

MODEL INSTITUTE OF EDUCATION & RESEARCH, JAMMU

NOTIFICATION

It is hereby notified for the information of all concerned that the Service & Leave Rules of Model Institute of Education & Research, Jammu as given in Annexure - I & II shall be adopted w.e.f. 01-Apr- 2022 in replacement of the existing Service & Leave Rules of MIER.

Renu Gupta
CHAIRPERSON

No. MIER/2022/3665-80

Dated: 15-03-2022

Copy for information to:-

1. Director, MIER
 2. Director, MIET
 3. Joint Director, MIER
 4. Registrar, MIET with the request to circulate among the Teaching and Non-Teaching Staff of the Institute.
 5. Controller of Examinations (MIER/ MIET)
 6. Head PG & UG Department of MCE
 7. Principal, Model Academy School
 8. Incharge, R R School
 9. Assistant Registrars
 10. Administrative Officers of the Institute with the request to circulate among the staff of the Administrative Wing.
 11. Accounts Officer with the request to circulate among the staff of the Accounts Section.
- } With the request to circulate among the Teaching and Non-Teaching Staff

**MODEL INSTITUTE OF EDUCATION AND RESEARCH (MIER)
B.C. ROAD, JAMMU**

SERVICE RULES

These rules called "Model Institute of Education and Research Service Rules 2022", shall come into force with effect from 1st April 2022.

1. DEFINITIONS

- a) MIER herein referred to as Institute or Institution stands for Model Institute of Education and Research and includes:-
- Model Academy School (10+2 affiliated to CBSE)
 - MIER College of Education (Autonomous)
 - Model Institute of Engineering and Technology (MIET) (Autonomous)
 - Any other Institution/Wing/ Centre established by the Management hereinafter within J&K or outside J&K
- b) Employees include all those individuals who are employed for carrying out the assigned duties by MIER and paid salary for the same. They are classified under two heads.

i) Teaching Faculty

This category includes those employees who are directly associated with teaching different courses that are offered in MIER.

ii) Non-Teaching

These employees have been divided into two categories which have been described as under:

Level I - This category includes all those employees of MIER who are mainly associated with the administration and management of the institution in different capacities. This also includes personnel engaged for research, IT/ICT, library, workshops, environment, engineering and allied services etc. of the Institution. Employees falling under this category shall at least be graduates and qualified with requisite specialized training/skills/experience in their own areas of specialization. All employees falling in Level I shall be initially appointed on adhoc/contractual basis. Their services shall be continued on adhoc/contractual/temporary/permanent basis after yearly review of their performance by the competent authority.

Level II - This category includes all those employees of MIER who are mainly associated with the upkeep, maintenance functioning and security of the institution in different capacities e.g.

(a) laboratory/library attendants, electricians, photographers, supervisors in different fields, genset operators, workshop workers, mechanics and technically skilled workers. The qualification prescribed for these positions shall be 10 +2 and /or certificate /diploma in the relevant field and (b) peons, safai karamcharies, gatekeepers, care takers, drivers, cooks, helpers, gardeners, plumbers, carpenters, unskilled workers etc. The qualification prescribed for these positions shall be 8th pass or above. Such employees shall be appointed on contractual basis for a period of one year at a time. Their services shall be continued on contractual basis after yearly review of their performance.

c) The employees in different wings of MIER both teaching and non-teaching are further classified as under:

- i) Ad hoc - An employee possessing necessary qualification for a job/post but having little or no experience of service for the particular post shall be initially appointed for a period of one year/academic session.. He/ she shall be appointed on consolidated salary.
- ii) Temporary – An employee appointed against a sanctioned/vacant post through the prescribed process shall be termed as a temporary employee. A temporary employee shall be deemed to be appointed on probation for a period of two years. Such employee shall be entitled to a salary according to the grade and permissible allowances under Institutional rules in force.
- iii) Permanent – The services of an employee who has rendered two years uninterrupted satisfactory services in MIER on temporary /probationary basis shall be confirmed in writing after an assessment and review of his/her performance by the competent authority.
- iv) Contractual - An employee shall be appointed on contractual basis only if (a) whose stay in J&K is for a limited time (b) who has been appointed after attaining the age of 60 years (c) who has retired from state/central/union territory services/ educational institutions/ armed/ para-military forces/any other body before the age of 60 years and (e) non-teaching employees of level II. Contractual employees shall be engaged in the services of MIER for a limited period which shall not exceed one year/ academic session at a time. Contractual employees shall not be entitled to any benefits accruing to the temporary and confirmed employees.

d) **Competent Authority:**

The Competent Authority shall be Chairperson and whole time Directors of MIER. The Competent Authority shall be vested with all the powers of appointment, discontinuation/ suspension, disciplinary and allied matters. However, the Chairperson MIER or in his/her absence, the Directors MIER, shall function as the final authority with regard to any dispute so far as the effective enforcement of the Service Rules of the institute is concerned.

