

**SERVICE RULES
FOR EMPLOYEES**

**MALLIKARJUN
SCHOOL, BHIMTAL**

**BHIMTAL – NAINITAL
UTTRAKHAND**

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SERVICE RULES

1. Preliminary

- a. These rules, called **THE MALLIKARJUN SCHOOL** Employees Service Rules, which are effective from 1 April 2019 and it supersedes all or any previous rule or practice which have been in operation on matters covered therein.
- b. These service rules are not exhaustive; they may be modified by the management as found necessary from time to time. The modification will come into effect from the date of its notification. The modification in rules and regulation shall apply immediately to all employees of the school superseding the rules and regulation in force at the time of appointment.
- c. All employees shall by their work and conduct further the objective and aims for which the school has been established.

2. Application

These service rules are applicable to all employees of Mallikarjun School, Bhimtal, irrespective of their date of employment. Employees of the school are also bound by rules, regulations and procedures as are in force at the time of their appointment and may be modified from time to time thereafter.

3. Definitions

In these rules unless the context otherwise requires.

- a. SCHOOL means the above mentioned institution, situated in Bohrakoon, Bhimtal (Nainital).
- b. MANAGING COMMITTEE/MANAGEMENT means the committee charged with the management of the affairs of the school, set up in accordance with the Memorandum and Articles of the Society.
- c. SOCIETY means The Mallikarjun School, Society.
- d. PRINCIPAL means the Head of the institution who is appointed by the society for a specific term and who is responsible for the administration of the institution.
- e. EMPLOYEE refers to any person employed to work in any of the classes referred to in article 4 below.
- f. HABITUAL means being guilty of omission or commission of an act for a minimum of three times a month.
- g. SALARY, except where otherwise defined means basic pay plus all allowances. Which, in turn, means, the consolidated salary.

Note

- i. What is said in these rules in respect of teachers shall apply, mutatis mutandis, to every other category as well.
- ii. What is said of the responsibility of a lower authority may be validly done also by a higher authority.

4. Classification of Employees

The school employees could be classified under the following heads

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- a. **'Permanent' employees** are one who is appointed against a permanent post and has completed the period of probation satisfactorily and has been confirmed in writing by the competent authority as a permanent employee.
- b. **'Probationer'** is one who is provisionally selected to fill a temporary or permanent post but has not completed the prescribed period of probation or extension thereof and has not been confirmed in writing by the competent authority in the post for which he has been provisionally selected.
- c. **'Temporary'** employee is one who is appointed for a specific period of time:
 - i. in work which is essentially of a temporary nature, or
 - ii. to fill a temporary vacancy in a permanent post, or
 - iii. to cope with a temporary increase in work, or
 - iv. for any other reason. A temporary employee shall be entitled only to benefits as specified in the terms of employment.
- d. **'On Contract'** employee is one who is employed on a contract for a stipulated period of time or for a specific work, on the lapse of which employment automatically ceases. The contract may be renewed with mutual consent either on the same or different terms. A contract employee shall be entitled only to the benefits as specified in writing in the terms of employment.
- e. **'Casual'** employee is one who is employed on a day-to-day basis for the work of an occasional or casual nature. A casual employee shall not be entitled to benefits provided to other classes of employees.
- f. **'Part-Time'** employee is one who is employed to do work less than the normal period of working hours. He shall be entitled to benefits only as specified in writing in his letter of appointment.

5. Employment

- a. No person shall be deemed to be in the regular employment of the school unless and until he has received a letter of appointment duly signed by the competent authority. For every appointment the candidate shall furnish a written application along with the attested copies of certificates testimonials and for those who were previously employed, the last pay certificate and character certificate from a responsible person.
- b. Every employee other than casual employees shall be engaged by a letter of appointment before taking up his post. The letter of appointment shall clarify the type of appointment offered, probation, temporary, contract, part-time or against a leave vacancy. In any case the letter of appointment shall describe the joining date, salary and emoluments, the term for which employment is offered, and manner of termination of the employment and other service conditions. The employee shall sign a copy of the appointment letter as a token of acceptance. These will be retained by the institution. Thereafter, the letter shall be a valid contract.
- c. Unless, in any particular case, it is otherwise distinctly provided, the employee's time is entirely at the disposal of the institution and he may be employed in any manner required by the competent authority, without claim for additional remuneration.
- d. Generally before a person is considered for permanent employment, unless otherwise specified in the appointment order, he is required to be on probation for a period of at least one year from the date of selecting him as a probationer. The probationary period may be extended at the discretion of the management.
- e. During the period of probation or extended period of probation, the service of a probationer may be terminated at any time without notice or compensation in lieu of notice, and without assigning any reason. No appeal shall lie against such termination.

