

SHRI VILE PARLE KELAVANI MANDAL EMPLOYEES SERVICE RULES

Scope

Shri Vile Parle Kelavani Mandal (SVKM) is a Charitable Trust as well as a Society registered under the Societies Registration Act and Bombay Public Trust Act, its main purpose is to set up and run educational institutions. Over the years, SVKM's educational institutions grew both in numbers as well as in variety in Mumbai and beyond Mumbai in various campuses. SVKM has following categories of institutions:

- a. Educational institutions affiliated to University of Mumbai.
- b. Deemed University established under UGC Act, schools and campuses in Mumbai and across India.
- c. Junior Colleges under the Board of Higher Secondary Education
- d. Schools working under ICSE, CBSE and State Secondary Education Boards.
- e. Autonomous institutions of SVKM.
- f. Our Proposed Educational institutions affiliated to Dr. Babasaheb Ambedkar Technological University, Lonere Dist- Raigad.

Besides the above institutions, SVKM has a large Central Office which has various administrative, financial, technical and miscellaneous branches giving various services to the institutions. These set of rules are mainly aimed to the employees of SVKM's Central Office and the employees working in the institutions mentioned above i.e. a to f.

The current rules are compiled by taking the following into consideration:

- a. SVKM service rules which were formulated in 2006
- b. The relevant provisions in the Maharashtra Civil Services Rules
- c. Service rules of the University of Mumbai and the Rules formulated and approved by SVKM for NMIMS employees (NMIMS Employees Service Rules)
- d. Practice and precedence followed, though not formalized in the form of rules

The service rules lay down guidelines to the employees regarding their rights and obligations, duties and entitlements, discipline and expected norms of behavior.

It is worthwhile mentioning that there are various acts, rules, statutes, ordinances which are applicable to various employees of the respective institutions (a to f mentioned above). These are listed below for ready reference:

- a. Maharashtra Universities Act, 2016
- b. Statutes, Ordinances, Regulations and Rules of University of Mumbai, from time to time
- c. Maharashtra Civil Services Rules, 1981
- d. Maharashtra Employees of Private Schools (conditions of service) Rules, 1981 notwithstanding anything mentioned here, these rules are subject to change depending on the exigency of the situation as decided by the Management.

(These Rules are approved by the Office Bearers in their Meeting held on 22nd April, 2017.)



SHRI VILE PARLE KELAVANI MANDAL

CHAPTER-I

PRELIMINARY

1.1 Short Title and Commencement

- a) These Rules shall be called the SVKM Employees Service Rules 2017.
- b) They shall come into force from the date as approved by SVKM.

1.2 Applicability

- a) These Rules shall apply to non-teaching employees appointed in SVKM Central office and SVKM's autonomous institutions.
- b) On and from the date of commencement of these Rules -
 - a.1) the terms and conditions of the service of the existing whole-time employees of the SVKM shall stand modified in accordance with the provisions of these Rules.
 - a.2) the terms and conditions of service in force at present stand repealed. Notwithstanding seth repeal, anything done or any action taken under the said provisions, shall be deemed to have been done or taken under the repealed provisions as if such provisions had not been repealed.

1.3 Definitions

- a) In these Rules, unless there is anything repugnant in the subject or context-
 - a.1) The SVKM means Shri Vile Parle Kelavani Mandal Trust registered under Bombay Public Trusts Act, 1959, Regn.No.F-30 (BOM)
 - a.2) Competent Authority means the Authority defined as such by the Office Bearers of SVKM for various administrative and financial purposes.
 - a.3) For the purpose of these Rules, the expression "Employee" will mean and include a full-time or part-time salaried non-teaching person on the role of SVKM's Central Office and its autonomous institutions.

1.4 Power to implement

Right to interpret any of these Rules rests with the President of SVKM whose interpretation shall be final.

1.5 President's power to delegate

The President may delegate to any of the other Office Bearers of SVKM, subject to such conditions as he may think fit, any of the powers conferred upon him by these Rules.

CHAPTER – II

APPOINTMENTS, PROBATION AND TERMINATION OF SERVICE

2.1 The SVKM shall specify from time to time the pay band or grade pay of each post.

2.2 Probation/Contract

- a) All the appointments and internal promotions in SVKM to the approved or sanctioned posts will be on probation/contract depending on the profile.
- b) The period of Contract/probation for the employee shall be two years from the date of his / her joining the duty or as decided by the Management.
- c) The services of an employee who has been appointed on probation can be terminated without assigning any reason but with one month's notice or one month's salary (Basic + GP / AGP + D.A.) in lieu thereof which will be at the discretion of the Office Bearers.
- d) The employee shall be considered confirmed in his post only if and when he receives a letter of confirmation from the competent authorities of SVKM. If he does not receive the same before the end of his probation/contract period, the further period of his service is to be considered as an extended period of probation/contract, for which he will be paid his total emoluments.

Services of an employee appointed on contract can be extended by renewal of contract at the discretion of Competent Authority.

- e) The CEO/Jt. Director (HR) may extend the period of probation/contract of an employee for a maximum period of one year at a time with the approval of Competent Authority.

2.3 Commencement of service

The service of an employee with SVKM is notified by an offer of employment letter. The employment may be cancelled if references sought prove unsatisfactory. "Service" of an employee shall be deemed to have commenced from the working day on which an employee has reported for duty at the place intimated to him by the competent authority.

An employee is required to complete the joining formalities within a period of one week to 10 days from the date of joining. Appointment letter will be issued to an employee subject to submission of documents as listed by SVKM at the time of joining duly verified against the originals. In case of any discrepancies found at that time or any time during the period of service, SVKM is deemed to take necessary action.

Once an appointment letter is issued to an employee, it is deemed to have been accepted as per the terms and conditions mentioned in the letter, unless otherwise represented in writing within 48 hours on receipt of the letter of appointment.

If a candidate who has been appointed to any post in SVKM fails to join the service on or before the date mentioned in his letter of offer, his appointment will stand automatically cancelled unless and otherwise he obtains prior permission of the competent authority to do so.

