

**GURU JAMBHESHWAR UNIVERSITY OF SCIENCE & TECHNOLOGY EMPLOYEES FOREIGN
SERVICE RULES**

(E.C. meeting Resolution No. 15 dated 19.03.1997)

1. These Rules shall be called the Guru Jambheshwar University Employees Foreign Service Rules.
2. They shall apply to the employees who accept employment on Foreign Service.
3. In these rules, unless the context otherwise requires:-
 - (a) 'Foreign Service' means service on deputation with Central or State Government departments, other Universities and autonomous organizations within India and abroad.
 - (b) 'University' means Guru Jambheshwar University.
 - (c) 'Employee' means a confirmed, permanent employee of the Guru Jambheshwar University.
 - (d) 'Competent Authority' means the appointing authority of an employee.
4. No employee shall be sent on Foreign Service against his will.
5. The competent authority may sanction employment on Foreign Service of an employee on such terms and conditions, if any, in accordance with these Rules as it may like to specify.
6. Employment on Foreign Service shall initially be sanctioned for a period of one year, which may be further extended by not more than one year at a time.

Provided that the total period of deputation will not exceed three years.

Provided further that in the case of tenure appointments deputation may be allowed for the prescribed tenure.
7. An employee going on deputation will be deemed to have joined Foreign Service from the time he relinquishes charge of his post in the University. His foreign service will be deemed to have ended when he resumes charge of his post in the University.
8. An employee joining foreign service while on leave of any kind will cease to be on such leave when he relinquishes charge of his post at the University.
9. An employee on Foreign Service shall not accept any assignment other than the one for which he has been allowed to join Foreign Service except with the prior sanction of the competent authority.
10. If an employee wants to return from Foreign Service before completion of his term, he will give advance notice of at least one month to the University.

11. (a) Where employment on foreign service involves a change of station the employee shall be entitled to joining time of six days, plus actual days of journey.
- (b) When holiday (s) joining time, the normal joining time may be deemed to have been extended to cover such holiday (s)
- (c) The competent authority may, in special circumstances, reduce the joining time admissible under this rule.
12. An employee joining foreign service will have the opinion to get his pay fixed in the pay scale of the post in foreign service under its normal rules, or will continue to draw the same pay and allowances as in the University plus a deputation allowance at the following rates or as per the Govt.'s instructions issued from time to time :-
- (a) 10% of his basic pay subject to a maximum of Rs. 100/- when the deputation is in the same station.
- (b) 20% of his basic pay subject to a maximum of Rs. 250/- in other cases.
13. The employee shall be entitled to dearness allowance as admissible in Foreign Service or in the University in accordance with the pay scale for which he opts.
- Provided that the Local allowance like City Compensatory Allowance, Hill Allowance, House Rent Allowance and Leave Travel Concession shall be paid to him as admissible under the rules of the foreign employer.
14. The employer will be entitled to medical allowance or medical reimbursement as admissible under the rules of the foreign employer.
- Provided that it will not be less than that admissible to him under the University Rules.
15. The employee will be entitled to claim from his foreign employer pay for the joining time prior to joining and after relinquishment of the assignment in foreign service and traveling allowance for journey to his place of posting in foreign service and for return journey to the University on completion of his deputation as admissible under the rules of the foreign employer.
16. (a) While an employee is in Foreign Service, contributions towards his Contributory Provident Fund, Gratuity and Leave Salary, shall be paid to the University by the foreign employer failing which the same shall be paid by the employee himself.
- (b) The contribution on account of leave salary in respect of an employee in foreign service shall be payable to the University at the following rates as amended from time to time:
- (i) Teaching Staff : 5.5% of pay drawn in foreign service with benefit of vacation.

OR

11% of such pay without benefit of vacation.

- (ii) Non-Teaching Staff: 11% of pay drawn in Foreign Service.

The contribution may be paid annually within fifteen days from the end of the financial year or at the end of foreign service, if it expires or is terminated earlier failing which interest on unpaid amount of Contribution shall be payable to the University at the rate of three paise per day per Rs.100/- from the due date up to the date on which the amount is finally paid by the employee or the foreign employer as the case may be.

- (c) The contribution towards Contributory Provided Fund and Gratuity in respect of an employee shall be payable to the University at the rate of 10% and 1/24 respectively of pay drawn in Foreign Service.

17. An employee on Foreign Service out of India may be granted leave by his foreign employer on such conditions as the foreign employer may determine. The leave salary in respect of such leave will be paid by the foreign employer and the leave not be debited against the leave account of the employee maintained by the University.

Provided that if leave is granted to the employee in accordance with the rules applicable to him under the University the foreign employer shall pay to the University the leave salary contribution at the rate prescribed under Rule 16.

18. An employee on Foreign Service shall not, without permission of the competent authority, accept from his foreign employer any contribution to Provident Fund or Gratuity on rates other than those prescribed in Rule 16 above.
19. The Competent authority may subject to the approval of the Executive Council, relax any provision in these Rules for reasons to be recorded in writing.
20. The Foreign Employer shall deduct the employee's contribution towards the 'Employees Welfare Fund' or other fund to which the employee is scribe as per rules of the University as in force from time to time, and remit the same to the University.
21. Anything not specified under the above Rules shall be decided as per the Rules of the State Government in this behalf.

REGULATIONS FOR WRITING OF ANNUAL CONFIDENTIAL REPORTS OF THE NON-TEACHING EMPLOYEES

(E.C. Resolution No. 15 dated 19.03.1997)

1. The Annual Confidential Reports on the work and conduct of the following officials shall be initiated by the Branch Superintendents:
 - (i) Clerks
 - (ii) Assistants
 - (iii) Steno-typist (Working for Superintendents)
 - (iv) Class IV Employees
2. After the Branch Superintendent has written the report, the Branch Officer concerned shall record his impression on the work and conduct of the above-mentioned officials on the report, so written by the Branch Superintendent. After the Branch Officer has recorded his impression, Registrar shall be the final accepting authority in the case of the aforesaid functionaries working in the registrar's Office.
3. Annual Confidential Reports on the work and conduct of similar officials, working in the Teaching Departments/ Colleges/ Institutes/ other offices, shall be written by the Chairperson of Teaching Departments, Principal of the Colleges/Institutes/ Head of other offices, as the case may be. A duplicate copy of the report, so written, shall be sent by them confidentially to the Registrar, by name, for record in his office.
4. Annual Confidential Reports on the work and conduct of Branch Superintendents shall be written by the Branch Officers concerned. The Registrar shall be the final Accepting Authority in their cases.
5. In the case of Branch Officers, the Annual Confidential Reports shall be initially written by the Deputy Registrar. In the case of employees of Examination wing, these shall be submitted to the Controller of Examination for recording his remarks. Thereafter, the Registrar shall record his impression. However, in the absence of the Deputy Registrar, the Controller of Examination and other controlling officers and the Registrar shall write their reports. Final accepting authority in their cases shall be the Vice-Chancellor.
6. In the case of Technical Staff (other than the teaching staff) working in various Teaching Departments/ Colleges/ institutions/ Other offices, the Annual Confidential Reports shall be initiated by the respective Head of the Departments/ Colleges/ Institutions / Other offices, who shall forward a duplicate copy of the report, so written, to the Registrar, by name, confidentially for record in his office.
7. In the case of the Registrar/ Heads of the Non-teaching Departments, the reports shall be written by the Vice-Chancellor.

8. The Annual Confidential Reports on the work and conduct of the Stenographers/ Personal Assistants shall be written by the respective offices for whom they are working.
9. In the case of Stenographers, working in the Registrar's office, the Registrar shall be the final accepting authority, except in the case of Stenographers/ Personal Assistants to the Vice-Chancellor.
10. In the case of the Steno-typists/ Stenographers working in Teaching Departments/ Colleges/ Institutes/ Other offices, a duplicate copy each of the reports, so written, shall be forwarded by the Heads of the Departments/ Colleges/ Institutes/ Other offices, to the Registrar by name, confidentially for record in his office.
11. No Reporting Officer shall record his remarks in the Confidential Report of an official working under him, unless he has seen his work and conduct for at least three months. If the official has served under the Reporting Officer for less than three months, the Officer (s) under whom he has previously served for at least three months shall write the report. Provided that an officer, while he is under suspension shall not be entitled to write or record his remarks in the Annual Confidential Reports. Similarly, the officers on their retirement shall not be entitled to write or record remarks in the Annual Confidential Reports.
12. An Officer may, if he had not done so previously within six months, record remarks for the confidential files of officials, subordinate to him, within six months of his relinquishing the charge of his post o office, as the case may be.
13. If an Officer wishes to record his remarks either on account of his own transfer or because of the transfer of the subordinate in the middle of the year there is no objection to his doing so and he may be supplied with blank forms (Appendix) for the purpose if he asks for them.
14. The remarks of the highest authority shall supersede the remarks of the subordinate officers, and for purpose of communication, the remarks of the highest authority alone shall be taken into consideration. Adverse remarks, if any, shall be promptly communicated to the employee concerned and shall indicate, in suitable language, the nature of the defects in question.
15. An official may, within fourteen days of the receipt of the communication conveying the adverse remarks , ask for material on which these remarks were based. This material shall be supplied to him from the Registrar's Office. Thereafter he may, within a period of 14 days from the receipt of the material by him, make a representation to the Vice-Chancellor against the adverse remarks. If no application is received for the supply of the materials or if no representation is made, within the prescribed period, after the material have been supplied to him, it will be assumed that the official accepts the remarks.

16. The Vice-Chancellor may, if satisfied after inviting the comments of the reporting Officer(s) concerned on the representation submitted by an official expunge the adverse remarks represented against. His decision shall be final.
17. Besides the confidential reports on the work and conduct of an official, copies of documents/ communications, specified below, shall also be placed on the personal files.
 - a) All orders, imposing any of the penalties, prescribed, under the University Punishment and Appeals Rules.
 - b) All communications conveying adverse remarks.
 - c) Letters of appreciation which deal with the outstanding nature of performance of an employee on an over all assessment of his work and conduct during the year.
 - d) Any other letter/ orders, the competent authority may direct.
18. A Reporting Officer when related to the official, to be reported upon shall always record the fact of his relationship on the report.
19. The personal files of all University employees shall remain in the custody of the Registrar except that the personal file of the Registrar shall be maintained by the Vice-Chancellor.
20. The Registrar shall receive Annual Confidential Reports and convey adverse remarks, contained therein, in respect of the University employees whose personal files are maintained by him.
21. If any employee has been awarded a punishment for an act of omission or commission during a particular period, his/her ACT of that year (i.e. the year in which the act of omission or commission took place) be suitably down-graded. No fresh/ separate show-cause notice is required to be issued for down-grading of ACR and the orders of down-grading of ACR may be passed simultaneously while issuing orders of punishment. However, in cases where punishment orders have already been issued in which no mention about down-grading of ACR has been made, then in such cases, for down-grading of ACR, another show-cause notice may be issued in view of punishment already awarded. The extent of down-grading will be decided by the competent authority or final order in punishment/ promotion etc.
22. The following time schedule has been prescribed for writing of ACRs:-
 - (a) Reporting Authority shall initiate the annual confidential reports on time and ensure that they reach the Reviewing Authority by 7th April.
 - (b) Reviewing Authority would send the reports to the accepting authority so as to reach him by 20th April.
 - (c) The report should be sent to the Registrar by 15th May.
23. Over all grading of each report shall be as under :-

Outstanding/ Excellent	Very good	Good	Average
A+	A	B+	B

Below Average C

Note:

1. Average and Below Average will be treated, as 'Adverse' and this will be conveyed to the official concerned as 'Adverse Remarks'.
2. State Government rules be consulted, where the above rules are silent.
3. State Govt. Instructions on the subject as issued from time to time will come into force.

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(Approved 41 E.C. meeting held on 11.10.2005)

The following instructions conveyed by the Chief Secretary to Govt. Haryana vide letter No. Endst. No. 30/6/2001-S(1) dated 13.05.2005 in the rules for writing Annual Confidential Reports of the non-teaching employees and further to authorize the Vice-Chancellor to incorporate the Govt. instructions in this regard as conveyed by the Government from time to time :-

- I. Where an entry is adverse it should be communicated to the member of the Service. The overall grading should however, not be communicated.
- II. Even if the entire adverse remarks of Reporting/ Reviewing/ Accepting Authorities are expunged by Government, the overall grading shall remain unchanged. However, the Empanelment Committee or the Departmental Promotion Committee, as the case may be, shall take due note of such expunction and may redetermine the overall grading for the period in question if it considers that the expunction of the adverse remarks has so altered the quality of the ACR as to merit regarding.
- III. In any case where an entry is downgraded or upgraded, the authority downgrading or upgrading the remarks and overall grading should state, as part of the entry, the reasons for downgrading or upgrading with adequate justification in accordance with the instructions on the writing of the ACR.
- IV. Whether the authority has upgraded/ downgraded the overall grading without giving sufficient reasons, the Government shall treat such an exercise as non-est/ invalid. General terms, such as "I agree or disagree with the Reporting Officer/ Reviewing Officer" used by the Reviewing/ Accepting Authority shall not be construed as sufficient reason for upgrading/ downgrading the overall grading by the Reporting Authority/ Reviewing Authority.

PROFORMA FOR ANNUAL CONFIDENTIAL REPORT ON THE WORK AND CONDUCT OF NON-TEACHING STAFF OTHER THAN CLASS-IV.

Year _____ Period from _____ to _____

IMPORTANT:

Reporting Officer shall fill this form carefully. Any Special remarks for which a place cannot be found, or which are required to be made before next year's report is filled can be entered on the back of the form. There must be consistency in overall assessment and remarks/ assessment under various columns.

1. Name : _____
2. Designation : _____
3. Scale of Pay : _____
4. Actual Pay : _____
5. Industry : _____
6. Handwriting and Neatness : _____
7. Punctuality and regularity : _____
8. Reputation and Honesty : _____
9. Capacity for work and Intelligence : _____
10. Acquaintance with Rules and :
and Orders. _____
11. Knowledge and Skill in dealing:
with Accounts Matters. _____
12. Quickness in disposal of business: _____
13. Proficiency in Typewriting and:
and Shorthand. _____
14. Capacity for working with others: _____
15. Power of Management and Control:
(Applicable in respect of supervising
staff only) _____
16. Defects, if any, pointed out : _____
- a) orally : _____

- b) in writing : _____
- 17. Whether the officer/ official : _____
Remains at his Headquarters during
holidays or not.
- 18. Fitness of promotion : _____
- 19. General remarks, if any, : _____
of the Reporting Authority.
- 20. Overall assessment/ grading : _____
- 21. Name and signature of Reporting: _____
Officer with Designation and Date.

