



VIDYA PRASARAK MANDAL'S

POLYTECHNIC,

THANE

RULES OF CONDUCT, DISCIPLINE AND  
SERVICE CONDITIONS  
FOR THE EMPLOYEES





# विद्या प्रसारक मंडळ

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ठराव क्र.९

मंडळाच्या विना अनुदानित विभागांकरिता बनविण्यात आलेले नियम व अटीं यास मान्यता देण्यात आली व त्यानुसार विना अनुदानित विभागांकडे त्याची प्रत पाठविण्यात यावी व त्याप्रमाणे नियम व अटींचे पालन करण्याचे कळविण्यात यावे असे ठरले.

ठरावाची खरी प्रत

कार्याध्यक्ष

विद्या प्रसारक मंडळ, ठाणे



VIDYA PRASARAK MANDAL'S  
POLYTECHNIC, THANE

RULES OF CONDUCT, DISCIPLINE AND SERVICE CONDITIONS  
FOR THE EMPLOYEES

SECTION - I

1. These Rules will be called the Rules of Conduct, Discipline and Service Conditions, for the Employees of the VPM's Polytechnic, Thane (hereinafter referred to as "POLYTECHNIC")
2. These Rules will apply to all salaried full-time/ part-time employees appointed in a time-scale and on consolidated salary, Permanent or probationary or temporary basis.
3. These Rules will come into force from the date they are approved by the Managing Committee of the Vidya Prasarak Mandal, Thane.
4. Managing Committee of the Vidya Prasarak Mandal, Thane, reserves the right to add, delete or amend these Rules, from time to time.
5. As regards interpretation of these Rules, the decision taken by the Managing Committee of the Vidya Prasarak Mandal, Thane, will be final and binding upon the employees concerned.

SECTION -II

DEFINITIONS :-

Unless otherwise mentioned, the terms defined will be used in the sense explained below:-

1. The "Vidya Prasarak Mandal" means the body duly constituted under the Public Trust Act, bearing registration No.F-5(T) of 11.11.1952, for promoting education within the society, having its




registered office at Dr. Bedekar Vidya Mandir, Naupada, Thane - 400602.

- II. "Competent Authority" means the Managing Committee of the Vidya Prasarak Mandal, Thane
- III. Rules and Regulations means Rules and Regulations duly approved by the Managing Committee.
- IV. The "Principal" means the Principal of Vidya Prasarak Mandal's Polytechnic who is the academic and administrative head of the Institute.
- V. "Employee" means the employee of the POLYTECHNIC whether Full Time or Part Time appointed on Permanent, Probationary or Temporary basis receiving emoluments either in a time-scale or on consolidated pay on monthly basis
- VI. "Contract" means a contract entered into in writing between the competent authority or the person to whom the power is delegated by the competent authority and employee of the POLYTECHNIC.
- VII. "Contract Post" means a post, which an employee may not hold for more than limited period without re-appointment. .
- VIII. "Probation" means an appointment made on specified conditions for a stipulated period to a post for determining one's fitness for eventual confirmation in the post.
- IX. "Weekly Holiday" means a Sunday or any other day declared as a weekly holiday by the Competent Authority.

### SECTION :- III

- I. The Competent Authority shall appoint a Principal either directly or from amongst the members of the full time teaching staff of the





Institute. The Competent Authority upon duly following the selection procedure shall make the appointment of Principal.


## II. RESPONSIBILITIES OF THE PRINCIPAL :-

Subject to the supervision, general control and direction of the Competent Authority Principal of the Institute as an appointed administrative head shall be responsible for –

- (a) Academic growth of the Institute.
- (b) Participation in the teaching work, research and training programmes of the Institute.
- (c) Planning and assisting in planning and implementation of academic programmes.
- (d) Admission of students and maintenance of discipline of the Institute.
- (e) Receipts, expenditure and maintenance of accounts of the Institute and for causing other bodies, associates, societies, committees, etc. to maintain, finalise and present their accounts.
- (f) Management of the Institute.
- (g) Correspondence relating to the administration of the Institute.
- (h) Administration and supervision of curricular, co-curricular, extra-curricular or extra-mural activities of the Institute and maintenance of records.
- (i) Observation of these Rules;
- (j) Supervision and conduct of examinations including internal assessment and such other work pertaining to the examinations as assigned.
- (k) Assessing reports of teachers and maintenance of service books of teachers and other employees of the Institute in the forms prescribed by the University.
- (l) Any other work relating to the Institute as may be assigned by the Competent Authority from time to time.

