



## **PRESTIGE INSTITUTE OF MANAGEMENT, GWALIOR**

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## **PRESTIGE INSTITUTE OF MANAGEMENT, GWALIOR**

### **SERVICE AND LEAVE RULES**

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## SERVICE RULES

### 1. Short Title and Commencement

- I These rules shall be called Service Rules of PIM, Gwalior
- ii. They shall be brought into force with immediate effect

### 2. Application

These rules shall apply to every employee of the Institute.

### 3. Definitions

- I. "Institute" means **PIM, Gwalior**
- II. "Authorities" and "Officers" respectively mean the Authorities and Officers of the Institute.
- III. "Board" means the Board of Governors of the Institute
- IV. "Chairman" means the Chairman of the Board.
- V. "Vice-Chairman" means the Vice-Chairman of the Board.
- VI. "Director" means the Director of the Institute
- VII. "Principal" means Principal of the Institute
- VIII. "Head of Institution" means Director or Principal of the Institute\*
- IX. "Registrar" means the Registrar of the Institute
- X. "Appointing Authority" in relation to any post under the Institute means the authority competent to make appointments to the post under the Rules.
- XI. "Employee" and "Member of the Staff" means a person serving the Institute on any post. "Year" means the financial year which begins on 1<sup>st</sup> July and ends on 30<sup>th</sup> June following year.
- XII. "Faculty" mean the faculty members of the Institute.
- XIII. "Pay" means the pay admissible on the relevant date and includes 'special Pay' and 'Personal Pay' but shall not include any allowance, fees or honorarium.

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\* Head of the Institute when appointed by The Society/Governing Board will be entitled as “Director” and when appointed as per the provisions listed in college code 28 it will be titled as “Principal”. At any time the Institute will have only one head of the Institute.

#### 4. **Cassification of the Staff**

The members of staff of the Institute shall be classified into two broad Categories as follows:

- i **Academic:** This term shall include Director/Principal, all grades of Professors, Associate professors, Assistant Professors, Research and Teaching posts, as may be created by the Board.
- ii. **Non-Academic:** This term shall includes Registrar, Deputy Registrar, Assistant Registrar, Accountant, Librarian, Manager (Audio Visual and Computer Lab), PS to Director, Senior Executives, Junior Executives, Library Assistants, Book Attendants, Book Lifters, Drivers, Farrash, Peons, Guards and Hostel Staff.

#### 5. **Selection Committee**

Selection Committees for filling up the posts under the Institute shall be constituted as below:

In the case of Academic (Faculty) as well as Non-Academic posts

1. One member representing the Board of Governors or Society.
2. Director
3. One expert in the appropriate field to be nominated by the Director/Principal from a panel approved by the Vice Chancellor, Jiwaji University, Gwalior
4. One nominee of the Vice Chancellor, Jiwaji University, Gwalior.

5. One nominee of Govt. of MP/AICTE (optional).

However, Director/Principal of the Institute can use his discretion in constituting the Selection Committee as per situation and need of the Institute.

#### 6. **Qualifications and Experience**

The qualifications and experience for appointment to any post shall be determined by the Board/Director/Principal and as prescribed by AICTE / UGC / Jiwaji University, Gwalior.

#### 7. **Medical Fitness**

No person shall be appointed to any post by direct recruitment unless he/she produces, at his/her own cost, a certificate of sound health and physical fitness.

#### 8. **Character and Antecedents**

The appointing authority must be satisfied that the candidates for appointment possess good character and antecedents.

#### 9. **Proof of Age**

Every employee shall be required to produce documentary evidence ( viz., S.S.L.C or Matriculation Certificate/birth certificate) at the time of his/her joining duty or immediately thereafter in support of his/her date of birth.

#### 10. **Probation**

- I Every candidate appointed to a permanent academic post in the Institute (other than the Director) after the commencement of these rules, whether by promotion or by direct recruitment, shall normally be on probation for a period of two years, except in the case of candidates appointed on contract for any specific tenure, in which case,

the terms of contract, if any, shall govern the probation. Candidates appointed to non-academic and technical posts, whether by promotion or direct recruitment, shall also normally be on probation for two years. The appointing authority may, in an individual case, extend the period of probation for a period not **exceeding one year**.