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- e) Academic Session means the time period required to complete specific courses/programmes being conducted in the various wings of the MIER.
- f) Financial year shall extend from April 1st to March 31st or as amended / modified by the Central/ State/ Union Territory Government.

2. RULES

1. Upper age limit: The prescribed upper age limit for service for the regular employees of MIER shall be sixty years. However, for individuals who attain the age of sixty years while in the regular service of the institute at the position of Director, Joint Director, Professor, Principal or equivalent and who have rendered at least 10 years of service in the institute before attaining the age of 60 years, the prescribed upper age limit for regular employment (with service benefits) shall be 65 years
2. To safeguard interests of the Institution, the competent authority shall engage an individual beyond the age of sixty five years to seventy years in any capacity including guest faculty for specific time depending upon Institutional needs. Such an engagement shall, however, be purely on contractual basis and on a consolidated remuneration/ honorarium to be decided at the time of such engagement. Such an engagement shall either be full time or part time or assignment basis for a specific period. Further, individuals engaged shall not be entitled to service benefits permissible for regular employees of the Institution.
3. The placement of an employee in a particular category or a unit / department (at the time of his/her employment) shall solely depend upon the discretion of the Competent Authority. The employee shall not claim any right for changing his/her category once he/she has accepted the employment.
4. All employees shall be entitled to avail leave or other vacation benefits as defined for different categories of employees in "Model Institute of Education and Research, Leave Rules 2021"
5. Employees of MIER shall apply for any academic/professional course, public examination, coaching scheme and training programme or for appointment to any job whether in Government or private sector etc. with specific permission in writing of the competent authority and completing the prescribed formalities/ process for the same. All employees at the time of appointment shall be required to furnish whether they have applied anywhere else for selection / training / admission/ appointment or job etc. Any violation of the above shall be viewed seriously and shall lead to disciplinary action under rules including discontinuation of service.

6. An employee of the institute who intends to improve his/ her qualifications by pursuing his/ her studies in a course (Academic/ professional) shall do so with the prior approval of the competent authority in writing.
7. Any improvement in academic and professional qualifications while in service without the prior approval of the competent authority shall not entitle the employee to claim any additional benefit.
8. All eligible employees under Employees Provident Fund (EPF) Rules shall be required to deposit the prescribed percentage of gross salary under EPF Scheme in force. The share of the institute shall be admissible as provided in the EPF Rules.
9. All employees shall be required to deposit an amount equivalent to their gross one-month salary as security in the institute. This amount shall be refunded to them without interest as and when they are duly relieved or their services are dispensed with / discontinued under rules of the institute. The security amount shall be deposited in first five months of the service in equal installments and would, at any given time during the service, be equal to the amount of one month's gross salary of the employee.
10. Temporary employees whose services are due to be made Permanent shall be required to enter into a formal agreement with the competent authority on a stamped paper of appropriate value duly notarized before he/she receives the benefits of confirmation. Refusal to enter into an agreement within thirty (30) days shall automatically lead to termination of services without any notice.
11. Permanent employees who have completed five years' of uninterrupted service at MIER are entitled to gratuity benefits in accordance with the provisions of "The Payment of Gratuity Act, 1972" (and amendments therein) and "The Group Gratuity Scheme" of the Institute in vogue or as modified from time to time.
12. On expiry of the period of contractual employment, re-employment shall be made, if deemed fit, on such terms and conditions as the competent authority shall decide after recording a break in service of the employee for not less than two working days. During the break neither emoluments shall be paid nor any attendance recorded. Further, for the purpose of experience certificate, each period of employment shall be considered as separate tenure and shall not be added to denote continuity of service. In the absence of renewal of contract the services of the employee shall be deemed to be discontinued. Such an employee shall not be allowed to attend the office during the break.
13. No employee will be allowed to leave service in the middle of the session/ semester/ during vacation/ holidays or before completing the assignment given to him/ her unless the approval has been taken in advance about the same in writing from the competent authority. In case he/she takes unilateral decision to leave service, his/ her credits (pay and security) in the MIER shall stand forfeited.