2.4 Resignation

If an employee confirmed in his post intends to leave the service of the SVKM, he will have to give three months' notice addressed to the CEO/Jt. Director HR to that effect. He can also pay an amount equal to his one month / three months salary (Basic + GP / AGP + D.A.) as the case may be in lieu of such a notice subject to satisfactory handover of his responsibilities. In the case of an employee on probation/contract in whose case the notice period will be of one month and an amount to be paid in lieu of that will be equal to his one month's salary (Basic + GP / AGP + D.A.). Expression 'Month' mentioned here and elsewhere in the Rules means the month in the English calendar.

However, the Office Bearers may waive the condition of notice or payment in lieu of it is genuine and deserving cases on the recommendations of the competent authority.

The resignation of an employee shall not be effective unless it is accepted by the Competent Authority and the concerned employee is informed accordingly. A resignation given by an employee will not be normally accepted under the following circumstances:

2.6 Entitlement on retirement/death/termination

An employee who retires from the services of SVKM of attaining the age of Superannuation will be entitled to the following benefits:-

a) **Gratuity :**

Retirement gratuity/Death gratuity is admissible to all employees as per the Circular issued by Government of Maharashtra from time to time.

b) **Retirement benefit:**

- i) From 1st April 2013, SVKM has introduced a “retirement Benefit Scheme” for all non-grant employees, who have worked with one or more of the SVKM unaided institutions and/or in the central office for a minimum period of 10 years, and have superannuated on reaching the retirement age.
 - a. For Executives & Teaching faculty – Rs.10000/-pm
 - b. For Non-Teaching employees – Rs.5000/-pm
 - c. For sub-staff Rs.2500/-pm

The above benefits are subject to revision from time to time.

- ii) The monthly benefit amount will be payable for 10 years or up to the age of 70 or till the death of the ex-employee, whichever is earlier. If the ex-employee passes away within the tenure of the Benefit scheme, his surviving spouse will receive half the amount per month for the balance period or till the death of the spouse, whichever is earlier.
- iii) The benefit of the scheme will be available to employees in unaided institutions and SVKM central office, who are on regular employment on scale or ever otherwise, but will not include employees on annual contracts, extended from time to time.
- iv) The retirement benefit scheme is voluntarily introduced by the SVKM management, at their sole discretion. The scheme will be subject to terms and conditions as may be prescribed by the Management from time to time and may be altered or discontinued at its sole discretion.

c) **Leave Encashment**

Lump sum cash equivalent to leave salary (Basic + GP + DA) of the Earned Leave at the credit of the employee on the last day of his service, subject to a maximum of 300 days will be paid to the employee.

d) **Termination/End of Contract**

No encashment of earned leave will be admissible on termination/end of contract period except for statutory positions.

- a.1) If disciplinary proceedings have been instituted against or are proposed to be instituted against the employee;
- a.2) If the employee is under a bond to serve SVKM for a specified period, which is not yet over;
- a.3) If there are any dues and other borrowed materials to be recovered from the employee.
- a.4) If the employee is on leave or is absent from duty.
- a.5) for any other sufficient ground to be recorded in writing.

Employee is not entitled for any kind of leave during the period of notice except for the casual leave on pro rata basis.

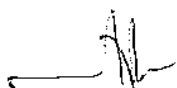
2.5 Superannuation / Retirement

- a) The age for retirement for a confirmed employee shall be 58 years or as determined by SVKM from time to time.

However, SVKM may retire any employee at any time after he completes 55 years of his age or 30 years of total service whichever is earlier by giving him 3 months' notice or three months' salary in lieu of it, on review of performance.

- b) An employee, who attains the age of superannuation on any day other than the first day of any calendar month, shall retire on the last day of the month in which he completes his age of retirement.
- (c) If the employee has been certified by a registered medical practitioner as incapacitated for doing further service on account of mental or physical infirmity, he may be retired even before the age of superannuation.
- (d) Notwithstanding anything contained in these Rules, where an employee has ordinary leave earned and credited to his leave account but not availed of ~~as~~ on the date of retirement, he may, at his option,
 - d.1 be paid a lump sum amount which would be equal to leave salary in respect of the period of earned leave to his credit on the date of superannuation subject to maximum 300 days.
 - d.2 Cash equivalent of leave salary in case of death while in service.

In case of an employee who dies while in service, the cash equivalent of his leave salary admissible on the date immediately following the death, not more than 300 days, shall be paid to his nominee or any other legal inheritor.




In case of contract employee, who is entitled for earned leave, resigns or quits from services before completion of his contractual term, he will not be entitled for any earned leave encashment, except in case of death of the employee.

In case of employee on consolidated salary, who is entitled for earned leave relinquishes his post on successful completion of his term of contract then he will be entitled for half of the cash equivalent of his earned leave salary, which will be calculated on the basis of 80% of cash equivalent of their gross emoluments excluding special allowance, if any, and reimbursements admissible on the date immediately before his relinquishing the post.

- e) Confirmed employees who are on consolidated salary will be entitled for leave encashment of his gross emoluments excluding reimbursement, maximum of 300 days.

2.7 Entitlement on resignation

Leave Encashment:

- a) In case an employee resigns or quits from service, in his/her own accord or relinquishes his post, half of the cash equivalent of his earned leave salary (Basic + GP + D.A.) admissible on the date immediately before the resignation or relinquishing the post and in any case, not exceeding leave salary (Basic + GP + D.A.) for 150 days shall be paid to him.
- b) Confirmed employee who is on consolidated salary resigns or quits from service, in his/her accord or relinquishes his post, will be entitled for leave encashment of his gross emoluments excluding special allowance, if any, and reimbursement, maximum for 150 days.

2.8 Record of Service

A record of service i.e. a personal file shall be maintained as a regular legal document by SVKM HR Dept. in respect of each employee at such place or places and shall contain such information as may be specified from time to time by the Office Bearers.

CHAPTER - III

WORK LOAD

3.1 Staff

The Staff shall have working hours, including lunch time, per week (Monday to Saturday) as follows:

Class I to Class III – 42 hrs.

Class IV – 45 hrs.

3.2 Compensatory Off for Extra Work

If it becomes necessary, the supervising officer of the employee may require the employee working under him to work for a minimum period of half an hour, either before or after the office hours. The employee required to work extra time shall be entitled to accumulate the extra time worked and shall be entitled to compensatory off for every 5 hours of extra work to be calculated in multiples of half an hour of extra work at a stretch as prescribed by the SVKM. It shall not be competent on the part of the employee to refuse to work extra-time. Such compensatory offs so accumulated during a calendar year cannot be carried forward to the subsequent calendar years. One cannot avail more than 3 compensatory offs at a time in a month. Compensatory offs can be prefixed or suffixed or both to leave due or holidays.