- ii. The service of an employee on probation may be terminated during the period of probation without notice and without assigning any reasons or in terms of the conditions of his/her service laid down in his/her appointment letter. Employees promoted and on probation may be similarly reverted to the post originally held by them.
- iii. If after the expiry of the probationary period or its extension a person is not confirmed he shall be deemed to have continued on a temporary basis and his/her services shall be governed by the rules applicable to temporary employees.
- iv. Every person appointed to a post under the institute, by promotion or direct recruitment, shall on satisfactory completion of probation be eligible for substantive appointment to that post.

### **11. Temporary and Permanent Service**

- I An employee shall be temporary employee of the Institute until he/she is confirmed.
- ii. An employee confirmed to any post under the Institute shall be permanent employee of the Institute.

### **12. Termination of Service**

#### **I Temporary Appointment**

The services of a temporary employee may be terminated by the Appointing Authority without assigning any reasons by a

notice of one month in writing given by the Appointing Authority to the employee or at any time without notice on payment of one month's pay. Similarly, if the temporary employee desires to terminate his service in the Institute, he shall give month's notice or one month's pay in lieu of notice. The Appointing Authority has, however, the discretion to waive the notice period.

- ii. Without prejudice to the provisions of clause 12 (i) above, the services of temporary employee shall stand terminated, if his appointment is made for a specific period, on the expiry of such period unless it is extended.

### **13. Contractual Appointments**

The service of an employee on contract shall stand terminated on the expiry of the period of his/her contract without any further notice unless it is extended.

### **14. Permanent Appointment**

- I The service of a confirmed employee may be terminated by 3 (Three) months' notice on either side.
- ii. An employee in the above category desirous of being relieved prior to the completion of the aforesaid notice period shall be required to compensate the Institute by cash payment equal to his monthly pay for the period which falls short of the full notice period. Where the notice period expires in the middle of semester/term, the academic staff concerned shall be relieved only at the end of the semester/term. If however, he/she leaves in the middle of semester/terms, he/she shall be required to compensate the Institute by cash payment of an amount equal to his/her pay for the full semester/term.

- Note:** (a) The appointing authority may at his discretion waive the notice period.
- (b) The appointing authority may also pay an employee the

salary

in lieu of notice.

### **15. Termination of Service of employee in other cases**

- I The appointing authority shall have the power to terminate the services of any member of the permanent staff by three months' notice or on payment of three months' pay in lieu if the termination is on medical grounds certified by the medical authority nominated by the Board.
- ii. The appointing authority shall have the power to terminate the services of any member of the staff on the grounds of retrenchment or reduction in establishment by giving to the person concerned three months' notice or on payment of three months' pay in lieu thereof.
- iii. An employee who has submitted his resignation and is serving the notice period may be granted such earned leave as may be admissible but not exceeding the notice period.
- iv. A permanent employee whose services are terminated by notice period as required under these rules may be granted earned leave due during such notice period but not beyond the notice period. If earned leave admissible is more than the notice period, the unexpired earned leave may be compensated by cash payment on the basis of the last pay drawn provided the employee has been refused leave during the preceding 3 years.

### **16. Retirement**

An employee shall retire from the service of the Institute on the occurrence of any of the following events:

- (i) On the afternoon of the last day of the month in which he/she attains the age as prescribed by UGC/AICTE/Govt. of Madhya Pradesh. The faculty members teaching in the programs approved by AICTE will retire as per AICTE rules for retirement of teachers/Director/Principal. All other employees will retire as per UGC/Govt. of Madhya Pradesh

norms

Provided further that an employee, whose date of birth is the first of a month shall retire on the afternoon of the last day of the preceding month on attaining the age prescribed for retirement.

- (ii) On his being declared medically unfit for service by the appropriate Medical Authority to be appointed by the appointing authority.
- (iii) On the imposition of the penalty of compulsory retirement.

### **17. Extension of Service**

The Board may, in exceptional cases, grant extension of service to, or re-employ any member of the staff on a year-to-year basis after attaining the age of retirement.

### **18. Annual Increment**

The annual increment of employees will be admitted from the 1<sup>st</sup> of the month in which it would fall due under the operation of the normal rules and orders regulating the increment.

### **19. Authentication**

All orders and decisions of the Board of Governors of the Institute shall be authenticated by the signature of the secretary of the Board and Director/Principal.