14. Services of an employee shall be discontinued/ terminated on 15 days' notice or 15 day's salary in lieu thereof from either side in case of contractual and adhoc employees. However, services shall be discontinued/ terminated on one month's notice or one month's salary in lieu thereof from either side in case of temporary and confirmed employees.
15. Inability to join after availing long leave, vacation, holidays and/or unauthorized absence from duties shall constitute automatic discontinuation of services.
16. During the notice period, if an employee's (whether temporary or permanent) behavior/performance/attitude/attendance/ conduct is not satisfactory or he/she does not comply with the orders issued during notice period, his/her services shall be discharged even earlier by the competent authority. In that case, all his/her legitimate dues shall be paid till his/ her last working day and not till the expiry of the notice period. If an employee wants to leave the service earlier to the expiry of the notice period with the consent of the competent authority in writing, he/ she shall be allowed to do so only after completing the necessary procedure and formalities. In such cases he/ she shall be paid his/ her dues till the last date of his/ her working.
17. In order to promote the culture of online teaching or working from home, the employees shall be required to carry on activities from home using digital platforms as a part of their normal activities for a specific period. For teaching and technical staff having laptop/ desktop and a permanent internet broadband connection at home shall be mandatory service condition.
18. The services of an employee (including duly confirmed employee) shall be terminated by giving him/ her notice under service rules (or pay in lieu thereof) at any time of the year on the following grounds:-
 - i) loss or misplacement of documents, due to irresponsible conduct and gross negligence, misconduct, malpractices, unauthorized collection and misappropriation of funds, tampering of records and documents, insubordination and willful neglect of duties, leakage of information/ documents, examination papers/ encouraging cheating, involvement in criminal and anti-social/ anti-national activity, unethical behaviour etc. giving unapproved statements in the press, social and electronic media, YouTube, Facebook, WhatsApp etc. without the consent and approval of the competent authority;
 - ii) consistent unsatisfactory results, inability to cope up with curricular responsibilities/ assignments, lack of motivation and commitment, non-compliance of orders, lack of classroom control and lack of accountability, refusal and inability to implement institute's policies, calendar and directions etc. within stipulated period;

- iii) inciting students and colleagues to disrupt institutional functioning/activities, physical punishment, assault/ manhandling of colleagues or students, exploitation, victimization and harassment of students or colleagues before, during or after institutional hours and misbehavior with parents or visitors etc. Such matters shall be referred to the Disciplinary Committee constituted by the competent authority, MIER. The committee shall examine the case and report its findings and recommendations to the Chairperson for initiating action as per the institutional rules.
- iv) long periods of absence due to poor health and sickness, taking leaves in excess of the permissible limits, not getting leaves pre-sanctioned as a general rule;
- v) refusal to attend a training, orientation programme, professional improvement programme, field work, conference, workshop, function, rehearsal, games and sports event or meeting etc;
- vi) appearing for an interview for a job in semi-government/government/private organization or seeking admission in any academic/ professional course without prior permission in writing from the competent authority, attending any event, training or coaching programme without prior approval and leaving the station on any pretext or ground without seeking permission in writing;
- vii) inability to meet the quality objectives of the department /wing/institution within the specified time period. Failure to meet important deadlines and failure to communicate and report to the concerned officer etc.;
- viii) abolition of the post/ closure of the course;
- ix) the competent authority shall *suomoto* initiate proceedings under these service rules against an employee on receiving specific information/complaint against him/her from any source and take necessary action against him/her in case the allegation is substantiated; and
- x) any reason not contained in the points above, which in the opinion of competent authority, is serious enough to merit discontinuation of services.

19. An employee found inciting trouble to disrupt institutional functioning , assault/ manhandling of colleagues or students, harassment of students or colleagues ; committed serious negligence and dereliction of duty resulting in loss to the institution ; during or after institutional hours shall be suspended; pending enquiry into the matter. Further, an employee who has been kept in police custody / lockup for a period longer than 48 hours shall be deemed to have been suspended from the date he/ she has been taken into custody. Such employee shall, however, be paid subsistence allowance equal to half pay for a maximum period of six months or as the competent authority may deem fit and proper.