## III. SELECTION AND APPOINTMENT OF FULL TIME / PART TIME TEACHERS:-

The teachers as appointed in POLYTECHNIC shall be on full time/part time basis. Such teachers may be appointed on Permanent, Probationary or Temporary basis and shall be entitled to receive



emoluments either in a time-scale of pay or on consolidated pay on monthly basis.

- IV. POLYTECHNIC shall be entitled to appoint teachers on temporary basis for filling up temporary vacancies and such appointments shall be made by the Competent Authority.
- V. POLYTECHNIC shall also be entitled to appoint teachers on contract basis who may hold such appointments for a limited period without any right of reappointment.
- VI. **SELECTION & APPOINTMENT OF NON TEACHING STAFF:**  
The Competent Authority shall appoint such non-teaching staff as may be necessary which shall include Registrar, Office Superintendent, Accountant, Head Clerk, Clerk, Librarian, Library Assistant and any other equivalent posts and class IV staff such as Peons, Hamals, Sweepers etc.


The non-teaching staff as may be appointed shall have a minimum qualification of graduate. Such of the non-teaching staff required to carry out technical / administrative duties shall have requisite minimum qualification for the said post. However, class IV staff as may be appointed shall have the minimum qualification of SSC and basic of reading writing English / Marathi / Hindi.

**VII. PROBATION AND CONFIRMATION:**

The full time / part time teacher or as the case may be, the non-teaching staff who is appointed upon following the procedure prescribed for appointment shall be on probation for a period not exceeding 24 months from the date on which he joins duties and shall be confirmed and informed accordingly in writing or his services shall be terminated on one month's notice or gross pay in lieu thereof. It shall, however, not be necessary to assign any reason for terminating the services of a teacher on probation if the Principal or the Competent Authority is of the opinion that such a teacher has not completed his probation satisfactorily.

The Competent Authority or the Principal as the case may be shall have, however, the right to assess the suitability of the teaching/non





teaching staff for confirmation at any time during the period of probation and if the Competent Authority and the Principal are of the opinion that the teaching/non teaching staff as appointed on probation is unsuitable to the post, the services of such a teaching/non teaching staff shall be terminated at the end or even prior to the conclusion of the probationary period.

The Competent Authority, in exceptional cases may reduce the period of probation and shall have right to assess the suitability of teaching/non-teaching staff for confirmation even before the expiry of the period of 24 months from the date of joining.

#### SECTION IV


#### GENERAL CONDITIONS OF SERVICE :-

##### **General Rules:-**

- I. Working hours for Class IV employees will be 54 hours and for others 48 hours per week including lunch time.
- II. Every employee is expected to devote his/her full energies towards the service and bonafide work of the POLYTECHNIC as assigned to him/her by the Principal and/or the Competent Authority.
- III. Every employee will maintain honesty, sincerity, impartiality and loyalty in discharging his/her duties.
- IV. Every employee shall be courteous in his/her behaviour towards his/her superiors, colleagues, students and their parents/guardians and members of the public.

##### **Code of conduct :**

The following shall be norms governing the code of conduct for teachers.



a) A teacher shall perform his academic duties and work related to examinations as assigned. No remuneration shall be payable to the teachers for internal assessment / home examinations conducted by the POLYTECHNIC.

b) A teacher shall not discriminate against a student on political grounds or for reasons of race, religion, caste, language or sex or for other reasons of an arbitrary or personal nature and shall not incite students / teachers against other students or other teachers, colleagues or administration and the University.

c) A teacher shall have freedom of thought and expression. He shall not misuse the facilities or forum of the POLYTECHNIC/University.

d) A teacher shall not refuse to carry out the academic and administrative decisions taken by the Principal / Competent Authority.

