

**Holy Cross College**  
Accredited by NAAC with 'A' Grade  
Affiliated to  
**TRIPURA UNIVERSITY**  
(Central University)  
**Service Rules of Holy Cross College**

(In accordance with the Code of Holy Cross Education Foundation, 2021)

**1. Introduction:**

The EDUCATION CODE comprises various Rules and Regulations and Service Conditions of employees of all the educational institutions run and / or managed by Holy Cross Educational Foundation. The rules may be called CODE OF HOLY CROSS EDUCATIONAL FOUNDATION 2021 under The Society of Fathers of Holy Cross. They have come into force from 1<sup>st</sup> August 2021, with modifications / amendments as made from time to time (P-6, HCEF, 2021).

**2. Extent of Application:**

Except where it is otherwise expressed or implied, these rules apply to all the members of the Staff of the institutions run and/ or managed by Holy Cross Educational Foundation (P-6, HCEF, 2021).

**3. Definitions:**

**3.1 The Founder Body**

The Founder Body means the Society of the Fathers of Holy Cross, North East India. The Founder Body directs and guides the governing body exercising complete authority on it including the appointment of the office bearers of the HCEF. [*Memorandum of Association*]

(P-6, HCEF, 2021)

**3.2 Governing Body**

The Governing body for all our universities, colleges, hostels and schools will be the Holy Cross Educational Foundation (Memorandum of Association, HCEF, page 12). It is the body / committee duly appointed by the Founder Body, which on behalf of the Founder BODY HAS COMPLETE AND FINAL AUTHORITY over its Educational Institutions.

(P-6, HCEF, 2021)

**3.3 HCEF**

Stands for Holy Cross Educational Foundation (Reg. No.3612/2000)

**3.4 Institution**

A School or College established by/ entrusted to and administrated by the Founder Body. (P-7, HCEF, 2021)

**3.5 College**

A College established by / entrusted to and administered by the Founder Body.

(P-7, HCEF, 2021)

### **3.6 Managing Committee**

Means the Managing Committee of a school/college appointed by the Governing Body (Memorandum of Association, HCEF, 6.5, page 6) in accordance with the Special Constitution approved by the State Government/ the Board school affiliated to/ University College affiliated to and/or applicable to Minority Institutions and entrusted with the implementation of the educational objectives of the Founder Body and the management of the affairs of the institution (P-7, HCEF Hand Book, 2021).

### **3.7 Head of the Institution**

Head of the institution means the Academic and Administrative Head of the Institution by whatever name designated by the Founder Body. Head of the Institution is the Academic and Administrative Head of the Institution unless otherwise specified differently in certain places by the Founder Body. (P-7, HCEF, 2021)

### **3.8 The Secretary/ manager**

In centers where the institutions are attached to the parish, the Parish Priest appointed by the Founder Body will be the ex-officio Secretary/ Manager of the school/college and the Managing Committee. In centers where the school/college is not attached to the Parish the Founder Body appoints the Secretary/ Manager. (P-8, HCEF, 2021)

### **3.9 The Principal**

The head of the College will be called Principal and will have the duties and responsibilities of the Head of the Institution. (P-8, HCEF, 2021)

### **3.10 Assistant Professor**

Means the member of a college or university faculty who ranks above of visiting and contractual teaching faculty and below an associate professor.

### **3.11 Associate Professor**

Means the member of a college or university faculty who ranks above an assistant professor and below a professor. (P-8, HCEF, 2021)

### **3.12 Professor**

Means a faculty member of the highest academic rank at an institution of higher education, one that teaches or professes special knowledge of an art, sport, or occupation requiring skill. (P-9, HCEF, 2021)

### **3.13 Staff**

Means the members or a member, as the case may be, of the teaching and non-teaching staff of the school/ college, inclusive of Librarian, Lab Assistants, clerical and Grade IV staff. (P-8, HCEF, 2021)

### **3.14 Guardian**

Guardian is either of the parents of the student of the school or a person delegated in writing by the parents of the student as the guardian of the student in unavoidable circumstances. (P-9, HCEF, 2021)

### **3.15 Student**

Student of the school/College is one who has been, in proper way, following the rules of the school/college, admitted to the school/college by the head of the institution. (P-9, HCEF, 2021)

### **3.16 Appointing Authority**

The authority legitimate to make appointments. (P-9, HCEF, 2021)

### **3.17 Competent Authority**

The authority competent to exercise different powers specified herein. (P-9, HCEF, 2021)

### **3.18 Continuous Service**

Service rendered by an employee without any break under the same authority and includes authorised leave availed by the employee as well as holidays and vacations. (P-9, HCEF, 2021)

### **3.19 Contract**

The contract entered into in writing between an employee and the service provider/ employer. (P-9, HCEF, 2021)

### **3.20 Duty**

Service including service on probation and on temporary basis without break. (P-10, HCEF, 2021)

### **3.21 Employee**

A person employed in the institution by the competent authority. (P-10, HCEF, 2021)

### **3.22 Family**

Family means wife or husband as the case may be, children, parents, unmarried or widowed sisters and minor brothers residing with and wholly dependent upon the employee. (P-10, HCEF, 2021)

### **3.23 Foreign Service**

The service for which the employee receives his salary with the sanction of the competent authority from any sources other than the HCEF funds. (P-10, HCEF, 2021)

### **3.24 Lien**

It means the title of the employee to hold substantively a permanent post, either immediately or on termination of a period (s) of absence. (P-10, HCEF, 2021)

### **3.25 Officiating appointment**

Means the appointment made on temporary basis in a clearly vacant post, which is vacant on account of absence of another employee who holds a lien or a suspended lien on the post. (P-10, HCEF, 2021)

### **3.26 Salary**

The total emoluments received by an employee including basic pay, grade pay, dearness pay, special pay, personal pay, compensatory local allowance, dearness



allowance, house rent allowance and such other allowances as may be admissible from time to time. (P-10, HCEF, 2021)

**3.27 Pay means –**

- (i) Basic Pay,
- (ii) Grade Pay
- (iii) Dearness Pay, if any.
- (iv) Officiating Pay, if any,
- (v) Special Pay, if any,
- (vi) Personal Pay, if any, and
- (vii) Any other emoluments which may be specifically called 'pay' by the Competent Authority.