### **20. Holidays**

- (i) The Institute shall observe 17 holidays in a calendar year selected by the Director from the list of Gazetted holidays declared by Govt. of India/Govt. of Madhya Pradesh. These holidays shall include 3 compulsory National Holidays viz, Republic Day, Independence Day and Mahatma Gandhi's Birthday.

- (ii) In addition to the above, employees may be permitted to avail any two restricted holidays in a year out of the list of restricted holidays announced by the Director every year

## 21. Service Records and Character Rolls

The Institute shall maintain a Service Record and Character Roll of each employee in such form as may be prescribed by the Society/Board.

## 22. Residuary Conditions of Services

Any matter relating to the conditions of service of an employee for which no provision has been made in these Service Rules shall be determined by the Secretary of the Society/Director/Principal of the Institute.

## 23. Power to Relax

Notwithstanding anything contained in these Service Rules the Board/Director/Principal may, in the case of any employee, relax any of the provisions of these rules to relieve him/her of any undue hardship arising from the operation of such provisions or in the interest of the Institute.

## 24. Removal of Doubts

Where a doubt arises as to whether any authority of the Institute is superior to any other authority or as to the interpretation or application of any of the provisions of the rules, the decision of the Board/Director/Principal shall be final.

## LEAVE RULES

**These Rules may be called the Leave Rules of PIMG, GWALIOR**

### 1. Application of the Rules

These rules shall apply (with retrospective effect where necessary from the commencement of service counting for leave) to all the classes of persons employed in services of the Institute.

**Exception:** Persons in respect of whom special provisions regarding leave have been made shall be governed by such special provisions.

### 2. Definitions

In this schedule unless the context otherwise requires.

- i) "Commutated Leave" means leave as provided under Rule 14
- ii) "Completed years of service" means continuous service of the specified duration under the Institute and includes periods spent on duty as well as on deputation and extra ordinary leave.
- iii) "Earned Leave" means leave earned in respect of periods spent on duty.
- iv) Leave includes all kinds of leave under PIMG Leave Rules.

### 3. Right of Leave

Leave cannot be claimed as a matter of right and when the exigencies so demand, leave of any description may be refused or revoked by the authority **empowered to** sanction the leave.

### 4. Authority Empowered to Sanction Leave

- (i) Applications for leave shall be addressed to the Director/Principal by the members of faculty and staff.
- (ii) Leave may be sanctioned by the Director/Principal or by a member of the staff to whom the power has been delegated by the Director/Principal.
- (iii) The Society may sanction leave to the Director/Principal, but the Director/Principal can avail himself of casual leave and on duty leave on his own.

### 5. Commencement and Termination of Leave

- (i) Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day preceding the one on which duty is resumed.
- (ii) Sundays and other holidays or the vacation may be prefixed as well as suffixed to leave, subject to any limit of absence on leave prescribed under each category of leave.

### 6. Combination of Leave

Except as otherwise provided in this schedule, any kind of leave under these provisions may be granted in combination of any other kind of leave, subject to the limit on the aggregate period of absence as may be prescribed in such cases.

### 7. Grant of Leave Beyond the date of Retirement and in the Event of Resignation

- (1) No Leave shall be granted beyond the date on which a member of the staff must **compulsorily** retire.

Provided that the authority empowered to grant leave may allow any member of the staff who had been denied earned leave in whole or in part on account of exigencies of service, the whole or any portion of the earned leave so denied even though it extends to a date beyond the date on which such member of the staff must compulsorily retire.

Provided further that a member of the staff whose service has been extended in the interest of public service beyond the date of his compulsory retirement may be granted earned leave as under:

- (a) 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 proviso had he retired on the date of compulsory retirement;
- (b) After the expiry of the period of extension
  - (i) the earned leave which could have been granted to him under the preceding proviso, had he retired on the date of compulsory retirement, diminished by the amount of such leave as availed of during the period of extension; and
  - (ii) 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 period of extension and refused to him on account of exigencies of public service ;
  - (iii) in determining the amount of earned leave due during the period of extension, the earned leave, if any, admissible under the preceding proviso shall be taken into account.