e) A teacher shall not make use of the resources and / or facilities of the POLYTECHNIC and/or of the Management for personal, commercial, political and religious purpose(s).

f) A teacher shall not be partial in assessment of a student or deliberately overmark, undermark or victimize a student on any grounds.

g) A teacher shall not conduct./ participate in private coaching classes directly or indirectly. He shall also not accept private tuitions.

h) A teacher shall not indulge in or resort to, directly or indirectly, any malpractice or unfair means in teaching / examination / administration.

i) A teacher shall not furnish incorrect information regarding his qualifications, experience, age etc.in respect of his appointment/ promotion.

Failure to conform to the abovementioned norm/s shall be construed as misconduct.





V. Every employee shall strictly observe the following norms of general behaviour and conduct while in service:-

a) He/She shall not, without the prior permission of the Competent Authority, engage himself/herself in trade or business, accept any gainful employment elsewhere, while on duty, leave or vacation.


b) He/She shall not leak out any information, which he/she has acquired during the course of duty and shall not commit any such act, which will be detrimental to the interests of POLYTECHNIC.

c) No employee shall publish any article, paper, journal, and other publication or participate in any radio, T.V. programme or on any website without the prior approval of the competent authority.

d) Employee shall avoid habitual indebtedness or insolvency. He / She should not get himself/herself involved in criminal proceedings. In case he/she is involved in any such act or proceeding mentioned above or detained in police custody for more than 48 hours he shall be deemed to have suspended from his post unless an order to the contrary is made by the Competent Authority.

#### **SERVICE RULES :-**

1. Any confirmed member of the staff who desires to apply for outside post must submit his/her application through Competent Authority. Failure to do so may render the concerned employee liable for disciplinary action as deemed fit by the Competent Authority.
2. The Competent Authority shall prepare a Seniority list of the teaching and non teaching employees which shall be circulated amongst the members of the staff concerned and their signatures shall be obtained for having perused the said seniority list. Any objection as raised by the teaching and non teaching employees shall be considered and necessary changes if required shall be carried out. Final seniority list as prepared and circulated shall be deemed to be binding for all purposes.
3. The service book and leave account shall be maintained by the POLYTECHNIC mentioning the date of appointment and leave as availed of by an employee. The entries in the service book especially



those relating to date of birth, medical examination, educational and professional qualifications shall be verified by the Principal from time to time.


4. At the beginning of each term the teaching staff shall prepare a plan of his academic program and at the end of the academic year shall prepare a report of work done by him and submit the same to the Principal.
5. The non-teaching and teaching employees shall carry out additional duties as may be assigned to them from time to time in case of either a post being rendered vacant or in case of there being additional work load. In such cases, the Principal shall pass orders for payment of additional pay and / or allowances as applicable in the prescribed scale of the employee.
6. The teaching and non teaching employees in the services of the POLYTECHNIC shall, unless otherwise directed would be entitled to receive the pay in the prescribed time scale as may be decided by the Competent Authority from the commencement upto the cessation of the service in cadre.
7. The teaching and non teaching employees as may be appointed and fixed at the time scale of pay shall draw annual increments unless the same are withheld by an order in writing.
8. The teaching and non teaching employees employed by the POLYTECHNIC may also be entitled to Dearness Allowance, Compensatory Local Allowance, House rent Allowance and such other allowances as may be prescribed by the Competent Authority.

**SUBSISTENCE ALLOWANCE :-**

1. An employee under suspension shall not be entitled to pay and allowances as prescribed under these rules. The Competent Authority shall, however, pay to an employee under suspension or deemed to have been placed under suspension by an order in writing, a subsistence allowance at the following rate :-

- (a) A subsistence allowance at an amount equal to the leave salary which the employee would have drawn, if he had been on leave