20. The competent authority shall take special measures from time to time whereby the accountability and performance of all employees in respective fields shall be assessed and improved up to the expected level.
21. The competent authority reserves the right to refuse or defer the annual increment of an employee if his/her performance and conduct is not satisfactory and he/she does not meet the deadline/assignment given to him/her. Similarly, the competent authority shall grant additional benefits to an employee in case his/her performance is exceptionally good.
22. Employees of MIER shall not take up any whole time or part time assignment/activity which is liable to interfere with their legitimate duties directly or indirectly and are injurious to institutional interests, without prior permission in writing. Exploiting / forcing students and guardians for tuitions/ tutorials is not permitted and shall be liable for disciplinary action.
23. All employees are expected to remain within institutional premises during working hours specified for them. Reporting late for work or leaving earlier than the stipulated hours and meeting outsiders during working hours without permission, carrying on personal works during the working hours on one pretext or another and disturbing fellow employees/visitors during working hours and not engaging classes / labs etc. constitutes willful neglect of duties for which suitable disciplinary action shall be taken.
24. Employees requiring relaxation in their time of reporting or departure for some pressing reasons shall be allowed to do so in writing. In that case, their salary shall be deducted proportionately in terms of working hours for the said period. The minimum relaxation in timing will be one hour. The maximum period for which relaxation is allowed shall be one month at a time subject to the condition that (a) the relaxation shall be allowed sparingly and on the prior approval of the competent authority; (b) normal teaching/ administrative work or other assignment entrusted to the employee will not be affected; (c) relaxation for less than seven days shall not be allowed; and (d) such relaxation shall be claimed only once during the academic year.
25. Direct or indirect evasion of duties on flimsy excuses and misuse of institutional time, facilities, supplies, equipment and other resources will expose the employees to disciplinary action as per rules.
26. The competent authority reserves the right to transfer any employee from one Wing/ Dept./ Branch/Centre/ Location to any other, at any time during the academic session. In such cases the transferred employees shall be governed by the calendar and other practices of the department he/ she joins. Refusal to do so will invite disciplinary action as per rules.
27. (a) Unless otherwise specified, there shall be 8 working hours in a normal working day. However, the working hours and timings shall vary keeping in view the nature of duty

assigned to an employee. The working hours for the teaching staff shall be as per the norms/requirements of the teaching department as approved by the competent authority.

(b) Some categories of staff, especially the staff engaged in maintenance, security, administration / examination, preparation of students for different events / instructions etc. and up-keep of the institution shall be required to attend the institution on an off day / holiday ensuring smooth functioning of the Institution. Such employees shall be compensated as per provisions in the leave rules in vogue. Failure to attend on such a day if called shall be counted as an absence for the calculation of monthly salary. Also, an employee who does not remain on the premises/duty during his/her working hours shall be marked absent for the day.

28. All employees are required to attend their duties in business casuals. On special occasions, however, they shall be required to follow a dress code as notified from time to time.
29. No employee shall be allowed to collect or retain any collection/ fund/ money/ fee or document, equipment etc. with him/ her unless authorized to do so by the Competent Authority. He/ she shall hand it over to the Principal / Director on the same day against proper receipt. Un-authorized retention of money, documents etc. shall warrant strict action under rules. Further, the outstanding amount, if any, shall be deducted from the salary of the employee. Borrowing / lending money by the employees from colleagues / students/ parents or any outside source is not allowed. The institution shall not be held responsible to entertain any claim in the above matters.
30. During the period of service at any constituent unit of MIER, all work produced by an employee in the shape of ideas, projects, publications, presentations, lecture notes, tutorials, video lectures, study reports, consultancy assignments, intellectual property and the like shall become the exclusive property of MIER. MIER reserves the right to use these in any manner it deems fit. Incentives due to the employees, if any, shall be paid under the incentive scheme of the MIER in vogue at that time
31. Any publication, article, paper, monograph, book, document, book chapter, design software, hardware, patent, gadget, apparatus, equipment, content or information based upon these shall be presented/shared/published only when written permission is obtained for the same from the competent authority. Making use of such information in any format (oral, digital, electronic, printed etc.) shall require prior permission of the competent authority. Further, acknowledgement of the same shall also be required to be made in the publication/presentation/product when shared or published.
32. Scholarly papers/professional/technical publications on topics duly approved for the purpose shall be published after obtaining clearance from the competent authority. It will be mandatory to mention the name of the Institutional wing where he/ she is working to show institutional affiliation of the author. Further, one copy of the said publication shall have to be submitted for institutional records. Approved papers shall be submitted for publication in refereed/reviewed journals only recommended by the

Research and Publication Committee of the respective wings. Further, approved publications alone shall be considered for Research/Publication awards. Publications and other material/ documents shall have to undergo plagiarism check. Publication in predatory journals are neither permitted nor allowed.