 Remarks of next Officer/
 Branch Officer.
 (Name and Signature of the
 Branch Officer with
 Designation & Date)

 Remarks if any of Accepting
 Authority.

 Name and Signature Accepting
 Authority with Designation &
 date.

Note:

`Average' and `Below Average' will be treated as `Adverse' and this will be conveyed to the official concerned as `Adverse Remarks'.

PROFORMA FOR ANNUAL CONFIDENTIAL REPORT ON THE WORK & CONDUCT OF CLASS IV EMPLOYEES

Period from _____ to _____

1. Name : _____
2. Designation : _____
3. Scale of Pay : _____
4. Capacity for work : _____
5. Responsibility towards: _____
duties.
6. Amenability to discipline : _____
7. Reputation for honesty: _____
8. Punctuality & Regularity: _____
9. Capacity for working with: _____
others.
10. Defect, if any, pointed out: _____
- i) Orally : _____
- ii) In Writing : _____
11. Qualifications : _____
12. Knowledge of Typewriting: _____
shorthand/ computer.
13. Fitness for promotion : _____
14. General remarks, if any, of the Reporting Officer

15. Overall assessment:
(Outstanding, Excellent, Very Good, Average, or Below Average) Signature and Date of Reporting Officer with Name and Designation.

COUNTERSIGNED

Signature _____
Name & Designation _____

Note: 'Average' and 'Below Average' will be treated as 'Adverse' and this will be conveyed to the official concerned as 'Adverse Remarks.'

**RULES FOR FORWARDING OF APPLICATIONS OF EMPLOYEES FOR OUTSIDE JOBS ETC.
(E.C. Resolution No.15 dated 19.03.1997 & amended 17th E.C. meeting dated 27.03.2000)**

1. (i) A confirmed employee will be permitted to apply for an outside job or for a scholarship, fellowship etc. but not more than three applications for outside jobs and three applications for scholarships, fellowships, etc., will be forwarded during a Calendar Year.

Provided further that the teaches and technical staff who have put in atleast one year's service in the University after confirmation may be allowed to apply for outside job.

- (ii) There will be no restriction on persons who are working only on Ad hoc/ Leave arrangements, provided they are not holding any permanent lower post in the University.

All applications to be forwarded by the University must reach the Establishment Branch, complete in all respects including copies of certificates, testimonials, at least ten days before the closing date. There will be no objection to an application being sent as an Advance Copy, provided this fact is mentioned in the application through proper channel, which must be submitted to the University simultaneously with the submission of the Advance Copy.

2. In the event of a confirmed employee whose application has been forwarded by the University being selected, he will be granted such leave as may be decided by the University. But in the case of a person having been selected for an outside job only Extra Ordinary Leave (Without Pay) will be granted with permission to retain lien for the period of such leave or he will be asked to resign as per rules. The Vice-Chancellor will decide each case on its merit.
3. An employee, not covered in Clause (1) above, shall not apply for an outside job or for a scholarship, fellowship, etc. unless he resigns his post in this University after giving the requisite notice or salary in lieu thereof.

Provided that the Vice-Chancellor may, in view of the special circumstances of a case, relax the provisions of this Clause and allow the forwarding of additional applications for scholarship/ fellowship etc.

4. If it comes to the notice of the University that any employee has sent any application in violation of these rules, he will be liable to such disciplinary action as the University may deem suitable under the rules.

**RULES FOR GRANT OF PERMISSION TO NON-TEACHING STAFF FOR APPEARING IN
THE EXAMINATIONS**

(27th E.C. meeting held on 18.09.2002)

1. Whole time employees of the University shall be granted permission by the Vice-Chancellor to attend regular classes, outside his/her office hours of the Guru Jambheshwar University of Science & Technology, Hisar for any examination or to appear in an examination of Guru Jambheshwar University of Science & Technology, Hisar or any other University, as private candidate, if otherwise eligible, provided that such permission shall be allowed only if the Vice-Chancellor is satisfied that it would not interfere with the efficient discharge of the duties of the persons concerned.
2. While giving permission, due consideration shall normally be given to inter-se-seniority of the employees concerned.
3. The employees who have been granted permission will not claim leave as a matter of right and their request for leave would be considered by the competent authority as per rules on the subject. They will however, be sanctioned leave for the day of examination.
4. The employees who want to take permission to pursue regular courses on whole time basis will not be covered under these rules. They will be allowed permission only if they take leave for the entire duration of the course and will not be allowed to resume duties during this period unless they discontinue the course.
5. If permission is granted to an employee, the permission would be valid for completion of the full course i.e. in case an employee is allowed to pursue Bachelor Degree in Science, the permission would be for the full course i.e. 1st Year, 2nd Year and 3rd Year. The employees need not apply for permission afresh every year in such cases. The employees will, however, take up only one course at a time.
6. An employee, not covered under the above rules, shall not appear in any examination or take up any course unless he resigns his post in this University or gets leave as pr University rules. If it comes to the notice of the University that an employee has appeared in any examination or has taken up a course without getting prior permission of the University in violation of these rules, he/she shall be liable to disciplinary action.

Provided that the Vice Chancellor may grant permission to an employee of the University to appear in an examination in relaxation of these rules in view of the special circumstances of a case.

LEAVE REGULATIONS

(E.C. Resolution No. C-I dated 20.03.1996, 18th E.C. meeting held on 28.7.2000, 37th E.C. meeting held on 19.03.2005)

1. Scope :

These regulations shall apply to all University employees and employees of Non-Govt. recognized colleges/ Institutes, other than the following :-

- a) persons on deputation from any State Govt., the Govt. of India or Statutory Board or Corporation, who will be governed by terms and conditions of deputation;
- b) employees appointed on contract (They will be granted leave in accordance with the terms of contract);
- c) part-time employees;
- d) employees appointed on work-charged basis;
- e) casual workers;
- f) any class of employees or any individual employee in connection with the affairs of the University who may be specifically exempted from the application of these regulations.

2. Definitions :

- a) A "completed year of service " means continuous service of the specified duration under the University and includes period spent on duty as well as leave including extra-ordinary leave unless otherwise provided.
- b) "Competent Authority" means the authority empowered by the Executive Council to grant leave.
- c) "Earned leave" means the leave earned on the basis of actual service rendered including vacations.
- d) "Month" means a calendar month.
- e) "Leave Salary" means the monthly amount paid by the University to an employee who is on leave.
- f) "Family" means a University employee's wife or husband, as the case may be, legitimate children and step-children residing with and wholly dependent upon him/her. It includes, in addition, parents, sisters and minor brothers, if residing with and wholly dependent upon him/her. Not more than one wife is included in a family for the purpose of this rule.

Note:- The term "Family" , however, does not include an adopted mother, step-mother and such other adventitious dependents. The term "legitimate children" includes children adopted under the Hindu Law.

- g) "Holiday" means, a holiday prescribed or notified, as such, by the competent authority. This term does not include " Local holidays" which may be granted at the discretion of the Vice-Chancellor.

- h) "Competent Medical Authority" means the Medical Officer of the Guru Jambheshwar University, Hisar or a Government doctor of a gazetted rank or such other authority as may be approved by the Vice-Chancellor on the merits of each case.
- i) "Vacation Department" is a department or part of a department to which regular vacations are allowed during which the University employees serving in that department are permitted to be absent.
- j) "Pay" means the monthly pay drawn on the day before the leave commences.
- k) "Half Pay" means half of the pay drawn on the day before the leave commences.
- l) "Officer" means an Officer of the Guru Jambheshwar University, Hisar. Officers of the University will be divided into the following categories:-

Class-A (i) Professors, Principals, Readers, Lecturers etc. and any other member of the teaching staff recognized as Officer of Class 'A' by the Executive Council, and

(ii) Registrar, Dean Students Welfare, Controller of Examinations, Librarian, Deputy Registrars, Assistant Registrars, Superintendents and any other members of the administrative staff recognized as such by the Executive Council.

Class-B Persons appointed in the pay scale, the minimum of which is Rs. 5000/- or above per mensem and not included in Class 'A' above.

Class-C Persons appointed in the pay scale, the minimum of which is Rs. 3050/- or above and not included in class 'A' and 'B' above.

Class-D All other employees of the University.

3. Right of Leave :

- a) Leave cannot be claimed as a matter of right. When the exigencies of service so demand, leave of any description may be refused or revoked by the competent authority.
- b) When an employee is recalled to duty before the expiry of his leave, such recall to duty shall be treated as compulsory in all cases. The period from the date on which he starts to join his post may be treated as on duty but he will draw leave salary only until he joins his post. In addition, he shall be entitled to traveling allowance to the headquarters. Leave should always be applied for and sanctioned before it is taken except in cases of emergency and for

satisfactory reasons. Unless otherwise specified in these rules and except in the case of casual or medical leave, all applications for leave should be made at least 14 days or 7 days before the date from which the leave is applied for, accordingly as the period of leave exceeds or does not exceed seven days.

4. Leave shall not be granted to an employee:

- a) who is dismissed, removed or compulsorily retired from the University service by a competent authority.
- b) who is under suspension.

5. Commencement and termination of leave:

- i) Leave begins from the date on which it is actually availed of and ends on the day preceding on which duty is resumed.
- ii) Sundays, or other holidays (except vacations) may be prefixed as well as suffixed to leave.

Note:- Teachers are normally expected to be present on the first and last working days of each term. However, in special circumstances any kind of leave, except casual leave may be prefixed or suffixed to the vacation/ break/ recess with the permission of the Vice-Chancellor.

6. Return to duty on expiry of leave:

- a) Except with the permission of the authority which granted the leave, no person on leave may return to duty before the expiry of the period of leave granted to him.
- b) No University employee who has been granted leave on medical certificate will be allowed to return to duty without his first producing a medical certificate of fitness in such a manner and from such persons as may be prescribed. The authority competent to grant leave may, at its discretion, waive the production of medical certificate in case of an application for leave for a period not exceeding 3 days at a time on medical ground. Such leave shall not, however, be treated as leave on medical certificate and shall be debited against leave other than the leave on medical ground.

7. Absence from duty :

- (i) An employee who remains absent after expiry of his leave shall not be entitled to any leave salary unless otherwise such absence has been regularized by the competent authority.
- (ii) Willful absence from duty for more than a week may involve forfeiture of appointment.
- (iii) When an employee does not resume duty, after remaining on leave for a continuous period of five years, he shall be deemed to have resigned and shall accordingly cease to be in the University service.

8. Conversion of one kind of leave into another :

- (i) At the request of an employee, the sanctioning authority may convert any kind of leave, including Extra-ordinary Leave, retrospectively into a leave of different kind which was due and admissible to him at the time leave was granted, but he cannot claim such conversion as a matter of right.
- (ii) If one kind of leave is converted into another, the amount of leave salary and allowances admissible shall be recalculated and any amount paid to him in excess shall be recovered and any arrears due to him shall be paid.

9. Temporary service followed by confirmation:

Continuous temporary service followed by permanent service, without any break, shall be treated as permanent service for the purpose of computation of leave.

10. Leave to persons appointed on probation :

A person appointed on probation will, during the period of probation, be treated, for purpose of leave, as a temporary employee. However, if a person in the permanent service of the University is appointed on probation to a higher post, he shall not, during the probation, be deprived of the benefit of leave rules applicable to his permanent post.

11. Kinds of leave:

- (a) The following kinds of leave would be admissible to the members of the teaching staff :-
 - 1) Casual Leave
 - 2) Special Casual Leave
 - 3) Earned Leave
 - 4) Half Pay Leave
 - 5) Commuted Leave
 - 6) Maternity Leave
 - 7) Hospital Leave
 - 8) Leave not due
 - 9) Extraordinary Leave
 - 10) Academic Leave
 - 11) Duty Leave
 - 12) Study Leave
 - 13) Sabbatical Leave

- 12.(b) The following kinds of leave would be admissible to the members of the non-teaching staff :

- 1) Casual Leave
- 2) Special Casual Leave
- 3) Earned Leave
- 4) Half Pay Leave
- 5) Commuted Leave

- 6) Maternity Leave
- 7) Hospital Leave
- 8) Leave not due
- 9) Extraordinary Leave
- 10) Duty Leave

13. Casual Leave:

- a) The amount of casual leave that may be granted to an employee shall not exceed 15 days in a calendar year, provided that in the case of employees joining/ leaving the University service during the course of a year, it will be granted as under :-

- | | | |
|----|--|----------|
| 1) | On joining during the first quarter
or leaving during the fourth quarter | Full |
| 2) | On joining during the second quarter
or leaving during the third quarter | 3/4th |
| 3) | On joining during the third quarter
or leaving during the second quarter | ½ (half) |
| 4) | On joining during the fourth quarter
or leaving during the first quarter. | 1/4th |

Provided further that female employee may be granted 20 days casual leave in one calendar year.

- b) Casual leave shall not be combined with any other kind of leave (except Special Casual Leave and Academic Leave). It may be combined with holidays including Sundays but the total period of absence at one time shall not exceed 10 days. Sundays and holidays falling within the period of casual leave are not counted towards the casual leave. But in reckoning the period of 10 days one Sunday either at the beginning or at the end of the leave may be excluded, but other holiday included.
- c) Casual leave can not be carried over to the next leave year.

14. Special Casual leave

In addition to casual leave, special casual leave to the extent mentioned below may be granted:

- (a) to undergo sterilization operation under Family Welfare Programme. Leave in this case will be restricted to six working days.
- (b) to a female employee who undergoes sterilization. Leave in this case will be restricted to 14 days.
- (c) Special Casual Leave cannot be accumulated nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or the vacation.

