment in the said
Pay-Scale is _____.

Place :

Principal of the College

Date :

DEED OF CONTRACT OF SERVICE

(S. 175 (1))

This agreement made on the day of 19 between Shri./Smt./Kum./Prof./ Dr. hereinafter referred to as "the Teacher" of the first part and the "..... Management of the College or Recognised Institution" of the second part.

It is hereby agreed by and between the parties hereto as under :

1. That the Management of the College/Recognised Institution hereby appoints Shri./ Smt./Kum./Prof./Dr. as a in in the scale of Rs. (Post) in the Department of (subject) in /College/ Institution with effect from the date when the said takes charge of the duties of his office and the said hereby agrees to abide by the conditions of service, leave rules and conduct, discipline and appeal rules as are prescribed and will be prescribed hereafter by the Statutes.

2. That the said parties agree and undertake to be bound by the Act, Statutes, Ordinances, Regulations, Rules and Orders of the Management for the time being in force and as may be amended and/or modified from time to time and brought into force at a later date and which shall be deemed to form part of the agreement.

3. That the said parties agree that this agreement shall continue in force till the date of superannuation of the teacher or until determined by notice in writing as required under the Statutes relating to the conditions of service for the College/Recognised Institution teacher.

IN WITNESS whereof the parties hereto have set their hands and seals on the day of the month and year mentioned above.

Place :

Date :

Signed by the said

Signed and sealed on behalf of the College/Recognised Institution

(Teacher)

Chairman Management

In the presence of :

- 1.
2.

FORM OF DISCHARGE CERTIFICATE

(S. 174 (3))

Date :

This is to certify that Shri./Smt./Dr. _____
who was in the employment of this College/Recognised Institution
as _____ has left/has been relieved from the services of
the College/Recognised Institution from _____ (FN/AN). The pay
drawn by him/her on _____ in the Pay-Scale of Rs. _____
was Rs. _____ p.m. The date of his/her next increment in the said
Pay-Scale is _____.

Place :

Principal of the College

Date :

SELF APPRAISAL REPORT
(S. 182 (I))

Name of the College/Recognised Institution : _____

Performance Appraisal Report Year : _____

A. General Information

- a) Name
- b) Date of Birth
- c) Address (Residential)
- d) Designation
- e) Department
- f) Area of Specialization
- g) Date of Appointment
 - i) in the institution
 - ii) on the Present Post
- h) Honours Conferred

Ph. No.

B. Teaching

- a) Class Taught

Class	Periods				
	Assigned per week		Taught in the year		Steps taken for engaging of periods missed during absence of leave
	L	T/P	L	T/P	
		(1)		(2)	(3)

- i) Bachelor's Degree
- ii) Master's Degree
- iii) M. Phil.
- iv) Any other

(To be filled at the end of every academic year)

L = Lecture T = Tutorial P = Practical

- b) Regularity and Punctuality
- c) Details of course teaching plan, synopses of lectures and reading lists supplied to students.

d) Details of participation in the following :

- i) University Evaluation
- ii) Internal Evaluation
- iii) Paper Setting
- iv) Assessment of Home assignments
- v) Conduct of Examinations
- vi) Evaluation of Dissertation etc.

C) Details of Innovations/Contribution in Teaching, during the year :

- a) Design of curriculum :
- b) Teaching methods :
- c) Laboratory experiments :
- d) Evaluation methods :
- e) Preparation of resource material including books reading materials, laboratory Manuals etc.
- f) Remedial Teaching Student Counselling (academic)
- g) Any other

D. Improvement of Professional Competence :

Details regarding Refresher/Orientation Courses attended, participation in summer schools, workshops, seminars, symposia etc. including open university courses / M.Phil., Ph.D.

E. Research Contributions :

a) Number of Students (M.Phil. / Ph.D.)

	At the beginning of the year	Registered during the year	Completed during the year
M.Phil.			
Ph.D.			

b) No. of research papers published (Please enclose list).

c) Research Projects :

Title of the Project	Name of the funding agency	Duration

d) Details of Seminars, Conferences, Symposia organised/attended

e) Patents taken, if any, give a brief description

f) Membership of Professional Bodies
Editorship of Journals etc.