33. No employee shall be encouraged to offer consultancy services to external agencies without seeking prior approval of the competent authority in writing and after disclosing the amount for consultancy. Revenue generated from the approved consultancy assignments shall be equally shared between the employee and the institute in accordance with the policy under research promotion scheme in vogue at the time. Violation, if any, shall invite disciplinary action under MIER Service Rules.
34. Writing books/monographs, lecture notes, help books or lessons on any topic or subject for any publisher or external academic agency other than MIER shall require the written permission of the competent authority. Employees desirous of taking such assignments shall seek prior approval as well as disclose the remuneration from such assignment.
35. Every employee at the time of leaving his/ her job/ service shall be required to produce a 'No Dues Certificate' from the office countersigned by his/her respective HOD/ Principal after clearing his/her outstanding payments/advances/collection/ID card /registers of all records/ examination material/ computers/ laptops/ equipment/ tools etc. and after handing over his/ her charge (library, canteen, laboratory, records, results, answer sheets and other documents etc.) to the person nominated. The settlement of full and final dues of employee shall be kept on hold till such time the employee hands over his/her charge to the nominated officer and produces 'No Dues Certificate'. This payment shall stand with held in case the requisite 'No Dues Certificate' and other formalities are not completed within a period of three months from the date of leaving services. However no claim shall be entertained after a lapse of another six months.
36. The claims of employees such as pay and security etc. shall be settled within a period of 30 days after clearance of all formalities. However the EPF and gratuity claims shall be cleared as and when released by the concerned government agencies.
37. Employees retiring from the service of the MIER shall be considered for re-employment, if need be, on contractual / assignment basis only. Such employment shall take effect considering the academic calendar and the requirement of the services of the employee. Further, such employee shall be retained on consolidated emoluments to be decided by the competent authority.
38. In case of prolonged closure of MIER or any of its departments/wings/centres for any reason e.g. (lockdown, curfews, natural calamities, emergencies, war etc.) whereby the normal activities of the institution cannot be carried out for a month or more, the liability of the management to protect the salaries of its confirmed/temporary employees of all categories shall be for a maximum duration of three months subject to availability of funds. However, for the employees who are on adhoc or on contractual basis the liability shall be covered for a period of one month only. The management reserves the

right to lay off employees or even discontinue their services as may deem fit to safeguard the financial stability of the institution.

39. During the prolonged closure of the institution as described in the rule 38, the competent authority reserves the right to direct its employees to work from home and carry out their normal activities. Alternately, they shall also be required to attend the institution on specific days on specific time, if required. In such cases the onus of reaching the institution shall entirely be on the employees. Employees who are unable to comply with the directions for any reason shall be treated as on leave without salary.
40. In case of the extended closure of the institution as defined in rule 38, the competent authority reserves the right to reduce the number of employees, reduce the salaries, or do away with the increments as may be required to ensure institutional viability.
41. Employees shall have an opportunity to represent their grievances, if any, to their respective Principal/ Director who shall forward the representation after entering the grievance in the Register to the Grievance Redressal Committee on service matters constituted by the Chairperson, MIER. The Committee shall examine all grievances and endeavor to address all matters to the satisfaction of the concerned employee and submit its recommendations to the competent authority.
42. In case of dispute regarding any matter related to an employee, the service rules and other conditions/ regulations in force at that time shall apply.
43. In case a dispute arises in the implementation of these rules, interpretation of the Competent Authority shall be binding and final.
44. The competent authority reserves the right to amend, modify, relax or alter service rules mentioned above, in order to meet the needs of the institution from time to time.
45. Legal disputes, if any, shall have a Jurisdiction of Jammu courts only.

46. **Repeal**

Model Institute of Education and Research service rules, herein before in force, inconsistent with these rules shall stand repealed.

47. **Savings**

All actions taken and orders passed under the repealed rules, notifications and orders shall be deemed to have been passed under these service rules.

**MODEL INSTITUTE OF EDUCATION & RESEARCH
B.C.ROAD, JAMMU.**

LEAVE RULES

1. Short Title and Commencement

These Rules called “**Model Institute of Education and Research Leave Rules 2022**” shall come into force from 1st April 2022. .

2. Extent of Application

Save as otherwise provided, these Rules shall apply to all the employees working in different wings / centres/ departments of Model Institute of Education and Research.