15. Earned Leave

- a) Earned Leave admissible to a non-vacation employee (including class D) shall be one-eleventh of the period spent on duty.
- b) The University employees may be granted cash payment in lieu of un-utilised Earned Leave at their credit at the time of retirement on superannuation on the following conditions:
 - i) The payment of each employee equivalent of leave salary shall be limited to a maximum of 300 days in case of retirement on superannuation and encashment of earned leave upto 150 days in case of resignation.
 - ii) The cash payment equivalent of leave salary as admissible will become payable on retirement and will be paid in one lump sum settlement.
 - iii) Cash payment under this order will, subject to (iv) below, be equal to leave salary at the rates in force on the date of retirement. No city compensatory and/ or house rent allowance shall be payable.
 - iv) The authority competent to grant leave shall issue order granting cash payment equivalent to Earned Leave at the credit of an employee on the date of his retirement.
 - v) The University employees seeking voluntary premature retirement will also be granted cash payment in lieu of their un-utilised earned leave on the date of their retirement. This will, however, not be applicable to those employees, who are compulsorily retired prematurely by the University.
 - vi) An University employee, already on leave preparatory to retirement, who has been allowed to return to duty, shall also be entitled to this benefit on the date of retirement.
 - vii) Before sanctioning the leave preparatory to retirement of 300 days, it may be certified that the employee did not avail of any portion of leave preparatory to retirement of 300 days before the date of his retirement.
- e) The non-teaching employees excluding ministerial staff (Asstts., Steno/Typists, Clerks, Peons, Sweepers etc.) working in the University Teaching Departments/ Maintained Colleges/ Institutions shall be entitled to the following leave provided that they shall observe the working hours and holidays of the University Teaching Departments/ Maintained Colleges/ Institutions :
 - i) Summer Vacation..... Half
 - ii) Winter Break..... Half
 - iii) Autumn Break.....Half

The dates shall be fixed by the Head of the concerned Departments. If an employee is not permitted under order of the Vice-Chancellor to be absent during the above period of summer vacation, he may, in lieu thereof, be given credit of earned leave on full pay for such period not exceeding one month per year as may be determined by the competent authority. Such leave shall accumulate to the extent of four months.

(The ministerial staff working in the University Teaching Departments / Maintained Colleges/ University Library shall be treated at par with those working in the administrative block in the matter of Leave regulation).

iv) Earned Leave on full pay equivalent to 10 days in a year. Such leave will be allowed to be accumulated up to the extent to which it is allowed in the case of employee working in non-vacation departments.

16. Earned leave admissible to a teacher in permanent employment shall be ten days in respect of each completed year of service.

(a) A teacher, who is put on duty in the Dept./ college during the whole or part of vacation, will be entitled to have compensatory leave granted by Chairperson of the Dept./ Principal on full pay for half of the period he had been on duty. However, if a teacher is put on examination duty during the vacation, he will also be entitled to payment of single remuneration for the actual duties performed, besides compensatory leave on full pay for half of the period he had been on duty provided :-

i) his retention during vacation in the Dept./ college duty is with the written sanction of the Vice-Chancellor/ Principal.

ii) the compensatory leave so earned will be credited to the earned leave account of the teacher concerned for all purposes.

In case of a gap of more than two days the gap shall be considered to be one day to give continuity to the calculation of examination duty days.

(b)(i) for the purpose of computation of period of actual service all periods of leave except casual leave, special casual leave, academic leave and duty leave shall be excluded.

(ii) Earned Leave at the credit of a teacher shall not be accumulated beyond 300 days.

(iii) If a teacher is required to work during the whole or any part of the vacation by the Chairperson of the Department the previous sanction in writing of the Vice-Chancellor shall be obtained provided he is detained for a minimum period of 15 days.

17. A temporary teacher shall be entitled to Earned Leave as follows:

$\frac{1}{3}^{\text{rd}}$ of the period, if any, during which he is required to perform duty during vacation, provided he is detained for a minimum period of 15 days and subject to the condition mentioned in clause-16 (b) (iii).

18. Half Pay leave

Half pay leave may be granted to permanent employees for 20 days for each completed year of service. Half pay leave may be granted to an employee on medical certificate or on private affairs. No half pay leave may be granted to a temporary employee except on medical certificate and that too only if the authority competent to sanction leave has reason to believe that employee will return to duty on the expiry of leave.

A permanent teacher may be granted 10 days earned leave on full pay in lieu of 20 days half pay leave.

19. Commuted Leave

Commuted leave on full pay not exceeding half the amount of half pay leave' may be granted on medical certificate only to an employee in permanent employment subject to the following conditions:

- a) Commuted leave during the entire service shall be limited to a maximum of 240 days.
- b) When commuted leave is granted, twice the amount of such leave shall be debited to the half pay leave account.
- c) No Commuted Leave may be granted under the provision unless the authority competent to sanction leave has reasons to believe that the employee will return to duty on its expiry.
- d) Where an employee who has been granted commuted leave resigns from service or his request is permitted to retire voluntarily without rejoining the duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

20. Maternity Leave :

- i) Maternity leave upto two living children may be granted by the competent authority to a woman employee on full pay for six months.
- ii) No maternity leave will be allowed on the birth of third living child and in such cases, leave of kind due will be allowed.
- iii) Female employee who has already two living children before her entry into University service is not entitled to the benefit of maternity leave. In such cases also, the leave of the kind due may be granted.
- iv) Maternity leave shall not be debited to the leave account.

- Note:-
- 1. Maternity leave may also be granted in case of miscarriage, including abortion, subject to the condition that the leave, applied for, does not exceed 6 weeks and the application is supported by a medical certificate.
 - 2. Female employees having two or more children will not be entitled to avail the benefit of maternity leave in case of miscarriage including abortion.

21. Hospital Leave :

- i) Hospital leave may be granted on full pay to an employee, whether permanent or temporary for medical treatment on production of medical from competent authority for injury if such injury is directly due to risks incurred in the course of official duty. This leave will be available to such employees only whose duties expose them to such injury.
- ii) The amount of hospital leave is limited to 3 months in any period of 3 years.

- iii) Hospital leave may be combined with any other leave subject to the limit of total period of 180 days. Hospital leave will not be debited to the leave account of the employee concerned.

22. Leave not due :

'Leave not due' may be granted to a permanent employee on production of medical certificate or otherwise by the Executive Council on full pay up to maximum of 180 days during the entire period of service.

NOTE: The leave 'not due' is intended to be regarded as an advance of leave when the employee's leave account shows nil/ debit balance and its grant should, therefore, be limited to the amount which will be earned by the subsequent duty. The leave 'not due' may in no case be granted unless the sanctioning authority is satisfied that as far as can be reasonably foreseen, the employee will return to duty and earn it.

An employee to whom leave 'not due' is granted shall not be permitted to tender his resignation from the service so long as the debit balance in his leave account is wiped off by active service or he refunds amount paid, to him as salary for the period not so earned.

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

23. Extra Ordinary leave :

The competent authority, for any special reason, may grant an employee extra-ordinary leave of absence but such leave shall be without pay and shall not ordinarily exceed one year at a time.

Provided that the maximum total period, for which such leave is granted, shall not, ordinarily, exceed three years and in exceptional cases such leave may be extended so that the total period of leave, during the whole tenure of service of an employee, does not exceed five years. This period may be extended by the Executive Council beyond 5 years on production of Medical Certificate from the competent Medical authority.

Provided further that in the case of a teacher who has accepted a job elsewhere the extra-ordinary leave (Without pay) shall not be extended beyond two years, except when the Executive Council decides otherwise.

Provided further that the period spent on extra-ordinary leave (Without pay) shall not count for increments, except when-

- (a) the sanctioning authority is satisfied that such leave was taken by a University teacher on account of illness or for any other cause beyond the control of the teacher.

- (b) the leave granted to enable a teacher to accept a foreign assignment of Visiting Professorships and the like.

The grant of increment to non-teaching employees will be governed by the rules governing their conditions of service, etc.

24. Academic Leave :

- a) Academic Leave not exceeding 12 days in a calendar year may be granted to a teacher for the following purposes :-
 - i) to conduct examinations of a University, Public Service Commission, Board of Examination or other similar bodies/ institutions.
 - ii) to inspect academic institutions attached to a University or to a Statutory Board etc.
 - iii) to attend meetings of the Committees, Boards, Faculties and other academic bodies of a University or a Statutory Board.
 - iv) to attend meetings of the Selection Committees of the Public Service Commission/ Universities/Boards/ Affiliated Colleges;
 - v) to participate in a literary, scientific or educational conference, symposium or seminar or cultural or sports activities conducted by bodies recognized by the University; or
 - vi) for any other purpose as may be approved by the Vice-Chancellor to be of academic nature.
- b) The Vice-Chancellor may at his discretion grant upto 10 days more academic leave in excess of twelve days, on the merit of each case.
- c) Academic Leave cannot be accumulated nor can it be combined with any other kind of leave except casual leave. It may be combined with holidays or the vacations.
- d) The academic leave admissible to a person joining/ leaving the University service during a calendar year will be as under:-
 1. On joining during the first quarter or leaving during the 13 fourth quarter.

..... Full
 2. On joining during the second quarter on during the third quarter.

..... 3/4th
 3. On joining during the third quarter or leaving during the second quarter.

.... Half
 4. On joining during the fourth quarter or leaving during the first quarter.

..... 1/4th

25. Duty Leave :

DUTY LEAVE:

- i. Duty leave of the maximum of 30 days in an academic year may be granted for the following:
 - a. Attending conferences, congresses, symposia and seminars on behalf of the university or with the permission of the university;
 - b. Delivering lectures in institutions and universities at the invitation of such institutions or universities received by the university, and accepted by the Vice-Chancellor; Working in another Indian or foreign university, any other agency, institution or organization, when so deputed by the university;
 - c. Participating in a delegation or working on a committee appointed by the Central Government, State Government, the UGC, a sister university or any other academic body; and
 - d. For performing any other duty for the university.
 - i. The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.
 - ii. The leave may be granted on full pay. Provided that if the teacher receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she may be sanctioned duty leave on reduced pay and allowances.
 - iii. Duty leave may be combined with earned leave, half pay leave or extraordinary leave.
 - iv. Duty leave should be given also for attending meetings in the UGC, DST, etc. where a teacher invited to share expertise with academic bodies, government or NGO.

26. Study Leave

- i. Study leave may be granted for the entry level appointees as Assistant Professor/Assistant Librarian/ Assistant Director of Physical Education and Sports/ College DPE&S after a minimum of three years of continuous service, to pursue a special line of study or research directly related to his/her work in the university or to make a special study of the various aspects of university organization and methods of education.
- ii. Subject to the terms contained in this Clause 8.2, in respect of granting study leave with pay for acquiring Ph.D. in a relevant discipline while in service, the number of years to be put in after entry would be a minimum of two or the years of probation specified in the university statutes concerned, keeping in mind the availability of vacant positions for teachers and other cadres in colleges and universities, so that a teacher and other cadres entering service without Ph.D. or higher qualification could be encouraged to acquire these qualifications in the relevant disciplines at the earliest rather than at a later stage of the career.
- iii. The paid period of study leave should be for three years, but two years may be given in the first instance, extendable by one more year, if there is adequate progress as reported by the Research Guide. Care should be taken that the number of teachers given study leave, does not exceed the stipulated

percentage of teachers in any department. Provided that the Executive Council/Syndicate may, in the special circumstances of a case, waive the condition of two years service being continuous.

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

- a. The person is a teacher on the date of the application;
 - b. There is no break in service; and
 - c. The leave is requested for undertaking the Ph.D. research work.
- iv. Study leave shall be granted by the Executive Council/Syndicate on the recommendation of the concerned Head of the Department. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Executive Council/Syndicate is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the university.
 - v. Study leave shall not be granted to a teacher who is due to retire within five years of the date on which he/she is expected to return to duty after the expiry of study leave.
 - vi. Study leave may be granted not more than twice during one's career. Provided that, under no circumstances, the maximum of study leave admissible during the entire service should not exceed five years.
 - vii. No teacher, who has been granted study leave, shall be permitted to alter substantially the course of study or the programme of research without the prior permission of the Executive Council/Syndicate. In the event, the course of study falls short of study leave sanctioned, the teacher shall resume duty immediately on the conclusion of such course of study, unless a prior approval of the Executive Council/Syndicate to treat the period of shortfall as ordinary leave has been obtained.
 - viii. Subject to the provisions of sub-clauses (ix) below, study leave may be granted on full pay up to two years extendable by one year at the discretion of the university.
 - ix. The amount of scholarship, fellowship or other financial assistance that a teacher granted study leave, has been awarded will not preclude his/her being granted study leave with pay and allowances but the scholarship etc., so received shall be taken into account in determining the pay and allowance on which the study leave may be granted. The foreign scholarship/fellowship would be set off against pay only if the fellowship is above a specified amount, which shall be determined by the UGC, from time to time, based on the cost of living for a family in the country in which the study is to be undertaken. In case of an Indian fellowship, which exceeds the salary of the teacher, the salary would be forfeited.
 - x. Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay leave, extraordinary leave or vacation, provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. A teacher, who is selected to a higher post during study leave, will be placed in that position and get the higher scale only after joining the post.
 - xi. A teacher granted study leave shall on his/her return and re-joining the service of the university may be eligible to the benefit of the annual increment(s) which he/she would have earned in the course of time if he/she had not

proceeded on study leave. No teacher shall however, be eligible to receive arrears of increments.

- xii. Study leave shall count as service for pension/contributory provident fund, provided the teacher joins the university on the expiry of his/her study leave.
- xiii. Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction.

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

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

27. Sabbatical leave

- i. Permanent, whole-time teachers of the university and colleges who have completed seven years of service as Reader/Associate Professor or Professor may be granted sabbatical leave to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the university and higher education system.
- ii. The duration of leave shall not exceed one year at a time and two years in the entire career of a teacher.
- iii. A teacher, who has availed himself/herself of study leave, would not be entitled to the sabbatical leave.

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

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

- v. A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or ad hoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution of advanced studies, provided that in such cases the Executive Council/Syndicate may, if it so desires, sanction sabbatical leave on reduced pay and allowances.
- vi. During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund, provided that the teacher rejoins the university on the expiry of his/her leave.

28. Leave encashment on Retirement :

An employee may be granted cash payment in lieu of unutilized Earned Leave at his credit at the time of retirement on superannuation on the following conditions:

- a) The payment of each employee equivalent of leave salary shall be limited to a maximum of 300 days.
- b) The cash equivalent of leave as admissible will become payable on retirement and will be paid in one lump-sum as a one time settlement.
- c) Cash payment under this order will subject to (d) below be equal to leave salary at the rates in force on the date of retirement No City Compensatory and/ or house rent allowance shall be payable.
- d) The Registrar shall issue order granting cash equivalent to earned leave at the credit of an employee on the date of his retirement.
- e) A University employee already on leave preparatory to retirement who has been allowed to return to duty shall also be entitled to this benefit on the date of retirement.
- f) This benefit will also be admissible to such University employees as are appointed on tenure basis and are relieved or seek pre-mature relief of their charge or are retired compulsorily or seek pre-mature retirement subject to a ceiling of 240 days.
- g) In case an employee who dies in harness, the cash equivalent of the leave salary that the deceased employee would have got had he gone on earned leave, but for the death, due and admissible on the date immediately following the date of death subject to a maximum leave salary for 300 days, shall be paid to his family.
- h) This benefit will also be admissible to persons appointed after superannuation for fixed term or on temporary basis.