The employees, if asked to work on Sundays or holidays by the Competent Authority in writing shall be entitled to have compensatory off, provided they put a comp. off request within the calendar year.

The employee should submit their compensatory off(s)/extra time statement on a monthly basis duly signed to Time Management Section from time to time. In case the Departmental Head requires employee to work extra hours for longer period such that the accumulation will amount to more than 3 days then the Head of the Department should seek prior approval of CEO to avail the same.

3.3 Duties

The duties of employees shall be defined by SVKM from time to time. However, the CEO or any other competent authority may assign any other official duties from time to time, which an employee will have to discharge.

3.4 Holidays

Holidays will be determined by the Management of SVKM / Office Bearers.

3.5 Assessment of Work

Staff

- 1) The HOD shall prepare the confidential assessment report appended to these Rules and marked as **Annexure-I** for the period of twelve months from the date of joining or end of contract/probation period, in respect of every employee placed under his control for the time being.
- 2) In case the assessee is working with the reporting officer for less than six months on account of redeployment/transfer, the assessment should also be taken from previous reporting authority under whom the assessee has worked.
- 3) If the Reviewing Authority does not agree with the remarks of the HOD, he shall state the reasons for not agreeing and shall record his own assessment about the work and conduct of the employee.

3.6 Assessing & Reviewing Authority

The following shall be the Assessing Authority and Reviewing Authority:-

Sr. No.	Categories of Employees	Assessing Authority	Reviewing Authority
1.	Jt. Director (HR)	CEO	President
2.	Other staff	HOD / Designated Reporting Officer	Officer / Authority to whom Reporting Officer reports.



CHAPTER – IV

PAY, ALLOWANCES AND OTHER BENEFITS

4.1 Pay and allowances

All the regular employees will be paid monthly salary as per the scale mentioned in the letters of appointment. The scales of pay will be as per the guidelines of the State Government and approved by the Office Bearers from time to time. An employee will be entitled to get other allowances and benefits approved by the Office Bearers from time to time.

4.2 When allowance to cease

Pay and allowances shall cease to accrue from the day an employee ceases to be in the service of SVKM.

In the case of an employee dismissed, removed or compulsorily retired from SVKM's service, the pay and allowances shall cease from the date of his dismissal, removal or compulsory retirement. In the case of an employee who dies while in service, he shall cease to get the pay and allowances from the day following that on which the death occurs.

If any employee remains absent from his regular duties without prior permission or without obtaining sanction for a leave, his absence will be treated as leave without pay. The competent authority may give sanction to the leave of an employee with retrospective effect in the deserving cases.

If an employee leaves his job without intimation to SVKM and without obtaining sanction for his resignation, he will not be entitled to get his pay and allowances from the day from which he has remained absent.

4.3 Increments

- a) The increment shall accrue on an annual basis, whether such service be probationary, officiating or substantive, on completion of a year of service or with effect from any other date declared by the Competent Authority.

Each annual increment shall be as applicable on 1st July of the year.

Increment on 1st July will be applicable to those employees only who have worked for minimum period of 12 months from the date of joining the duty in the cadre with the same GP in which he is appointed.

- b) No increment may be withheld except as a disciplinary measure under relevant Rule and each order withholding an increment shall state the

period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

- c) To remove stagnation, increments may be granted to an employee who has reached the maximum of the scale at the rate of one increment equivalent to the last increment drawn for every two years spent at that level.

In case of employees on contract, increment will be decided at the time of renewal of contract.

4.4 Travelling and halting allowances

a) Local & Outstation Travel

Employees of the SVKM traveling on official local duty will be reimbursed travel expenses on the following basis and on production of actual bills and receipts for actual expenses.

1. All employees will be entitled outside their base city/town to local conveyance by taxi, or auto-rickshaws.
2. Confirmed employees invited for paper presentation at conference, are entitled for traveling expenses & registration fees once in a year.
3. Any other purpose for institutional development that may be approved by the Office Bearers.
4. To escort students of the institute on educational tour after seeking approval of management.

Employees of the SVKM traveling on official outstation duty will be reimbursed travel expenses on the following basis subject to approval by competent authorities / Office Bearers.

Faculty and Non-Teaching staff of Managerial and Officer Cadre will be entitled to travel by air (economy class) or by 2 Tier AC Train. For short distances, such as Pune, Nasik and Lonavala, they will be entitled to take their own car with petrol reimbursement or travel by private bus/share taxi.

- b) Other employees will normally travel by 3 Tier AC, AC Chair Car or other modes of public transport. Exception by way of economy class air travel may be made for such staff depending on the urgency of travel and/or the importance of the availability of that person at his normal place of work or at the place where he is required to travel.

The competent authority / Office bearers may permit staff members to travel by higher class/ mode than the employee is entitled to if doing so is necessitated under the circumstances.

c) **Boarding and lodging:**

- a. Faculty and Non-Teaching staff of Managerial and Officer Cadre: As far as possible hotel booking shall be made at shortlisted 3 Star or equivalent hotels, from the office. Where that is not possible, the employees will be entitled to reimbursement of up to Rs.6000/- per day in A Class cities, viz. Mumbai, Delhi, Kolkata, Chennai, Bangalore, Hyderabad, Chandigarh, Lucknow & Ahmedabad. The amount will be Rs.4000/- per day for other cities.
- b. For other staff the entitlement for A Class cities will be Rs.3000/- and for other cities the same shall be Rs.2000/- per day.
- c. Faculty not availing the boarding and lodging facility will be paid a fixed per day allowance of Rs.500/- towards incidental and out of pocket expenses & local expenses at actual.

For these rules

‘A’ Class Cities so defined are Mumbai, Delhi, Kolkata, Chennai, Bengaluru, Ahmedabad and Hyderabad

‘B’ Class Cities so defined are all cities other than the cities defined above.

When employees stay in hotels or establishments which provide lodging and/or boarding at scheduled tariffs, they shall be reimbursed actual expenditure incurred towards boarding and lodging subject to a maximum as fixed by the SVKM from time to time and on production of actual bills and receipts for actual expenses.