3. General

- a) The Year for the purpose of calculation of leaves shall be from 1st April to 31st March.
- b). Leave shall not be claimed as a matter of right. When the exigencies of the institute so require, leave of any kind shall be refused, reduced and cancelled by the competent authority i.e. Chairperson/ Directors MIER.
- c). Leave shall be sanctioned on the criterion of urgency and justification, depending upon the merits of each case. Leave got sanctioned in advance shall have priority over others who submit their applications late. Normally, leave of any kind is to be got sanctioned in advance from the competent authority. The competent authority shall cancel the sanctioned leave of an employee in case of exigencies in the interest of Institute.
- d). Any violation of leave rules shall lead to disciplinary action i.e. warning, penalty, suspension and even termination of services. The decision of the competent authority shall be final and binding in such cases.
- e). Ignorance of leave rules shall not be accepted as an excuse for any claims or exemption. Every employee is expected to have read the leave rules before or after joining service in the institute. Further, employees are required to be fully aware of the Leave rules in force at all times.
- f). An employee proceeding on any kind of leave shall ensure that alternate arrangements have been made and duly approved by Director/ HOD / Principal and are made known to the concerned colleagues/ teachers/officers.
- g). Any employee proceeding on long leave (more than six days) shall require to submit the prescribed long leave Performa to obtain prior permission at least one week before proceeding on such leave.

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- h) After availing long leave and resuming duties, an employee shall be required to submit the joining report duly accepted by his/her respective HOD/ Principal/ concerned officer who shall forward the same in the office of the Director.
- i). An employee desiring to proceed on casual/ compensatory leave shall be required to apply in advance through on line procedure adopted by MIER. However, in case of emergency he/she shall inform the concerned HOD/ Principal / concerned officer. He/ she shall be required to submit leave application online immediately on the day of the joining. Those employees not adhering to the prescribed procedure shall be marked absent for that period.
- j). Any kind of leave in excess of the sanctioned leave shall be treated as leave without pay.
- k). An employee who is transferred from teaching to non-teaching category or vice-versa shall be governed by the leave rules of that category from the date of joining.
- l). The total period of leave without pay granted to an employee in one or more spells of time during the year shall extend the date of his/her annual increment as defined below:-
 - a) 15 days leave without pay: No deferment
 - b) More than 15 to 30 days leave without pay: Deferment by one month.
 - c) More than 30 to 60 days leave without pay: Deferment by two months.
 - d) More than 60 days: Deferment of the date proportionately.
- m) Leave of any kind shall either be prefixed or suffixed with a holiday
- n) If any holiday is declared as a working day, any leave taken on such a day by the employee after the above notification by the competent authority shall be marked as absent/ or on leave as the case may be.

4 Types of Leave

- i) Casual Leave
- ii) Vacation leave
- iii) Privilege Leave (Half Pay Leave)
- iv) Leave without Pay
- v) Compensatory Leave
- vi) Maternity Leave/ Child Adoption Leave/Paternity Leave
- vii) Study leave
- viii) Sabbatical Leave

4. (i). Casual Leave

- a) Ordinarily, casual leave shall not be sanctioned unless the urgency/reason is specified and the leave is got sanctioned. However, in unforeseen circumstances justifying the absence of the employee from duty, casual leave shall be availed without prior notice if message is received through e-mail/sms/whatsApp and is conveyed to Principal/HODs/Competent Authority well in time. This should be followed by submission of online leave on the day of the joining. Verbal message conveyed through any other employee or by any means shall not be accepted.

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- b) Casual leave shall be granted to teaching and non-teaching employees (level-I and level-II) for a period not exceeding 12 days in a year. During the first year of service, an employee shall avail casual leave @ 1 day after completion of each month of service.
- c) The number of casual leaves taken at a time after the completion of 1st year of service shall not exceed 06 working days at a time.
- d) All leave applications shall either be 'sanctioned' or 'not sanctioned'. Absence from duty without any information shall lead to deduction of pay for each day.
- e) Half day casual leave is permissible and shall not exceed 03 hours and 04 hours duration in case of teaching and non-teaching staff respectively. This leave shall not be combined with the lunch break
- f) An employee who is marked two lates in a month, half day casual leave from his/her credits shall be deducted. Similarly if an employee is marked more than two lates , full day casual leave shall be deducted from his /her credits. However no casual leave shall be deducted in case an employee who is marked one late in a month.
- g) Un-availed casual leave if any during the year shall lapse at the end of the financial year.