29. General

- i) A leave account shall be maintained by the Head of the Institution or the officer concerned in the case of every employee of the University.

- ii) Every University employee, proceeding on leave, must record on his application for leave, the address at which he can be contacted for correspondence.

Subsequent changes in address during leave, if any, should likewise be intimated to the competent authority.

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Amendment 37th EC vide item No.11 dated 19.03.2005

Amendment in clause 15 "Earned Leave" of the Leave Regulations of the University

Provided that he will cease to earn leave on full pay when the leave due amounts to 300 days..... Deleted

AUTHORITY COMPETENT TO GRANT CASUAL LEAVE

Sr.No.	Category of officials to whom leave is to be	Authority empowered to sanction the leave	Extent of power to sanction leave.
1.	2.	3.	4.
1.	Registrar, Professors, Principals, Chairpersons of the Department, Librarian, Controller of Examinations, Resident Medical officer, University, Engineer	Vice-Chancellor	Full powers
2.	Finance Officer, Reader (not working as Chairperson of the Department), Deputy Registrars, Assistant Registrars, Director sports, Medical Officers, Lecturers, Instructors, Demonstrators, Research Assistants/ Scholars, Assistant Librarians, Public Relations Officer, Director Youth Welfare	Chairperson of Department/ Registrar/ Officer concerned	Full powers
3.	Non-Teaching staff other than in the University office	Principals/ Chairperson of the Department concerned/ librarian/ Resident Medical Officer/ University Engineer/ Director of Sports	Full powers
4.	University Office Establishment	Branch Officer	Full powers

DELEGATION OF POWERS TO GRANT LEAVE OF VARIOUS KINDS UNDER THE GURU JAMBHESHWAR UNIVERSITY LEAVE RULES

Sr.No.	Category of officials to whom leave is to be	Authority empowered to sanction the leave	Extent of power to sanction leave.
1.	2.	3.	4.
1.	Study Leave/ Sabbatical Leave	Vice-Chancellor	Full
2.	Leave of any other kind to the Offices, Registrar/ Professors/ Principals of the University College: Extra-Ordinary Leave (without pay)/ Half-pay Leave/ Commuted Leave/ Maternity Leave/ Duty Leave/ Leave 'not due' / Academic Leave/ Earned Leave.	Head of the Department	Full
3.	Leave of any other kind to the Class 'A' Officers, viz. Superintendents and above the level of Superintendents, other than Heads of Departments/ Offices, Registrar/ Professors/ Principal of University College: Extra- Ordinary Leave (without pay)/ Half-pay Leave/ commuted Leave/ Maternity Leave/ Duty Leave/ Leave not due.	Registrar	Full
	Academic Leave and Earned Leave. Office orders regarding sanction of Leave, along with leave application, departure report and joining report will be forwarded by the respective Deans of Faculties to the Faculty Branch for record.	Dean of Faculty concerned	
4.	Leave of the any other kind to the officials below the level of Superintendents: (i) Extra-	Registrar	Full

	ordinary Leave (without pay)/ Half pay Leave/ Commuted Leave/ Maternity Leave/ Duty Leave/ Leave not due. (ii) Earned Leave	Head of the Dept./ Office/ Branch Officer.	Full
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**ORDINANCE: TERMS AND CONDITIONS OF SERVICE FOR NON-TEACHING EMPLOYEES OF
THE UNIVERSITY (E.C. Resolution No. C-3 (ii) dated 02.03.1996)**

1. Scope:

These rules apply to all the Non-teaching employees of the Guru Jambheshwar University of Science & Technology, Hisar, except the following categories:

- (a) Officers of the University as contained in the Act and Statutes of the University
- (b) Persons on deputation from Govt. of India or State Govt. or any Statutory Board or Corporation or University, who will be governed by the terms and conditions of the deputation;
- (c) Persons appointed on part-time basis;
- (d) Persons appointed on contract, who will be governed by terms and conditions of the contract;'
- (e) Work-charge employees; and
- (f) Casual Labour/Daily wagers
- (g) Persons engaged through contractor for specific job.

2. Definitions:

- (a) **"Appointing Authority"** means the authority empowered to make appointments to a post which an employee for the time being holds.
- (b) **"Completed year(s) of service"** means the continuous service of the specified duration under the University and includes period spent on duty as well as leave including Extra Ordinary Leave, unless otherwise provided.
- (c) **"Competent Authority"** shall be appointing authority or such authority to whom the special powers are delegated by the Executive Council.
- (d) **"Cadre"** means the strength of a service or a part of a service sanctioned as a separate unit.
- (e) (a) **"Duty" includes-**
 - (i) service on probation provided that such service is followed by confirmation; and
 - (ii) joining time.

- (b) An employee may be treated on duty during the course of instruction or training in India.
- (f) **“Foreign Service”** means service in which an employee receives his pay with the sanction of the University from any source other than the funds of the University.
- (g) **“Fee”** means recurring or non-recurring payment to an employee from a source other than the funds of the University; whether paid directly to an employee or indirectly through the intermediary of the University but does not include:
 - (i) unearned income such as income from property dividends, and interest on securities; and
 - (ii) income from literary, cultural, artistic scientific or technological efforts if such efforts are not aided by the knowledge acquired by an employee in the course of his service.
- (h) **“Honorarium”** means recurring or non-recurring payment granted to an employee from the funds of the University as remuneration for special work of an occasional or intermittent character.
- (i) **“Joining time”** means the time allowed to an employee to join a new post or to travel to or from a station to which is posted.
- (j) **“leave Salary”** means the monthly amount paid by the University to an employee on leave.
- (k) **“Lien”** means the title of an employee to hold substantively either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post to which he has been appointed substantively.
- (l) **“Officiate”** An employee officiates in a post when he performs the duties of a post on which an other person holds a lien. The competent authority may, if it thinks fit, appoint an employee to officiate in a vacant post on which no other employee holds a lien.
- (m) **“Pay”** means the amount drawn monthly by an employee as:
 - (i) the pay, other than special pay or pay granted in view of his personal qualification, which has been sanctioned for the post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre;
 - (ii) special pay and personal pay, and
 - (iii) any other emoluments which may be specially classed as pay by the Executive Council.

- (n) **“Personal pay”** means additional pay granted to an employee:-
- (a) to save him from loss of substantive pay in respect of a permanent post, other than tenure post, or due to revision of pay or to any reduction of such substantive pay, otherwise than as a disciplinary measure; or
 - (b) in exceptional circumstances on other personal consideration.
- (o) **“Presumptive Pay”** of a post, when used with reference to any particular employee, means the pay to which he would be entitled had he held the post substantively and was performing its duties but it does not include special pay unless the employee performs or discharges the work or responsibility in consideration of which the special pay was sanctioned.
- (p) **“Special pay”** means an addition of the nature of pay to the emoluments of a post or of an employee granted in consideration of:
- (a) the specially arduous nature of the duties; or
 - (b) a specific addition to the work or responsibility and includes non-practicing allowance granted to doctors in lieu of permission to allow them to carry on private practice.
- (q) **“Permanent post”** means a post carrying a definite rate of pay sanctioned without limit of time.
- (r) **“probation”** A person on probation is one appointed/promoted to a post for determining his fitness for the eventual substantive appointment to the post.
- (s) **“Service”** means the whole period of continuous service including periods spent on leave.’
- (t) **“Salary”** means the amount of monthly pay and allowance granted by the University to an employee.
- (u) **“Subsistence allowance”** means a monthly grant to an employee who is not in receipt of pay or leave salary.
- (v) **“Temporary post”** means a post carrying a definite rate of pay sanctioned for a limited time.
- (w) (i) **“Time scale pay”** means pay, which, subject to any condition prescribed in these rules, rises by periodical increments from a minimum to maximum.
- (ii) Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time scales are identical.

- (iii) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in the service; so that the pay of the holder of any particular post is determined by his position in the cadre or class, and not by-the fact that he holds that post.
- (x) **“Substantive pay”** means the pay other than special pay, personal pay, dearness pay or emoluments classed as pay by the Executive Council, to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.
- (y) **“University”** means the Guru Jambheshwar University of Science & Technology, Hisar.

3. **Grade/Categories of Posts and Qualifications for Appointment:**

The categories and scale of posts and also the qualifications for appointment to various posts in the University service shall be as prescribed by the Executive Council, through regulations.

4. **Age of Entry into University Service:**

No person who has not attained the age of 18 years shall be appointed to any post in the University. The upper age limit for various posts will be prescribed by the Executive Council.

5. **Method and Procedure of Appointment:**

Appointment to the posts maybe made by direct recruitment/ promotions.

- (i) Direct recruitment shall be made after advertisement by Competent authority.
- (ii) The appointment by promotion shall be on seniority-cum-merit basis. Merit shall be determined on the basis of annual confidential reports. The procedures of direct recruitment and promotion shall be laid down by the Executive Council, through regulations

6. **Medical Certificate of Fitness on First Entry into the University Service.**

Every person, on his first appointment in the University, shall get himself examined by the Medical officer of the Guru Jambheshwar University of Science & Technology or a Medical Officer approved' by the competent authority and furnish a medical certificate in the prescribed form. In case of doubt/ rejection by the. Medical Officer, the Vice-Chancellor may refer the same to a specially constituted panel of Doctors.

7. Physical Fitness for Efficient Discharge of Duties:

The appointing authority shall have power to require a University employee to appear before a Medical Board to test his physical fitness for the efficient discharge of the duties of his post, whenever it has reason to believe that University employee is not physically fit to carry out his duties satisfactorily. The University employee concerned shall, however, have the right to appeal to the appellate Medical Board against the decision of the first Medical Board.

8. Verification of Character and Antecedents:

The character and antecedents of every class I and Class II officer on his first entry into service, shall be got verified from the District Magistrate concerned immediately after his joining the service in the University, in the prescribed form. However, in case of Class III and Class IV employees, the verification will be got done, wherever deemed necessary, by the competent authority.

9. Probation and Confirmation:

The Executive Council vide Resolution No. 16 of its meeting held on 19.03.2005 has authorized the Vice-Chancellor to decide the cases of confirmation of all categories of employees including teachers.

1. Every person appointed permanently to a post under the University, whether by promotion or by direct recruitment, shall be on probation in such post for a period of one year provided that the appointing authority may, in any individual case, extend the period of probation for a further period not exceeding one year, the reasons thereof to be recorded in writing. Provided further that the employee shall be deemed to have been confirmed in his post on the expiry of his/her probationary period, unless the University informs him/her in writing of its intention not to confirm him/her before the expiry of initial probationary period.

On the completion of the period of probation of a period e appointing authority may :

- (a) If his work or conduct has, in its opinion, been satisfactory, confirm such person, from the date of completion of his probation period or if a permanent post is not available declare that he has completed his probation satisfactory.

Provided further that the period of extraordinary leave shall not count towards probationary period.

2. Where a person appointed to a post in the University on probation if, during his period of probation, found unsuitable for holding that post or has not completed his period of probation satisfactorily, the appointing authority may:
 - (i) in case of a person appointed by promotion, revert him to the post held by him immediately before such appointment;

- (ii) in case of a person appointed by direct recruitment,' terminate his' services.
- (iii) extend his period of probation to the extent necessary as specified in sub-rule(1) above.
- 3. Every person appointed to a permanent post in the University by promotion or by direct recruitment shall, on satisfactorily completing his period of probation, be eligible for confirmation in that post.
- 4. No employee shall be confirmed in any post unless:
 - (i) such post is permanent and no one else holds a lien on the post;
 - (ii) the service of the employee in the University is approved by the appointing authority.
- 5. A person having been appointed temporarily to a post, is subsequently appointed on probation against a permanent post, shall commence his period of probation from the date of his regular appointment.

10. Seniority:

An employee shall rank for seniority in the grade in the manner as mentioned below:

- (i) Persons appointed in a substantive capacity to any post prior to these rules shall retain the relative seniority already assigned to them
- (ii) when any post is filled by open competition, the seniority of the applicants selected at the same interview shall be in the order in which they are' ranked by the Selection Committee and approved by the competent authority irrespective of the dates of joining the duties.
- (iii) Inter-se-seniority of persons appointed by promotion on the same date, from within the University shall be the same as in the lower category of post from which they have been promoted/appointed unless otherwise specified by the Selection Committee/Establishment Committee for reasons to be recorded in writing.

11. Crossing of Efficiency Bar:

Where an efficiency bar is prescribed in a time scale, the increment next to the bar shall not be given to a University employee without the specific sanction of the competent authority. Crossing of efficiency bar is a sort of promotion and, therefore, the competent authority shall have each such case carefully examined and due consideration shall be given to the ACR record and a special report on work and conduct to be obtained at the time such a case comes up for consideration.

NOTE:

1. When a University employee is allowed to cross an efficiency bar which had previously been enforced against him he should come on to the time scale at such stage, as the authority competent to declare the bar. removed, may fix for him provided that the pay so fixed shall not exceed the pay that he could have drawn had he not been stopped at the efficiency bar.
2. The cases of all employees held up at the efficiency bar should be reviewed annually by the competent authority to determine whether the quality of their work has improved sufficiently to justify the removing of the bar. permission to allow crossing of EB shall not have a retrospective effect.

12. Increments:

- (i) An increment shall ordinarily be drawn as a matter of course on completion of the period of 12 months service, unless it is withheld. An increment may be withheld by an order of the competent authority if an employee's conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is to be withheld, and/or not whether it shall have a cumulative effect.
- (ii) Increment shall accrue on the first day of the month in which it falls due.

13. Service Counting for Increments:

The following service. shall count for grant of annual increment in a time scale:

- (i) (a) All duty in a post on a time scale counts for increment in that time scale;
- (b) Service in another post, other than a post carrying less pay, whether in a substantive or in officiating capacity shall count for increment in the time scale applicable to the post on which the University employee holds a lien; .
- (c) If a University employee, while officiating in a post or holding a temporary post on a time-scale pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post, shall, if he is re-appointed to the lower post or is appointed or re-appointed to a post carrying the same time scale of pay count for increment in the time-scale applicable to such lower post. The period of officiating service in the higher post. which counts for increment in, the lower post is, however, restricted to the period during which the University employee would have officiated in' the lower post but for his appointment to the higher post.