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3. In case an employee under suspension attains the age of superannuation while under suspension he shall be deemed to have been retired on attaining the age of superannuation and any departmental or judicial proceedings pending against shall be continued even after his retirement. In such case no amount of Death-cum Retirement Gratuity shall be paid till his case is finally decided.
  4. When an employee who has been suspended is reinstated, the Competent Authority who orders reinstatement shall consider and make a specific order.
    - a) Regarding the said period being treated as duty or leave and
    - b) Regarding the pay and allowance to be paid to the employee for the period of his absence from duty.
  5. If the Authority mentioned in sub-rule (4) is of the opinion that the employee has been fully exonerated or in the case of suspension, that it was wholly unjustified, the employee shall be given full pay and allowances to which he could have been entitled to, had he not been dismissed, removed or suspended, as the case may be. In that case the subsistence allowance already paid to him shall be fully recovered from the arrears of the pay and allowances.
  6. In case the employee is not fully exonerated, the authority mentioned in sub-rule (4) shall specify in the order the pay and allowances to be given to such an employee which may either be equal to (i) subsistence allowance already sanctioned to him, or (ii) any other percentage of pay depending upon the merits of the case.

Provided that the period of absence from the date of suspension to the date of reinstatement or otherwise can be converted into "leave due and admissible" only if the employee concerned requests the Authority mentioned in sub-rule (4) writing.

Provided further that the subsistence allowance already paid to an employee shall be fully recovered either from the pay and allowances as the case may be or from the leave salary payable to him.





## SECTION V

### **I. PAY :-**

**I. FULL TIME :-** The initial basic pay of an employee who is appointed to a post on full time basis in time-scale, shall be minimum of such scale. The Competent Authority at its discretion may grant higher starting pay than the minimum of the time-scale. In addition to basic pay, such an employee will be paid Dearness Allowance, Compensatory Local Allowance, House Rent Allowance and any other allowance (s) as sanctioned by the Competent Authority, from time to time. An annual increment shall ordinarily be drawn as a matter of course, unless Competent Authority directs to withhold it by an order in writing.

**II. PART TIME :-** The initial basic pay of a part time employee who is appointed to a post in time scale shall be on half of the minimum of such scale. The Competent Authority at its discretion may grant higher starting pay than the minimum of the time scale. In addition, such an employee will be paid Dearness Allowance, Compensatory Local Allowance, and any other allowance, House Rent Allowance calculated on the basis of the basic pay as sanctioned by the Competent Authority from time to time. An annual increment shall also be at half rate and shall ordinarily be drawn as a matter of course, unless Competent Authority withholds it by an order in writing.

### **NOTE :-**

I. Increment can be drawn while on duty only. If an employee is on leave on the date of grant of annual increment, the same will be drawn from the date of resuming duty.

II. Increment shall be postponed by equal number of days of leave, if an employee is on loss of pay or on extra ordinary leave during any year.

The order of withholding increment of an employee shall clearly specify

- a. Period for which increment is withheld.
- b. Whether it will or will not affect future increments.



- c. Whether it will be inclusive or exclusive of any leave falling during the period of punishment.

Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be drawn unless specific orders are passed by the competent authority, permitting the employee to cross the bar.

#### **TRAVELLING AND DAILY ALLOWANCES:-**

If an employee is deputed out of station for bonafide work of the POLYTECHNIC, he shall be paid traveling and/or daily allowance as may be sanctioned by the Competent Authority.

#### **PROVIDENT FUND:-**

Every employee of the POLYTECHNIC (except re-employed pensioners) shall subscribe to the Provident Fund Scheme as established by Law. POLYTECHNIC shall offer every month its contribution equal to the compulsory minimum subscription offered by the employee, to such fund.

#### **GRATUITY:-**

Every Permanent employees of the POLYTECHNIC shall be eligible for Gratuity as per the Gratuity Scheme of Vidya Prasarak Mandal.

### **SECTION VI:-**

#### **1. LEAVE: -**

No leave can be claimed as a matter of right. If exigency so demands, the competent authority has the right to refuse leave or recall the employee who is already on leave..

An employee will not be entitled to any kind of leave including casual leave till he/she completes three months continuous service. Absence during the first three months of service will be treated as Extra Ordinary Leave (without pay and allowances).

