

(As Approved by the Coordination Committee in its meeting held on 25/10/2017 and Adopted by Devi Ahilya Vishwavidyalaya in its EC meeting held on 04/12/2017).

STATUTE NO. 31

CONDITIONS OF SERVICE FOR UNIVERSITYEMPLOYEES

[Refer Clauses (D) And (N) Of Section 35]

PART I-APPLICABILITY AND DEFINITIONS

1. Save as otherwise provided in the Adhiniyam and the Statutes, the provisions of this Statute shall apply to all employees of the University other than those whose services have been lent to the University by the Central or State Government.
2. in this Statute:
 - (a) "Pay" means the amount drawn monthly by the University employee as:
 - (i) the pay, other than special pay or additional pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre and
 - (ii) Special pay, personal pay, technical pay and
 - (iii) Any other emoluments which may be specially classed as pay by the Executive Council.
 - (b) "Average Pay" means the average monthly pay earned during the 10 complete months immediately preceding the months in which the University employee proceeds on leave or is suspended;
 - (c) "Substantive Pay" means pay other than special pay. personal pay or emoluments classed as pay under (a) above, to which a University employee is entitled on account of holding a post to which he has been appointed substantively or by reason of his substantive position in a cadre;
 - (d) "Vacation Post" means a post involving teaching duties in an educational institution entitled to the winter and summer vacations.
 - (e) "Normal Rent" means rent payable under paragraph 20 below.
 - (f) Presumptive rent in relation to a house belonging to University employee or his spouse, or children or father or mother in which he lives and for which he does not pay any rent to anybody is:

- (1) Where the University employee draws pay in excess of Rs. 200/-
 - (i) The rental value of the house taken into account by the Property Tax-Officer for calculation of property tax payable to Government;
 - (ii) The rental value determined by local authorities (e.g. Municipal committee, Corporation etc.) for any purpose;
 - (iii) The amount certified by the Collector in respect of houses located at his headquarter or by the Sub-Divisional Officer (Revenue) in respect of houses located in the other towns in his jurisdiction, to be the reasonable rent that can be paid for the house.
- (2) Where the University employee draws pay of Rs. 200 or less the approximate rent which would have been obtained, in the opinion of the University employee if it has been let out, subject to the right of verification by the Registrar

Part II-Classification of Posts, Appointment and Tenure:

3. Posts in the University shall belong to the class and shall carry the scales of pay as **per UGC/State Govt. norms.**
4. (1) (a) The Executive Council shall have power to appoint the officers of the University other than the Kuladhipati and the Kulpati, the teachers of the University paid by the University and the employees other than class III and class IV employees.
(b) Subject to the control of the Kulpati the Registrar shall have the power to appoint the class III. class IV, Work-charged and contingency-paid staff of the University. Reservation in posts shall be as per State Govt. norms.
2. (a) Save as otherwise provided in the Statutes and the ordinances the qualifications for appointment to the posts in various classes in the University shall be such as may be determined by the appointing authority from time to time.
(b) The category of posts (excluding teaching posts and posts of officers of the University), the percentage of such to be filled ordinarily by promotion and the lower category from which such promotions are to be made shall be specified by the Executive Council.

Such promotions shall be considered by the appointing authority **once in a year.** All promotions shall be made by the basis of Seniority- cum-Merit.

Provided that the provision of promotion for the post of teachers shall be provided in Ordinance 4 and those of officers shall be as per provisions of the rules framed by the State Government in accordance with the powers conferred on it through section 15(C) (2) of MP. Vishwavidyalaya Adhiniyam, 1973,

3. (a) The age of retirement of a University Officers and employees (**Non-teaching**) shall be **at par with the State Govt. employees.**

(b) University teachers, after completing the retirement age of 65 years, may be re-appointed as per UGC norms.

4. (1) ordinarily appointment against a permanent post shall in the first instance be on probation for a period of one year. The period of probation may be extended by such further period as the appointing authority may deem fit, but in no case the total period of probation shall not exceed two years.

(2) No person may ordinarily be appointed to a post in University Service without the production of a certificate of health and physical fitness given by a Medical Practitioner of such category as may be specified by the appointing authority. The certificate must be affixed to the first pay bill of the employee. The fees prescribed in case of such examination shall be paid by the employee.

5. Ordinarily appointment against a permanent post shall in the first instance be on probation for a period of **two year**. The period of probation may be extended by such further period as the appointing authority may deem fit, but in no case the total period of probation shall not exceed **three years**.

Temporary appointment may be made to a temporary post or in a leave vacancy in respect of a permanent post. Where the temporary post is subsequently made permanent in an identical pay scale or the leave vacancy becomes permanent, the temporary appointee, if appointed in accordance with the procedure for filling the post on permanent basis shall be deemed to have been on probation for the period of his continuous service and shall be entitled to confirmation on satisfactory completion of the prescribed period of probation.

6. (a) The whole time University employee is at the disposal of the University and he may be employed in an appropriate manner required by the proper authority.

(b) (i) The Executive Council may permit a University employee to perform a specified service/ consultancy for a private person, body or Government and to receive a

remuneration in the form of fee, if it is satisfied that this can be done without detrimental to his official duties or responsibilities.

- (ii) The appointing authority may grant or permit a University employee to receive an honorarium as remuneration for work performed. which is occasional in character:

Provided that the prior consent of the appointing authority has been obtained and the amount of the remuneration has been settled in advance.

- (iii) The Kulpati/Executive Council may depute a University Officer/Teacher/Employee to perform specified service for Private Institution/Body or Govt. on deputation as per delegation of powers. The terms and conditions of deputation shall be as per State Govt. rules in force from time to time.