This clause applies also to an employee who is not actually officiating in the lower post, at the time of his appointment to the higher post, but who

would have so officiated in such lower post or in a post on the same scale of pay had he not been appointed to the higher post.

- (d) If a university employee on reversion from an ex-cadre post to the parent cadre is appointed to a post in a scale lower than that of the ex-cadre post but not on the time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered in the higher scale in the ex-cadre post, shall count for increment in the time-scale applicable to the cadre post.
- (ii) Period spent on Foreign Service or on deputation shall count for increment;
- (iii) Service rendered in a time scale post during the period of probation shall count as service towards increments.
- (iv) Service rendered in a temporary post immediately preceding the appointment to a regular post shall count for increment provided the post is on a prescribed time scale;
- (v) All leave (except extra-ordinary leave taken otherwise than on Medical Certificate).and the period of deputation out of India shall count for increment in the time-scale applicable to a post in which a University employee was officiating at the time he. Proceeded on leave or deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India.

Provided that the competent authority may in any case in which it is satisfied that the extra-ordinary leave was taken for any cause beyond the control of University employee or for prosecuting higher studies, direct that extraordinary leave shall be counted for increments.

- (vi) Joining time counts for increment.

(14) Fixation of pay:

- (1) Unless the appointing authority grants, in an individual case, a higher starting salary than the minimum of pay scale, a person who has been appointed to a post, shall on assuming duties, draw the minimum of the pay scale as his initial pay.
- (2) The initial pay of an employee, who holds a lien on a permanent post and is appointed or promoted to another higher post shall be fixed in the time scale of the higher post at the stage next above his substantive pay in respect of the lower old post.

NOTE :

- 1. On an enhancement in the grade, pay of the lower post as a result of increment or otherwise, the pay of such employee shall be refixed from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.

2. In the case of an employee whose officiating pay on fixation carries his pay above the stage of efficiency bar in the time-scale of the 'officiating post, the employee concerned should be deemed. to have automatically crossed. the efficiency bar at the time of fixation of officiating pay.
3. The holder of a post, the. pay of which *is* changed, shall be treated as if he was transferred to a new post in the new pay, subject to such restriction as the competent authority may in each case lay down.

(15) Fixation of Pay on Reduction to a Lower Post

1. A University employee can not be transferred substantively to a post carrying a lower scale than that of the permanent post on which he holds a lien except at his own written request or on account of gross misconduct or moral turpitude.
2. On transfer to a lower grade or post, as a penalty, an employee may be allowed by the authority ordering the transfer any pay not exceeding the maximum of the lower grade or post. If he is reduced to lower grade or post or to a lower stage in his time scale, the authority ordering the reduction shall state the period for which it shall be effective and whether it shall operate to postpone future increments and if so to what extent.

(16) Special Pay, Personal Pay, Honoraria, etc.

- (a) The Executive Council may sanction to employee(s) in special circumstances such special pay, on such conditions as it may deem fit.
- (b) The competent authority may sanction honorarium and/or fee on such conditions, as it may deem fit.
- (c) Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased and the same shall cease as soon as his pay is increased by an amount equal to his personal pay.

(17) Date of Reckoning Pay and Allowances;

An employee commences or ceases to be entitled to the pay and allowances of a post with effect from the date he assumes or relinquishes charge of the duties of that post, if he assumes or relinquishes charge of those duties in the forenoon of that date; otherwise from the following day.

(18) Leave Regulations and T.A Regulations;

1. Leave regulations and T.A regulations as laid down by the Executive Council from time to time shall be applicable.
2. (i) Willful absence from duty for more than a week may involve forfeiture of appointment. In such cases, a notice shall be given to the employee by registered post, at his address given in his service,

book, to report for duty to the Registrar within a given period. In case the employee does not report for duty, or the notice is not delivered to him, a copy of the notice shall be pasted on the entrance of his house at his local address. If still the employee does not report, another notice shall be published in the Newspaper, giving him' final opportunity to report for duty. If he fails to do so, his appointment" in the University Service shall stand forfeited on the expiry of final notice.

- (ii) The competent authority may order the forfeiture of appointment from the date, the employee is willfully absenting himself from duty.
- (iii) While settling his final dues, the expenditure incurred in connection with the publication of notice in News-Paper and the amount in lieu of notice period of one month/three months required for resignation from ,service of the University shall be recovered from the employee. However, if an employee reports for duty after publication of notice it]. News-paper and prior to expiration of notice period, the expenditure incurred by the University on publication of notice in News~ paper shall be recovered from the employee.

(19) Benefit of Provident Fund, Pension, Gratuity etc.

Employees of the University shall be entitled to the benefits of the Provident Fund /Pension/Gratuity/Insurance Scheme, Ex-gratia etc. (on the pattern of the State Govt.) as per the provisions in the regulations.

(20) Charge of Office:

The charge of an office must be made over by the relieved employee both the relieving and relieved employee being present. The competent authority may relax the condition of both the employees being present, under the circumstances he deems appropriate.

(21) Combination of Appointments:

A competent authority may appoint an employee already holding a post in a substantive or officiating capacity to officiate as a temporary measure in one or more of other independent posts at one time.

(22) Dismissal, Removal from Service:

The pay and allowances of an employee who is dismissed or removed from service cease from the date of such dismissal or removal.

(23) Suspension;

1. The appointing. authority or any other Officer empowered by the Executive Council in that behalf may place any employee under suspension;

- (a) where disciplinary proceedings against him are contemplated or are pending; or
 - (b) where a case against him in respect of any criminal offense is under investigation, inquiry or trial.
2. An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours shall be deemed to have been suspended w.e.f. the date of his detention on order of the competent authority "and shall remain under suspension until further orders.
 3. Where a case against an employee in respect of any criminal offence is under trial, it shall be the duty of the employee to inform the University about the said fact as soon as he comes to know about it. Similarly, where an employee is detained in custody for a period exceeding 48 hours, it shall be the duty of the employee to inform the Registrar about the said detention at the earliest available opportunity. Failure to supply the information as aforesaid shall be regarded as misconduct on the part of the employee rendering him liable for disciplinary action on that ground alone.
 4. Order of suspension becomes effective when it is issued and not from the date of its receipt by the employee.
 5. An order of suspension made or deemed to have been made under this clause may at any time be revoked by the Officer/authority which made or is deemed to have made it.

(24) Payment of Subsistence Allowance during Suspension

- (a) An employee who is placed under suspension shall draw subsistence allowance equivalent to half the rate which is admissible to him immediately before the commencement of the suspension and other allowances based on half pay. Compensatory allowance, if any, shall be admissible only if the Vice-Chancellor is satisfied that the employee continues to meet the expenditure for which they are sanctioned. The rate of compensatory allowance, if admissible, should be determined on the basis of the pay, which the employee was in receipt of, on the date of suspension.

Provided that where the period of suspension exceeds 6 months, the Vice-chancellor shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first 6 months, as follows:

- (i) The amount of the subsistence allowance may be increased by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first 6 months if, in the opinion of the Vice-Chancellor, the period of suspension has been prolonged for reasons, to be recorded in writing, , not directly attributable to the employee.
- (ii) The amount of subsistence allowance may be reduced by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of first 6 months, if in the opinion of the Vice-Chancellor, the period

of suspension has been prolonged for reasons, to be recorded in writing, directly attributable to the employee.

- iii) The rate of dearness allowance will be based increased/decreased amount, as the case may be, of the subsistence allowance admissible under sub-clauses (i) and (ii) above.
- (b) No payment under (a) above shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

(25) Leave to an Employee under Suspension:

Leave may not be granted to an employee under suspension.

(26) Suspension during pendency of Criminal Proceedings, or Proceeding for Arrest for Debt or during Detention under. Law Providing for preventive Detention:

An employee against whom proceedings have been taken either for his arrest for debt or on a criminal charge or who is detained under any law providing for preventive detention should, if the period of detention exceeds 48 hours and unless he is already under suspension, be considered to be under suspension from the date of detention for any period until he is detained in custody or is undergoing imprisonment and not allowed to draw by pay and allowances (other than any subsistence allowance that may be granted in accordance with the principles laid down in clause 24) for such periods until the final termination of the proceedings taken against him or until he is released from detention and allowed to rejoin duty, as the case may be. An adjustment of his allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the employee being acquitted of blame or if the proceedings taken against him were for his arrest for debt, of its being proved that the employee's liability arose from circumstances beyond his control or the detention being held by the competent authority to be unjustified.

(27) Allowances on Reinstatement;

1. When an employee, who has been dismissed removed, compulsorily retired, or suspended, is reinstated, or would have been reinstated but for his retirement on superannuation the authority competent to order the reinstatement shall consider and make a specific order:
 - (a) regarding the pay and allowances to be paid to the employee for the period of his absence from duty, occasioned by suspension and/or dismissal, removal or compulsory retirement ending with his reinstatement on or the date of his retirement on superannuation as the case may be, and
 - (b) whether or not the said period shall be treated as a period spent on duty.
2. Where the authority mentioned in sub-clause (1) is of the opinion that the employee has been fully exonerated or; in the case of suspension, that it was wholly unjustified, the employee shall be given the full pay and

allowances to which he would have been entitled, had he not been dismissed, removed, compulsorily retired or suspended, as the case may be.

3. In other cases, the employee shall be given the proportion of such pay and allowances as the competent authority may prescribe:

Provided that the payment of allowances under sub-clause (2) or sub-clause (3) shall be subject to all other conditions under which such allowances are admissible.

Provided further that such proportion of such pay and allowances should not be less than the subsistence and other allowances admissible under clause-24. In a case falling under sub-clause (2), the period of absence from duty shall be treated as a period spent on duty for all purposes.

5. In a case falling under sub-clause (3) the period of absence from duty shall not be treated as period spent on duty unless such, competent authority specifically directs that it shall be so treated for any specified purpose:

A permanent post vacated by dismissal, removal or compulsory retirement of an employee should not be filled substantively until the expiry of the period of one year from the date of such dismissal, removal or compulsory retirement as the case may be. Where on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in -the grade to which his previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in his grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.

The term "reviewing authority" as used in this clause include an authority revising its own orders.

The period spent under medical treatment by an employee under suspension shall be treated as spent under suspension and the subsistence allowance as admissible under the rules shall be given for the period.

The term 'Proportion' used in sub-clause-3 of this clause does not mean "whole".

If no order is passed under sub-clause (5) of this clause directing that the period of absence be treated as duty for any specified purpose, the period of absence should be treated as 'non-duty' . In such event, the past service (Le. service rendered before dismissal, removal, compulsory retirement or suspension) will not be forfeited.

(28) Notice Required For Removal/Resignation From Service

- (1) A University employee on probation can be removed any time without assigning any reason by giving him one month's notice in writing or payment

of one month salary in lieu of ,notice by the competent authority . The employee on probation may also resign from the University service at any time on one month's notice in writing to the competent authority or by depositing one month's salary in lieu of notice.

- (2) A confirmed employee shall be required to give three months notice in case he desires to be relieved, or in lieu of such notice, he shall pay to the University the salary for three months or for the period by which such a notice falls short of three months.

Provided that the competent authority may reduce the period of notice or waive the condition of notice mentioned in sub clause (1) and (2) above on the part of the University employee, on the specific request of the employee.

(29) Age of Retirement:

- (i) Every University employee shall retire from the service, on the afternoon of last day of the month in which he attains the age of 60 .
- (ii) A University employee may seek premature retirement by giving three months notice in writing to the competent authority after completion of 20 years of service or on medical grounds if he is certified to be suffering from some disease or disability which may render him unfit to continue in service.

Provided that in the case of an employee under suspension, it shall be open to the competent authority to refuse permission to an employee for retirement under this clause.

(30) Service Book:

1. A service book in the form prescribed by the University shall be maintained for every employee holding a substantive post, or officiating in a post or holding a temporary post likely to last for more than one year. Such a book shall be supplied by the University free of charge. The service book -shall be maintained by and kept in the custody of the Registrar. The service book shall not be given to any employee who is proceeding on leave or who quits University service. A certified copy of the service book, may however, be supplied on request on retirement, discharge or resignation on payment of copying fee of Rs.25/-.
2. Every step in the official life of an employee must be recorded in his service book and each entry must be attested by the Head of the Branch or, if he himself is the Head of the Branch, by his immediate superior. The Head of the Branch must see that all entries are duly made and attested, and that the book contains no erasing or over-writing, all corrections being neatly made and properly attested.
3. Personal certificates of character must not unless the Registrar so directs, be entered in a service book, but, if an employee is reduced to a lower substantive post, the cause of the reduction should always be briefly stated,

e.g. "Reduction for inefficiency"," Reduction owing to revision of establishment" etc.

NOTE:

1. Special precaution should be taken at the time of filling up page 1 of the service book specially in respect of the date of retirement of an employee. The Officer authorized to 'maintain service books shall perform this important function himself personally and attest the date of birth entry in token. of his having done so. It shall be based on Matriculation/Higher Secondary Certificate or an equivalent certificate where the date of birth is indicated. In the case of the employees where the minimum academic qualification is not laid down and the employee has not passed matric/higher secondary examination, the date of birth shall be based on the certificate issued by the University Medical Officer designated by the University.
2. In case where only the year of birth of an employee is entered the 1st of July of that year shall be taken to be his date of birth. If the month is also given, but not the date, 16th of the month shall be taken to be his date of birth.
3. Date of birth cannot be. altered unless the employee concerned applied for correction of his age as recorded, within one year from the date of his entering into University service. Competent authority, however, reserves the right, to make a correction in the recorded age at any time whenever it gets sufficient evidence/proof to satisfy it that the age recorded in a particular case has been incorrectly entered or has been otherwise manipulated with the object that the employee concerned may derive some unfair and undue advantage there from. This will be without prejudice to any 'other disciplinary case being taken in the matter. The Registrar will, however, have the discretion to refuse or grant such application and no alternation shall be allowed unless it is proved to his satisfaction that the date of birth as originally given by the applicant was a bonafide mistake and that he had derived no unfair advantage therefrom.
4. It shall be the duty of every employee to see that his book is properly maintained. The officer-in-charge of books may permit the employee concerned to examine his book should he at any time desires to do so.

(31) Confidential Reports;

Such officers as may be prescribed by the Executive Council shall report confidentially each year in the form prescribed by the University on the work and conduct of the employee who had served under them for a period not less than three months in the year immediately preceding and forward their reports to the Registrar/Vice-Chancellor within the prescribed period.