The following shall be the various kinds of leave to which the employee shall be eligible



**A) CASUAL LEAVE:-**

- i) Every employee will be eligible for one day leave for every month during probation or temporary period of his / her employment
- ii) Every employee (other than on probation or temporary) shall be entitled to casual leaves as admissible to State Govt. employees for calendar year.
- iii) Weekly holidays and / or public holidays declared by the Competent Authority prefixing, suffixing and/or interposed in a spell of casual leave shall not be debited against casual leave. However the number of holidays in excess of two holidays prefixed, suffixed and/or interposed in a spell of casual leave shall be treated as a casual leave.
- iv) Casual Leave cannot be enjoyed in conjunction with any other kind of leave except compensatory leave. Normally five days casual leave (including weekly holidays / public holidays declared by the Competent Authority prefixed, suffixed and/or interposed) can be availed of at one time.
- v) Casual leave is intended to meet special circumstances and should be enjoyed sparingly. If there is a tendency to fritter away casual leave, the competent authority has right to refuse leave to an employee or sanction the same as extra-ordinary leave (without pay and allowances).
- vi) Casual leave cannot ordinarily be prefixed or suffixed to vacation except with the previous permission of the leave sanctioning authority.

**B) EARNED LEAVE:-**

Every confirmed employee will be eligible for Earned leave which will be calculated at the rate of 1 day earned leave for 11 days duty (i.e. 1/11 of the duty period) Earned leave can be accumulated for a period not exceeding 180 days after which the leave earned in excess of the limit will lapse. However in case of the employee appointed before this rules





came into force, accumulated Earned Leave to the credit of the employee's account for more than 180 days will be allowed to be carried forward subject to maximum of 300 days. Earned leave for less than 3 days will be refused to an employee who has exhausted his/her casual leave.

**C) MEDICAL LEAVE --- HALF PAY LEAVE:-**

Every confirmed employee will be eligible for leave in terms of half-pay-leave at the rate of 10 days for each completed year of service. This leave can be accumulated for a period not exceeding 30 days after which the leave earned in excess of the limit will lapse. However in case of the employee appointed before this rules came into force, accumulated Medical Leave to the credit of the employee's account for more than 30 days will be allowed to be carried forward. Half pay leave can be availed of either on medical grounds or on private reasons.

**D) MATERNITY LEAVE:-**

i) Every confirmed female employee may be granted Maternity Leave for a period of 90 days from the date of its commencement. Part of it according to Medical Certificate can be availed of prior to probable date of confinement and the balance after confinement but the total maternity leave thus enjoyed should not exceed 90 days.

ii) On receipt of application for grant of maternity leave, duly supported by medical certificate, stating therein the probable date of confinement the leave will be provisionally granted. The maternity leave will be finally sanctioned only on receipt of confinement certificate.

iii) Confirmed female employee on maternity leave will be entitled for leave salary as follows:-

a) If she has not completed one year's continuous service before commencement of leave the maternity leave will be sanctioned in terms of Extra-ordinary leave (without pay and allowances)

b) If she has completed service for one year or more but less than two years before commencement of leave the Maternity Leave will be granted in terms of leave on half pay.



- c) If she has completed two years service before commencement of leave, Maternity Leave will be granted on full salary.
- d) Maternity Leave can be enjoyed in conjunction with any other leave e.g. Earned Leave, Half pay leave or extra-ordinary leave but the total absence (including maternity leave) should not exceed 180 days on any one occasion.
- e) Leave under this rule shall not be granted for more than two occasions during the entire service.

**E) EXTRA ORDINARY LEAVE:-**

- i) Extra ordinary leave (without pay) can be granted by the competent Authority to an employee for genuine reasons (e.g. self prolonged illness) when no other leave is due. Such leave will be granted for a period not exceeding 90 days on any one occasion.
- ii) Annual increment of the employee on extra ordinary leave will be postponed by equal number of days of Extra Ordinary Leave, availed of by the employee.
- iii) Persistent avilment of Extra Ordinary Leave by an employee may result in termination of services.