(P-11, HCEF, 2021)

**3.28 Dearness Pay**

A part of the Dearness Allowance specified as Dearness pay by HCEF wherever applicable which shall be treated as a part of the basic pay for the purposes calculation of benefits based on the basic pay. (P-11, HCEF, 2021)

**3.29 Grade Pay**

A fixed amount attached to each post that will determine the status of the post. (P-11, HCEF, 2021)

**3.30 Personal Pay**

The additional pay granted (a) to save an employee from the loss of substantive pay in respect of a permanent post due to revision of pay other than as a disciplinary measure, (b) in exceptional circumstances on other personal considerations. (P-11, HCEF, 2021)

**3.31 Leave Salary**

Salary paid to the employee on leave or in lieu of the earned leave to his/ her credit at the time of retirement. (P-11, HCEF, 2021)

**3.32 Special Pay**

It is an addition, of the nature of pay, to the emoluments of a post of the employee granted in consideration of specially arduous nature of the duties or specific addition to the work or responsibility. (P-11, HCEF, 2021)

**3.33 Substantive Pay**

It means basic pay in the time scale of pay / Pay Band, Grade Pay, Dearness Pay, Personal Pay or Special Pay, to which the employee is entitled on account of the post to which he/she has been appointed substantively. (P-12, HCEF, 2021)

**3.34 Probationer**

An employee appointed on probation for a stipulated period. (P-12, HCEF, 2021)

**3.35 Subsistence Allowance**

It is a monthly grant made to the employee, who is not in receipt of salary or leave salary during the period of his suspension. (P-12, HCEF, 2021)

### **3.36 Temporary Appointment**

It means appointment of an employee on a purely temporary basis. (P-12, HCEF, 2021)

### **3.37 Time Scale of Pay / Pay Band**

It means the scale in which the pay rises, subject to the conditions prescribed in these rules, by periodical increments, from a minimum to a maximum. (P-12, HCEF, 2021)

### **3.38 Age at First Appointment**

The age of a person at the time of his/her first appointment shall not be less than 18 years or more than the upper age limit as prescribed for the post. (P-12, HCEF, 2021)

### **3.39 Certificate of Physical/ Mental Fitness**

Every employee of the HCEF shall produce a medical certificate of health and physical fitness at the time of joining duty from a Registered Medical Practitioner from amongst the panel of doctors approved by the HCEF. (P-12, HCEF, 2021)

## **4. Role, Power and Functions of the Founder Body:** Refer, p-19 HCEF Handbook, 2021.

### **5. Regarding managing Committee of the Institutions- The Founder Body shall have the power**

- To Constitute the Managing Committee of those Institutions as per composition of Special Rules or Code that applies to them and to appoint its office bearers.
- To determine the constitution and composition of the Managing Committee of those Institutions those are un-aided and are not under any special Rules or Code and to appoint its office bearers.
- To determine and specify the role, term, function and the powers of the Managing Committee and its officebearers.
- To decide about other matters as specified in Part III relating to the Managing Committee, such as filling up of casual vacancies, supersession of Managing Committee, quorum, number of meetings in the year, etc. (P-22, HCEF, 2021)

### **6. Regarding Issues relating to the Staff – The Founder Body has the Right**

- To appoint Heads of the Institutions, Assistants to the heads of the Institutions and Administrators.
- To appoint Religious Personnel as Member of teaching and Non- Teaching Staff.
- To lay down policies and procedure for recruitment of the members of the teaching and non-teaching staff.
- To lay down policies concerning the transfer and removal of any employees or religious personal employed in its institutions.

- To lay down policies concerning inter transfer of teaching and non-teaching staff.
- To lay down policies concerning cluster of schools/college in line with NEP 2020.
- To determine the rules relating to Terms of Employment and service conditions of the staff.
- To determine the scale of pay and allowance of staff according to certain pattern.
- To frame rules for the payment of management share of Provident Fund keeping in view Government and other/ or other Statutory Rules wherever applicable.
- To frame rules for the payment of Gratuity as retirement benefit, keeping in view Government and /or other Statutory Rules wherever applicable.
- To prescribe the age of retirement keeping in view the Government Policy.
- To frame directive and guidelines for the on- going formation of staff appointed on probation during their probationary period.
- To frame directives and guidelines for the in- service training of existing staff.
- To determine the procedure for the setting up of any Council or Body and to approve of its role and function.
- To determine procedure for election of Teachers' Representatives and other Managing Committee for the Staff.
- To set up at its discretion a Grievance Redressal Process and lay down procedure for the same for appeal in case of a grievance.
- To establish at its discretion an Appeal Board and lay down procedure for appeal in case of termination of services and major penalties. (P-22-24, HCEF, 2021)

## **7. RECRUITMENT AND APPOINTMENT OF TEACHING AND NON-TEACHING STAFF**

Institutions belonging to the HCEF will always identify with and strive to uphold the ideals of Catholic Education and spirit of Holy Cross Education. Accordingly, on this important issue of Recruitment of Staff the Institutions of HCEF will reflect the spirit and ideals of a Catholic Institution.

Catholic Institutions are learning communities animated by the spirit of love and freedom as inspired by the Gospel of Jesus Christ.

While concerned primarily with all-round growth and development of Catholic students, it shares Christ's Concern for the liberation and fullness of life of all people, especially those in greater need.

In Catholic Institutions young people of any religious community find scope within their own cultural milieu to reflect on their lives in the light of their faith and to develop not only knowledge and skill, but also the wisdom which is the fruit of reflection on life and its lessons.

Persons selected as Staff members to join the educational community in a Holy Cross Institution, will be persons capable of understanding the distinctive character of such institutions and of contributing the implementation of aims



and objectives of these HCEF institutions. All members of the educational community, teaching and non-teaching staff, work together to maintain the conditions most favorable for the growth of each person and for the development of the basic attitudes of honesty, dedication and commitment to the institution and to the growth of the students.