The rates can be reviewed time to time based on changed circumstances.

4.5 Foreign Travel Policy (Refer NMIMS Rules)

CHAPTER V

LEAVE

5.1 General Conditions


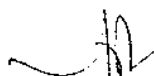
All employees will mark their attendance when they come to the Campus and leave the campus as per the method prescribed by the SVKM from time to time.

1. (a) The leave cannot be claimed as a matter of right. When exigencies of the service so require, discretion to refuse or revoke leave of any kind is reserved by the Leave Sanctioning Authority. On such recall, the employee shall report for duty forthwith. The Leave Sanctioning Authority may sanction or refuse the leave applied for, but shall not alter the nature of the leave applied for.
- (b) The employee may be granted leave only on his request. No employee shall be forced to proceed on leave.

2. The employee shall have to apply for grant of leave, online or in the prescribed Form.

Provided that, if the employee is required to proceed suddenly on any leave and for reasons beyond his control, the Leave Sanctioning Authority may, on satisfying itself sanction leave on his application which is submitted later.

3. The period of leave of the employee begins on the day on which he relinquishes charge of his post before 12 noon, if not, from the next day. The period of leave ends on the day the employee assumes charge of his post before 12 noon, if not, from the next day.
4. Except otherwise provided under these rules, any period of leave may be granted in combination with or in continuation of any other kind of leave except casual leave, subject to the limit of aggregate period of absence, as may be prescribed by the Competent Authority. Sundays and Holidays may be prefixed or suffixed to the leave.
5. The application for leave on medical grounds shall be accompanied by medical certificate for leave beyond three days, given by the Medical Authority, indicating the nature and probable duration of the illness. The employee returning to duty from leave on medical grounds shall produce a certificate of fitness from the Medical Authority.
6. The employee against whom a departmental enquiry is instituted or proposed to be instituted or who is proposed to be suspended or is discharged, or is under orders of removal or dismissal, or has given notice of resignation shall not be entitled to leave, however, he may be given short leave on condition that he becomes available for inquiry, if and when required. The employee already on authorized leave on submitting the



notice of resignation, shall cease to draw any leave salary with effect from the date from which, his resignation is accepted. No leave can be adjusted against the period of notice of resignation:

Provided that, on the recommendations of the Medical Authority, the Leave Sanctioning Authority may sanction with the previous permission of Office Bearers, leave to such employee.

7. The employee on leave shall not accept any other employment, either part-time or full-time except casual literary work or service at public examinations.
8. If the employee overstays the sanctioned period of his leave without prior permission and intimation, he shall not be entitled to any leave salary for this period, and such absence from duty may be treated as misconduct. The Sanctioning Authority may, however, for the reasons to be recorded in writing condone the irregularity.
9. If the employee frequently applies for grant of leave on medical ground with short intervals, his case may be referred to the Medical Authority, with a request to give its considered opinion on employee's state of health, the period required for his complete recovery, and also whether he is likely to be fit for duty after rest and treatment.
10. The employee discharged or removed except on account of misconduct or who has once resigned, if reappointed, shall not be entitled to claim leave in respect of service rendered prior to his discharge, removal or resignation, as the case may be.
11. The employee appointed on contract basis in time-scale of pay shall be entitled to leave in accordance with the terms of the contract entered into by him with the Competent Authority.

5.2 Kinds of Leave

A. Staff (Appointment on Pay scale)

I. Casual Leave

1. (a) The employee shall be entitled to 15 days casual leave in a calendar year.
- (b) Permission for casual leave shall ordinarily be obtained before the day from which casual leave is required. In exceptional circumstances where application of casual leave cannot be submitted before the leave begins, ex-post-facto sanction for casual leave shall be obtained by the employee.

In exceptional circumstances, Leave Sanctioning Authority may grant ex-post-facto sanction to the casual leave which was not

previously approved. If the Leave Sanctioning Authority is not satisfied about the exceptional circumstances, the casual leave availed of without prior permission may be treated as leave without pay.

Mass casual leave shall not be treated as casual leave. It shall be treated as unauthorized absence and dealt with accordingly. The action to go on mass casual leave shall be treated as misconduct.

- (c) The employee shall be entitled to not more than six days casual leave at a time. The same may be prefixed or suffixed with holidays or Sundays provided that the period of total absence does not exceed seven days at a time. Any number of Sundays and/or Public Holidays are permitted to be prefixed and/or suffixed so also a holiday or a series of holidays are permitted to interpose between the period of casual leave. However, the total period of casual leave and holidays enjoyed in continuation at one time should not exceed seven days, save only in exceptional circumstances, it may be extended upto ten days.
- (d) The casual leave cannot be combined with any other kind of leave.
- (e) The casual leave for half day can be granted to an employee.
- (f) Casual leave will be sanctioned by the Officer/Authority to whom the employee reports.

II. Earned Leave

- 1. A regular employee appointed on scale who is not entitled to vacation shall be entitled to the earned leave at the rate of one eleventh of the period spent on duty, subject to the accumulation of maximum of three hundred days of leave. The leave so earned shall be credited to the earned leave account of the employee half yearly on January 01 and July 01 respectively in each year at the rate of 15 days per half year.
- 2. The employee may be granted not more than 120 days earned leave at a time.
- 3. The period of earned leave, which can be taken at a time by an employee, shall not be less than five days.
- 4. (i) A non-teaching employee (if not on contract basis), shall be allowed to surrender earned leave at his option to the extent of thirty days in a financial year on avilment of not less than thirty days earned leave, subject to the following conditions, namely :-
 - (a) The surrender of earned leave shall not be allowed more than once in any financial year,
 - (b) The application for surrender of earned leave shall be made along with the application for grant of leave,