**Note : -**

- (i) For the purpose of this paragraph, a member of the staff may be deemed to have been denied leave only if insufficient time before the date on which he must compulsorily retire or the date on which his duties finally cease he has either formally applied for leave and has been refused on the ground of exigencies of service or has ascertained in writing from the sanctioning authority that leave if applied for would not be granted on the aforesaid ground.
- (ii) If any employee of the Institute resigns, he shall not be granted either prior or subsequent to his resignation any leave due to his credit. Provided that the Director/Principal may in any case grant leave to an employee prior to his resignation if in the opinion of Director/Principal the circumstances of the case justify such grant of leave.

#### **8. Conversion of One Kind of Leave into Another Kind**

- (i) At the request of a member of the staff, the sanctioning authority may convert any kind of leave including extraordinary leave retrospectively into leave of a different kind which may be admissible as on the date of his proceeding on leave, but the member of the staff cannot claim such conversion as a matter of right.
- (ii) If one kind of leave is converted into another, the amount of leave salary and allowances admissible shall be recalculated and the arrears of leave salary and allowances paid or amount overdrawn recovered, as the case may be.

#### **9. Rejoining of Duty on Return From Leave on Medical rounds**

A member of the staff who has been granted leave on medical grounds shall be required to produce a medical certificate of fitness before resuming duty.

#### **10. Rejoining of Duty Before the Expiry of Leave**

Except with the permission of the authority which granted the leave, no member of the staff on leave may return to duty before the expiry of the period of leave granted to him.

#### **11. General**

- (i) Leave should always be applied for and sanctioned before it is taken, except in cases of emergency and for satisfactory reasons.
- (ii) Continuous temporary service followed by permanent service without any break shall be included in permanent service for the purpose .of computation of leave.
- (iii) A person appointed to a post on probation shall be entitled to leave under these rules as temporary or a permanent employee according to his appointment as against a temporary or a permanent post.

#### **12. Kinds of Leave**

The following kinds of leave shall be admissible to the members of the staff.

- (i) Earned leave
- (ii) Commuted Leave
- (iii) Extraordinary Leave
- (iv) Maternity Leave
- (v) Special Casual Leave
- (vi) Casual Leave

#### **13. Earned Leave**

- (i) **Earned Leave admissible to members of the vacation**



**staff.**

(a) Vacation

During the period of one academic year, the period of vacation for employees entitled to it will be 60 days. The vacation period will be 45 days in May/June and 15 days to be decided by Director/Principal from year to year as per the academic calendar.

(b) Earned Leave

In case a member of the faculty is required to remain on duty during the whole or any part of the vacation, he will be eligible to the following amount of earned leave on basic pay: Number of days vacation not availed / 2

**Note**

Conversion of 60 days vacation into Earned leave is restricted to 30 days. This is because earned leave of the faculty should not exceed the earned leave applicable to other staff, though the faculty may get the benefit of 60 days vacation.

**(ii) Earned leave admissible to members of the non-vacation staff.**

- (a) The earned leave admissible to a member of staff, other than academic staff, irrespective of whether permanent or not shall be at uniform rate of 15 days for each calendar half year i.e. at the rate of two and a half days for each completed calendar month of service up to the date of retirement or resignation.
- (b) The leave account of an employee will be credited with earned leave in advance in two installments of 15 days each on the 1st January and 1st July every year.

**(iii) Limits of accumulation and grant (applicable to all members of the staff)**

- (a) A member of the staff shall cease to earn such leave when the accumulated earned leave amounts to 240 days.
- (b) The maximum amount of earned leave that can be granted to a member of the staff at a time shall be 120 days.

**(iv) Encashment/availing of Earned Leave**

- (i) Prior permission of sanctioning authority is necessary for detention of a faculty member in vacation.
- (ii) In case of a newly employed faculty member leaving service due to resignation, the earned leave will be credited at the rate of 2½ days for each completed month of service.

The earned leave can be availed by the faculty and staff members during the period of their appointment in the Institute as per the maximum permissible leave at one time. The pending leave of the faculty and staff members may be adjusted against notice period applicable for leaving the Institute.

**14. Commuted Leave**

Commuted Leave not exceeding 10 days in a year may be granted on medical certificate to all employees subject to the following conditions.

- (i) The commuted leave during the entire period of service shall be limited to a maximum of 240 days.
- (ii) Production of Medical Certificate does not confer upon the Employee concerned any right to leave. Medical Certificate will be put up to leave sanctioning authority for his/ her orders, if any.
- (iii) The commuted leave shall be granted for acute health problem only.