7. The Head of the Section or Department or Institution under whom the employee is working shall send the following (a/b) to the Registrar in the prescribed format:

- (a) every year not later than 31st May a report on the work and conduct of the employee during the preceding year ending on 31st March.
- (b) at least one month before the date of the expiry of the probationary period of a University employee a report about the work and conduct of the employee appointed to a permanent post stating his opinion about the employee's fitness or otherwise for confirmation in service.

8. A temporary appointment may be terminated by either party without assigning any reason by giving to the other one month's notice or one month's salary of the employee concerned in lieu thereof. No such notice or payment of salary shall be necessary in case of termination of service of work-charge or contingency-paid employee.

9. (a) If the appointing authority is not satisfied that the work and/or conduct of the employee on probation is satisfactory, his services may be terminated. In case of termination of the services of the employee on probation, one month's notice shall be given to him or in lieu of notice he shall be paid salary of one month. The probationer may also terminate the engagement by giving one month's notice or one month's salary.

* Vide amendment approved by the co-ordination committee dated 20th Dec. 2000.

**Approved by E.C. Res. No. A.A. 3 Dated April 2011

- (b) If the probationer was appointed by promotion and his work and/or conduct is not satisfactory the appointing authority may revert him to the post held by him before such appointment and such reversion shall not be deemed to be a penalty.
- (c) Every person appointed to a permanent post under the University by promotion or by direct recruitment shall on satisfactorily completing his period of probation, be eligible for confirmation in that post.
10. On confirmation on a permanent post, a University employee acquires a lien on that post. A University employee holding a permanent post substantively, if appointed substantively to another post, acquires a lien on the second post and ceases to hold any lien on the first one.
11. A permanent employee shall be required to give three months' notice in case he wishes to resign or he shall pay to the University three month's salary in lieu of such notice. Be served on him three month before the date on which he is to be relieved. In the absence of such notice the University shall pay him three month's salary. Such notice shall not be necessary if the employee is removed from service, dismissed or compulsorily retired.

Provided that where a permanent employee is relieved after three months' notice or payment of three months' salary in lieu of such notice to take up appointment elsewhere, his lien shall be maintained in the University for a period of two years from the date of his relief or till the date of his confirmation on the other post, whichever is earlier.

Provided that under special case the under period of two years of lien may be extended upto total period of five years.

12. (a) The services of a University employee may be terminated on any of the following grounds:
- (i) Wilful neglect of duty.
 - (ii) Misconduct.
 - (iii) Physical or mental unfitness.
 - (iv) When the post he is holding is abolished.
 - (i) Conviction in a Court of law for an offence involving moral turpitude.

*Inserted by amendment approved by the Co-ordination Committee on 24.4.992.

- (b) the following lapses would constitute misconduct on the part of persons holding teaching posts in the University Teaching Departments/Schools of Studies:
- (i) Failure to perform his academic duties such as lectures, demonstration. Assessment, guidance invigilation, etc.
 - (ii) Gross partiality in assessment of students, deliberately over-marking/ under-marking or attempts at victimization on any grounds.
 - (iii) Inciting students against other students, colleagues or administration, This does not interfere with the right of a teacher to express his difference on principles in seminars or other places where students are present.
 - (iv) Raising questions of caste, creed, religion, race or sex in his relationships with his colleagues and trying to use the above considerations for improvement of his prospects.
 - (v) Refusal to carry out the decisions by appropriate administrative and academic bodies and/or functionaries of the University. This will not inhibit his right to express his differences with their policies or decision.
13. Before leaving University service an employee, whether appointed temporarily or on probation or permanently shall hand over the charge of his post to the employee duly authorized to receive charge and shall return to the University all articles entrusted to him for his use and shall pay up in full all the charges due from him for occupation of residential quarter if any, inclusive of Municipal taxes, water and electric charges etc. If he fails to do so, the Head of the Branch or Institution in which he is employed shall have the right to recover the amount due from him from the arrears of salary due to him or from the University contribution to his Provident Fund if he has any, or from any other source.
14. A University employee shall subscribe to the Provident Fund in accordance with the provisions of the Statutes.
15. An employee of the University shall begin to draw the pay and allowances. if any, attached to his post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.
16. (i) No University employee shall be granted leave of any kind for a continuous period exceeding five years;

(ii) Where the University employee does not resume duty after remaining on leave for a continuous period of five years, he shall be deemed to have resigned and shall accordingly cease to be in University employment.

Provided that the Executive Council may determine otherwise in any case in view of the exceptional circumstances.

Part III-Residential Accommodation:

17. The Executive Council may make rules laying down the Principles governing the allotment of such buildings or such portions thereof, as may be available to employees serving under the administrative control of the University for residential purposes.
18. When University employees are provided with unfurnished University quarters, they shall pay monthly rent at the rates specified by the Executive Council of the University/State Govt. norms.

Note – The tenant will, in addition, be required to pay the cost of water and electrical energy consumed.

19. **The employees shall be eligible to house rent allowance at par with the State Govt. norms.**

PART IV - Leave

20. Leave is earned by duty and cannot be claimed as right. When the exigencies of the University service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.
21. A University employee, who is dismissed or removed from the University service but is reinstated on appeal or revision is entitled to count his former service for leave.
22. Leave ordinarily begins on the day on which transfer of charge is affected and ends on the day preceding that on which charge is resumed.
23. A holiday or a series of holidays may be allowed to be pre-fixed to leave by the authority competent to sanction leave.
24. If a University employee is recalled to duty before the expiry of his leave, his 'duty' starts on the day on which he joins his post at the headquarters of the university. Till then he will be on leave. He will draw T.A. under the rules for the journey headquarters.