4.(ii) Vacation Leave

- i) For the teaching staff of all wings of MIER who have completed one year of service in the institute, 40 days' vacation in a year shall be granted on full pay (Summer 30 days and Winter 10 day)
- ii) All non-teaching employees of level -I of all wings of MIER who have completed one year of service shall be entitled to a vacation of thirty days in a year on full pay (Summer vacation 25 days and winter vacation 5 days w.e.f. 28th December to 1st January each year)
- iii) All non-teaching employees of level- II who have completed one year of service shall be entitled to a vacation of fifteen days in a year on full pay.
- iv) Proportionate salary for the vacation will be admissible to both teaching and non-teaching staff members of level- I at the rate of 2.5 days' pay for each completed month of service from the date of joining to the beginning of summer vacation. However, in case of non-teaching employees of level- II, proportionate salary for vacation will be admissible at the rate of 1.25 days' pay for each completed month of service from the date of joining to the beginning of summer vacation. The rest of the period shall be treated as vacation without pay.
- v) In any year, if an employee whether teaching or non-teaching avails no or a portion of the vacation admissible to him/her under the orders of the competent authority, he/she shall be entitled to avail the remaining period of vacation within the same academic year at the discretion of the competent authority.
- vi) For administrative and academic convenience, the competent authority shall at its discretion allow an employee to utilize summer vacation in not more than two parts.

- vii) An individual who has been engaged for a specific period of time, part time or for a specific assignment shall not be entitled for any vacation and shall be paid honorarium for working days only.

4.(iii). Privilege Leave (Half Pay Leave)

Privilege leave shall be granted to the confirmed employee only on half pay for a period not less than seven days at a time up to a maximum of fifteen days once in a year on medical or any other genuine grounds with prior approval of the competent authority. Privilege leave shall not be allowed in parts. An employee who leaves the place of duty without prior approval shall not be entitled to the privilege leave. Employees working on ad hoc, temporary and contractual basis shall not be entitled to any privilege leave. Further, this leave shall not be allowed to be combined with any other kind of leave except maternity leave/child adoption leave.

4.(iv).Leave without Pay

Leave without pay shall be granted to a confirmed/ temporary employee by the Management when no other leave is due to him/her. The duration of such a leave shall not exceed more than 3 months. In case an employee doesn't join after the said period, there shall be a break in his/ her service or even discontinuation depending upon the merits of each case.

4.(v) Compensatory Leave

All employees are entitled to compensatory leave when asked for duties by the competent authority for inspection/ official/examination duty in the institution during holidays and vacation. The compensatory leave granted to employees shall be availed during the same year and shall not be carried forward. This leave shall be permissible in case of employees whose names are recommended by their respective HOD's/ Principal and approved by the competent authority prior to asking them to attend their duty. However, the period of retention on duty shall be regulated as under:-

- a) .for full day duty: one day compensatory leave
- b) for half day duty: half day compensatory leave
- c) for duties on remunerative assignments by agencies other than the institution: no compensatory leave shall be granted.

4.(vi) Maternity Leave/ Child Adoption Leave/ Paternity leave

- a) A confirmed female employee shall be granted maternity/child adoption leave by the competent authority which shall extend up to ninety days from the date of its commencement/date of legal adoption. During maternity leave/child adoption leave she shall be paid leave salary equal to the salary drawn immediately before proceeding on such leave. A temporary female employee shall be granted maternity leave/ child adoption leave with 50% salary which shall extend up to ninety days from the date of its commencement/ date of legal adoption. However, adhoc/contractual employees shall not be entitled to maternity leave/ child adoption leave. The application for maternity leave must be accompanied by medical certificate / legal papers as the case may be.

b) Maternity Leave / child adoption leave can be combined with vacation/ privilege leave if needed. Extension of leave if any shall be treated as leave without pay. The said leave shall be granted subject to the production of Medical Certificate signed by a registered doctor/ Gynecologist to the effect that the health condition of the mother or the new born baby is such that further medical treatment and complete rest/care is absolutely necessary. After availing Maternity leave the employee shall be required to submit the joining report along with Medical fitness certificate from the registered doctor.

c) The benefit of the maternity leave shall be provided to the female employees twice during her service tenure. In case of child adoption, the leave shall be provided only once during the service tenure.