## 15. Extraordinary Leave

- (i) Extraordinary leave shall always be without pay and may be granted when no other kind of leave is admissible or when other leave being admissible, the member of the staff concerned specially applied in writing for the grant of extraordinary leave.
- (ii) The period of extraordinary leave shall not count for increment except when such leave is granted to a member of the staff permitted to proceed abroad under a foreign fellowship/ scholarship.
- (iii) (a) Except in the case of a permanent employee, the duration of extraordinary leave on any one occasion shall not exceed the following limits.
  - Three months.
  - Six months in case of employee who has completed three years continuous service on the date of expiry of the leave admissible to him under the rules, and his request for such leave is supported by a Medical Certificate.
  - Eighteen months where the employee is suffering from tuberculosis or leprosy and is undergoing treatment in a recognized clinic or under a specialist.
- (b) Where an employee other than a permanent employee fails to resume duty on expiry of the maximum amount of extraordinary leave granted to him, or where an employee who was granted a lesser amount of extraordinary leave than the maximum amount admissible to him, remains absent from duty for any period which together with the period of extraordinary leave granted to him exceeds the limit up to which he could have been granted extraordinary leave under sub-rule (a) he shall unless the Director in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned his appointment

and shall cease to be in Institute employment.

- (iv) The authority empowered to grant leave may commute retrospectively period of absence without leave into extraordinary leave.

## 16. Maternity Leave

- (i) (a) Subject to the production of Medical Certificate, Maternity Leave granted to a female employee shall be for a period of 90 days from the date of its commencement in all cases.  
(b) Maternity Leave may also be granted to a female employee in cases of miscarriage/ abortion, subject to the condition that the leave does not exceed 6 weeks and the application for leave is supported by a Medical Certificate.
- (ii) Maternity Leave shall not be debited to the leave account.
- (iii) Maternity leave may be combined with leave of any other kind except casual leave but any leave applied for in continuation of maternity leave may be granted only if the application is supported by a medical certificate.

## 17. Special Casual Leave or on duty leave

Members of the staff deputed to attend workshops, conferences and scientific gatherings of learned and professional societies in the interest of the Institute shall be entitled to special leave/duty leave which shall not be debited against the normal leave due to them. The period of such leave admissible in a year shall not exceed 10 days and the conditions under which this leave will be granted will be laid down by the Director/Principal.

## 18. Casual Leave

- (i) Casual Leave is not earned by duty. A member of the staff on casual leave is not treated as absent from duty and

his pay is not intermitted. Casual leave cannot be claimed as of right and its grant is always subject to the exigencies of service and subject to a maximum of 13 days in the aggregate in a calendar year.

- (ii) Holidays, Sundays either prefixed or suffixed to casual leave or sandwiched using the spell of casual leave will not be treated as casual leave.
- (iii) 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 Sundays and other holidays shall not exceed 10 days at a time.
- (iv) Casual leave cannot be combined with any other kind of leave.

#### **19. Vacation and Leave Salary**

- (i) An employee of the Institute entitled to vacation shall be eligible for pay and allowances at full rates during the period of vacation.
- (ii) A member of the staff on earned leave is entitled to leave salary equal to or greater of the amounts specified below :
  - a) The substantive pay on the day before the leave commences, or
  - b) The average monthly pay earned during the 10 complete months proceeding the month in which the leave commences.
- (iii) An employee who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

#### **20. Increment During Leave**

If the increment falls due during leave other than casualeave, the effect of increase in pay will be given from the date the member of the staff resumes duty without prejudice to the normal date of his increment.

#### **21. Encashment of leave salary for deceased employees**

In the case of an employee who dies in harness, the cash equivalent of the leave salary that the deceased employee would have got had he / she gone on earned leave, but for the death, due and admissible, on the date immediately following the date of death, subject to maximum of leave salary for 240 days, shall be paid to his / her family subject to adjustment, if any, on account of his/ her dues towards payment to Provident Fund etc.

#### **22. Effect of dismissal and removal on leave at credit**

Any claim of leave to the credit of an employee, who is dismissed or removed from the service of the Institute, ceases from the date of such dismissal or removal.