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- a. If during the period of probation, the employee's performance of the duties assigned to him has been found to be satisfactory, he may be confirmed. If not satisfactory, the period for probation may be extended not more than twelve months at the discretion of the competent authority. If at the end of such extended period the probationer's work is still found to be satisfactory, his services shall be dispensed without assigned reason whatsoever.
- b. No employee is entitled to be confirmed or to be treated as a permanent employee by any reason alone of his having completed the probationary period until the confirmation order is issued in writing by the competent authority. If no orders are passed, the probationer's services will be deemed to have been unsatisfactory and probationary discharged from service.
- c. A permanent employee appointed in different post or promoted to a higher post shall be on probation for a period of one year thereafter and is liable at any during this probationary period to be reverted to the original post at the discretion of Management.
- d. No employee can claim appointment by promotion as a right, only on the basis of eligibility to hold the promotional post, or of mere seniority or of having been temporarily placed in charge of the post. When a higher post falls vacant and the competent authority decides to fill the post that authority is free to consider all available candidates. The promotion of an employee from a lower post to a higher post shall be at the discretion of the management and will be determined on the basis of merit, quality of service, loyalty, conduct, efficiency, ability, health, nature of the job, years of service and the individual's suitability for the job.
- e. If persons of requisite qualification are not available, a temporary appointment may be made to carry on the work of the institution till such time when either a qualified hand is obtained or as the management so wishes.
- f. If an untrained person is appointed he will be required to complete his training within a period of five years. This rule may be relaxed by the Management, in view of satisfactory work on the recommendation of the Head of the Institution.
- g. After 5 years of continuous satisfactory service an untrained employee may be considered trained by the Management or the recommendation in writing of the Head of the Institution.
- h. All appointments are authorized by the Managing Committee. All appointments, other than those of teaching and clerical staff, shall be made by the Head of the Institution and they shall be liable to termination by the Head of The Institution in accordance with the rules applicable.

6. Bio Data

It shall be incumbent on every employee to furnish, in writing, his correct and complete bio data in the prescribed form to the competent authority for the purpose of record and also thereafter promptly notify, in writing, any subsequent changes in the data furnished.

7. Record of Age

The date of birth of an employee, as furnished by him at the time of joining duty, should be supported by any one of the following documents before it is accepted as correct.

- a. Birth Certificate from Corporation, Municipality or Register of Births and Deaths.
- b. Baptism Certificate
- c. School Leaving Certificate

The age of the employee verified as above or in any other manner deemed fit by the Management and accepted and recorded by the Management shall be conclusive proof of the age of the employee for all questions concerning his employment including his retirement.

8. Change of Address

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Whenever, any change occurs in the residential address of the employee, he must immediately inform the authority.

9. Leaving Headquarters

No employee shall, ordinarily, while on leave or under suspension, leave headquarters without prior permission of his leave sanctioning authority. If an employee wishes to leave station for any reason, while applying for such leave, he should communicate to the Management the outstation address at which he may be contacted if necessary.


10. Identification of Employees

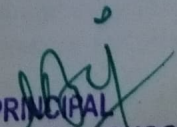
Every employee will be provided with identification **Badge/Card** and he shall show it on demand to any person authorized to inspect the same. The employee while in the institution may be required to display such a badge on his person. When the employee ceases to be in employment, he shall surrender his identification Badge/Card to the office before his account is settled. If an employee loses or damaged his Badge/Card during his service he shall pay a fee, as may be prescribed from time to time, to meet the costs of replacement.