(32) Essential Services:

The employees placed on watch and ward duty, maintenance of public health services, electricity and such other services as the competent authority may order, shall be regarded as staff of essential services.

(33) Penalties

The following penalties may, for good and sufficient reasons, and as hereinafter provided: be imposed on an employee, namely:

- (a) Minor penalties:
 - (i) Censure;
 - (ii) Withholding of his promotion;
 - (iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the University by negligence or breach of orders; .
 - (iv) Withholding of increment(s) of pay without cumulative effect.
- (b) Major penalties:
 - (i) withholding of increment(s) of pay with cumulative effect;
 - (ii) reduction to a lower stage in the time-scale of pay, for specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will or will not have the effect' of postponing the future increments of his pay;
 - (iii) reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced, with or without further direction regarding condition of restoration to the grade, post or Service from which the employee was reduced and his seniority and pay on such restoration to that grade, post or' service;
 - (iv) compulsory retirement before the age of superannuation;
 - (v) removal from service-which shall not be a disqualification for further employment;
 - (iv) dismissal from service which shall disqualification for future employment.

Explanation:

The following shall not amount to a penalty within the meaning of this rule, namely:

- (i) withholding of increments of pay of an employee for his failure to pass any departmental examination in accordance with the rules or orders governing

the Service to which he belongs or post which he holds or the terms of his appointment;

- (ii) stoppage of an employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;
- (iii) non' promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible;
- (iv) reversion of an employee officiating in a higher service, grade or post to a lower service, grade or post on the ground that he is considered to be unsuitable for such higher service, grade or post on any administrative ground unconnected with his conduct;
- (v) compulsory retirement of an employee in accordance with the provision relating to his superannuation or retirement;

(vi) Termination of the Services

- (a) of an employee appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation;

or

- (b) of a temporary employee appointed otherwise than under contract, on the expiration of the period of the appointment, or on the abolition of the post or before the due time in accordance with the terms of his appointment; or
- (c) of an employee under an agreement, in accordance with the terms of such agreement.

(34) Disciplinary Authorities

Any of the above penalties may be imposed by the appointing authority.

(35) Authority to Institute Proceedings:

Appointing authority or an officer authority by general or a special order proceedings against an employee.-

empowered by the appointing may institute disciplinary

(36) Procedure for Imposing Penalties:

The procedure for conducting enquiry, imposing penalties, appeal against the penalty(ies) imposed and the review of the order imposing the penalty(ies) on an employee shall be prescribed by the Executive Council through regulations.

The above tendency on the part of the departments has been viewed seriously. It has been decided to emphasize that while deciding the issue of charge-sheeting a delinquent person, the competent authority with due application of mind should be refrain from issuing a charge-sheet under rule 7 if he/she arrives at a conclusion that charges against the delinquent are not to serious to arrant a charge-sheet under this rule. In such a case/ cases he/she may be issued a show cause notice under rule 8 of ibid rules which will not only save time but Government money also.

(37) Residuary Conditions of Service:

'Any matter relating to the conditions of service of an employee for which no provision is made in these rules shall be decided as per the provisions/rules applicable to the employees of the Haryana Government.

(38) Removal of Doubts:

If any doubt or ambiguity arises as to the interpretation and meaning of any of the provisions of these rules, the matter shall be referred to the Vice-Chancellor, whose decision thereon shall be final.

RULES FOR EX-GRATIA GRANT AND OTHER FACILITIES TO THE FAMILIES OF UNIVERSITY EMPLOYEES WHO DIE WHILE IN SERVICE

(7th E.C. Resolution No.46 dated 13.07.1997)

1. Eligibility

- (i) Ad hoc ex-gratia grant and other facilities will be admissible to' the family of a regular University employee who dies while in service of the University.
- (ii) If either of the surviving partner is remarried, the relief would be refunded and deposited in security for .use of the minor children.. This undertaking should be taken at the time of payment of the relief fund.

Note :-

The employees on ad hoc basis and the persons who are given term appointment or are appointed on contract basis or appointed temporarily against some Research Project or Temporary Scheme or Leave Arrangement shall not be eligible ,for grant of benefit under these Rules.

2. (a) Ad hoc Ex-gratia Grant

The ex-gratia grant to be given to the family of deceased" employee will be equivalent to ten times the emoluments, which, he was receiving immediately before his death, subject to a minimum' of Rs.10,000/- and a maximum of Rs.25,000/-.

The term 'emoluments' for this purpose shall mean the pay as defined below and will also include Dearness pay. 'Pay' means the amount drawn monthly by the University employee as :

- (i) The pay, other than special pay or pay granted in view of his personal qualification, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre;
- (ii) Overseas pay, technical pay, special pay and personal pay; and
- (iii) Any other emoluments which may be specially classed as pay by the competent authority.

(b) The Ex-gratia grant will be payable to the members of the family of a deceased employee mentioned below in that order

- (i) Wife/ Husband
- (ii) Dependent Sons/ Daughters
- (iii) Dependent Father

- (iv) Dependent Mother
- (v) Dependent Brothers/ Sisters

Note:-

In the case of categories (ii) and (v) ad hoc ex-gratia grant will be admissible only if they were minors and unemployed at the time of the employees' death, subject to submission of proof thereof to the satisfaction of the Registrar.

2. Ex-Gratia Grant to Work-Charged Establishment:

- (i) The work-charged establishment with a minimum continuous service of five years in the university be also eligible for ad hoc ex-gratia grant and other facilities admissible to the families of regular employee.
- (ii) The amount of compensation admissible to a work-charged employee will be Rs. 5,000/-.

The above compensation will not be admissible to persons who are reappointed or appointed after retirement from any other service.

4. Free Medical Aid:

Free Medical Aid/Assistance will be given to the dependent members of the family (here family means husband/wife including minor children declared as such by the deceased employee during his life time), as admissible to serving employee except that the cost of medicines which are required to be purchased from the market for treatment shall not be reimbursed.

5. Educational Facilities:

- (i) Actual tuition fee shall be reimbursed to the unmarried children of the deceased employee up to the degree courses (including Professional Courses) provided the children get admission in the said course and pass the annual examinations held from time to time.
- (ii) The benefit will be admissible. from the date of death of University employee concerned to his widow/children are actually dependent upon their guardian

6. Accommodation:

In case where the deceased employee was in possession of University accommodation, his family will be allowed to retain the accommodation for one year after his death, the rate of rent being the same as was applicable to the deceased employee at the time of death. In other cases, the house rent allowance admissible to the deceased employee, will continue to be paid to the family for one year after his death.

Note:

- (i) If the family of a deceased University employee vacates the residential accommodation retained by it before the expiry of one year of its own accord then the benefit of house rent allowance will not be admissible for the remaining period.
- (ii) If the family leaves the place of posting of the deceased University, employee before the expiry of one year which automatically amounts to surrender of University accommodation at that place, the house rent allowance for the remaining period will not be admissible.
- (iii) If the residential accommodation allowed to the deceased employee, is got vacated by the University from his family due to certain special circumstances then alternative accommodation, if available, would be allotted to such a family.
- (iv) If no accommodation is available as referred to in item (iii) above, then house rent allowance for the remaining period would be granted provided the family lives at that station.
- (v) When both husband and wife are in employment of the University and in the event of death of the partner in whose name the University accommodation stood allotted the surviving partner may be allotted accommodation commensurate with his/her status.

7. Employment

One of the dependents of the deceased employee will be considered for absorption in University service, on compassionate grounds. Provided that the dependent of the deceased employee shall not be entitled to such employment in case one of his parents is alive and is in employment of the Government/University.

8. Procedure for Grant of above Facilities:

- (i) The information in regard to the deceased employee and his family would be obtained in the proforma (Common proforma for P.F., Death-cum-Retirement Gratuity and Leave Encashment, is given under Provident Fund Rules) which should be properly attested and contain necessary affidavit as a reasonable proof of title to grant other facilities as the case may be.
- (ii) In the case of minor dependents the amount be disbursed after taking all precautions so that the relief afforded is paid in a manner that would prevent its misuse.

9. General

- (i) The applications received from the dependents of a deceased employee for absorbing them in University service will not be considered if these applications are received after a period of three years from the date of

demise of the employee. The duration of time may be relaxed by the Vice-Chancellor in exceptional cases.

- (ii) The rates of ex-gratia grant as revised by the State Govt. from time to time for its employees shall be applicable.

.....

7th E.C. Resolution No.46 dated 13.07.1997

Resolved that the State Govt. Rules be followed in respect of ex-gratia Grant and other Facilities to the University Employees who Die while in Service.

GURU JAMBHESHWAR UNIVERSITY OF SCIENCE & TECHNOLOGY, HISAR

FORM OF APPLICATION FOR EX-GRATIA GRANT/OTHER FACILITIES

Application from the family of late Sh./Smt.....employed asin the office/Department of

- 1) Name and Full Address of Applicant
- 2) Relationship to the deceased Employee
- 3) Circumstances and date of death of the. Employee
- 4) Names and Age of Surviving Relations of Deceased

	Name	Age
--	------	-----

- | | | |
|-----|--|--|
| (a) | Wife/Husband | |
| (b) | Sons | |
| (c) | Unmarried daughters | |
| (e) | Parents wholly dependent on the employee | |
| (f) | Widow/unmarried sisters | |

- 5) Any other relevant information

(Signature of Applicant)

Place:

Date:

GURU JAMBHESHWAR UNIVERSITY OF SCIENCE & TECHNOLOGY, HISAR (PUNISHMENT AND APPEAL) RULES 1997

Definitions: In these rules, unless the context otherwise requires.

- (a) "Appointing Authority" in relation to the University employee means:-
- (i) the authority empowered to make appointments to the service of which the University employees is for the time being a member or to the grade of the service in which the University employee is for the time being included; or

the authority empowered to make appointment to the post which the University employee for the time being holds: or

the authority which approved the appointment of the University employee to such service, grade, or post, as the case may be; or

where the University employee having been a permanent member of any other service or having substantively held any other permanent post, has been in continuous employment of the University, the authority which appointed him to that service or to any grade in that service or to that post whichever authority is the highest authority;

"University" means Guru Jambheshwar University of Science & Technology, Hisar as incorporated under the Guru Jambheshwar University of Science & Technology, Hisar Act, 1995.

"University Employee" means any person appointed to any University service or post in connection with the affairs of the Guru Jambheshwar University of Science & Technology, Hisar

"University Teachers" means professors, Readers, Lecturers and such other persons as may be appointed for imparting instructions or conducting research in the University or any of the Colleges or Institutions maintained by the University and are designated as teachers by the Ordinance.

"Chancellor" means the Chancellor of the Guru Jambheshwar University of Science & Technology, Hisar

Explanation: A University Employee whose services are placed at the disposal of a Company, Corporation, Organisation or at Local Authority by the Guru Jambheshwar University of Science & Technology, Hisar shall for the purpose of these rules deemed to be a University employee serving under the University notwithstanding that his salary is drawn from sources other than University Fund.

"Executive Council" means a Council constituted under Section-15 of the Guru Jambheshwar University of Science & Technology, Hisar, Act 1995.

“Establishment Committee” means Committee as appointed by the Statutes of the Guru Jambheshwar University of Science & Technology, Hisar, Act 1995.

“Punishment Authority” means the authority competent under these rules to impose on a University employees any of the penalties specified in Rule-4.

“Service” means the whole period of continuous service in the University including the periods spent on leave.

“Leave” includes Earned Leave, Maternity Leave, Leave, Hospital Leave, Half Leave, Leave Preparatory to Retirement, Leave Beyond the Date of Compulsory Retirement, Commuted Leave and Extra Ordinary Leave but does not include Casual Leave.

2. A Applications- (1) These rules shall apply to every University employee but shall not apply to :

- (a) Any person in casual employment;
 - (b) Any person subject to discharge from services on less than one month's notice.
 - (c) Any person for whom special provision is made in respect of matters covered by these rules by or/under any law fro the time being in force or by or under any agreement entered into by or with the previous approval of the University before or after the commencement of these rules, in regard to matters by special provisions.
2. Notwithstanding anything contained in sub-rule (1) these rules shall apply to every University employee temporarily transferred to a service of post coming within clause (d) or sub-rule (1) to whom, but for such transfer these rule would apply.
 3. If any doubt arises whether these rules or any of them apply to any person, the matter shall be referred to the Vice-Chancellor who shall decide the same.

Saving Clause: All powers, rights and remedies provided by these rules shall be, in addition to and not in degradation of the provisions of such rules as may be made by the Executive Council to regulate the recruitment and conditions of service of persons appointed to University service and post in connection with the affairs of the University.

4. **Penalties:** The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a University employee, namely:-

Minor Penalties

- (i) Warning with a copy in the personal file (character roll);
- (ii) Censure;Withholding of promotion
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders.

(iv) Withholding of increment of pay without cumulative effect.

Major Penalties

- (i) Withholding of increment with cumulative effect.
- (ii) Reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the University employee will earn increment of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increment of his pay.
- (iii) Reduction to lower scale of pay, grade, post or service which shall ordinarily be a bar to the promotion grade, post of service from which he was reduced, with or without further directions regarding conditions of restoration to the grade or post or service from which the University employee was reduced and his seniority and pay on such restoration to that grade, post or service.
- (iv) Compulsory Retirement.
- (v) Removal from service which shall not be a disqualification for future employment under the University.
- (vi) Dismissal from service which shall ordinarily be a disqualification for future employment.

Explanation: The following shall not amount to a penalty within the meaning of rules namely:-

- (i) Withholding of increment of pay of University employee for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment;
- (ii) Stoppage of University employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;
- (iii) Non promotion of a University employee, whether in a substantive or officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible;
- (iv) Reversion of a University employee officiating in a higher service, grade or post to a lower service, grade or post on the ground that he is considered to be unsuitable for such higher service, grade or post on any administrative ground unconnected with his conduct;
- (v) Reversion of a University employee appointed on probation to any other service, grade or post to his permanent service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and order governing such probation.

- (vi) Compulsory retirement of a University employee in accordance with the provisions relating to his superannuation or retirement.
- (vii) Termination of service:
 - (a) of a University employee appointed on probation, during or at the end of the period of probation in accordance with the terms of appointment or the rules and orders governing such probations; or
 - (b) of temporary University employee appointed otherwise than under contract, on the expiration of the post of before the due time in accordance with the terms of appointment ; or
 - (c) of a University employee employed under an agreement in accordance with the term of such agreement.

Note: 1 Punishing authorities have full discretion to publish in the press reasons for dismissal where such publication is considered desirable in the public interest.