25. If a University employee is recalled to duty before the expiry of his leave, his 'duty' starts on the day on which he joins his post at the headquarters of the university. In such situation the employee will get T.A. as per rules for the journey performed up to the University headquarters.
26. Unless the University shall determine otherwise, an employee shall cease to be in service if he is continuously absent from duty **five years**, with or without leave. Willful absence from duty after the expiry of leave may be treated as misbehaviour. No leave salary shall be paid for the period of such absence, which will be debited against his leave account as though it were leave on half pay.

A University employee on leave may not take any service or accept any employment, without obtaining the previous sanction of the authority empowered to appoint him.

27. No University employee who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness.
28. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave.
29. No leave shall be granted to an employee beyond the date of compulsory retirement, except to the extent of leave due to him and applied for by him but refused to be granted to him in the exigencies of service before the date of compulsory retirement.
30. If an employee's service is extended beyond the date of compulsory retirement he may be granted within the period of extension any leave, which having been refused, is being carried forward, together with such leave as may have been earned during the extended period. If in good time the leave due, in respect of the period of extension, is applied for and is refused in the exigencies of service, he may be granted after the expiry of the period of extension, the earned leave due on the date of compulsory retirement which on its refusal he is carrying forward plus leave earned in respect of the extended period minus the leave consumed, if any, during the period of extension subject to the maximum of 120 days.
31. Leave or extension of leave on medical certificate shall not be granted to an employee after the date on which he is declared by a competent medical authority to be permanently incapacitated for further service.
32. The leave account of every employee shall be maintained in the form prescribed. No leave shall be sanctioned, unless the title there to is certified by the officer, who is required to maintain the leave account.

33. A service book shall be maintained for every regular employee of the University. In these books every relevant event in the employee's official life should be recorded, each entry being attested by the head of his office or an officer to whom the power has been delegated. At a fixed time preferably the month of January, the service books should be taken up for recording a verification certificate.
34. Earned leave for University employee who are not entitled to vacation ;
1. (a) A University employee who is not entitled to vacation shall be entitled to 30 days earned leave in every calendar year.
 - (b) The leave account for every University employee shall be credited with earned leave in advance in two installments of 15 days each on 1st January and 1st July every year.
 - (c) The leave at credit of a University employee at the close of the previous half year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit of every half year and shall be accumulated (No limit).
 - (d) A period spent on foreign service shall count as duty for purpose of this rule if contribution towards leave salary is paid on account of such period.
2. Subject to provision of sub clause (3), the maximum earned leave that may be granted at a time to a University employee shall be 180 days.
 3. Earned leave may be granted to a University employee a period of 180 days but not exceeding the earned leave due to the employee if the entire leave so granted is spent outside India.

Provided that when the earned leave exceeds a period of 180 days, is granted under the sub-section of such leave spent in India, shall not in the aggregate exceed aforesaid limit of 180 days.

35. *Earned leave shall be credited to the leave of a newly appointed University employee at the rate of 2 ½ days for each completed calendar month of the service which he is likely to render in a half year of the calendar year for which he is appointed.
1. (a) The credit in the half year in which a University employee is due to retire or resign from service shall be afforded only at the rate of 2 ½ days per completed calendar month up to the date of retirement or resignation.
 - (b) When a University employee is removed or dismissed from service or dies while in service, credit to earned leave shall be allowed at the rate of 2 ½ days

per complete calendar month in which he is removed or dismissed from service or dies in service.

2. If a University employee has taken extra ordinary leave in a half year the credit to be afforded to his account at the commencement of the next half year shall be reduced by 1/10th of the period of extra-ordinary leave subject to the maximum of 15 days.
3. While affording credit of earned leave fractions of a day shall be rounded off to the nearest day, i.e., fraction below half should be ignored and that half or more should be reckoned as a day.

*36. Earned leave for persons entitled for vacation

1. University employee serving in a vacation post shall be entitled for earned leave **of 12 days** in respect of duty performed in any year in which he avails full vacation
2. The earned leave admissible to such a University employee in respect of any year in which he is prevented from availing himself of the full vacation is such proportion of 30 days earned leave as the number of days of vacation not taken bears to the full vacation. If in any year he does not avail himself of the vacation earned leave is admissible to him in respect of the year in accordance with the provisions of Para 36.
3. Vacation may be taken in combination with or in continuation of any kind of leave under this para provided that the total duration of the vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or not shall not exceed the amount of earned leave due and admissible to the officer at a time under section 25. Provided further that the total duration of vacation, earned leave and commuted leave taken in conjunction shall not exceed **240 days**. If however the entire spell of leave or proportion thereof is spent elsewhere than in India the maximum limit shall be 240 days subject to the condition that portion spent in India. For the purpose of this rule the term year be construed not meaning a calendar year in which duty is performed but as meaning twelve months starting from the date of reopening of the University after summer vacation to a day before the reopening date of the next academic session.
4. The earned leaves will be cumulative at the end of every calendar year.

5. Encashment of Earned Leave:

At the time of superannuation the earned leave encashment shall be maximum of 240 days or as specified by the State Govt. norms.

*37. Half pay leave:

(a) A University employee shall be entitled to half pay leave of 20 days in respect of each completed year of service. A completed year of service means continuous service for one year under the University and period spent on duty as well as leave including half pay leave and extra ordinary leave.