- (c) The number of days of earned leave surrendered under these Rules shall be reckoned as surrendered on the date of commencement of actual leave taken and deducted from the leave account of the employee on that date.
 - (d) The total of the earned leave actually availed of and the earned leave surrendered should not exceed the maximum leave admissible to the employee at any one time, namely, 120 days,
 - (e) In the case of an employee who is on the verge of retirement, the period of leave surrendered shall not exceed the period of duty between the date of expiry of earned leave actually availed of and the date of compulsory retirement,
 - (f) The surrender of earned leave shall not be admissible to an employee who resigns while on leave,
 - (g) An employee who is permitted to surrender leave shall not ordinarily be permitted to rejoin duty before the expiry of the thirty days leave sanctioned to him,
 - (h) In case of compulsory recall to duty, the employee shall be allowed to enjoy the balance of his earned leave before expiry of the period of six months from the date on which he proceeded on earned leave or before he again proceeds on earned leave with surrender of earned leave, whichever is earlier. The Leave Sanctioning Authority shall grant leave to such an employee during the prescribed period, if he applies for it. If however, the employee concerned does not himself ask for being allowed to enjoy the balance of the earned leave, the balance of the earned leave shall lapse and the said period shall be debited to his leave account as if he had enjoyed it.
- (ii) The authorities who are empowered to sanction earned leave shall be competent to accept surrender of earned leave,
 - (iii) The leave salary and allowances admissible for the leave surrendered shall be at the rate of leave salary and allowances admissible at the commencement of earned leave and shall include basic, grade pay, dearness allowance for this purpose, a month shall be reckoned as thirty days, irrespective of the month in which the leave is availed off.
 - (iv) In case an employee resigns or quits from service, in his/her own accord or relinquishes his post, half of the cash equivalent of his earned leave salary (Basic+GP+DA) admissible on the date immediately before the resignation or relinquishing the post and in

any case, not exceeding leave salary for 150 days shall be paid to him.

5. The employee who retires on superannuation or who dies while in service, shall be entitled to the benefit of cash equivalent of unutilized earned leave standing to his credit, on the date of such retirement or death, as the case may be, as provided in Rule IX.

III. Sick Leave

1. The employee shall be entitled for 10 days of sick leave for every completed year of service. The leave so earned can be accumulated without any limit. The sick leave may be granted to the employee either on medical ground. If the leave requested on medical ground exceeds three days, the same shall have to be supported with certificate from the medical authority.

Explanation: The period of suspension, if any, finally treated as suspension shall be excluded for counting completed years of service for this purpose.

2. If an employee is on leave on the day on which he completes a year of service, he shall be entitled to sick leave without having to return to duty.
3. There is no encashment for Sick Leave.

IV. Special Disability Leave

The employee disabled by injury or illness caused in, or in consequence of due performance of his official duty, or in consequence of his official position, shall be entitled to special disability leave, only when the injury or illness is sustained as result of a risk which is beyond the ordinary risk attached to the post. On production of certificate from the concerned Medical Authority, covering the requirement, the Leave Sanctioning Authority shall sanction the said leave for such period as is certified by the concerned medical authorities which shall in no case exceed 24 months in entire service. Out of which 120 days (i.e.4 months) can be granted on full pay basis on full salary and balance will be half pay. Such leave shall not be debited to any other kind of leave. But it may be combined with leave of another kind. The period of such leave shall be treated as duty for pension only.

V. Maternity Leave

1. A female employee who has put in two or more years of continuous service, will be entitled to maternity leave. A Competent Authority may, subject to the provisions of this rule, grant to a permanent female employee, who does not have two or more living children on the date of the application, maternity leave for a period of 180 days from the date of its confinement. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Such leave shall not be debited to the leave account.

2. The application for maternity leave shall invariably be supported by medical certificate as to the probable date of confinement, and an undertaking to the effect that the employee shall report the date of confinement supported by a medical certificate.
3. A female employee may be allowed leave of the kind due, including sick leave, if she so desires, in continuation of the maternity leave, up to a maximum of 60 days without production of a medical certificate.
4. Leave under this Rule shall be admissible in a case of miscarriage or abortion including abortion under the Medical Termination of Pregnancy Act, 1971, subject to the following conditions, namely :-
 - (a) the leave does not exceed six weeks, and
 - (b) the application for the leave is supported by a medical certificate.

VI. TB & Cancer

An employee, after the expiry of earned leave and half-pay leave admissible to him, shall be granted T.B./Cancer leave on full-pay provided that he produces a medical certificate from the Head of a medical institution specialized for such disease to the effect that he was suffering from the said disease during the leave period. The total period of T.B./Cancer leave shall not exceed one year at a time.

VII. 1. Cash equivalent of leave salary (Basic + GP + D.A.) in respect of earned leave at the credit at the time of retirement on superannuation:

- (i) The Authority competent to grant leave shall suo-motu sanction to an employee who retires on attaining the age of superannuation, the cash equivalent of leave salary (Basic + GP + D.A.) in respect of the period of earned leave at his credit on the date of his superannuation, subject to a maximum of 300 days.
- (ii) The cash equivalent of leave salary payable under sub-Rule (1), shall also include dearness allowance admissible on the leave salary at the rates in force on the date of retirement and it shall be paid in one lump sum as a one-time settlement.
- (iii) The compensatory local allowance and house rent allowance shall not be included in calculating the cash equivalent of the leave salary under this rule.
- (iv) From the cash equivalent so worked out, no deduction shall be made on account of pension and pensionary equivalent of other retirement benefits.

Explanation 1: The cash payment for unutilized earned leave shall be made in the following manner:-

$$\text{Cash Payment} = \frac{\text{Basic + GP + D.A. admissible on date of retirement}}{30} \times \text{No. of unutilized days of earned leave at credit subject to a maximum of 300 days}$$

2. Cash equivalent of leave salary (Basic + GP + D.A.) in case of death while in service

In case of an employee dies while in service, the cash equivalent of his leave salary (Basic + GP + D.A.) admissible on the date immediately following the death and in any case, not exceeding leave salary (Basic + GP + D.A.) for 300 days, shall be paid to his family without any reduction on account of pension and pension equivalent to death-cum-retirement gratuity. In addition to the cash equivalent of leave salary admissible, his family shall also be entitled to payment of dearness allowance only.

3. Cash equivalent of leave salary (Basic + GP + D.A.) in case of resignation or relinquishing post

In case an employee resigns from service or relinquishes his post, half of the cash equivalent of his earned leave salary (Basic + GP + D.A.) admissible on the date immediately before the resignation or relinquishing the post and in any case, not exceeding leave salary (Basic + GP + D.A.) for 150 days shall be paid to him.