11. Code of Conduct

Every employee shall be governed by the following Code of Conduct:

- a. Every employee shall at all time be courteous and considerate to the teachers, students, visitors, public superiors and co-workers.
- b. Every employee shall maintain a high standard of work and conduct. The employee shall be loyal to the institution and observe diligently all its rules and regulations and modifications as thereof be made.
- c. Every employee shall carry the work assigned to him by his superiors conscientiously, faithfully and diligently in accordance with specific or general instructions of his superiors and shall maintain discipline at all times in the department of work places or premises of the institution. He shall also cooperate with his superiors and co-employees.
- d. An employee is required to accept any work allotted to him by the Management besides the nature of the activity assigned.
- e. Employees shall always wear UNIFORMS as prescribed by the management. Employees should be neatly dressed while on duty and shall keep themselves and the work place clean at all times to maintain cleanliness of the institution.
- f. Employees who have been provided with uniforms shall wear them while on duty. Those not wearing them are liable to be sent out and marked absent besides rendering themselves liable to disciplinary action. Uniforms provided by the institution are the property of the institution and shall not be worn during off duty time.
- g. Employee shall take proper care of the machines, tools, minerals, equipment, furniture and other property of the institution.
- h. Employee shall promptly report any injury sustained in the course of their work.
- i. Employees shall promptly report any accident of hazard noticed by them inside the premises of the institution.
- j. No employee shall misuse, or carelessly use, the materials and the facilities provided by the institution.


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- k. No employee, without prior sanction and without making proper payment shall avail himself for private or personal purpose of any material or service which is the property of or has been paid for by the institution.
- l. Employees are not permitted to accept gifts of any kind from visitors, parents, contractors, businessmen or other parties connected in any manner whatsoever directly or indirectly, with the activities of the institution.
- m. An employee shall not communicate directly or indirectly any official documents or information to any other person to whom he is not authorized to communicate such document or information except in accordance with any general or special order of the competent authority in the performance of the duty assigned to him. Further, no employee of the institution shall address any communication to the members of the Governing body or meet them for official purposes, without the written permission of the Principal.
- n. No employee shall give to the press, radio or any general news media any comments, talk news or articles relating to the institution without the prior permission of the Management.
- o. No employees shall temper with the institution record or notices.
- p. No employee shall disturb the peaceful atmosphere in the institution by demonstrating, shouting, loud talks or horse play, or indulge in any act prejudicial to the interest of teaching or peaceful working of the institution.
- q. No employee shall indulge in quarrels, abuses, fights, violence or any other disorderly or indecent behavior in the institution premises.
- r. No employee shall hold any meeting, affix or distribute hand bills, notices, leaflets, booklets, pamphlets, posters or make a collection of any money in any manner in the institution premises without prior written permission from the Management.
- s. No employee shall disfigure or write on walls of the institution.
- t. No employee shall interfere with other employee work, disturb them or cause annoyance to them at work.
- u. No employee shall chew paan or smoke in passage or department of the institution except in places (e.g. canteen) specifically assigned for the purpose.
- v. **No employee shall bring in liquor or any other intoxicants to the institution premises, or report for work in an unfit condition because of previous indulgence or under the influence of any intoxicant.**
- w. No employee, while in the institution premises, shall have in his possession firearms, weapons or any other articles detrimental to the security of the institution or persons.
- x. No employee shall stand to the election to local bodies or participate in any political activities without prior permission of the Management.
- y. No employee shall without the previous written sanction of the competent authority undertake any employment while in service of the institution other than his duties connecting with the institution, or carry on, directly or indirectly, any business or trade or private practice.
- z. No employee shall do any act in contravention of or in derogation to any of the provisions of these service rules or any instructions notified by the Management to the employees in the normal manner.

A person, who chooses teaching as a career, assumes the obligation to conduct himself, at all times, in accordance with the highest standards of the teaching profession, aiming at quality and excellence in his work and conduct, setting an example which would command the respect of the Pupil, Parents and his Colleagues.

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Teaching, in its true sense, is not mere instruction but formation, the teacher's duty is not merely to communicate knowledge in specific subjects but also to help children grow to their fullest stature, develop suitable attitude and unfold their personality. In the response task, what matter most, is the personal example of the teacher.