(b) The half pay leave may be granted to a University employee on medical certificate or on private affairs. Such leave on medical certificate shall be given on production of medical certificate from such medical authority as the University may by general or special order prescribe in this behalf and for a period not exceeding that recommended by the medical authority. Such medical leave shall not be granted unless the authority competent to sanction leave is satisfied that there is a reasonable probability that the University employee will be fit to return to duty on its expiry. Half pay leave on private affairs also shall not be granted unless the authority competent to sanction leave has reason to believe that the University employee will return to duty on its expiry or unless it is included in the grant of leave expressed to be preparatory to the retirement.

*(A) *Amended by approved by coordination committee Item no 64 dated 6,7 &12.2, 87 and as per the decision of EC dated 12.7.86.*

38. **Commutated leave:**

(a) Commuted leave not to exceed half the amount of half pay leave due may be granted on medical certificate to a University employee subject to the following conditions:

(i) When Commuted leave is granted twice the amount or such leave shall be debited against the half pay leave due.

(ii) No commuted leave may be granted unless the authority competent to sanction the leave has reasons to believe that the University employee will return on duty on its expiry.

(iii) Commuted leave shall not be granted preparatory to retirement.

(iv) Half pay leave upto the maximum of 180 days may be allowed to be commuted during their service (without production of medical certificate)

where such leave is utilized for an approved course of any certificate or in the public interest by the leave sanctioning authority.

- (b) Where a University employee who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty. The commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered.

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

Provided also that commuted leave may be granted at the request of the University employee even earned leave is due to him.

Provided that the staff of vacation departments may also be granted commuted leave as earned leave without production of Medical Certificate subject to the following condition.

- (i) Not more than 10 days i.e. 20 days half pay leave may be granted as earned leave in a year.
- (ii) Not more than 90 days i.e. 180 days half pay leave may be granted as Earned Leave during the entire service.

**Amended and approved by coordination committee item No. 64 dated 6, 7, 12.02.1987 and as per decision of executive council meeting dated 12.07.1986.*

39. **LEAVE NOT DUE:** save in the case of leave preparatory to retirement. leave not due may be granted to a University employee subject to the following conditions:

- (a) The authority competent to grant leave is satisfied that is reasonable prospect of University employee returning to duty on its expiry.
- (b) Leave not due shall be limited to the half pay leave he is likely to earn thereafter.
- (c) Leave not due during the entire service shall be limited to a maximum of 360 days but of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate.
- (d) Leave not due shall be debited against the half pay leave against the University employee which he may earn subsequently.

2.(a) Where a University employee who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty,

Leave not due shall be cancelled, his resignation or termination taking effect from the date on which such leave had commenced and the leave salary shall be recovered.

- (b) Where a University employee who having himself availed of leave not due returns to duty but resigns from service before he has earned such leave. he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently.

Provided that no leave salary shall be recovered under clause (a) or clause (b), if the retirement is by reason of ill health incapacitating the University employee for further service or in the event of his death.

40. EXTRAORDINARY LEAVE:

- (1) Extra ordinary leave may be granted to a University employee in special circumstances:

- (a) When no other leave is admissible.
- (b) When other leave is admissible but the University employee applies in the writing for the grant of extraordinary leave.

- (2) Unless the Executive council in view of the exceptional circumstances of the case otherwise determines, no University employee who is not a permanent employee shall be granted extraordinary leave in excess of the following limits:

- (a) Upto 3 months without medical certificate.
- (b) Upto 6 months with common ailments where the University employee has completed one year continuous service on the date of expiry of leave of the kind due and admissible under these rules including 3 months extraordinary leave under para (42) and his request for such leave is supported by a medical certificate as required by the rules.
- (c) Upto 18 months where the University employee who has completed one year's continuous service is undergoing treatment for:
 - (i) Cancer or for mental illness in an institution recognized for the treatment of such disease or by a Civil Surgeon, Staff Surgeon or a specialist in such disease.
 - (ii) 'Pulmonary tuberculosis or plurosy of tubercular origin, in a recognized sanitarium.

Note :- The concession of extraordinary leave upto 18 months shall be admissible also to a University employee suffering from Pulmonary tuberculosis or pleurisy of tubercular origin who received treatment at his residence under a

tuberculosis specialist recognized as such by the State Administrative Medical Officer concerned and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

- (iii) Tuberculosis of any other part of the body certified by a qualified tuberculosis specialist or a Civil Surgeon or a Staff Surgeon.
 - (iv) Leprosy in a recognized leprosy institution or by a Civil Surgeon or Staff Surgeon or a Specialist in a leprosy Hospital recognized as such by the State Administrative Medical Officer concerned.
- (d) 24 months where the leave is required for the purpose of prosecuting studies certified to be in the public completed 3 years continuous service by the date of expiry of leave of the kind due and admissible under the 42(2)(a) above and executes a bond to serve the University for a period of 3 years after return to duty failing which he will be required to pay a penalty of Rs. 1000/-.
- (3) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.
- (4) No extra ordinary leave beyond the period of 4 months in one spell shall be sanctioned to a University employee whether temporarily or permanent without prior concurrence of the Executive Council.
41. (a) An employee on earned leave and / or commuted leave is entitled to leave salary equal to the average pay or the substantive pay to which he was entitled immediately before the commencement of the leave, whichever is greater;
- (b) An employee on half pay leave or leave not due is entitled to leave salary equal to half his average pay.
- (c) An employee on extraordinary leave is not entitled to any leave salary.
42. Leave probationer, a person on probation and on apprentice:-
- 1. (a) A probationer shall be entitled to leave under these rules if he has held his post subsequently otherwise than on probation.
 - (b) if, for any reason, it is proposed to terminate the service of a probationer any leave which may be granted to him shall not be extended.
 - (i) beyond the date on which probationary period as already sanctioned or extended expires, or

(ii) beyond any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

2. An apprentice shall be entitled to

- (a) Leave on medical certificate, on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship;
- (b) Extra ordinary as per provisions of Para 42.