**NOTE:**

- a) Weekly holidays and/or public holidays declared by the Competent Authority or compensatory holidays can either be prefixed or suffixed or both to any kind of leave (except Casual Leave) under Section VI of these rules. Weekly holidays and /or public holidays declared by the Competent Authority falling in between the period of leave will be treated as leave.
- b) An employee recalled from leave will be allowed to avail of the un-expired portion of leave subsequently, according to the convenience of the office.
- c) An employee will be eligible for Compensatory off on any working day if he has worked for full day on holiday as per direction of the Principal or Competent Authority. Such Compensatory holiday can be accumulated for maximum period of 3 days for a calendar year.





- d) No leave of any kind (except casual leave) should be availed of by the employee during notice period.

## 2. CONDUCT & DISCIPLINE :-

1. The non teaching and teaching employees shall be at the disposal of the POLYTECHNIC for full time and shall serve in such capacity and at such place as he may from time to time, be so directed.
2. An employee shall abide by the provision of all statutes as may be applicable to him including these Service Rules as well as directives and decisions of the Competent Authority. The Employee will also observe and comply with all orders and instructions which may from time to time be given to him by the Officer under whose jurisdiction, superintendence or control, he has been placed, for the time being.
3. The employees shall at all time maintain absolute integrity, and show devotion to duty, and shall do nothing which is unbecoming of an employee of the POLYTECHNIC.
4. The employee shall extend utmost courtesy and attention to all persons with whom they have to deal in the sphere of their duties. They shall strive hard to promote the interest of the POLYTECHNIC.
5. The employees shall not contribute to the Press any matter connected with the POLYTECHNIC or otherwise without obtaining the previous sanction of the Competent Authority or without such sanction make use of any document paper or information, which may have come in their possession in their Official Capacity.
6. The employee shall not contest any election either that of local bodies or that of the Assembly or Parliament without express permission in writing obtained in advance from the competent Authority.

## 3. MISCONDUCT :-

Misconduct, shall include as follows namely:-

- a) Any action by the employee contrary to the provisions prescribed in these Rules.





- b) Going on illegal strike, abetting including instigation or action in furtherance thereof.
- c) Theft, fraud or dishonesty
- d) Habitual breach of any standing orders, rules,
- e) Wilful or negligent damage of the property of POLYTECHNIC
- f) Refusal to accept charge-sheet, order or other communications served according to the rules,
- g) Conviction in a court of law, involving moral turpitude.
- h) Riotous or disorderly behaviour, threatening, intimidating or coercing in connection with or relating to any duties or working of the POLYTECHNIC.
- i) Neglect of work or negligence in discharging any or failure to give the day's out-turn.
- j) Violence or inciting violence,
- k) Stopping work either singly or with other employees or inciting anyone else not to work.
- l) Allowing anyone within the prohibited VPM's college campus or allowing any person or persons whose entry is prohibited without the permission of the Competent Authority.
- m) Falsification or tampering any paper or record of the POLYTECHNIC.
- n) Obtaining employment under the POLYTECHNIC by misrepresentation of facts
- o) Making any false or exaggerated allegations against any person.
- p) Committing nuisance during the working hours by being found intoxicated or otherwise.
- q) Misappropriation of any amount, movable property, of the POLYTECHNIC or late crediting the amount in the accounts.
- r) Committing any act involving moral turpitude.
- s) Disclosing to any unauthorised person or persons any confidential information in regard to business or trade of the establishment, which may come into the possession of an employee during the course of his work,



- t) Writing to any person (including a co-employee) or by communication to public papers, journals, pamphlets or leaflets or by speech or discussion at any time during employment, disclosing any secrets or trade secrets or any information the disclosure of which may be detrimental to the interest of the POLYTECHNIC.
- u) Organising, attending or holding any unauthorised meetings within the VPM's College Campus.
- v) Use of any offensive, vile or obscene language or gestures or postures with hidden imputations whether against the Management / Managerial staff, co-employee or the guests of the POLYTECHNIC.
- w) Giving false declarations, regarding age, name, father's name, qualifications, emoluments of previous employment at the time of employment or concealing any antecedents for obtaining employment.
- x) Smoking whilst on duty or otherwise within the premises of the POLYTECHNIC.
- y) Use of any mobile phones, pagers, palm tops, or any other gadgets while on duty or within the premises or precincts of the POLYTECHNIC.
- z) Interfering or tampering with official records, attendance registers, notices, documents, identity cards, etc.
- aa) Sleeping while on duty or after duty on the premises or precincts of the VPM's College premises.
- bb) Engaging in any trade within the premises of the POLYTECHNIC or engaging in any outside work for monetary gain or otherwise.
- cc) Acts of immorally within the premises or precincts of the POLYTECHNIC or outside or any acts of bringing the POLYTECHNIC / Management into disrepute e.g. pimping, prostitution, foreign exchange control violations, impoliteness or carrying on any side business related to the POLYTECHNIC.
- dd) Possession of any lethal weapons, dangerous drugs, narcotism.