(Refer-P44, HCEF Handbook 2021)

### **The Principal**

Principal is appointed by the HCEF. He is the academic and administrative head of the institution entrusted with the day-to-day administration of the institution. All matters concerning academics, discipline, curriculum, staff and students are either directly monitored by the principal or delegated and monitored by him. He is answerable to all stakeholders of the institution. He is the one to represent the institution in all the official meetings and programs. (Refer-P47, HCEF Handbook 2021)

### **The Principal shall**

1. Be responsible for the internal management of the institution.
2. Supervise the instruction given in the class.
3. Be responsible for maintaining the tone and discipline of the institution at all times.
4. Allot the various duties to the teaching and non-teaching staff.
5. See to the general care of the furniture and equipment belonging to the institution and inform secretary/ manager of the requirements of the institution.
6. Regulate and decide cases of class promotions.
7. Promote staff-relations, parish-school/college relations.
8. Grant C.L, M.L and other leaves to the staff.
9. Management of the finance of the institution in consultation with the Secretary/ manager/ administrator.
10. Prepare the annual budget in consultation with the manager/ secretary/vice principal/ administrator.
11. Recommends to the secretary/ manager for appointment and dismissal of the staff members.
12. Principal will be generally the ex-officio Member-Secretary of the Managing Committee and Selection Committee and such other sub-committees.
13. He shall function as Head of Office of the institution under his charge and carry out all administrative duties and teaching in the institution.
14. The Principal is advised to observe total transparency in his work and conduct. He should follow the principle of participatory management involving staff members in all the committees of the institution such as admission, time-table, examination, co-curricular activities, sports and games, assembly, celebration of important days and festivals,

exhibition, publication, library, purchase and cleanliness, etc. As a matter of fact, the staff members should be involved in all the activities of the institution as it gives them a sense of belongingness to the institution.

15. He shall see that all conditions of affiliation, recognition, including remittance of Annual Affiliation fees, maintenance of 'Reserve Fund', etc. are scrupulously followed, as laid down by the Boards/ University or the State Board in the Bye-laws.
16. He shall be responsible for the proper maintenance of accounts of the institution, its records, service books of teaching and non-teaching staff, confidential reports of all staff members, stock registers, admission register and such other registers, returns and statistics, as may be specified by the HCEF and Central/ State Board of Education/ University.
17. Unless otherwise specifically stated, he shall function as a Correspondent of the institution and handle official correspondence and also furnish within the specified dates the returns and information as may be called for by the Founder Body/ HCEF, Central/State Education Board and/or Government/ University.
18. Make all payments (including salaries and allowances of teaching as well as non-teaching staff) in time and according to the instructions governing such payments.
19. He shall ensure that all fees including tuition fees, as levied, are realized and appropriately accounted for duly appropriated for the purpose for which they are levied; also, ensure proper accounting of all funds, stores and equipment and introduce appropriate checks to avoid any misappropriation, embezzlement, loss or misuse of money.
20. He shall see that the fees collected from pupils be accounted separately under different heads viz. Tuition fees, Admission fees, Term fees, Library fees, and other fees, etc. and that total establishment expenditure i.e. salaries, allowances, matching contribution by the Management towards P.F. of the employee etc. could be met from the total tuition fees collected. Expenditure on items other than the Establishment expenditure should be met from the amount collected by way of fees. The overall expenditure on non-salary items, should be restricted to about 15% of the establishment expenditure.
21. He shall ensure that the staff member handling accounts and cash in the institution maintains day-to-day cash book and gets the cash tallied before leaving. The Principal shall put his signature in the cash book in token of having verified, if not daily at least twice in a week. *For better functioning the one who maintains accounts should not be collecting cash.*
22. Principal as per the recommendations of the founder body makes purchases of equipment, stores, stationery and other materials required for the institution, strictly in accordance with the budgetary provisions and relevant rules governing such purchases i.e. getting sanctions, inviting quotations from the registered parties etc. and see that all such stokes are entered in the Stock Register and shall scrutinize the bills and



make payments.

23. He shall arrange to conduct physical verification of institution's property and stock, at least once in a year and ensure the maintenance of Stock Registers, neatly and accurately and sign the Register at the end of each verification, in token of having verified and found in order.
24. He shall be responsible for proper utilization of the institution's fund.
25. He shall make satisfactory arrangements for supply of good and pure drinking water and provide other facilities for the pupils and ensure that the institution's building, its furniture and fixtures, office and laboratory equipment, toilet blocks, play grounds, garden and other properties of the institution are properly and carefully maintained.
26. He shall supervise, guide and control the working of teaching and non-teaching staff of the institution.
27. He will be overall responsible for admissions in the institution, preparation of class-wise/ course-wise timetables of the institution, allocation of duties and teaching periods to the teachers as per rules prescribed, proper utilization of the off periods of teachers, provide necessary facilities to the teachers in the discharge of their duties, conduct examinations in accordance with the instructions issued by the Central/State Education Board/ University, from time to time and he shall discharge these duties in consultation with the colleagues and also take the advice of the HCEF / Managing Committee wherever and whenever necessary.
28. He shall be responsible for the proper implementation of RTE Act (Right of Children to Free and Compulsory Education Act) 2009 as per the guidelines received from the State Govt.
29. He will plan the year's academic work in advance in consultation with his colleagues and hold staff/faculty meetings at least once a month, review work done during the month and assess the progress of pupils.
30. He shall interact with students in both formal and informal ways.
31. He shall be concerned about the holistic development of students.
32. He shall encourage students to participate in Inter-school/college, Regional, State and National level events.
33. He shall involve students and staff in decision making through effective feedback and reinforcement mechanisms.
34. He shall provide academic and professional leadership to the staff and encourage, help and guide the teachers to promote professional growth, active participation in courses designed for in-service education, initiative for self- improvement of teachers, encourage them to undertake experiments which are academically sound.
35. He shall supervise classroom teaching and ensure co-operation and co-ordination amongst teachers of the same subject areas as well as inter-subject co-ordination through Professional Learning Communities (PLCs).