VIII. Leave Sanctioning Authority :

Subject to the overall control of the Competent Authority, the following shall be the Leave Sanctioning Authorities :-

Sr. No.	Kind of Leave	Category	Leave Approved through	Leave Sanctioning Authority
1.	All kinds of Leave	CEO, Addl. CEO, CFO, CAO, Jt. Dir. (HR) & above	-	President
2.	Earned leave, Sick leave, Commuted leave, Maternity leave, Extraordinary leave.	CEO	-	President
		Addl. CEO, CFO, CAO, Jt. Dir.(HR) & above. All other Categories of employees.	Reporting Officer HOD/Jt. Dir. (HR)	President CEO
3.	Special Disability leave	All categories		Competent Authority with the recommendation of HR

Provided that, the Leave Sanctioning Authority may further delegate to the Jt. Director (HR) or such other subordinate officer the powers to sanction particular kind of leave.

IX. Leave Salary

1. (a) The employee on authorized earned leave shall be entitled to the pay, drawn by him immediately prior to the commencement of leave, plus allowances admissible on that pay. Allowances admissible shall not include Travelling Allowance.
- (b) The employee who is granted special disability leave shall be entitled to leave salary equal to the amount admissible under clause (a), for the first 120 days and for the remaining period, he shall be entitled to half of the basic pay + grade pay, drawn by him immediately prior to the commencement of half pay leave plus D.A., C.L.A. and HRA admissible on the half pay drawn by him.
- (c) The employee on authorized maternity leave shall be entitled to leave salary admissible under clause (a).
2. The employee who has been authorized to surrender leave, shall be entitled to only the basic pay + grade pay + DA + CLA.
3. The leave salary for the period of surrendered leave shall not be liable for deduction on account of Provident Fund, House Rent Allowance, and repayment of dues, co-operative societies, Professional Tax, etc. For this purpose, a month shall be reckoned of 30 days.

B. Contract Employees (Teaching & Non-Teaching)

I. Short Term Contract :

Employees on contract for less than or upto one year:

- (a) Entitled for 15 days contractual leave for the period of one year beginning from the day of the joining/contract.
- (b) In case of contract less than a year leave will be calculated on pro rata basis.
- (c) Employee cannot avail leave in the first month from the date joining.
- (d) Employee may avail leave only on pro rata basis as the leaves are evenly distributed during the period of contract.
- (e) The leave can either be prefixed and/or suffixed to public holidays, Sundays, compensatory offs so that any number of holidays are permitted. However, the total period of contractual leave and holidays enjoyed in continuation at one time should not exceed 7 days, save only in exceptional circumstances it may extend upto ten days.
- (f) If leave not availed will lapse at the end of the contractual period.

II. Long Term Contract:

Employees on contract for more than one year:

(i) First Year of Contract:

- (a) Entitled for 15 days contractual leave for the period of one year beginning from the day of the joining/contract.
- (b) Rules applicable same as I (c to f)

(ii) From Second year of contract:

- (a) Entitled for 15 days CL for the period of one year.
- (b) Rules for contractual leave will be same as applicable in I (c to f).
- (c) Will also be entitled for 30 days earned leave for each completed year of service.
- (d) The earned leave may be availed on pro rata basis and will be carried forward to the next year but cannot be encashed.

Note: No employee can enjoy any type of paid leave during the first month of his resuming duties. Any leave taken during the first month will be considered as leave without pay.

III. Long Term Contract (for Senior Executives) i.e. Employees holding the positions of Jt. Director or equivalent and above, these leave rules will be effective from 1st July 2016).

(i) Casual Leave

- Employees shall be entitled to 15 days casual leave in a Calendar year (January to December), beginning from the day of the joining/contract on pro-rata basis.
- Employee may avail leave on pro rata basis as the leaves are evenly distributed during the period of contract.
- The leave can either be prefixed and/or suffixed to public holidays, Sundays, compensatory offs so that any number of holidays are permitted. However, the total period of casual leave and holidays enjoyed in continuation at one time should not exceed 7 days, save only in exceptional circumstances it may extend upto ten days.
- The casual leave cannot be combined with any other kind of leave.
- Casual Leave is not carried forward to the next Calendar year. If not availed it lapses.

(ii) Earned Leave

- Employees shall be entitled to 30 days earned leave in a Calendar year, from the date of joining/start of contract.
- The leave so earned shall be credited to the earned leave account of the employee after completion of every 6 months in a year on pro-rata basis.
- Leave so earned can be accumulated upto a maximum of 300 days.
- Employee can start availing the leaves only after they are credited into the earned leave account after completion of six months.



- The employee may be granted not more than 120 days of continuous earned leave at a time.
- Earned leaves will be carried forward to the next year but cannot be encashed.

(iii) Sick Leave

- Employees shall be entitled to 10 days' sick leave in a Calendar year (January to December), beginning from the day of the joining/contract on pro-rata basis.
- If the sick leave requested on medical ground exceeds three days, the same shall have to be supported with certificate from the medical authority.
- Employee may avail leave on pro rata basis so that leaves are evenly distributed during the period of contract.
- Sick leave cannot be taken as a half day.
- Sick leaves if not availed will be carried forward to the next year but cannot be encashed.

CHAPTER - VI

CONDUCT, DISCIPLINE AND APPEALS

6.1 Scope of an employee's service

Unless it be otherwise distinctly provided, the whole time of an employee shall be at the disposal of SVKM and he shall serve SVKM in such capacity and at such place as he may from time to time be so directed.

6.2 Liability to abide by Rules and Orders

Every employee shall conform to and abide by these Rules and shall observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

6.3 Obligation to maintain secrecy

- a) Every employee shall maintain strictest secrecy regarding SVKM's affairs and shall not divulge or disclose, directly or indirectly, any information of a confidential nature or relating to the working of SVKM to a member of the public or SVKM's other employees or to his friends or relatives to the media, unless compelled to do so by judicial or other authority, or unless instructed to do so by a superior officer as a part of his duties. The employee shall not except otherwise told to do so in writing by competent

authority communicate or caused to communicate any document fully or partially to anybody else to whom he is not authorized to communicate such document or any information.

- b) No employee shall make use of any information emanating from SVKM or otherwise, which has come to his knowledge in the discharge of his official duties for his personal benefit or for the benefit of his friends or relatives.