No teacher shall

- a. Knowingly or willfully neglect his duties.
- b. Discriminate against any student on the ground of caste, creed, language, place of origin, social and cultural background or any of them.
- c. Indulge in, or encourage, any form of malpractice with examination or any other school activity.
- d. Neglect in correcting class work or home work done by students.
- e. **Inflict corporeal punishment on a student.**
- f. While being present in the school, absent himself (except with the previous permission of the Head of the School) from the class which he is required to attend.
- g. Along with his letter applying for leave, assign written work for each of his teaching classes so that his students are kept sufficiently occupied.

Every teacher shall-

- a. Be regular and punctual in respect of duty, be it academic or otherwise, in all matters pertaining to the school, which shall be assigned to him by the Head of the school or his nominee.
- b. Confirm to the wishes of the Principal desiring extra hours of work after the daily schedule, whenever demanded by the management.
- c. Comply with the school working hours.
- d. In absence of the teacher, confirm to the '**Replacement Time Table**' as drawn by the Head of the School or his nominee.
- e. An employee may, with the prior written permission of the Principal of the School, or the management, may take up higher studies, training or appear at any examination to improve his qualifications to continue to be a member of the institution.

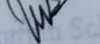
12. -Attendance, Absence from Work, Unauthorized Presence etc.

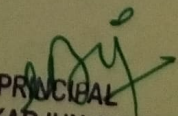
- a. Every employee shall report for work at the assigned place of work and at the notified time for the commencement of his duty. He shall record each day the time of reporting at and departure from the place of work in the manner specified by the Management. An employee failing to report or record as above is liable to be marked absent.

An example,

The person who is found absent from his assigned place of work during the working hours, without permission of the person incharge of the department/section, shall be liable to be treated as absent for the period he is away from his place of work and will not have earned salary for the period of absence. In addition he will be liable to disciplinary action against him. If an employee reports late for duty either at the commencement of his working hours or after recess, three times during a calendar month, he will forfeit one day's casual or earned leave, or one day's salary in lieu of leave if he has no leave at his credit.

- b. No employee shall entertain visitors at his duty place without the required permission of department in-charge or the management.
- c. No employee shall loiter in the institution or enter a department of the school without permission of the Principal.


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- d. No employee, when off duty, may enter his or any other department without permission of the department head or the management.
- e. An employee who has been granted leave, laid off, suspended, discharged, dismissed, or has resigned or is not working for any reason, shall leave the premises of the institution for with unless required to stay back by the Management.
- f. Employees, who are suspended, discharged or dismissed or who have resigned, shall not enter institution premises without permission from the competent authority.

13. Medical Fitness

- a. The Management may, whenever necessary, required an employee to be examined for medical fitness by a doctor approved by institution and the employee shall be found to comply the same.
- b. Every employee shall undergo annual regular medical checkup as prescribed and avail himself of all immunization programme advised.

14. Working Hours

- a. General work timing of the institution is noted in the School Diary. These work timings are subject to change with specific schedules for reporting to work will be as detailed specifically by the principal. Besides, an employee may be required to work beyond his working hours if exigencies of work so demand, and such instruction shall be complied.
- b. All employees shall be required to attend to emergencies, or other urgent duties outside their regular hours of working including Sunday and Holidays if required. They shall not be entitled to any extra remuneration for such work.
- c. **Subject to provisions of rules 14(a) and 14(b) above, all employees will be required to work eight hours a day inclusive of any rest interval or time for meal.**

15. Entry and Exit


No employee shall enter or leave the premises of the School or any department except by the designated gate or gates, door or doors, provided for the purpose.

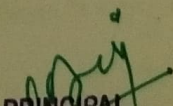
16. Property of Institution, Liability of Search etc.

- a. Every employee shall take sufficient care of the property, furniture, cash etc. of the School and shall take all reasonable precautions to safeguard them against accidents, damage or loss. Where damage or loss is attributable to negligence, mishandling or misuse on the part of the employee, such an employee shall be liable to disciplinary action and/or any other action as may be deemed fit by the Management shall be entitled to recover the value of such breakage, damage or loss from the employee.