36. He shall arrange for special remedial teaching of slow learners. Also he should identify the gifted learners and help them in enriching their knowledge or talents.
37. He shall arrange for non-formal and non-class room teaching.
38. He shall plan and specify regular time-table for scrutiny of pupils' written work and home assignments and ensure that the assessment and corrections are carried out timely and effectively.
39. He shall organize and co-ordinate various co- curricular activities through the house system or in any such other effective ways as he may think fit.
40. He shall develop and organize the library resources and reading facilities in the institution and ensure the pupils and teachers have access to and use of books and journals of established value and usefulness.
41. He shall arrange to send regularly the progress reports of students to their parents/guardians. He shall promote the physical well-being of the pupils, ensure high standard of cleanliness and health habits.
42. He shall keep a watch on pupils' discipline and take necessary steps to maintain proper discipline in the institution with the help of disciplinary committee.
43. In conformity with the ideals and emphasis on value based education envisaged by the HCEF, the Principal shall prohibit smoking, use of alcohol, and other substance abuse within the premises/campus.
44. It shall be the duty of the Principal or other responsible persons in work places to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required.

(Refer-P47-54, HCEF Handbook 2021)

### **Vice Principal/ Administrator**

Vice Principal/Administrator assist the principal in the institution, sharing those responsibilities that are entrusted by the principal.

The vice principal assumes the responsibility of the principal in his absence and whenever asked by the principal. The vice principal or administrator may be given specific responsibility by the president of HCEF if he so desires for the smooth running of the institution. These may be written and given to the person concerned. (Refer-P57, HCEF Handbook 2021)

### **Recruitment-**

The following procedure should be scrupulously followed for recruitment of staff:

1. Before contemplating recruitment, the following points would be ascertained:
  - a) To calculate the actual work load at the Senior Secondary, Secondary and Primary level based on the number of class-wise divisions.
  - b) The subject-wise actual work-load.
  - c) The number of teachers/ faculty available with the school/ college and their subjects.
  - d) Number of vacancies, after assigning the full work-load to the existing faculty.
  - e) Ideal students-teacher ratio (30 : 1) (RTE 2009)
  - f) Normally the ratio of the teachers to the sections is 1.5 : 1
2. **Advertisement:** The vacant posts must be advertised in a Standard News Paper giving:
  - a) Subject-wise number of posts
  - b) Prescribed qualifications for the post
  - c) The advertisement should give the designation and address of the receiving authority, allowing at least 15 days time from the date of publication of the advertisement for receipt of application.  
(Refer-P69, HCEF Handbook 2021)

#### **Appointment of Selection Committee**

1. The HCEF/MC will constitute a screening committee consisting of a member of the Executive Committee/MC, Principal and a Subject Expert to scrutinize the applications thus received and shortlist them for the interview. The screening committee will submit the recommendations to HCEF/MC and after the approval, the short-listed candidates will be called for interview by giving at least 7 days' time for attending the interview.
2. In consultation with the Chairman of the HCEF/ MC, a Selection Committee shall be constituted within the framework of the University/ Central/State Education Board's Bye-laws to interview the short-listed candidates.

#### **The Selection Committee shall include**

- a) Selection committee for Assistant Professor/Associate Professor/Professor/Librarian will be as per the guideline's issues by the competent authority (UGC/AICTE/NCTE/Parent University/State Government etc.) from time to time.
- b) In case of recruitment of Clerical Staff/ Laboratory Assistant:
  1. The Secretary/ Manager of the institution
  2. The Head of the institution
  3. The Senior-most Administrative Staff of the institution i.e. Registrar or Superintendent



or Head Clerk.

- c) In case of recruitment of Class IV Staff
  1. The Head of the Institution
  2. The Senior-most Administrative Staff i.e. Registrar or Superintendent or Head Clerk

The date of interview should be fixed in consultation with the Chair-Person of the Selection Committee and the Subject Expert. The Selection Committee may consider giving a written test to the candidates to assess the written competency of the candidates. A minimum of 15 days' notice should be given to the Selection Committee and also to the candidates to be called for interview. All members of the Selection Committee should be supplied with a detailed statement, giving particulars of all the candidates called for interview, at least 4/5 days in advance.

At the end of each interview, the Selection Committee shall brief the candidates, besides the nature of post, duty timings etc. also the aims and objectives of HCEF.

(Refer-P70-71, HCEF Handbook 2021)

### **Quorum**

- a) The quorum to constitute the meetings of the Selection Committee for the posts of Clerical Staff and that of Class IV staff shall be any TWO members, one of whom shall be Head of the institution.

The Selection Committee will go through the original documents viz., marks-list, certificates etc. and make sure that the candidate called for interview has the requisite qualifications and experience etc. as required under the rules.

As soon as the interview is over for a particular post, a report, in triplicate, shall be prepared and the same should be signed by all members of the Selection Committee, present at the meeting. The report shall be preserved by the Principal of the institution as a permanent record.

### **Panel**

The Selection Committee shall prepare a Panel of selected candidates based on the marks obtained in the assessment and demonstration starting with the highest in that order. (Refer-P73, HCEF Handbook 2021)

### **Appointment Orders**

The Report of the Selection Committee is to be placed before the HCEF with all the records and appointment of the new Staff is then made by the Secretary/ Manager with the approval and on behalf of the HCEF.

On getting approval of the panel, the HCEF shall issue offer letter to the 1st empanelled candidate within 15 days through Registered Post or by hand through the head of the institution.

In the event the candidate fails to accept the offer after receiving the intimation, the Secretary/ Manager in consultation with the Principal may invite the second candidate on the approved list and issue offer letter and so on in the order of candidates in the panel.