43. Leave preparatory to retirement:-

- (1) A University employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due. i.e. 180 days together with half pay leave due, subject to the condition that such leave extends upto and includes the day preceding for the date of retirement.

Note: - The leave granted as leave preparatory to retirement shall not include extraordinary leave.

- (2) (a) Where a University employee who is on foreign service in or under a local authority or corporation or company wholly or sub-attentively owned or controlled by the Government or a body controlled or financed by the Government (here in after referred as the local body) applies for leave preparatory to retirement the decision to grant or refuse leave shall be taken by foreign employee with the concurrence of the liening authority.

- (b) In case the leave is so refused to a University employee in public interest, it may be availed of by him to the extent admissible under Para 46 from the date of his retirement.

44. Leave beyond the date of retirement:-

- (1) Except as provided here in after, no leave shall be granted to a University employee beyond the date of his retirement.

- (2) Where a University employee has insufficient time before the date of his retirement.

- (a) formally applied for leave due as preparatory to retirement and the leave has been refused in whole or in part, or

- (b) ascertained in writing from the authority competent to grant leave that such leave if applied for could not be granted.

On account of exigencies of public service, he may be granted from the date of retirement the amount of earned leave so denied increased by

the amount of earned leave earned by him during the period between the date on which leave was denied and retirement and decreased by such leave if any, availed of during the same period subject to the maximum limit of 120 days.

Provided that a University employee whose service has been extended in the interest of the public payment that date of his retirement. may be granted earned leave as under.

(3) during the period of extension any earned leave due in respect of the period of such extension and to the extent necessary, the earned leave which would have been granted to him under the preceding provision had he retired on the date of retirement.

(a) the earned leave which could have granted to him under the preceding provision had he retired on the date of retirement, diminished by the amount of such leave availed of during the period of extension and.

(b) any leave earned during the period of extension as has been formally applied for as preparatory to final cessation of his duties in sufficient time during the extension and refused to him on account of the exigencies of the public service and

(c) in determining the amount of earned leave due in respect of the extension according to the section 37 the earned leave. if any admissible under the preceding provision shall be taken into account.

(4) The grant of leave under this section except under this sub-section 2(i) shall not be construed as extension of service.

45. Leave or extension of leave on medical certificate shall not be granted to a University employee after the date on which he is renounced by a medical committee to be completely and permanently incapacitated for further service.

For the purpose of this rule, a University employee may be deemed to have been denied leave, only if a sufficient time before the date on which he must retire or the date on which his duties finally cease he has either formally applied for leave as leave preparatory to retirement and has been refused leave on the ground of exigencies of public service or has ascertained in writing from the sanctioning authority that such leave if applied for would not be granted on the aforesaid ground.

46. 1. Special disability leave for injury intentionally inflicted:-

- (i) The authority competent to grant leave may grant special disability leave to University employee (whether permanent or temporary) who is disabled by injury intentionally inflicted or caused in. or in consequences of the due performance of his official duty or in consequence of his official position.
- (ii) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice.
 Provided that the authority competent to grant leave may, if it is satisfied as to the cause of disability permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.
- (iii) The period of leave granted shall be such as is certified by an authorized medical attendant and shall in no case exceed 24 months.
- (iv) Special disability leave may be combined with leave of any other kind.
- (v) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.
- (vi) Special disability leave shall be counted as duty in calculating service and shall not except the leave granted under the provision to sub-section 7(b) of this section be debited against the leave account.
- (vii) Leave salary during such leave shall-
 - (a) For the first 120 days of any period of such leave including a period of such leave granted under sub-section (v), be equal to leave salary while on earned leave and;
 - (b) For the remaining of such leave, be equal to leave salary during half-pay leave
- (viii) In the case of a person to whom the Employee's State Insurance Act, 1984 (34 of 1984) applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period

2 Special disability leave for accidental injury

- (i) The provision of section 47 shall apply also to a University Employee whether permanent or temporary, who is disabled by injury accidentally incurred in or in consequence of the due performance of his duties or in consequence of his official position by illness incurred in the performance of any particular duty

which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the post which he holds.

- (ii) The grant of special disability leave in such case shall be subject to the further conditions
 - (a) That the disability, if due to disease, must be certified by an Authorized Medical Attendant to be directly due to the performance of the particular duty
 - (b) That, if the University employee has contacted such disability during service and it must be in the opinion of the authority competent to sanction leave exceptional in character: and
 - (c) that the period of absence recommended by an Authorized Medical Attendant may be covered in part, by leave under this rule and in part by any other kind of leave and that the amount of Special Disability Leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.
 - (d) Power to grant special Disability: All cases relating to the grant of special disability leave under section 48 shall be referred to the Executive Council.

47. MATERNITY LEAVE:-

(i) A female University employee may be granted maternity leave by an authority competent to grant leave for a period as per M.P. Govt./University Rules. In the case of 'abortion' or 'Miscarriage' maternity leave may also be granted to a female University employee, but the extent of the leave granted should be limited to the period recommended by the appropriate medical authority subject to a maximum of six weeks from the date of occurrence of the event, provided that no other leave under this rule shall be granted to a female University employee who has three or more surviving children. The abortion induced under Medical termination of pregnancy Act 1971 shall also be considered as a case of abortion for the purpose of this section.

(ii) Paternity and child care leave will be applicable as per State Govt. norms.