- (a) Employees should promptly report any occurrence or defect or likely occurrence or defect, which might result in damage to the property of the School or that of any others.
- (b) Every employee shall be expected to take normal precautions while at work and shall make proper use of safety devices and preventive measures as prescribed by the Management.
- (c) No employee, unless officially required to do, shall bring into the school any goods, equipment, implements, articles, materials etc. which are used in the schools or kept in the stock in the School and are not normally carried by the person, will be deemed to have come into possession of such goods etc. by improper means. The Management may confiscate such goods, etc., and such unauthorized possession may attract disciplinary as any other action as deemed fit by the institution.

17. Personal Property


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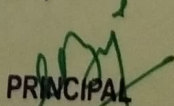
The Management and school, shall not in any way be responsible for any loss or damage to any personal property brought to the School by the employee.

18. Leave Rules and Procedures

Leave means authorized absence from duty.

- a. Leave cannot be claimed as of right on the other hand, though it as a privilege, it cannot be refused by the sanctioning authority except on reasonable grounds keeping the welfare of the institution in mind ex.gr. There is a limit beyond which depletion of staff cannot be permitted.
- b. When exigencies of services of service so demand, leave of any description may be refused or revoked by the leave sanctioning authority or superior officer and the employee can be called back to the duty.
- c. The leave year shall run with the scholastic year. Except as otherwise provided in the rules, leave shall be earned by periods spent on duty only.
- d. Leaves, except weekly off and public holidays, should be applied for and sanctioned before it is availed of, except in cases of emergency, in which case a leave application must follow immediately. In order to avoid inconvenience, an employee who desires to obtain leave of absence shall apply in writing to the sanctioning authority well in advance. **Requests for Earned leave must be submitted at least 15 days in advance.**
- e. Leave ordinarily begins and ends on the dates for which it is so sanctioned. Weekly offs; public holidays and restricted holidays may be prefixed and or suffixed to leave. Except in the case of Casual Leave, an employee shall not be entitled to the benefit of such holidays, if the same fall within the leave period.
- f. Except with the permission of the leave sanctioning authority, no person may return to duty before expiry of the period of leave granted to him.
- g. If an employee, after proceeding on leave, desire an extension, thereof, shall before the expiry of the leave originally granted to him, make such an application in writing giving sufficient time to the sanctioning authority to respond. The sanctioning authority shall send to the employee a reply either by granting or refusing extension of leave, to his leave address or last known address.
- h. Every employee going out of station on leave shall furnish his leave address in his leave application.
- i. All applications for sick leave shall be supported by a medical certificate. The employee concerned may be required to appear before and produce a certificate from a medical practitioner or authority nominated by the management.
- j. In case of employee remain away from duty on the pretext of being sick, the Management may direct the employee to report at the institution immediately and get himself examined by a doctor designated for the purpose.
- k. Leave will not be have deemed to be granted unless sanction is given. An employee absenting himself when leave is not sanctioned will be marked absent and will not earn a salary for the period of absence. Further he renders himself liable to disciplinary action or other consequences under the service rule
- l. As soon as an employee rejoins duty after the expiry of any leave of five days or more, he should sent a rejoining report. An employee who has been granted leave on medical grounds may be required, before resuming duty, to produce a medical certificate of fitness by a doctor.


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All full time employees of the institution other than those appointed on a temporary or casual basis are permitted the following from duty subject to the rules of the institution.

- a. A teacher is eligible to all Sunday and the public and School holidays notified in the School Calendar, on the understanding that the teacher is bound to come to the school on a holiday to attend a meeting or for any other Specific purpose, when so required by the Head of the institution. A teacher is always entitled to Casual Leave, Sick Leave, and Maternity Leave as explained below.
- b. Non-teaching employees are entitled to all public holidays notified in the school calendar and Sunday. They are also entitled to Casual Leave, Sick Leave, and Maternity Leave as explained below.