Once the selected candidate accepts the offer, the appointment order is issued for a probationary period by the Secretary/ Manager counter signed by the Principal. Copy of the appointment order, duly signed by the person appointed, in token of his/ her acceptance of the post, should be preserved in the personal file of the staff concerned, one copy to be given to the accounts section of the institution for their records and one copy of the same should be submitted to the Staff Department of HCEF, Agartala. It is very important to keep on record, self-attested copies of the certificates/ mark sheets of all the qualifying examinations of the recognised Boards and Universities, certificates of professional qualifications, certificate of teaching experience and the S.S.C/ S.S.L.C passing certificate or school leaving certificate, authenticating the date of birth, declared by the concerned candidate appointed (self-attested). All the documents that led to the appointment of the employee or its copies should be kept in the personal file of the employee for future reference.

Whenever a fully qualified candidate has been recommended by a regularly constituted Selection Committee for appointment in a substantive post, he may be appointed on probation, initially for a period of one year from the date of his/her appointment. In all such cases, a regular assessment of his/her work, conduct, integrity, aptitude and availability may be carried out by the Principal, Vice Principal and/or Supervisor every three months and a CR (Confidential Report) is to be submitted to the HCEF/MC. The Secretary of HCEF /MC will submit a report of the assessment to the President/ Secretary of HCEF, at least three months prior to the last working day of the academic year, together with his recommendations for continuation of the probation for a further period of maximum one year or otherwise, so that sufficient notice could be given to the staff concerned, in case he/she is to be discontinued. The decision about probation (whether to be continued/ terminated/ confirmed) should be based on duly signed CRs of the concerned employee.

(Refer-P73-74, HCEF Handbook 2021)

### **Employment Background Check**

While on probation the head of the institution shall officially carry out a complete background check of the employee on probation. Consent for Employment background check should be reflected in the letter of offer. The employee is to provide the addresses in which the employee worked/ lived in the last ten years (as case may be) with the mention of police station and details of the company/ school/ organization where the person was employed. The employment background check can be done in written form or orally but details of the background check done with the findings be placed in the personal file of the employee.

(Refer-P-75, HCEF Handbook 2021)

### **Medical Fitness Certificate**

It is mandatory for all the employees on probation to submit a medical fitness certificate to be employed in our institutions, failing which they will not be allowed to continue as the employee of the institution.



(Refer-P75, HCEF Handbook 2021)

### **Discharge certificate**

A person who has been previously employed in any other institution/ organization should produce a discharge certificate, in the prescribed form, from previous employer, if any.

(Refer-P75, HCEF Handbook 2021)

### **Original Certificates**

At the time of interview the candidate should produce all the original certificates for verification. We do not keep any original certificates or documents but only the certified copies (self-attested) except for the medical certificate/ fitness certificate and background check done for the particular employee.

(Refer-P75, HCEF Handbook 2021)

## **8. TERMS AND CONDITIONS OF SERVICE**

### **Appointment**

- a) The Competent Authority for appointment of employees in institutions owned and managed by the HCEF is the Secretary/ President of the HCEF or any local authority authorized by him.
- b) The HCEF may from time to time prescribe the minimum requirements (qualification, experience, age etc.) as per guidelines of the state governments/ UGC.

(Refer-P76, HCEF Handbook 2021)

### **Commencement And Cessation**

- a) The service of a person commences under the HCEF from the date on which he/ she joins his first appointment provided he reports for duty on that day before 12.00 noon, otherwise from the next day.
- b) The service of the employee under the HCEF shall cease from the date on which he relinquishes his/her post in the HCEF for whatever reasons.

(Refer-P76, HCEF Handbook 2021)

### **Probation**

- a) Except in the case of a purely temporary vacancy or leave vacancy or for a specific post of temporary nature, every employee shall on initial appointment be on probation for a period of one year from the date of his/her joining duties which may be extended by one more year.
- b) If an employee desires to be relieved during the period of probation, it will be necessary for him/her to give one month's notice in writing or one month's salary including all allowances unless notice period is waived off by the competent authority.



### **Confirmation**

- a. On satisfactory completion of one year period of probation, the employee may be confirmed, or, his/her probation may be extended for a period not exceeding one year, if it is considered desirable; or, if his/her services are not found suitable, his/her services may be terminated with one month's notice in writing or one month's salary including all permissible allowances but without any reason being assigned for such termination. However, the reasons for terminating an employee during probation shall be minuted in the meeting of the School Management Committee.
- b. Provided that should there be any delay in the issue of the order of the extension of the probationary period, termination of services or reversion to a lower post as the case may be, the Probationer would not be deemed as confirmed in that post.
- c. The employee shall be informed of his/her confirmation within 4 months of the completion of probation period.
- d. Action will be taken as per RTE Act even against confirmed teachers, if they have not acquired necessary qualification within the stipulated time.

(Refer-P77, HCEF Handbook 2021)

### **Departmental promotions**

- a) As a matter of policy, HCEF, would like to give encouragement and opportunity to the existing fully qualified and experienced and deserving staff members for appointment in the higher cadre. However, such appointments in the higher cadre are NOT a matter of right and would not be automatic. The following shall be the criteria for determining the deserving cases:
  - b) All such appointments be based on merit as determined by duly constituted Selection Committee and not merely on seniority.
  - c) All such cases of staff members who have the requisite qualifications and experience and have secured prescribed API score (submitted time to time and approved by college management), may be considered for appointment to a higher cadre and shall be called for appearing before the Selection Committee.
  - d) Besides performance at the interview, the Assessment Report, as prescribed in the Confidential Report, duly assessed by the Head of the Institution and reviewed by the reviewing authorities, shall also be considered for this purpose.
  - e) In the case of internal candidates, relaxation in the age limit and in the percentage of marks at the qualifying examinations as laid down in the recruitment rules will be made applicable.
  - f) As stated earlier, all fully qualified and experienced staff

members, who aspire for appointment in a higher cadre, shall appear before the Selection Committee and recommendations of Selection Committee shall be final and binding on all staff members who appear before Selection Committee.