- cc) Failure to deposit any lost articles found in the premises of the POLYTECHNIC or VPM's college campus.
- ff) Failure to notify the POLYTECHNIC any change of residential address
- gg) Deliberately making false statements or testimony or misrepresenting facts.
- i) Misbehaviour during the course of enquiry into the matter of misconduct.
  - ii) Sexual harassment which includes unwelcome sexual determined behaviour (whether directly or by implication) such as
    - 1) Physical-contact and advances or
    - 2) A demand or request for sexual favours or
    - 3) Sexually coloured remarks or
    - 4) Showing pornography or
    - 5) Any other unwelcome physical, verbal or non verbal conduct of sexual nature.
- hh) Receiving personal visitors or phone calls during working hours.

#### 4. PENALTIES :-

Without prejudice to the provisions of any law for the time being in force, the following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on the employee guilty of misconduct :-

##### (a) Minor Penalties :-

- i) Warning, reprimand or censure
- ii) Suspension for a period not exceeding 15 days without wages.
- iii) Withholding of increment of pay for a period not exceeding one year
- iv) Withholding of promotion
- v) recovery from his pay, or such other amounts





as may be due to him, of the whole or part of any pecuniary loss caused by him to the POLYTECHNIC negligence or by breach of orders.

(b) Major Penalties :-

i) Reduction to a lower stage in the time-scale of pay, for a specified period with further direction as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction shall nor have effect of postponing the future increments of his pay.

ii) Reduction to a lower time-scale of pay, grade, post or services which shall, ordinarily be a bar to the promotion of the employee to the time-scale or pay, grade, post or service from which he was reduced, with or without further directions regarding condition of restoration of the time-scale of pay, grade, post or service from which he was reduced, and his seniority and pay on such restoration.

iii) Compulsory retirement.

iv) Removal from service, which shall not be a disqualification for future employment outside.

v) Dismissal from service, which shall be a disqualification for future employment outside.

**EXPLANATION :-**

The following shall not amount to penalty within the meaning of the rules namely:-

- i) Withholding of increment of pay of the employee for his failure to pass any departmental examination, in accordance with the rules or orders, or the term of his appointment probation.
- ii) Stoppage of an employee, at the efficiency bar if any, in the time scale of pay, on the ground of unfitness to cross the bar by the employee.



- iii) Non-promotion of the employee, whether in substantiate or in officiating capacity, after consideration of his case, to a service, grade or post for promotion to which he is eligible, on administrative ground not connected with his conduct.
- iv) Reversion of the employee officiating in higher service, grade or post to a lower grade or post on the ground that he is considered to be unsuitable for such higher service, grade or post, or on any administrative ground not connection with his conduct.
- v) Reversion of the employee, appointed on probation to any other service, grade or post, to his permanent service, grade or post held by him during or at the end of the period of probation, in accordance with the terms of his appointment or the rules and orders governing such probation.
- vi) Repatriation of the service of the employee whose services have been borrowed from outside authority or recalling the employee from the foreign employment to such authority.
- vii) Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement.
- viii) Termination of the services (i) of the employee appointed on probation, during or at the end of his probation, in accordance with the terms of his appointment or rules or order governing such probation; or (ii) of a temporary employee on grounds not connection with his conduct or (iii) of the employee under an agreement, in accordance with the terms of such agreement.