Note: 2 In order to guard against the inadvertent re-employment of persons dismissed, from University Service, the authority passing an order of dismissal shall intimate to the Deputy Inspector General, Police, Haryana Criminal Investigation Department, Deputy Commissioner and the Superintendent of Police of the Districts of which the person concerned is permanent resident, the name of such a person and any other particulars required for purpose of identification, unless the dismissal has been notified in the Press. Similarly, if a person happens to be a resident of another State the aforesaid office of that State should be informed accordingly.

Note: 4 The discharge of a person appointed to hold a temporary appointment, otherwise than in accordance with the provisions of the Explanation (vii) (b) amounts to removal or dismissal and is, therefore, appeal able under these rules.

Note: 5 The distinction between censure, the withholding of promotion and non-selection post, is of considerable importance. Both censure and the withholding of promotion are appeal able under these rules. On the other hand non-selection post is not appeal able.

If a University employee because of unsatisfactory record and unfavourable confidential reports, is not selected for a selection post and some other University employee junior to him is selected in preference, this does not amount to the withholding of promotion. If any inquiry is held against a University employee and an order of censure is passed on him, it is open to him to appeal. If he does not appeal or his appeal is rejected, and if subsequently because of the existence of this censure in his record, he is not selected for a selection post, and some other University employee junior to his is selected in preference, this also does not amount to the withholding of promotion. If, however, an inquiry is hold against University employee, and an order is passed that he should not be promoted to a selection post for

definite period or until he has obtained good reports, this order would amount to the infliction of the penalty of withholding of promotion may be summed up as being that in the former case the University employee in question is considered for selection but some other University employee is preferred on his merits, while in the latter case the University employee in question has been declared before hand, as a disciplinary measure, to be ineligible for selection irrespective of the merits of the University employees available.

- Note 6
- (i) While reduction of seniority as an independent penalty is not provided for in rule 4 and cannot be imposed as such, the loss of seniority as a result of an order of reduction to a lower post of time-scale, being inherent in the order of reduction cannot be avoided.

 - (vii) The seniority on re-promotion of a University employee reduced to lower post or time scale, should be determined by the date of such re promotion in accordance with order issued by the competent authority on the subject of seniority. Such University employee should not be re-stored to his original position unless this is specifically laid down at the time punishment is passed, or revised an appeal.

Note 7 Unauthorised desertion of his post by a public employee in the face of enemy action, or threat of enemy action clearly amount too grave misconduct and would therefore, constitute a good sufficient reason within the meaning of rule 4, for removal or dismissal in addition to any penalty provided in the Haryana Essential Services (Maintenance) Act 1974. Loss of pension would then follow automatically by virtue of the provision of the pension rules of the University contribution, if any, to the individual provident fund/CPF.

4A. Suspension –(1)The appointing authority or any other authority to which it is subordinate or the punishing authority or any other authority empowered in that behalf by the Chancellor by general or special order, may place a University employee under suspension-

- (a) Where a disciplinary proceeding against him is contemplated or is pending, or,
- (b) Where a case against him in respect of any criminal offence is under investigation, inquiry or trial;

Provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(2) A University employee shall be deemed to have been placed under suspension by an order of the appointing authority:-

- (a) With effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, 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 offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsory retired consequent to such conviction.

Explanation:- The period of forth-eight hours referred to in clause (b) of this sub rule shall be computed from the commencement of imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

- (3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a University employee under suspension is set aside in appeal or on review under these rules any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- (4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a University employee is set aside or declared or rendered void in consequences of or by a consideration of the circumstances of the case, decides to hold a further inquiry against him o the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the University employee shall be deemed to have been place under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.
- (5) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.
- (6) Where a University employee is suspended or is deemed to have been suspended whether in connection with any disciplinary proceeding or otherwise, and any other disciplinary proceeding is commenced against him during the continuance of that suspension the authority competent to place him under suspension the authority competent to place him under suspension may, for reasons to be recorded by it in writing, direct that the University employee shall continue to be under suspension until the termination of all or any of such proceedings.
- (7) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that is subordinate.

- 5 Withholding of payment of emoluments of a University employee suspected of embezzlement:- When a University employee is suspected of being concerned in the embezzlement of University money, and is placed under suspension, the authority competent to order his dismissal may direct, that unless he furnishes security for the reimbursement of the said money to the satisfaction of his immediate superiors, the payment of any sum due to him by the University on date of his suspension, shall be deferred until such time the said authority passes final order on the charges framed against him:

Provided that such University employee shall be entitled to the payment of a subsistence allowance in respect of the period for which the admissible emoluments, if any are withheld.

6. Authority to impose punishment:- Subject to the provisions of Act and Statutes of Guru Jambheshwar University, Hisar, the authority competent to appoint shall be competent to impose any kind of punishment/ penalties specified in Rule-4 upon the person to whom these rules apply.
7. Inquiry before imposition of certain penalties:- (1) No major penalties can be imposed against an employee to whom these rules are applicable unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
- (2) The grounds on which it is proposed to take such action shall be communicated in writing to the persons charges together with a statement of allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case and he shall be required within a reasonable time to state in writing whether he admits the truth of all or any, of the charges, what explanation for defense, if any, he has to offer and whether he desires to be heard in person. If the punishing authority is not satisfied with the explanation given by the person charged or there are other reasons to do so shall direct that an enquiry shall be held at which all evidence shall be heard as to such of the charges as are not admitted. The persons charged shall, subject to the conditions described in sub-rule (3) be entitled to cross examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the officer conducting enquiry may for reasons to be recorded in writing, refuse to call any witness. The proceedings shall contain a sufficient record of the evidence and statement of the findings and the grounds thereof provided that:-
- (a) it shall not be necessary to frame any additional charge when it is proposed to take action in respect of any statement of allegations made by the person charged in the course of his defense; and
- (b) the provisions of the foregoing sub-rule shall not apply where any major penalty is proposed to be imposed upon a person on the ground of conduct which has led to his conviction on a criminal charge; or where an authority empowered to dismiss or remove him, or reduce him in rank is satisfied that, for some reasons, to be recorded by him in writing, it is not reasonably practicable to give him an opportunity of showing cause against the action proposed to be taken against him, or wherein the interest of the security of

the State it or where in the interest of the security of the State it is considered not expedient go give to that person such an opportunity.

(3) If any question arises whether it is reasonably practicable to give to any person an opportunity to defend himself under sub-rule (2) the decision thereon of the punishing authority shall be final.

(4) {a} Where any person has made a statement on oath, in evidence before any criminal or Civil Court, in any case, in which University employee charged was party and had full opportunity to cross-examine such person and where it is intended to prove the same facts as deposed to by such person in such statement in any inquiry under the public Servants (Inquiries) Act, 1850, shall not be necessary to call such person to give real evidence in corroboration of that statement. The certified copy of the statement previously made by him in any such case may be as part of the evidence.

Provided that the officer conducting the inquiry may, in interest of justice order the production of witness in person either for further examination or for further cross-examination by persons charged.

(b) The University employee charged shall not be allowed, except at discretion of the Enquiry Officer, to be exercised in the interest of justice to call as a witness in his defense any person whose statement has already been recorded and who he had opportunity to cross-examine, or whose previous statement has been admitted in the manner herein provided.

(5) Where the punishing authority itself enquires into any charge or charges or appoints an enquiry officer for holding enquiry against a person charged it may, by an order, appoint a University employee or a legal practitioner to be known as a "Presenting Officer" to present on its behalf the case, in support of the charge or charges.

The person against whom a charge is being enquired into, shall be allowed to obtain the assistance of a University employee or a retired University employee if he so desire, in order to produce his defense before the Enquiry Officer. If the charge or charges are likely to result in the dismissal of the person from the service of the University, such person may, with the sanction of the Enquiry Officer, be represented by counsel;

Provided that if in any enquiry, Counsel is engaged on behalf of any department of University, the person against whom the charge or charges are being enquired into, shall also be entitled to engage counsel :

Provided further that the assistance of particular University employee will be allowed only if the Enquiry Officer is satisfied that he is of such rank as is appropriate in the circumstances of the case and that he can be spared by the department concerned for that purpose.

Note : Charges need not necessarily be framed in relation only to specific incidents of acts of misconduct. When reports received against an officer or a preliminary enquiry show that his general behaviour has been such as to unfitting to his position, or that

he has failed to reach or maintain a reasonable standard of efficiency, he may and should be charged accordingly, and a finding on such a charge may be valid ground for the infliction of any authorized punishment, which may be considered suitable in the circumstances of the case. It will still be necessary to communicate the charges of misbehaviour or of concerned but statement which is to misbehavior or of concerned but statement which is to be communicated to the officer in support of the charges need not specify particular acts of misconduct. It will be sufficient in the statement to give the list of the reports on the basis of which misbehaviors or inefficiency is alleged.

- (6) After the enquiry against a University employee has been completed, and after the punishing authority has arrived at a provisional conclusion in regard to the penalty to be imposed, the University employee shall, if the penalty to be imposed is major penalty be supplied with a copy of the report of the enquiring and be called upon to show cause within reasonable time, not ordinarily exceeding one month against the particular penalty proposed to be inflicted upon him. Any representation submitted by him in this behalf shall be taken into consideration before final orders are passed.

Provided that if the punishing authority disagrees with any part or whole of the findings, of the enquiring authority, statement of the ground thereof, shall also be supplied to the University employee.

- (8) Procedure for imposing minor penalties:- Without prejudice to the provisions of rule-7, no order for imposing a minor penalty shall be passed on University employee unless he has been given an adequate opportunity of making any representation that he may desire to make, and such representation has been taken into consideration.

Provided that this condition shall not apply in a case where an order based on facts has led to his conviction in a criminal court or an order has been passed superseding him for promotion to a higher post on the grounds of his unfitness for that post on account of the existence of unsatisfactory record.

Provided further that the requirements of this rule may, for sufficient reasons to be recorded in writing be waived, where it is not practicable to observe them and where they can be waived without injustice too the University employee concerned.

- (9) Right of Appeal :- Every person to whom these rules apply, shall be entitled to appeal, as hereinafter provided, to such superior authority, as may be prescribed by University in the rules regulating his conditions of service against an order, not being an order of University :-

- (a) imposing upon him any of the penalties specified in rule 4,
- (b) discharging him in accordance with the term of his contract, if he has been engaged on a contract for a definite, or for an indefinite period and has rendered under either form of contract continuous service for a period exceeding five years at the time when his services are terminated;

- (c) reducing or withholding the amount of ordinary or additional pension admissible under the rules governing pension;
- (d) terminating his appointment, otherwise than upon his reaching the age fixed for superannuation.
- (e) An order which denies or varies to his disadvantage his pay, allowance, pension or other conditions of service as regulated by rules or by agreement.

- (10) **Period of limitations of appeal :-** No appeal preferred under rule 9 shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant;

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

11. Order which may be passed by appellate authority :- (1) In the case of appeal against an order under rule 9 or any penalty specified in rule 4, the appellate authority shall consider;

- (a) whether the facts on which the order was based have been established.
- (b) Whether the facts established afford sufficient ground for taking action; and
- (c) Whether the penalty is excessive, adequate or inadequate and after such 'consideration shall pass such order as it thinks proper:

Provided that no penalty shall be increased unless opportunity is given to the person concerned to show cause why such penalty should not be increased.

- (2) An authority from whose order, an appeal is preferred under these rules, shall give effect too any order made by the appellate authority.

12. **Second appeal where penalty is increased :-** In every case in which an appellate authority, other than University; increase the penalty inflicted by an authority subordinate to it upon a person to whom these rules apply, such person shall be entitled to submit a second appeal within a sixty days to the authority prescribed in the rules regulating his conditions of service.

13. **Right of revision:-** After an appeal or the second appeal provided in rule 12 has been rejected, a person to whom these rules apply, may apply for revision to such superior authority as may be prescribed in the rules regulating his condition of service;

Provided that the powers of revision shall be exercised only :-

- (a) if the appellate authority is one other than University; and

(b) on the ground of material irregularity in the proceedings of the Enquiry Officer or appellate authority, or on the discovery of new and important matter of evidence, which after the exercise of diligence was not within the knowledge of the petitioner, or could not be produced by him when the orders were passed against him or on account of some mistake or error on the face of the record.

14 Power of superior authority to revise the proceeding of an inferior authority :- 1) The University or the Head of the Department may call for and examine the records of any case in which a subordinate authority has passed any order under rule –9 or has inflicted any of the penalties specified in rule 4 or in which no order has been passed or penalty inflicted and after making further investigation, if any, may confirm, remit, reduce any or subject to provisions of sub- rule 1 of rue 11, increase the penalty or subject to provisions of rule 7 and 8 inflict any of the penalties specified in rule –4.

(2) The Chancellor may, at the time of consideration of Memorial, submitted under its general or special or special published from time to time, by the University an employee on whom a penalty is imposed review any order passed by the University under these rules :

Provided that the penalty already imposed shall not be enhanced unless an opportunity has been given to the University employee who has submitted his Memorial to show cause why it may not be enhanced.

15. **Prohibition as to collective appeal:** - Every person preferring an appeal shall do so separately and in his own name.

16. **Common proceeding:-**

(1) Where two or more University employee are concerned in any case the chancellor or any other authority competent to impose the penalty or dismissal from service on all such University employees may make an order directing the disciplinary action against all of them may be taken in a common proceedings.

(2) If the authorities competent to impose the penalty of dismissal on such University employees are different, an order for taking disciplinary action in a common proceedings shall be made by the highest of such authorities.

(3) Any order under sub-rule (1) shall specify the authority competent to do so under the relevant service rules, which may function as the punishing authority for the purpose of such common proceedings.

17. **Manner of presentation of appeal or application for revision** :- Every appeal or application for revision preferred under these rules, shall contain material statements and arguments relied upon by the appellant or applicant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal or application for revision shall be submitted through the Head of the office to which the appellant or applicant belongs or belonged.

18. **Withholding of presentation of appeal or application for revision :-**

- (1) An appeal or application for revision may be withheld by the Head of the Office, if :-
 - (a) It is an appeal or application for revision in a case in which under these rules, no appeal or application for revision lies; or
 - (b) It does not comply with the provisions of rule –17; or
 - (c) It is an appeal and is not preferred within forty five days after the date on which appellant was informed of the order appealed against, and no reasonable cause is shown for the delay; or
 - (d) It is a repetition of a previous appeal or application for revision and is made to the same appellate or revisionary authority by which such appeal or application for revision has been decided and no new facts or circumstances are adduced which afford ground for a reconsideration of the case.