48. HOSPITAL LEAVE

- (l) Appointing authority may grant hospital leave to
 - (a) Peons and guards of all departments in permanent employment;
 - (b) Process services.

While under treatment for illness or injury in hospital or dispensary or while receiving medical aid as an outdoor patient at the station or headquarters or the district in which they are serving. Such leave may without reference to the allowance paid to the substitute, be granted on leave salary equal to the admissible during earned leave or half pay leave and for such period as the authority granting it may consider necessary.

- (2) Hospital leave may also be granted at the discretion of the sanctioning authority to the University employees specified below on leave salary equal to that admissible during earned leave or half pay leave and for such period as the authority granting may consider necessary while they are under medical treatment for illness or injury in a hospital or dispensary or while receiving medical aid as an outdoor patient at station or headquarters at which they are serving provided always that such illness or injury is directly due to risks incurred in the course of their official duties and is certified not to have been caused by irregular or interpeuate habits.
- (a) Sub-ordinates employed in Department Laboratories.
 - (b) University servants on fixed rates of pay employed in University press.
 - (c) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible provided the total period of leave, after such combination does not exceed 28 months.
- (3) (a) In the ease of a person to whom the workmen's compensation Act. 1923(E of 1923) applies the amount of leave salary payable under these rule shall be reduced by the amount of compensation payable under clause.
- (b) of sub section 4 of the said act.
 - (c) in the case of a person to whom the employees State Insurance Act, 1984 (24 of 1984) applies the amount of leave salary payable under this rule shall be reduced by the amount of benefit payable under the said Act for the corresponding period.

49. STUDY LEAVE

- (A) (1) The study leave may be granted to a permanent University employee to enable him to undergo in or out of India. a special course of study consisting of higher studies, or specialized training in a professional or a technical subject having a direct and close connection with the sphere of this duty.
- (2) Study leave may also be granted:-

- (i) For a course of training or study tour in which a University employee may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to University employee: and
 - (ii) For the purpose of study connected with the frame work or background of public instruction, subject to the conditions that-
 - (a) The particular study or study tour should be approved by the authority competent to sanction study leave;
 - (b) The University employee should be required to submit on his return. a full report of the work done by him while on study leave.
 - (iii) For the studies which may not be closely or directly connected with the work of the University Employee, but which are capable of widening his abilities as University employee and to collaborate with those employed in other branches of the public Institution.
- (3) Study leave shall not be granted unless:-
- (i) it is certified by the Dean/ Head of the Department/Section Officer that the proposed course of study or training shall be of definite advantage from the point of view of University interest;
 - (ii) it is for prosecution of studies in subject directly connected with his subject.
- (4) Study leave shall not ordinary be granted to a University employee
- (i) Who has rendered less than 5 years service under the University; or
 - (ii) Who is due to retire or has the option to retire from the University service within three years of the date on which he is expected to return to duty alter the expiry of the leave.
- (5) A Study leave shall not be granted to University employee with such frequency as to remove him from contact with his regular work or to cause carde difficulties owing to his absence on leave
- (B) Study leave that may not be granted:-
- (1) Ordinary for 12 months at any one time which may not be exceeded 24 months save for exceptional reasons in which Execute Council is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the University.

- (2) The period of study leave shall in no case exceed three years during the entire service.
- (C) (1) Study leave may be combined with other kinds of leave but in no case shall the grant of his leave other than extra ordinary leave involve a total absence of more than twenty eight months from the regular duties of the University employee.
- (2) A University employee granted study leave in combination with any other kind of leave may, if he so desires commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study leave shall not count as study leave. Provided that the limit twenty eight months of absence prescribed in sub-rule (I) includes the period of vacation.
- D. Regulation of study leave extending beyond course of study:-
When the course of study falls short of study leave sanction the University employee shall resume duty on the conclusion of the course of study, unless the previous assent of the authority competent to sanction leave to treat the period of short fall as ordinary leave has been obtained.
- E. Admissibility of allowance in addition to leave salary :-
No allowance of any kind other than the deadness allowance shall be admissible to a University employee in respect to the period of study leave granted to him.
- F. Cost of fees for the study:-
A University employee granted study leave shall ordinarily be required to meet the cost of fees or the study but in exceptional cases the Executive Council may sanction the grant of such fees.
Provided that in no case shall the cost of fees be paid to an individual employee, who is in receipt of scholarship or stipend from whatever source, or who is permitted to receive or retain in addition to his salary, any remuneration in respect of part time employment.
- G. Execution of Bond:-
Every University employee who has been granted study leave or extension of such leave shall be required to execute a bond in favour of the University for not less than double the period of study leave sanctioned to him, subject to a maximum of three years.

The employee shall also pledge that he shall refund to the University the amount for leave salary and allowances and other expenses incurred on him or paid to him or on his behalf in connection with the course of study if

- (i) He is unable to complete his studies within the period of study leave granted to him.
- (ii) He fails to rejoin the service of the University on expiry of his study leave
- (iii) He leaves the University service before the expiry of the bond period
- (iv) He is dismissed or removed from the service within the period for which bond been has been executed.

H. Leave salary during the study leave

- (1) During the study leave availed outside India, a University employee shall draw leave salary equal to the pay (without allowance other than dearness allowance) that the University employee was drawing while on duty with University immediately before proceeding on leave.
- (2) During study leave availed in India a University employee.
 - (a) Shall draw leave salary equal to the pay (without allowance other than dearness allowance) that the University employee drew while on duty immediately proceeding on such leave.
 - (b) Payment of leave salary on full rate under clause (a) shall be subject to the furnishing of a certificate by University employee to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part time employment.
 - (c) The amount, if any received by a University employee during the period of study leave as scholarship or stipend or remuneration in respect of any part time employment shall be adjusted against the leave salary payable.