6.4 Employees to promote SVKM's interest

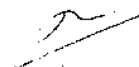
- a) Every employee shall serve SVKM honestly and faithfully and shall use his utmost endeavors to promote the interests of SVKM and shall show utmost courtesy and attention in all transactions and dealings with the public, the students and the colleagues.
- b) Every employee shall at all times: -
 - b.1) maintain absolute integrity, good conduct and discipline;
 - b.2) maintain devotion and diligence to duty; and
 - b.3) do nothing which is unbecoming of an employee / a public servant.
- c) The employee shall not in his official dealings with the public and others adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.
- d) The employee shall, in the performance of his official duties or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his superior.
- e) The employee shall do his best to ensure the integrity and devotion to duty of all persons for the time being working under his control and authority.

6.5 Prohibition against participation in politics and standing for election

The employee shall not take active part in any political activities including political demonstration. He shall not contest any election of such bodies as legislature, Municipal Council or any other Public Body without prior permission of the competent authorities.

6.6 Contributions to the Public Media

- a) The employee shall not provide to the press or any other public media without prior sanction of the Competent Authority any document, paper or information which may come in his possession in his official capacity.
- b) The employee shall not except with the previous sanction of the Competent Authority publish or cause to be published any book or any similar printed matter of which he is the author or not or deliver talk or lecture in any public meeting or otherwise.



- c) No such sanction shall be required, if such a lecture or broadcast or contribution or publication is of a purely literary, artistic, scientific, professional, cultural, educational, religious or social character not causing any damage to the communal harmony or to reputation of SVKM or its authority.

6.7 Employee not to seek outside employment

No employee shall accept, solicit, or seek any outside employment or office, whether stipendiary or honorary, without previous permission of Competent Authority.

6.8 Giving evidence

- a) Save as provided in sub-Rule (c) no employee shall, except with the previous approval of the Competent Authority, give any evidence in connection with any enquiry conducted by any person, committee or authority.
- b) Where any approval has been accorded under sub-Rule (a) no employee giving such evidence shall criticize the policy or any action of SVKM.
- c) Nothing in these Rules shall apply to any evidence given (i) at any enquiry before an authority appointed by the Central Government, State Government, Parliament or a State Legislature; or (ii) in any judicial enquiry; or (iii) at any departmental enquiry ordered by the Competent Authority. However, prior intimation may be given to the Competent Authority.

6.9 Seeking to influence

No employee shall bring or attempt to bring any political or other outside influence to bear upon any authority for the promotion of his interests in respect of matters pertaining to his services in SVKM.

6.10 Part-time work

No full-time employee shall undertake any part-time work for a private or public body or a private person, or accept any fee there for, without a sanction of the Competent Authority, which shall grant the sanction only in exceptional cases when it is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Competent Authority may, in cases in which it thinks fit, grant such sanction.

6.11 Employee not to be absent from duty without permission or be late in attendance

- a) An employee shall not absent himself from his duties without having first obtained the permission of the Competent Authority, nor shall he absent himself in case of sickness or accident without submitting a requisite medical certificate.

Provided that, in the case of temporary indisposition, the production of a medical certificate may, at the discretion of the Competent Authority, be dispensed with.


- b) An employee who absents himself from duty without leave or overstays his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances for the period of such absence or overstay, and shall further be liable to such disciplinary measures as the Competent Authority may think of imposing. The period of such absence or overstay may, if regulated by the Competent Authority, be treated as period spent on extraordinary leave.
- c) An employee who is habitually late in attendance shall, in addition to such other penalty as the Competent Authority may deem fit to impose, have one day of casual leave forfeited for every three days delay in a month. Where such an employee has no casual leave due to him, the period of leave to be so forfeited may be deducted from balance compensatory offs or Earned Leave. If none of these are available for deduction, it may be treated as Leave without Pay.
- (d) Every employee shall mark his attendance everyday by the procedure laid down by the SVKM from time to time. If an employee fails to follow the procedure on any day(s), he shall apply for leave for the day(s). If no application is made for the said day(s), it shall be treated as unauthorized absence from duty and shall result into loss of pay for the day(s).

6.12 Deserter

The employee, who has remained absent from duty without permission for a period of more than sixty days, shall be deemed to be deserter and his services shall be terminated by following due procedure from the date he failed to report for duty and he shall not be entitled to any benefits due to him for his past services.

6.13 Acceptance of gifts

- a) An employee shall not solicit or accept any gift or permit any member of his family or any person acting on his behalf to accept any gift from any person with whom the employee is likely to have official dealings either directly or indirectly or from any subordinate employee or students. Trivial



gifts like small packets of sweets, diaries, calendars on the occasion of Diwali and New Year may, however, be exempted.

Explanation: The expression “gift” shall include free transport, lodging or other such services or any other pecuniary advantage when provided by any person other than a near relative or a personal friend having no official dealings with the employee or with SVKM.

Note 1: A casual meal, lift or other social hospitality shall not be deemed to be a gift.

Note 2: An employee shall avoid acceptance of lavish or frequent hospitality from any individual or concern having official dealings with the employee or with SVKM.

- b) On occasions such as marriages, anniversaries, funerals or religious functions when the making of gifts is in conformity with the prevailing religious or social practice, an employee may accept gifts from his personal friends having no official dealing with the employee or with SVKM but he shall make a report to the Competent Authority in SVKM.

6.14 Acceptance of Contribution

No employee shall, except with the previous sanction of the Competent Authority, ask for or accept a contribution to or otherwise associate himself with the raising of any funds or other collections in cash or in kind.

6.15 Consumption of Intoxicating Drinks and Drugs

- a) An employee shall strictly abide by the law relating to the consumption or possession of intoxicating drinks or drugs in force in any area in which he may happen to be posted for the time being.
- b) An employee shall be liable for disciplinary or even legal action, if he is found under the influence of intoxicating drink or substance while on duty, or if he is reported to have misbehaved under such an influence in a public place.

Explanation: For the purpose of this Rule, the term “Public place” would include clubs (even exclusively meant for members where it is permissible for the members to invite non-members as guests), bars and restaurants, public conveyances and all other places to which the public have or are permitted to have access, whether on payment or otherwise.