Provided that in every case in which an appeal or application for revision is withheld, the appeal and applicant shall be informed of the fact and the reason for it and a copy thereof forwarded to the appellate authority, if any, together with a copy of the appeal or application for revision so withheld.

Provided further that an appeal or application for revision withheld on account only if failure to comply with the provisions of rule- 17 may be re-submitted at any time within one month of the date on which the appellant or applicant has been informed of the withholding of the appeal or application and if re-submitted in a form which complies with those provisions, shall not be withheld.

- (2) Any appellant or revisional authority may call for the record of any appeal or application for revision withheld by an authority sub-ordinate to it, which under these rules may be made to it and may pass such order thereon as it considers fit.
 - (1) Nothing in these rules shall be constructed as depriving any person, to whom these rules apply, of any right of appeal which had accrued to him under the rules, notifications or orders in force before the commencement of these rules.
 - (2) An appeal pending at the commencement of these rules against an order made before such commencement shall be considered and orders thereon shall be made in accordance with these rules, as if such orders, were made and the appeal was preferred under these rules.
 - (3) As from the commencement of these rules any appeal or application for revision against any orders made before such commencement shall be preferred or made under these rules, as if such orders were made under these rules:

Provided that nothing in these rules shall be construed as reducing any period of limitation for any appeal or revision provided by any rule in force before the commencement of these rules.

GURU JAMBHESHWAR UNIVERSITY EMPLOYEES PENSION SCHEME

(17th E.C. meeting vide Resolution No.19 dated 27.03.2000)

SECTION –1 : SHORT TITLE AND COMMENCEMENT

1. (a) These rules have been framed under Section 29(1) of the Guru Jambheshwar University, Hisar Act ,1995.
- (b) This scheme shall be called Guru Jambheshwar University employees Pension Scheme,1999, formulated to afford the benefit of pension in lieu of C.P.F. by creating a corpus Fund by transferring the up to date contribution of C. P. F. made by University alongwith interest accrued thereon in respect of employees who were in service on the date of commencement of this scheme and have not attained the age of superannuation prescribed in these rules.
- (c) These Rules shall be deemed to have come into force from 20.10.1995.

2. DEFINITION

Unless there is anything repugnant in the subject or extract the terms in these Rules carry the meaning as under.

(i) GOVERNMENT

`Government' means the government of the State of Haryana in the Department of Technical Education.

(ii) UNIVERSITY

University means the Guru Jambheshwar University,Hisar.

(iii) EXECUTIVE COUNCIL

`Executive Council' means the Executive Council of Guru Jambheshwar University, Hisar.

(iv) VICE-CHANCELLOR

`Vice Chancellor' means the Guru Jambheshwar University, Hisar or any person exercising the powers of Vice chancellor.

(v) REGISTRAR

`Registrar' means the Registrar of Guru Jambheshwar University Hisar or any other person exercising of powers of Registrar for the time being.

(vi) EMOLUMENTS

The term 'Emoluments' for these purpose shall mean pay as defined in Rule 2.44 of Punjab C. S. R. Volume-I , Part-I and 6.19 (c) , 6.22 of C. S. R. volume –II as application to Haryana Government Employees.

(vii) AVERAGE EMOLUMENTS

Average Emolument mean the average calculated upon the last ten months of qualifying service as defined and explained in Rule 6.22 and notes there under of Punjab C. S. R. volume II as application to Haryana Government Employees.

(viii) COMPETENT AUTHORITY

- (a) Executive Council of the University would be competent to adopt the Pension Rules for Guru Jambheshwar University Employees as approved by the State Govt.
- (b) Competent authority means the authority competent to sanction Pension to the employees of University. Competent authority for the purpose of this scheme will be Vice Chancellor of the University, He may further delegate his powers to sanction the Pensionary benefits to the persons not less than rank of Registrar in the University.
- (c) Any changes in grant of pensionary benefits as made by the Haryana Government to its employees from time to time shall be made application to the University employees with the approval of the Vice- Chancellor.

(ix) EMPLOYEE

'Employee' wherever referred to in this Scheme means teaching and non teaching employees of Guru Jambheshwar University,Hisar employee on regular basis against sanctioned posts.

(x) FAMILY

'Family' for the grant of Family Pension as contained in the rules includes the following relatives of the employees as laid down in Para 2(ii) and notes there under of Family Pension Scheme ,1964 printed at Appendix –I of the Punjab C.S.R. volume-II applicable to Haryana Government Employees.

- (a) Wife, in the case of male employee
- (b) Husband in the case of female employee
- (c) Minor sons.
- (d) Unmarried minor daughter.

(xi) CORPUS FUND.

'Corpus Fund' means Pension Fund. It will be kept our of consolidated Provident Fund of the University .There shall be an established fund to be known as Pension

Fund created by transferring the total up to date University contribution along with interested accrued thereon in respect of its employees governed by the Pension Scheme.

Note: (a) Rate of interest shall be that as is accrued on the pension fund from time to time.

(b) University will contributing amount @ of 10% of the basic pay special pay or any other pay reckoned s pay for the purposes of pension of member employees of this scheme towards the above said fund from the date of appointment of the employee in the University as defined in these rules. Basic pay will include, Special Pay Personal pay (other than that granted for improvement of qualification or any other class of pay as laid down in Rule 16.19 (c) of CSR Vo. II as applicable to Haryana Government employees.

(xii) SUPERANNUATION AGE

It is the particular age at which a university employee is required to retire i.e. 60 years and Pensionary benefits will also be allowed upto toe age of sixty years subject to maximum qualifying service of 33 years.

(xiii) TEMPORARY SERVICE:

'Temporary Service' used in these Rules shall mean the period spent on probation after the regular appointment against the sanctioned post.

3. EXTENT OF APPLICATION:

This scheme shall apply to all employee who:

- (i) are appointed to the sanctioned/ aided posts on regular basis on or after 20th October , 1995.
- (ii) The employees of the erstwhile PG Regional Centre Hisar who joined in Kurukshetra University , Kurukshetra will also be eligible to get pension w,e.f. the date of joining in KUK provided the service rendered by them qualifies for pension.

Any of the existing employee who has served the Central Govt. or the State Govt. University or autonomous body established under the Central /State law and has been absorbed in Guru Jambheshwar University service in the public interest or who has come over /joined the university service after rendering service in the Central /State Govt. university /Autonomous body can get his past service counted towards pension if his /her terminal retirement benefits received if any by him /her from such Govt. University /Autonomous body for the service rendered there are refunded to this university through the employer.

- (iii) In respect of cases falling under sub clause (ii) above the concerned employee shall have to give an application for the purpose of getting his past service counted towards pension within four months from the date of issue of notification of these rules along with Bank Draft of the required amount in lumpsum (if he /she has already received the amount from his /her previous employer) failing which his past service shall not be counted for pensionary benefits. In case of those employees who have not yet

received the amount of terminal benefits from their employer, their previous employer will refund the amount through cheque in favour of Registrar, GUJ Hisar.

- (iv) Unless otherwise provided in the Rules an employee's claim to pension will be regulated by the Rules in force applicable to him at the time he or she retires or quits service.

These Rules shall not apply to :

- (i) The employees appointed on part-time basis and those appointed on contract basis unless the contract provides otherwise.

4. QUALIFYING SERVICE:

- (i) All service interrupted or continuous paid by the University and for which university share is contributed towards as Pension Fund shall be treated as qualifying service. The period of break shall be omitted while working out aggregate service.
- (ii) E.O.L. (without pay) counted towards increment under rule 4.9 (b) (ii) of Punjab C. S.R. volume I, Part I, will be counted towards service qualifying for pension provided that University contributes its share towards pension fund for this period.
- (iii) Period of suspension, dismissal, removal, compulsory retirement followed by re-instatement will count for pension to the extent permissible under the University rules.
- (iv) Resignation from the University service or dismissal or removal from it for misconduct, insolvency, inefficiency will entail forfeiture of past service in terms of rules printed in University Calendar except the cases covered under Rule 4.19 of Punjab C S R volume II as applicable to Haryana Govt. Employees.
- (v) An interruption in the service of a University employee caused by willful absence from duty and unauthorized absence without leave will hitherto entail forfeiture of past service.
- (vi) The period spent on adhoc, workcharged or contract basis and also service paid from contingency or apprenticeship shall not count as qualifying service for pension.
- (vii) The period spent on deputation under University Rules shall count as qualifying for the purpose of pension if the pension contribution for such period is deposited in Corpus Fund at the rates prescribed in Annexure 'C' referred to rule 10.10 of Punjab CSR Volume I, Part I application to Haryana Govt. employees and amended from time to time.

5. CONDONATION OF INTERRUPTION:

Interruption in service either between two spells of permanent, or temporary service or between a spell of temporary service or vice versa in the case of a

University employee retiring on or after 20.10.1995 may be condoned, subject to the following conditions.

- (i) The interruption should have been caused by reasons beyond the control of University employee concerned.
- (ii) Service preceding the interruption should not be less than five years duration. In cases where there are two or more interruption, the total service pensionary benefits in respect of which shall be lost if the interruption are not condoned should not be less than five years.
- (iii) The interruption should not be of more than one years duration. In case where there are two or more interruption, the total period of all interruption to be condoned should not exceed one years.

SECTION-II : GENERAL PROVISION RELATING TO GRANT OF PENSION.

1. BENEFITS OF THE SCHEME.

The following retirement benefits shall be given under the Scheme in accordance with the rules and provisions laid down in Punjab C. S. R. vol. II application to Haryana government employees and amended from time to time.

(i) Superannuation Pension

It is granted to an employee entitled or required by Rules regarding condition of service of University employees, who retires at a particular age as per University Rules.

(ii) Invalid Pension:

It is granted to an employee on his retirement, who by bodily or mental infirmity, is permanently incapacitated for service or for the particular branch of it, to which he/she belong.

(iii) Compensation Pension:

'Compensation pension' is granted to an employee who is discharged from service owing to abolition of the post held by him when it is not possible to appoint him to another post, and he is also not willing to accept lower post, if offered.

(iv) Retiring Pension:

It is granted to an employee, who is permitted to retire or is asked to retire in public interest after completing prescribed qualifying service or age in accordance with Rule 3.26(d)& (e) of C S R Volume I, Part I.

(v) Family Pension:

'Family pension' shall be admissible to the legal spouse of those employees who were in receipt of compensation, invalid, retiring or superannuation pension after retirement or who die while in service after completing minimum period of one year continuous service holding permanent post on regular basis.

2. VOLUNTARY RETIREMENT

At any time a University employee who has completed 20 years of qualifying service may, by giving notice of not less than three months in writing to the appointing authority retire from service in accordance with the rules and provisions contained in Rule 5.32 (B) (ii) of Punjab C. S. R. Vol. II.

3. ENTITLEMENT AND ELIGIBILITY

In the case of University employee retiring on or after the 20th October, 1995 in accordance with the provisions of these Rules after completing qualifying service of not less than thirty-three years or more, the amount of superannuation, retiring invalid and compensation pensions shall be 50% of average emoluments as defined in Rule 6.19 (C) of Punjab C. S. R. Vol. II subject to a maximum up to 50% of the highest pay in GJU Hisar. However in the case of a University employee who, at the time of retirement has rendered qualifying service of ten years or more but less than thirty three years, the amount of pension shall be such proportion of the maximum admissible pension as the qualifying service rendered by him bears to the maximum qualifying service of thirty three years subject to a minimum of Rs. 1275/- p.m.

An employee is eligible for grant of pension who completes minimum ten years of qualifying service at the time of retirement subject to other conditions laid down in Rule 2.2 of Punjab CSR Vol. II application to Haryana Government Employees.

Though these rules do not contain the provision of Death –cum retirement Gratuity even then the employees, who opt for these Rules and retire in accordance with the provisions of these Rules before completing qualifying service of ten years, the amount of service gratuity shall be paid in accordance with the table laid down in Rule 6.16 (1) of CSR volume II.

4. QUANTUM OF PENSION.

The quantum of pension will be based on the emoluments as defined in Rule 6.19 of Punjab CSR Vol. II subject to minimum of Rs. 1275/- p.m. and maximum upto 50% of the highest pay in GJU Hisar.

5. COMMUTATION OF PENSION

The entitlement of the employees to commutation of Pension will be as per the corresponding provisions of Punjab C S R Vol. II applicable to Haryana Government employees as amended from time to time. Other conditions for commutation of pension will also apply as per rules *ibid*. The commutation value of pension will be ascertained in accordance with table referred to in rule 11.5 of C S R Volume II. Notwithstanding anything contained in these Rules, the commuted portion of superannuation pension shall be restored when the Pensioner attains the age of 70 years.

6. FAMILY PENSION

In case of death of an employee or pensioner the family pension shall be granted. Family Pension shall be calculated at a uniform rate of 30% of basic pay in all cases instead of slab system and shall be subject to a minimum of Rs. 1275/ per month and a maximum of 30% of the highest in the GJU, Hisar.

1 'Pay' for this purpose means the pay as defined in Rule 2.44 of Pb. C. S. R. Vol. I , Part –I, which the person was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death while in service or immediately after his retirement a person has been absent from duty or on leave (including extra ordinary leave) or suspension ,m pay means the pay which he drew immediately before proceeding on such leave of suspension, It includes Dearness pay.

2 In respect of member employee of this scheme who die in harness, family pension will be admissible for a period of seven years from the date following the date of death or till the date on which the officer/ deceased pensioner would have attained the age of 65 years, had he remained alive , whichever period is shorter , the pension payable will be at 50% of the pay last drawn.

In case of any matter relating to pension not covered under these rules the provisions of Punjab C S R Vol. II as amended from time to time and as applicable to Haryana Government employees shall apply mutates mutandis to the employees of the University also.

7 GRATUITY

In the case of employees governed by these Rules , they, in addition to pension shall be entitled to gratuity in accordance with Rules / instruction applicable to Haryana Government employees at the death/ retirement.

8 Power to remove difficulties:

If any difficulty arises in the implementation of the scheme or interpretation foamy provision of these rules, the Competent Authority after seeking clarification from the Government in finance Department will remove such difficulty.

9 This scheme shall not apply to :

- (a) An employee appointed on part time basis against sanctioned aided post.
- (b) An employee who had attained the age of superannuation provided under these prior to the date of commencement of the scheme.
- (c) An employee employed on a leave gap arrangement , on adhoc basis, on work charged basis(not followed by regular appointment) or on contract basis, apprenticeship etc. and service for which no contribution has been made by the University.