Paternity leave

A confirmed male employee shall be granted 'Paternity Leave' for a period of 10 days on full pay twice only in his service career by the competent authority. The employee has the option to avail the leave either 10 days before the expected date of delivery or within 10 days after the date of delivery of the child. This leave shall not be allowed to be combined with any other kind of leave

4(vii). Study Leave

- a) Leave for higher studies or training is admissible to a confirmed employee for a period of six months at a time who is deputed for the purpose by the competent authority with the objective that successful completion of higher study or training would enhance the capacity and outlook of the employee in giving better performance in the institution. In case this leave is required for a longer time, the period may be extended according to the requirements of the study but shall not exceed two years in all.
- b) Study leave shall be admissible to those who are not retiring within 3 years after their return from study leave.
- c) Study leave shall be admissible for not more than three times during the tenure of entire service and the gap between two such leaves shall not be less than three years.
- d) Mere eligibility for study leave shall not automatically entitle an employee for availing study leave. The decision to depute an employee for study leave shall solely rest with the competent authority and the employee shall have to abide by the decision.
- e) Failure of an employee to proceed on study leave after the leave is granted or discontinuing studies in between due to any reason or non appearance in final examination and/or failure therein will lead to disciplinary action which shall include loss of salary and other benefits, deferment of increment, penalty and even discontinuation of service. The decision of the competent authority shall be final and binding.
- f) An employee on sanctioned study leave will be allowed to draw his/her salary ranging from 25% to 75% for a period of six months depending upon the type of course, place and duration of study at the sole discretion of the competent authority. Any scholarship/ remuneration/ allowance received by the employee from any other source during study leave shall be deducted from his/her study leave salary/benefits. An employee availing

the study leave shall not be entitled to the cost of travel, tuition fees, registration and other charges etc.

- g) If an employee (a) does not show satisfactory performance during the study leave period or (b) fails to successfully complete the course/programme for which study leave was sanctioned, or (c) fails to rejoin his/her duty after successful completion of the course/study leave, or (d) fails to serve the institute for a period of two years after his/her return from study leave, he/she shall be liable to refund the whole amount received from the institute. The leave salary, increment and other benefits paid to him/her by the institute during study leave period shall also be recovered in full from him/her. Each employee desirous of availing the study leave shall have to execute a formal bond/undertaking stating the aforesaid conditions on a stamp paper of appropriate value duly notarized before proceeding on study leave.
- h) Period in excess of the sanctioned study leave shall be treated as leave without pay.
- i) Salary and dues during study leave period shall be released to the employee after submitting the necessary documents related to progress and completion of the study leave.
- j) During study leave period, the seniority and the date of increment of an employee shall remain unchanged.

4 (viii) Sabbatical Leave

Sabbatical leave up to one-year duration on half pay (including summer and winter breaks) shall be granted to a confirmed employee who has put in five years' service (in the grade of Professor/Associate Professor or equivalent) to enable him/her to travel for professional development or study in India or abroad. Proceeding on such a leave unilaterally, without proper prior sanction in writing or failure in rejoining, shall however lead to discontinuation of services. Sabbatical leave shall be availed twice during the entire service tenure of an employee. During sabbatical period, the seniority and date of increment shall remain unchanged. Employees wishing to avail sabbatical leave shall have to submit an application along with undertaking on a stamp paper duly notarized at least one month earlier along with the necessary/supporting documents justifying the case.

5. Maintenance of Leave Record

- a) Casual leaves up to three days shall be got approved by the Principal/ HoD's as the case may be. Leaves more than three days shall be sanctioned by the Director/ Chairperson.
- b) In case of the Principals, HODs and employees working in the Administrative wings, all kinds of leaves shall be sanctioned by the Director / Chairperson. Record of all attendance (including total leaves) shall be maintained by the H.R Manager in Director's office and duly authenticated by the Chairperson's office. The same shall be forwarded to the Administrative/ Accounts Section as the case may be for salary purposes.
- c) For all leaves other than casual leaves, the sanctioning authority shall be the competent authority. However, such leaves shall be routed through the Principal/

HOD's of different wings/departments. Moreover, title of leave and its admissibility under leave rules shall be verified by the HOD's and Principal before the leave cases are processed and submitted to the leave sanctioning authority. Unprocessed leave applications shall not be entertained.

- d) The leave cases wherein production of Medical Certificate is required under Leave Rules, must be accompanied by a Medical Certificate duly signed by a qualified and registered doctor.

6. Concluding Rules

- a) These rules are in supersession of the previous leave rules. The management reserves the right to amend, alter, relax or modify these rules any time, if it is considered necessary.
- b) In case of any dispute, the right of final interpretation of these leave rules shall rest with the competent authority of the Institute and its decision shall be considered final and binding on the employees.
- c) If a particular case does not fall under the ambit of the above rules, the matter shall be decided on the merits of the case by the Chairperson/ Directors MIER

7. Repeals

Model Institute of Education and Research Leave Rules and other instructions and orders issued from time to time, which are inconsistent with these rules, stand repealed.

8. Savings

All the actions taken and orders passed under the repealed rules shall be deemed to have been taken / passed under these rules.

Renu Gupta