Casual Leave

- a. Casual Leave is essentially meant for short periods, necessitated by sudden illness or urgent work.
- b. The teaching staff is entitled to 9 casual leaves in a year, and the division of the grant is as follows
 - i. April – June 2 days
 - ii. July – September 3 days
 - iii. October – December 2 days
 - iv. January – March 2 days
- c. the non teaching staff is entitled to 8 casual leaves and the division of the grant of leaves is as follows
 - i. April – June 2 days
 - ii. July – September 2 days
 - iii. October – December 2 days
 - iv. January – March 2 days
- d. No employee has the right to the grant of Casual Leave. The authority empowered to grant Casual Leave may refuse to revoke Casual Leave at any time according to the exigencies of service.
- e. No employee may except in unavoidable circumstances, like sudden illness avail himself of Casual Leave, unless it has been Sanctioned previously by the competent authority.
- f. Casual Leave admissible is 4 days per year.
- g. Casual Leave may be granted for not more than 2 days at a time, exclusively of weekly holidays and public holidays, whether they precede, follow or intervene during the period of Casual Leave.
- h. Casual Leave cannot be combined with any other form of leave except weekly offs and public holidays.
- i. Casual Leave is granted by the Head of the Institution.
- j. All balance of casual leave not taken during the year will lapse at the end of the calendar year and cannot be carried forward to the next calendar year.

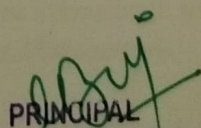
Sick Leave

- i. Sick Leave, on full pay, may be granted to an employee on medical grounds only if supported by a medical certificate in accordance with the prescribed procedure.
- ii. Such Leave on medical grounds, admissible to a permanent employee in respect of each completed year of service, will be 5 days, this can be accumulated.
- iii. Leave on medical ground is granted by the Management at their discretion.

Maternity Leave

Maternity Leave is sanctioned by the Management.

19. Penalty for Unauthorized Absence


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If employees acting individually, absent himself/herself from work, or being present at the work spot, refuse to work, each one of them shall be liable to a deduction from his/her salary of an amount equal to his remuneration for 7 days.

20. Penalty of Salary and Allowance, Increments etc.

- a. The scale of pay and salary shall be the one drawn up by the Society.
- b. Every employee shall normally be paid his salary on the 20th of the following month.
- c. Only those who have served for 12 months of the academic year prior to the vacation are entitled to vacation pay.
- d. The Management may deduct from the employee salary any dues such as income tax, provident fund, recovery towards advances, damage or loss of School property, penalties and fines. Contributions to various approved activities etc.
- e. Annual increments as prescribed in the pay scale shall ordinarily be sanctioned as a matter of course they will not be with held as a disciplinary measure imposed.

21. -Cessation of Service


- a. The appointing authority may terminate the service of a permanent employee on administrative grounds in the interest of the institution by giving three months notice or salary in lieu of such notice provided further that no such notice shall be necessary for termination arising out of misconduct.
- b. Any permanent employee desirous of leaving the service of the institution shall give three months notice or three months pay in lieu of notice to the Management before leaving service.
- c. Not with standing anything contained in this rule, no notice shall be necessary if the termination of service is under an agreement or contract of service that specifies a date for such termination.
- d. In the case of employees where a different notice period is stipulated, that notice or payment in lieu notice shall apply termination by the Management on for leaving the service.
- e. Not with standing what is stated above the Management reserves its right to refuse or accept the resignation of any employee when disciplinary proceedings are pending against him for breach of contracts or for any other reason.

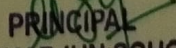
22. -Discharge on Medical Grounds

- a. The Management may call upon any employee at any time to appear before a doctor. If in the opinion of the doctor the employee is found incapacitated, rendering him physically or medically unfit for the work which he has been doing and in the opinion of the doctor the chances of his becoming fit again for the same work are remote, he may be discharged by the Management on ground of continued ill health.
- b. Failure to submit himself for medical examination as required by the management will render the employee liable to be deemed as permanently medically unfit and consequently discharged from the duties.

23. Retirement

- a. Every employee shall retire from service on attaining the age of 58 years. The Management may grant an extension, at its discretion, if the employee is fit for such extension and has no mental or physical incapacity which would disentitle him to such an extension.
- b. After attaining superannuation, if employee is granted extension, he will get the pay plus other allowance admissible there on, as prescribed by the Management. The extension in service will be sanctioned for every academic year after year, at the discretion of the Management.


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- c. An employee may be compulsorily retired by the appointment authority after he has completed 25 years of service, or after he has attained 55 years of age, if such retirement is considered is given notice of three months before the date of retirement or in lieu of such notice a sum equivalent to the amount of his salary for the period of three months.



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