F. Extension Work / Community Service :

a) Please give a short account of your contribution to :

i) Community work such as values of National integration, secularism, democracy, socialism, humanism, peace, scientific temper, flood or drought relief, small family norms, AIDS etc.

ii) National Literacy Mission

b) Positions held/Leadership role played in organizations linked with Extension work and National Service Scheme (NSS) or NCC or any other similar activity

G. Participation in Corporate Life :

Please give a short account of your contribution to :

a) College/University/Institution

b) Co-curricular activities.

c) Enrichment of Campus Life
(hostels, sports, games, cultural activities)

d) Students' Welfare and Discipline

e) Membership / Participation in Bodies / Committees on Education and National Development, Membership of University, Bodies and Authorities etc.

f) Professional Organization of Teachers,

H. Assessment :

a) Steps taken by you for the evaluation of the course programme taught

I. General Data :

State brief assessment of your performance indicating -

- a) achievements
- b) difficulties faced
- c) suggestions for improvement

Signature of the Teacher

J. Assesment by the Head of the Department :

- A. General information
- B. Teaching
- C. Details of Innovations/Contribution in Teaching, during the year
- D. Improvement of Professional Competence
- E. Research Contributions
- F. Extension Work / Community Service
- G. Participation in Corporate Life

Head of the Department

Remarks of the Reviewing Authority

PRINCIPAL

FORM OF SUSPENSION ORDER

(S. 226 (1))

To,

.....

.....

As decided by the Management by resolution No./Order No. _____
 passed at its meeting held on _____, I, _____
 do hereby suspend you (Shri. _____) from the service of the
 College/Recognised Institution with effect from _____ on
 the charge/s mentioned below :

(1)

(2)

etc.

2. It is also ordered that a regular Departmental Enquiry will be held into your conduct. Orders appointing an Enquiry Authority for the purpose are being issued separately.

3. You should note that it is not permissible for you to accept any gainful employment or to do any business while you are under suspension. Any breach of this condition shall render you liable to forfeit your claim for subsistence allowance.

4. Pending further orders you will be paid a subsistence allowance provided under these Statutes.

Place :

Date :

Chairman/Secretary

.....

.....

FORM OF APPOINTMENT ORDER OF ENQUIRY OFFICER

(S. 228 (1))

As it has been decided to hold a departmental enquiry into the conduct of Shri. _____ on the charge(s) mentioned in the memo of charges an Enquiry Authority consisting of (i) _____

(ii) _____ (iii) _____

(Designation) _____ is appointed to hold the enquiry in accordance with the procedure prescribed by the Statutes. A proforma in which the charge sheet is to be served on Shri. _____ is attached.

The Committee consisting of the above member(s) is requested to see that they complete the enquiry and submit/s their report expeditiously and in any case on or before _____

Place :

Chairman/Secretary

Date :

.....
.....

FORM OF MEMO OF CHARGES

(S. 228 (2))

(Registered Post A/D.)

To,

I, (Name and Designation) _____ (Chairman) appointed
 Enquiry Authority vide the order issued by _____
 under No. _____ of _____ to hold a Departmental
 Enquiry into your conduct do hereby charge you (Shri. _____
 as under :

1)

2)

etc.

2. A statement of allegations on which the charges are based is attached herewith. Copies of the relevant documents which have been relied upon while framing the charges are also sent herewith.

3. You are called upon to put in your written statement of defence along with such documents as you intend to rely on in your defence in answer to the above charges within _____ days from the date hereof and to state at the same time whether you desire to be heard in person. If you desire to examine any witness(es) in your defence, you are called upon to furnish at the same time the names and addresses of your witness(es). On your failure to put in your statement or to furnish the names and addresses of your witness(es) within the time allowed to you, it will be presumed that you do not wish to make a statement or to furnish the names and addresses of any witness(es).

4. You are further called upon to state why the above charges or any of them, if held proved, should not be considered as good and sufficient ground for imposing upon you any one of the penalties specified in the Statutes of the _____ University. Any representation that you make with regard to the action taken against you would be considered by the Competent Authority before the final order of punishment is passed. You may, if you so desire, take inspection of relevant documents and if you further so desire you may take copies of required documents.

Date :

Enquiry Officer

FORM OF ORDER FOR REMOVAL OR DISMISSAL

(S. 231)

As decided by the Management of the _____
College/Recognised Institution, by Resolution No. _____ passed
at its meeting held on _____.

The Management of the _____ College/Recognised
Institution hereby directs that Shri. _____ be
dismissed/removed from the service of the College/Recognised Institution with
effect from _____.

Hence you are dismissed/removed from the services of the College/
Recognised Institution.