6.16 Employees in debt

An employee, against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent, shall forthwith report

the full facts of the legal proceedings to the Competent Authority. An employee who applies for the protection of an insolvency court shall be liable for disciplinary action.

6.17 Employees arrested for any charge on him by the Police

a) An employee who is arrested on a criminal charge or for any reason or is detained in pursuance of any process of law may, if so directed by the Competent Authority, be considered as being or having been under suspension from the date of his arrest or of his detention, upto such date or during such other period as the Competent Authority may direct. In respect of the period in regard to which he is so treated, he shall be allowed the payment admissible to an employee under suspension.

b) Any payment made to an employee under sub-Rule (a) shall be subject to adjustment of his pay and allowances which shall be made according to the circumstances of the case and in the light of the decision as to whether such period is to be accounted for as a period of duty or leave;

Provided that, full pay and allowances will be admissible only if the employee –

b.1) is treated as on duty during such period; and

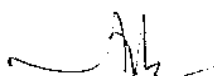
b.2) is acquitted of all charges or satisfies the Competent Authority, in the case of his release from detention being set aside by a competent court that he had not been found guilty of improper conduct.

c) An employee shall be liable for dismissal or to any of the other penalties referred to in Rule, if he is committed to prison for debt or is convicted for an offence which, in the opinion of the Competent Authority, either involves gross moral turpitude or has a bearing on any of the affairs of the SVKM or on the discharge by the employee of his duties with the SVKM. The opinion in this respect of the Competent Authority shall be conclusive and binding on the employee.

d) Where an employee has been dismissed in pursuance of sub-Rule (c) if thereafter his conviction is set aside by a higher court and the employee is acquitted, he shall be reinstated in service.

Explanation: In this Rule, committal or conviction shall mean committal or conviction by the lowest court or any appellate court.

e) Where the absence of an employee from duty without leave or his overstay is due to his having been arrested for debt or on a criminal charge or to his having been detained in pursuance of any process of law, the provisions of Rule 6.11 shall also apply and for the purposes of that Rule as so applied, the employee shall be treated as having absented himself without leave or, as the case may be overstayed, otherwise than under circumstances beyond his control.



6.18 Vindication of acts and character of employee

- a. No employee shall, except with the previous sanction of the Competent Authority, have recourse to any Court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.
- b. Nothing in this regulation shall be deemed to prohibit an employee from vindicating his private character or any act done by him in private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the Competent Authority regarding such an action.

6.19 Not to address appeals, representations, petitions to outside authority or person

- a. The employee shall not address any appeal, representation or petition to any outside authority or person in respect of a matter pertaining to the employee's service in the SVKM without a prior permission of a competent authority. Addressing such appeals, representations or petitions without proper permission shall be deemed a breach of discipline.

6.20 Criticism of SVKM / Institutions Managed by SVKM

No employee shall through any media or any document publish in his own name or anonymously, pseudonymously or in the name of any other person or make any communication to the press or in any public utterance, make any statement of fact or opinion which has the effect of an adverse criticism of any current or recent policy or action of the SVKM / Institutions Managed by SVKM.

6.21 Not to misuse residential accommodation or other facilities

- a) An employee shall not make any improper use of the residential accommodation or any other facility or concession provided to him by the SVKM.
- b) Save as otherwise expressly permitted by the SVKM, no employee shall, sub-let, lease or otherwise allow occupation by any other person of SVKM's residential accommodation which has been allotted to him. He also shall not use it or allow it to be used for the purpose of business, trade or any other such purpose
- c) An employee shall, after the determination / cancellation of his allotment of residential accommodation vacate the same within the time limit specified by the allotting authority.

6.22 Improper conduct on the part of employee

A breach of any of these Rules related to discipline, violation of any accepted patterns of behavior, moral and ethical rules of society etc. and any one or more of the following acts on the part of an employee shall be deemed as misconduct calling for disciplinary action.

- a) An act or conduct prejudicial or likely to be prejudicial to the interests of the SVKM or to the reputation of the SVKM.
- b) An act or conduct inconsistent or incompatible with the due or peaceful discharge of his duty to the SVKM.
- c) An act or conduct of an employee that makes it unsafe for the SVKM to retain him in service.
- d) An act or conduct of the employee which is grossly immoral.
- e) An act or conduct of the employee which brings the employee's sincerity, honesty, integrity and loyalty to the SVKM under the shadow of doubt, use of abusive indecent language which is likely to disturb harmony and peace in the place of work.
- f) An act of insult and/or insubordination to such a degree as to be incompatible with the continuance of his relation with the superiors.
- g) Habitual negligence in respect of the duties assigned to him.
- h) Willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior.
- i) Untrustworthiness, theft, fraud or any other act of dishonesty in connection with the SVKM's activities and property.
- j) Strike, picketing, gherao, or inciting others to go on strike in contravention of the provisions of any law, or rule having the force of law.
- k) Riotous and disorderly behavior during, before and after the office hours.
- l) Habitual late attendance, absence without permission and overstaying leave.
- m) An act for which an employee is convicted by a criminal court or for which calls for such a conviction.
- n) Being in intoxicated condition while on duty.
- o) Resorting to media and legal measures against SVKM, colleagues and administration without seeking redressal of grievances through proper procedures laid down by the rules of the SVKM from time to time.

- p) Behaving with a mind prejudiced with caste, creed, religion, language, race or gender consideration with his colleagues or to use them for self interest.
- q) Refusal to execute the decisions or orders of appropriate administrative and academic bodies and/or functionaries of the SVKM. This would not inhibit his right to express his/her difference of opinion with their policies or decisions on official level.
- r) Lodging unsubstantiated allegation against colleagues/authorities with higher authorities/police.
- s) Failure to perform his academic and other duties satisfactorily.
- t) Refusal to accept order, charge sheet or any other communication served on him.
- u) Falsification or tampering with the record.

6.23 Procedure for Disciplinary Action

For all matters related to discipline of employees at SVKM Central office, The Maharashtra Civil Services (Discipline and Appeal) Rules, 1981 will be referred.

**NOTWITHSTANDING ANYTHING MENTIONED HERE,
THE RULES ARE SUBJECT TO CHANGE AS MAY BE
DECIDED BY THE OFFICE BEARERS FROM TIME TO
TIME.**