I. Study leave shall count as on duty for promotion and seniority. It shall also count as service for increments benefits. Study leave shall not be adjusted against the leave account of the University employee concerned.

- (i) Sabbatical leave shall be admissible to the professors and the Readers of more than 45 years of age for a period of one year at the end of every six years continuous service in their respective cadres in the University for Undertaking Study, research and writing purposes within country or abroad.

Provided further that another sabbatical shall not be granted until after the expiry of six years from the date of the return of the person from previous sabbatical leave or any other kind of training programme.

(ii) The length of continuous service in a cadre shall be reckoned on the basis of the service rendered without any break. A period of absence of more than three months of the University session (Excluding vacation) shall be treated as break.

For any absence for a period exceeding three months, service for additional period of equal duration will have to be rendered for completion of six years services for the purpose of sabbatical leave.

(iii) Sabbatical leave shall be granted for a period of twelve months including vacations. Vacations will not be allowed to be prefixed or suffixed with sabbatical leave.

(iv) A sabbatical leave may be availed only twice during the entire period of the service.

(v) During the period of sabbatical leave the Professor/Reader shall be allowed to draw the normal increments on the due dates and the period of leave shall also count as regular services for the purposes of retirement benefits provided that the Professor/Reader rejoins the University on expiry of the leave.

(vi) A person on sabbatical leave shall be paid full pay and allowances at the rates applicable. The University shall not fill up his post.

(vii) A person on sabbatical leave shall not take up any regular appointment under another organization in India or abroad. He shall however, be entitled to accept travelling and maintenance allowance from any service.

(viii) On return from the sabbatical leave the teacher shall be required to furnish a report in writing of the work undertaken during the period of leave.

50. (A) CASUAL LEAVE:

(i) Casual leave is not earned by duty. An employee on casual leave is not treated as absent from duty and his pay is not intermitted. Casual leave cannot be claimed as right and its grant is always subject to the exigencies of service and subject to maximum of 13 days in a calendar year, for purpose of usual leave, the year will be July 1st to June 30.

- (ii) Casual leave may be granted as and when occasion arises at the discretion of the sanctioning authority, provided that the total period of absence, including Sunday and other holidays shall not exceed 8 days at a time.

Note: Holidays or Sundays falling between will not count as casual leave.

- (iii) Casual leave cannot be combined with any other kind of leave.

(B) SPECIAL CASUAL LEAVE:

- (i) An employee summoned to serve as juror or assessor or to give evidence before the Court of Law as a witness in a civil or criminal case in which his private interests are not at issue may be given this leave. The leave so granted should be sufficient to cover the period of absence necessary.
- (ii) It may also be granted when an employee is deputed to attend reference libraries of other institutions and conferences or educational gathering of learned and professional society in the interests of the University or other academic work which will include working on the committees appointed by the Universities/Government/University Grants commission/Department of Higher Education, Govt. of M.P. ,lecturing and examination work; or such other work as may be specified by the Executive Council.
- (iii) **Special Casual leave under clause (ii) above shall not exceed thirty days in a calendar year.

Provided that for the assignments by the Universities/Government/University Grants Commission/Department of Higher Education, Govt. of M.P. the Kulpati may, at his discretion, sanction special casual leave for a further period not exceeding thirty days in a calendar year.

- *(C) In case of University employees selected under the various cultural Exchange/National Lecture/Exchange Programme etc. sponsored by the Government of India /State Government/U.G.C. and other Statutory bodies as a member of delegation or to deliver specialized lectures in India or abroad the period of absence from the University shall be counted as Duty.

51. Leave to the extent prescribed below but not exceeding in any case the period earned may be sanctioned by the authority mentioned against each:

A. Casual leave:

Category	Sanctioning Authority
(i) Heads of Departments and Registrar.	Kulpati.

- | | | |
|-------|---|---|
| (ii) | Departmental employees
(Teachers other than Head of the Department),
concerned Laboratory, Ministerial and
Class IV staff. | Head of the Department |
| (iii) | Registrar's office staff. | Registrar
Provided further that casual leave
upto 5 days at a time may be
sanctioned by the DR/ARs to the
ministerial and Class IV Staff of
respective sections under their
charge. |

***Inserted by amendment approved by the Coordination Committee at its meeting held on 19-7-76 and adopted by the Executive Council at their meeting of 10-11-76 and effective from 10-11-7*

B. Special Casual leaves:

All employees other than Kulpati	Kulpati.
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C. Leave Other than Casual or Special Casual leave:-

<i>Category</i>	<i>Sanctioning Authority</i>	<i>Maximum period of sanction if any</i>
(i) Kulpati	Kuladhipati	To the maximum extent due
(ii) Heads of Departments and the Registrar.	Kulapati Executive Council	Up to 2 months. More than 2 months.
(iii) All Class I and Class II Employees	Kulapati Ex-Council	Up to 3 months More than 3 months.
(iv) Class III and Class IV Staff in a Teaching Deptt./Schools of Studies,	Head of Deptt. Concerned Kulapati	Up to one month More than one month.
(v) Class III and Class IV Staff other than in above.	Registrar Kulpati	Up to one month More than one month.

*52. The benefit of surrender and encashment of earned leave will be admissible to the University Employees as per rules applicable to the State Government Employees from time to time.