- g) If a Staff Member is selected for appointment to a higher cadre by Selection Committee, the Head of Institution shall prepare an appointment order in consultation with Secretary/ Manager and submit the same to the Chairman/Secretary, for his approval and signature, together with Assessment Report and Selection Committee Report.
- h) Before fixing the pay of the staff member, who is to be appointed in a higher cadre, the prescribed form for fixation of pay must be filled in by the Head of the Institution and the same should be submitted to the Chairman of HCEF/SMC for approval.

(Refer-P78-79, HCEF Handbook 2021)

### **Deputation**

- a. The deputation should be approved by the competent authority. Deputation of the employee will be allowed from one HCEF Institution to other HCEF Institution only.
- b. The period of deputation will be for a maximum of two years. However, it can be extended for one more year in rare case when it is absolutely necessary subject to the approval of the Managing Committee of the Borrowing Institution.
- c. The request for extension of deputation beyond the prescribed period should be sent to the HCEF / Managing Committee of the Borrowing Institution well in advance. If the HCEF / Managing Committee of the Borrowing Institution has no objection, the extension of deputation by one more year may be granted. No extension should be granted beyond three years.
- d. The employee may be allowed to retain the lien on the original post during the period of approved deputation. However, only the employee who is confirmed, will be allowed to retain the lien. In case the employee on deputation fails to return to his original institution after the prescribed period of deputation, then he shall automatically lose his claim on lien.
- e. The deputation service commences from the date of relief from the earlier institution and ends on the date of taking over charge in the old institution after return from the deputation.
- f. The employee will get the benefit of notional increment in the post held before deputation till the expiry of the period of deputation or till return of the employee to his/her original post whichever is earlier.
- g. The institution where the employee joins on deputation will pay contribution at the prescribed rates to the old institution for contributory provident fund and leave salary, if any.
- h. The employee who has requested for deputation to another HCEF's Institution and the new institution where the employee is going on deputation should be



informed in writing about the terms and conditions of the deputation.

- i. The employee will be eligible for joining time. The borrowing institution will also pay for his/ her travel expenses as per rules.

(Refer-P79-81, HCEF Handbook 2021)

### **Lien**

- a. An employee who is confirmed in a substantive vacant post on which another employee holds a lien shall acquire a lien on that post. However, the competent authority may appoint employee in a provisionally substantive capacity to a post on which another employee he suspended lien.
- b. Provisional substantive appointment of the employee in a post shall cease to be operative as soon as the other employee who holds a suspended lien on that post reverts to the post.
- c. The competent authority may suspend a lien in the case of an employee who is on deputation to foreign services, if there are reasons to believe that he/she will remain away from the post on which he/she holds a lien for a period of not less than two years. The lien shall not, however, be suspended if the employee on Foreign Service is due to retire within a period of three years from the date of his/her deputation.
- d. Suspension of lien may be sanctioned with retrospective effect from the date the employee is absent from the post on deputation to Foreign Service. In such a case, provisional substantive appointment to another employee may be given from the retrospective date. The employee's lien on a post, which has been suspended in accordance with 'clause c' above, shall revive as soon as he/she reverts to his/her post.
- e. The lien of an employee on any post shall not be terminated under any circumstances, except when the person holding lien shall cease to be in the service of the HCEF, by virtue of his retirement, resignation, discharge, dismissal, acquiring a lien in higher post, or absorption in Foreign Service.
- f. The employee who is given provisional substantive appointment to a post shall be given a fully substantive appointment and shall acquire a lien when the suspended lien of another employee on that post ceases to be operative in accordance with the preceding provision.

(Refer-P81-82, HCEF Handbook 2021)

### **Retirement**

- a. Every employee shall retire from service on attaining the age of 60 years. However, if the age of superannuation falls during the academic session, the concerned employee will retire at the end of the academic session (for teaching only).

Provided further that if such employee applies for employment in the institution on contractual basis and that the institution agrees to employ him/her, as per need, he/ she may be considered for a further extension of



service for two years after attaining the age of superannuation provided he/she is medically fit and agrees to the conditions of work as a contractual employee. The MC after considering such case of extension of service, shall forward the details to the HCEF for approval.

- b. The HCEF/MC may grant extension as per rule of State/UT if the employee has no mental or physical disabilities and his/her services are beneficial to the institution.

(Refer-P82, HCEF Handbook 2021)

### **Termination of Services**

The services of an employee on probation may be terminated with one months' notice or one months' pay in lieu of notice, (on either side) but without assigning any reason for such termination. However, the reasons for terminating an employee during probation shall be minuted in the meeting of the college Managing Committee.

An employee who is confirmed and who wants to discontinue his service in the institution will have to give three months' notice or three month's pay in lieu of notice. This condition may however, be waived in part or in full by the competent authority in special cases.

A confirmed employee's services may be terminated if it has become necessary to do so as a measure of disciplinary actions on the basis of proven charges of a grave nature or for reasons of reduction in strength or abolition of post. The decision of the HCEF/Managing Committee regarding reduction in strength of post shall be final.

The College Managing Committee, in consultation with HCEF shall be competent to terminate the services of a confirmed employee in case of abolition of a post or closing down of an institution or a class or reduction in the number of sections of a class or discontinuance of a teaching subject by giving three months' notice in writing or three months' salary including all allowances.

(Refer-P83, HCEF Handbook 2021)

### **Reversions**

A person promoted to a post in higher cadre may again be reverted to the post in lower cadre if his/ her conduct or work in the new post is not found satisfactory. Also, a person appointed to a post may, as a measure of punishment be reverted to a lower cadre post, in case termination of the person's services is considered to be too harsh.

(Refer-P84, HCEF Handbook 2021)

### **Service Book**

- a. Service Book containing factual record of an employee, salary scale, increments, promotion, leave record, any disciplinary action or reward etc. shall be maintained for each employee on the form prescribed by the

HCEF or University/ State govt/UGC/NCTE/AICTE Etc. The signature of the employee shall be obtained for entries in the Service Book. Service Book should be duly attested by the Head of the Institution and the Secretary of HCEF.