Place : _____

Chairman/Secretary

No. : _____

Date : _____

FORM OF ORDER FOR IMPOSING PENALTY

(S. 231 (4))

(Registered Post A. D.)

To,

As decided by the Management of the College/Recognised Institution by Resolution No. _____ passed at its meeting held on _____ the Chairman of the Management hereby directs that Shri./Smt./Kum. _____ be charged with a penalty of _____ / dismissal/removal from the service of the College/Recognised Institution with effect from _____ (FN/AN).

Hence you are charged with a penalty of _____ dismissal/removal from the service of the College/Recognised Institution with effect from _____ (FN/AN).

Place : _____

No. : _____

Date : _____

By Order,

Chairman/Secretary

.....

FORM OF SHOW-CAUSE NOTICE
(S. 231 (5) (II))

From :

.....

.....

To :

.....

.....

Subject : Disciplinary action

I am to forward herewith a copy of the report submitted by the Enquiry Officer who conducted the Departmental Enquiry into your conduct and to state that with due consideration of the findings arrived at in this respect it has been held that charges No. _____ mentioned in the memo of charges served upon you have been proved against you. It is, therefore, proposed to dismiss/remove you from the service of the College/retire you compulsorily from the service of the College/Recognised Institution/reduce you to a lower post or pay-scale or the lower stage of increment in your present time-scale of pay.

2. You are hereby called upon to show cause within 14 days from the date of receipt of this notice as to why the proposed penalty should not, for good and sufficient reasons, be imposed upon you. If you fail to do so within the time allowed to you, it will be presumed that you do not wish to show any cause, in respect of the disciplinary action proposed to be taken against you.

3. You are requested to acknowledge receipt of this Notice.

Encl. : As above.

Place :

Chairman/Secretary

Date :

.....

.....

FORM OF HANDING OVER CHARGE

(S. 257 (1))

Date :

I, _____ (Designation) in the College/Recognised Institution have handed over the charge of my post to _____ with effect from _____ as I have resigned my post from _____

I have already submitted a clearance certificate obtained from the Secretary of the College/Recognised Institution stating that no property or monee belonging to the College/Recognised Institution is in my possession.

I have already handed over possession of the premises occupied by me in the College/Recognised Institution premises.

Signature of the Teacher

I, _____ (Designation), in the College/Recognised Institution of _____ have taken over the charge from _____ in the College/Recognised Institution, who has resigned his post from _____. No property belonging to the College/Recognised Institution is in his possession. The premises occupied by him in the College/Recognised Institution for his residential accommodation have also been duly vacated and handed over by him.

Chairman/Secretary

List of the property handed over to me.

- S.590. Affiliated Colleges and Recognised Institutions for this purpose shall charge and recover an amount of Rs.50/- as Registration Fee from each student admitted. The names of all such students shall be sent to the University alongwith the Registration Fee collected within the prescribed period.
- S.591. Affiliated Colleges and Recognised Institutions for this purpose shall report forthwith to the Management Council for its approval all changes made by them in their teaching staff and other relevant matters.
- S.592. The Management Council shall arrange for periodical inspection of such Colleges and Institutions.

**AUTONOMOUS COLLEGE/RECOGNISED INSTITUTION/
UNIVERSITY DEPARTMENT/UNIVERSITY INSTITUTION**

(Under Section 89 of the Act)

- S.593. 1. When the system of affiliating Colleges to State Universities was designed, the number of Colleges and the Universities were very small and Universities could supervise the working of the affiliated Colleges very easily. The Universities were acting as examining body and awarding the degrees on behalf of the Colleges. The Colleges looked towards the Universities for any change in the education system and curricula. The academic decision also need quicker pace for making the innovations and designing curricula methods more relevant to the areas in which an institution works.

Due to the phenomenal growth of higher education it has become difficult to keep pace with the requirement of the society. The present affiliating system does not allow the required freedom to the College to meet the demands cast upon them. The existence of large number of affiliated Colleges in the universities, has become a drag on the process of modernisation and improvement of standards. Because of the compulsion to prescribe an identical curricula, teaching system and examination system for all affiliated Colleges and the compulsion to set standards which are attainable by even the weak Colleges, the prescription of the universities tends to keep standards low. The Colleges which have the potential to implement an academic programme to higher standards do not have the freedom to conduct such courses or teaching system or examining system. The decision for bringing about innovation and their implementation can be taken quickly in the smaller body.