- (i) The authorities who are empowered to sanction earned leave will be competent to accept surrender of earned leave.
- (ii) The balance of earned after surrender should not be less than 30 days.
- (iii) The leave salary for this period of leave would be $D R$ where D is the number of days of days leaves surrendered 31 and R is the rate pm. of leave salary sanctioned

Provided that subscription towards contributory provident fund shall not be deducted from such surrendered leave salary nor the University shall contribute its share for this surrendered leave.

- (iv) There shall be an interval of not less than 24 months between the surrenders of earned leave.
- (v) The total of earned leave actually availed of and the earned leave surrendered shall not exceed **240 days or as specified by the State Govt.**

Part V-Suspension, Penalties and Disciplinary Authority.

53. (1) The appointing authority may by an order place an employee, under suspension
- (a) When a disciplinary proceeding against him is contemplated or is pending, or
 - (b) Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.
- (2) An employee shall be deemed to have been placed under suspension by an order of the appointing authority:
- (a) With effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours.
 - (b) With effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

- (3) An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the appointing authority.
 - (4) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of the suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.
54. (1) The appointing authority may, for good and sufficient reasons, imposed on an employee the following penalties:
- (a) Censure;
 - (b) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the University by negligence or breach of orders;
 - (c) Withholding of increments of pay;
 - (d) Reduction to lower time scale of pay, grade or post;
 - (e) Compulsory retirement;
 - (f) Removal from service;
 - (g) Dismissal from service which shall ordinarily be a disqualification for future employment in the University.

Besides the above, the penalty of fine not exceeding rupees five may be imposed on a class IV employee for petty carelessness, unpunctuality, idleness or similar misconduct of a minor nature.

- (2) The appointing authority may institute disciplinary proceeding against an employee of the University.
 - (3) No order imposing any of the penalties specified in sub-paragraph (1) above other than fine shall be made except in accordance with the procedure for imposing penalties on government servant prescribed by the Madhya Pradesh Government and in force at the time the appointing authority orders an inquiry against the employee concerned.
55. (1) where any penalty is imposed on an employee by the Registrar. The employee concerned may prefer an appeal to the Executive Council within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

- (2) Where any penalty is imposed on an employee by the Executive Council, he may prefer an appeal to the Kuladhipati within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.
- (3) The appeal shall be presented to the authority to which the appeal lies. a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies; shall not contain any disrespectful or improper language and shall be complete in itself.
- (4) The authority which made the order appealed against shall on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.
- (5) (i) The appellate authority may confirm, enhance, reduce or set aside the penalty or remit the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case.
(ii) The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

56. An University employee under suspension shall not be granted any leave.

- (a) A employee under suspension is entitled for the first year of suspension to subsistence allowance at one half of the amount of leave salary which he would have drawn under the leave rules, if he had been on earned leave and in addition dearness allowance, if admissible on such leave salary;

Provided that where the period of suspension exceeds one year, the authority, who ordered the suspension. (a) shall increase the amount of subsistence allowance by an amount not exceeding 50% of the amount paid during the first year, if the period of suspension has been prolonged for reasons not attributable to the University employee, or (b) may reduce the subsistence allowance by a suitable amount, not exceeding 50 per cent of the amount paid during the first year, if the period of suspension has been prolonged due to reasons directly attributable to the University employee.

- (b) He shall also be entitled to any other allowances admissible from time to time on the basis of pay if the employee continues to meet the expenditure for which they are granted.

57. No payment shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation. When a University employee who has been dismissed, removed, or suspended, is reinstated, the authority competent to order reinstatement shall make a specific order:
- (a) Regarding the pay and allowances to be paid to the employee for the period of his absence from duty; and
 - (b) Whether or not the said period shall be treated as period spent on duty for all purposes.

Part VI - Miscellaneous:

58. Every employee shall at all times:
- (a) Maintain absolute integrity;
 - (b) Show devotion to duty; and
 - (c) Do nothing which is unbecoming of an employee of the University.
59. No employee shall join or continue to be a member of such association the objects or activities of which are prejudicial to the interest of the University or public order, decency or morality.
60. No employee shall:
- (i) engage himself or participate in any demonstration which is prejudicial to the interest of the University, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence. Or
 - (ii) Resort to or, in any way, abet any form of violence in connection with any matter pertaining to his service or the service of any employee.
61. (i) No employee shall except with the previous sanction of the University own wholly or in part, or conduct, or participate in the editing or management of any newspaper or periodical publication.
- (ii) No employee shall except with the previous sanction of University or the prescribed authority or in the bonafide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter either in his own name or anonymously, pseudonymously in any newspaper or periodical or write a book.
- Provided that no such sanction shall be required if such broadcast or such contribution or writing is of a purely literary, artistic or scientific character.
62. No employee shall except in accordance with any general or special order of the University or in the performance in good faith of the duties assigned to him

communicate, directly or indirectly, an official document or any part thereof or information to any other employee or any other person to whom he is not authorized to communicate such document or information.

63. No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the University.
64. No University employee shall, except with the previous written sanction of the University, join any college/school or appear at any examination conducted by the University or any other University or Board.
Permission to attend classes or take an examination will be granted only, if it is consistent with University interest and it cannot be claimed as of right.
65. No University employee except those specifically employed on a part time basis shall, without the previous permission of the University, apply for any post, outside the University.
66. All provisions pertaining to discipline as contained in rule 4 of M. P. Civil Services (Conduct) Rules shall be deemed to be part of University Conduct Rules not provided in the provisions of Para-62 to 69 of University Rules.
67. Any infringement of provisions of paras 62 to 67 of this Statute shall be regarded as subversive of good discipline and misconduct and will well justify the initiation of disciplinary action against such employee.