- b. Personal files shall be maintained by the institution for each employee. The original Certificate / Degrees shall be returned to the employees after verification and self-attested photostat copies be kept in the personal files.
- c. When an employee is reduced to a lower rank, removed or dismissed from the service or suspended from employment, the reasons for such reduction, removal, dismissal or suspension as the case may be, may be briefly stated in the service book. Such information shall be carefully checked and attested by the Competent Authority.
- d. At the time of joining the service of the Institution, the date of birth of the employee shall be carefully recorded in his/her service book and shall be verified with reference to the documentary evidence and a Certificate to that effect shall be recorded stating the nature of document relied on, such as School Leaving Certificate, S.S.C Passing Certificate, Extract of Birth Register, etc. A horoscope or an affidavit shall not be the authenticated document for this purpose.

(Refer-P84-85, HCEF Handbook 2021)

### **Working Hours**

The Competent Authority shall prescribe the working hours and weekly holiday for its employees as per the guidelines of HCEF/UGC/University/ State Education Department. The Competent Authority may change the working hours and the weekly holiday as per the administrative convenience but it should be in conformity with the norms of the HCEF/UGC/AICTE/NCTE/ University. The employee shall be required to discharge his/her duties and functions as required during the working hours prescribed for him/her by the Competent Authority

(Refer-P85, HCEF Handbook 2021)

### **Pay And Allowances**

- a. Scale of Pay / Pay Band: The employee unless otherwise directed shall be entitled to receive pay in the prescribed time- scale of pay from the commencement up to cessation of the service of the institution.
- b. The time-Scale of Pay/Pay Band for various posts in the institution shall be prescribed from time to time by the Competent Authority.
- c. The initial pay of the employee shall ordinarily be the minimum of the Pay Band/Scale of Pay. The Competent Authority may fix the starting pay of a deserving candidate at any subsequent stage in the time scale of pay/pay band including the maximum.
- d. In respect of an employee dying while in service, pay shall be drawn for the day of the death of the employee; the hour at which the death takes place shall have no effect.



(Refer-P85-86, HCEF Handbook 2021)

### **Additional Charge**

- a. When an employee is required to do the work (except teaching) of a higher post for a period of not less than 15 days in addition to his own duties, he may be paid salary of the post held by him/her plus special pay not exceeding 10% of the pay which he would have drawn had he been appointed to the latter post. The Chairman of HCEF shall have the discretion to decide the quantum of special pay to be granted when an employee is required to do the work of higher post in addition to his/her own duties.
- b. The employee holding additional charge of a lower post will not receive any special pay for the additional work.

(Refer-P86, HCEF Handbook 2021)

### **Pay On Reversion**

- a. The employee on reversion shall draw pay in the lower time-scale of pay/pay band, not less than that which he would have drawn had he not been so promoted before reversion, or the maximum of the lower time-scale pay whichever is less, provided that in case the employee is reverted as a measure of punishment on account of misconduct, the Competent Authority may fix his/her pay at any lower stage in the lower time- scale of pay/pay band.
- b. When the employee is reverted on account of misconduct or inefficiency to a post carrying lower time-scale of pay/pay band, and is subsequently promoted or reinstated, his/her previous service in the post from which he/she was reverted, shall be counted for increments unless the Competent Authority declares that it shall not so count either in whole or in part.

(Refer-P86-87, HCEF Handbook 2021)

### **Increment**

- a. Date of regular increment, in all cases, will be first of July/ January as per the recommendation of HCEF. Employees completing six months and above in the scale as on 1st January/ July will be eligible for increment. The rate of the increment will be decided by HCEF or the education department in case of aided institutions. The Competent Authority may withhold, by an order in writing, the increment of the employee if his/her conduct has not been found to be good, or his/her work has not been satisfactory. The Competent Authority shall state the period for which it is withheld and whether the postponement shall have effect on future increments. The competent authority may withhold increment/ revision of salary in case of pandemic or such eventualities that affect the in-flow of income to the institutions.

**Note:** *The Competent Authority withholding increment shall expressly state in the order that the period for which increment has been stopped will be*



*inclusive or exclusive of any interval spent on leave before the period is completed.*

- b. Service rendered in the circumstances referred to in the following clauses and in such other manner as the Competent Authority may determine from time to time, shall count for increment in the time-scale of pay/pay band. All duty, whether continuous or otherwise in a post on a time-scale of pay/pay band.
  - i. Authorized leave other than leave without pay. Provided, however, that in exceptional circumstances, if an employee is required to avail leave without pay for reasons beyond his/her control, the Competent Authority may, by an order in writing, direct that the absence of leave without pay shall not affect his/her normal date of increment.
  - ii. All duty performed by an employee in a higher post in officiating or temporary capacity, on reversion to the lower post.
  - iii. The service rendered in a post carrying time- scale of pay during the period of probation.
  - iv. Period spent on deputation to Foreign Service.
- c. The employee on authorised leave shall draw the annual increment falling due during the leave period as per sub-clause (i) above.

(Refer-P87-88, HCEF Handbook 2021)

#### **Other Allowances**

- a) Employees other than those appointed on a consolidated fixed salary, working in the time scale post shall be entitled in addition to pay and grade pay to other allowances such as Dearness Allowance, House Rent Allowance, Compensatory Local Allowance if any, as admissible to their employees from time to time. Besides, the employee may be granted any other perks, as may be decided by the HCEF/ Management Committee of the institution, depending on the prevailing local conditions and as per the respective State Govt. rules.
- b) For the purposes of calculating allowances which are related to pay, the term pay shall include basic pay, grade pay (if applicable) and any other emoluments which may be specially called as pay by the Competent Authority.
- c) When an employee is provided with residential accommodation by the Management on his/ her executing a proper agreement he/she shall be required to pay compensation to the extent of at least 10 per cent of his basic pay. In addition, he/she will be required to pay service charges as may be presented from time to time in addition to the actual charges for electricity consumption/water charges if any. No House Rent Allowance would be admissible to such an employee. However, the Competent Authority or the HCEF/Management Committee may allow compensation - free residential accommodation, furnished or unfurnished depending on local condition, at their discretion.
- d) The Competent Authority may sanction to an employee Conveyance Allowance at the rate prescribed from time to time subject to the conditions that may be stipulated.