Where a penalty mentioned in item (b) (i) or (b) (ii) in sub-rule (1) is imposed on the employee, the Authority imposing the penalty shall expressly state in the order imposing the penalty that the period for which the reduction is to be effective shall be exclusive of any interval spent on leave before the period is completed.



## SECTION VII :-

**SUPERANNUATION:-** An employee will stand retired on attaining the age of superannuation as per following category and will be eligible for payment of Provident Fund and Gratuity as per Rules.

- i) Principal 60 years which may be extended up to 65 years by Competent Authority
  - ii) Teaching staff 60 years
  - iii) Administrative staff 58 years.
  - iv) Class IV staff 60 years.
- 
- a) An employee who attains the age of 50 years may at his/her option voluntarily retire from service after serving 3 months notice to the Competent Authority of his/her intention to retire.
  - b) Such employee shall cease to be in the employment of the POLYTECHNIC after acceptance of the opinion of voluntary retirement by the Competent Authority.
  - c) The Competent Authority may at its discretion, require an employee to compulsorily retire from service after attaining the age of 50 years after issuing 3 months notice to the employee who is proposed to be compulsorily retired from service.

**CHAIRMAN**

**VIDYA PRASARAK MANDAL, THANE**



## ENCASHMENT OF EARNED LEAVE/MEDICAL LEAVE

It has been decided to extend the facility of encashment of earned leave to the employees of the Federation, other than those employed in the Industrial Units of the Federation. Detailed rules, governing the scheme are given in Annexure I, and the same come into force with immediate effect.

2. ["Leave salary means the monthly emolument paid to an employee which in the case of earned leave/medical leave will be equal to the pay drawn immediately before proceeding on earned leave/ medical leave as the case may be."]<sup>1</sup>

3. Applications for encashment of earned leave will be submitted by the employees in Proforma given at Annexure II and Personnel Division will issue necessary order in Proforma given at Annexure III.

(Ref. HO/AD/5/122/76-77 dated 19.01.1977)

*Annexure – I*

### I. Encashment of Earned Leave

All employees of the Federation, who are entitled to earned leave in accordance with the rules and regulations in force will be covered by the scheme.

2. Only earned leave on full pay can be encashed.

3. Encashment of earned leave will be allowed only once in a calendar year. The total period or earned leave actually availed of and the earned leave encashed should not together exceed 120 days at any one time.

\* Substituted and added vide O.O. No. HO/AD/5/122/77-78 dated 22.12.1977 and O.O. No. 14, dated 25.04.1991.

# Inserted vide O.O. No. 48, dated 21.04.1982.

1. Substituted w.e.f. 28.01.1981 vide O.O. No. 33, dated 11.03.1981.

4. Only that part of earned leave which is in excess of 30 days to the credit of the employee could be encashed subject to a maximum of 60 days at a time during any calendar year. Such option can be exercised only once during a calendar year. The number of days of earned leave encashed by an employee shall be reckoned as surrendered on the date of sanction of encashment and shall be deducted from the leave account of the employee concerned.

5. An employee having encashed a part of his earned leave during one calendar year shall not be entitled to avail of similar encashment in the next calendar year unless there is a clear gap of minimum ninety days.

\*6. ["An employee who ceases to be in the service of the Federation owing to retirement/death/retranchment, will be eligible for salary for the un-enjoyed earned leave at his credit." He will also be eligible for encashment of Medical Leave at his credit on his half pay at the time of retirement on attaining the age of Superannuation/death.]\*

7. The authorities who are empowered to sanction earned leave will be competent to sanction encashment of leave also.

8. The leave salary for the period of encashment of leave shall be paid in full. No deduction on account of provident fund subscription, House rent allowance and repayment of any advance etc. shall be made from this amount. For calculating pay for one day, a month will be taken as consisting of 30 days. Salary means basic pay, Fixed Dearness Allowance, DA, CCA [and Hill compensatory allowance]\*

(Ref.OO No.21 dated 7.12.2004)

9. The benefit of encashment of earned leave will also be admissible to the employees of the Federation, who are on foreign service to other organisations.

10. In the case of employees belonging to other organisations who may be serving the Federation on deputation basis, the encashment of leave would be governed by the terms and conditions of their deputation.