(Refer-P88-89, HCEF Handbook 2021)

## 9. CLASSIFICATION OF EMPLOYEES

**REGULAR EMPLOYEE:** is the one who is appointed against a permanent post and has completed the period of probation or extended period of probation satisfactorily and has been confirmed in writing by the competent authority (after a period of 5 years).

**PROBATIONER:** is the one who has been provisionally employed to fill vacancy in a regular and permanent post and has not completed the prescribed period or extended period of probation and has not been confirmed in writing in the post (Three months or more).

**TEMPORARY EMPLOYEE:** is the one who has been appointed for a limited or specified period to work in a post of a temporary nature or to cope with a temporary increase in work (for 4 years after a probationary period of one year).

**CONTRACTUAL EMPLOYEE:** is the one with whom a contract with terms and conditions is signed for a particular work for a specific period.

**SUBSTITUTE EMPLOYEE:** is the one who has been employed in place of any regular, temporary, probationary or part-time employee during his/her authorised leave of absence.

**CASUAL EMPLOYEE:** is the one who is employed on a day to day basis for the work of casual nature and/or intermittently.

**PART-TIME EMPLOYEE:** is the one who is engaged for a work whose nature does not require his/her service whole time during the day or through the week.

**AD HOC EMPLOYEE:** An ad hoc employee is the one who is appointed when the situation makes it necessary or desirable to fill a vacancy till such time a regular appointment is made.

(Refer-P90, HCEF Handbook 2021)

## 10. CONDUCT, DISCIPLINE, APPEALS AND SUBSISTENCE ALLOWANCE

1. The employee shall, for the whole time, be at the disposal of the HCEF and shall serve it in such capacity and at such place as may be directed from time to time.
2. The employee shall conform and abide by the provisions of the rules and regulations and directives and decisions of the Competent Authority. He/she shall also observe, comply with and obey all orders and instructions which may from time to time be given to him/ her by the Officer under whose jurisdiction, superintendence or control, he/she has been placed at the time.
3. The employee shall maintain absolute integrity and show devotion to duty.
4. The employee shall extend utmost courtesy and attention to all persons with whom he/she has to deal in the course of his/her duty.
5. The employee shall not deal with any matter related to, or with the award of any contract in favour of, a body in which he/she or any member of his/her family is interested, except with the express permission of his/her superiors.



- The employee shall not, without the prior sanction of the Competent Authority, contribute to the press or any other external agency or individual any matter except of academic nature without involving use of HCEF's documents or its Institutions, or without such sanction make use of any document, paper or information which may have come into his/her possession in his/her official capacity.
  - The employee shall not take part in any act or movement calculated in the judgment of the Competent Authority in such manner as savours of defiance or is likely to cause embarrassment to the administration.
6. The employee shall not take active part in politics or in any violent demonstration or be a member of a political party.
  7. The employee, without the express sanction of the Competent Authority, shall not ask for or accept contributions or otherwise associate himself/herself with the raising of funds or other collections in cash or otherwise.
  8. The employee shall not accept or permit any member of his/her family or any other person on his/her behalf, to accept any gift from pupils, parents or any person for a work to be done in connection with the activities of the HCEF or its institutions.
  9. The employee shall not accept, solicit, or seek, except with the previous sanction of the Competent Authority, any outside office, stipendiary or honorary work. He/she shall not engage in any trade or business or act in any commercial or insurance firm except consumers/housing/credit/financial co-operative Society. The Competent Authority may grant the permission, if it is satisfied that the work can be undertaken without detriment to his/her official duties and responsibilities.
  10. The Competent Authority, while granting this sanction, may stipulate that any fees received by the employee for undertaking the work shall be paid in whole or in part to the HCEF.
  11. This provision shall not be applicable to the honorary work of social, charitable nature, of literary, artistic or scientific in character, including T.V./Radio talk, provided his/her official duties are not affected.
  12. The confirmed employee shall not apply for a job/post, or scholarship without the previous sanction of the Competent Authority. The Competent Authority shall not ordinarily refuse such sanction. The employee shall not apply or appear for interview etc. for any job outside the institution without the knowledge and prior written permission of the authority of the institution.
  13. The employee shall not abstain himself/ herself from his/her duties, without his/her first having obtained the permission of the Competent Authority. In case it is not possible for the employee to obtain such permission owing to circumstances or reasons beyond his/her control, he/she shall intimate to the Competent Authority within 3 days from the first date of absence, failing which the absence will be treated as leave



without pay, and he/ she shall further be liable to such disciplinary action as the Competent Authority may deem fit, provided that the Competent Authority may condone this condition in respect of an employee who for reasons of his/her own physical state was unable to convey the cause of his/her absence.

14. The employee shall not submit any tender either in his/her name or in the name of his/ her dependent family members for any supply to the HCEF and/or its Institutions.
15. The employee shall not in writing, speech or deed, or otherwise, indulge in any activity which is likely to incite and create a feeling of hatred or ill-will between different communities in India on religious, social, regional, communal or other ground.
16. Every employee is expected to be exemplary in their public and private life, by setting the highest standard of courtesy, personal conduct and discipline in all matters, and at all times. The employee has to be careful in his/her dealings/behaviour with other female/male employees and girl/boy students. The sexual harassment in any form is a serious offence.
17. The employee's loyalty, sense of dedication and integrity of character at all times should be an inspiration to the students entrusted to their care.
18. The employee shall not be insubordinate to any of his/her superiors and should behave in a lawful manner.
19. The employee shall never use abusive language, be quarrelsome and behave in a riotous manner.
20. The employee shall avoid rumour-mongering and character assassination, false accusations or assault, either provoked or otherwise.
21. The employee shall never use liquor or narcotics, including tobacco in the form of cigarettes etc. in and around the premises/ campus of the institutions. He/she shall not chew tobacco/pan (betel leaf) on the premises of the institutions.
22. The employee shall not -
  - a. indulge in mutilation or destruction of records and property of the institution or in any malpractice connected with examinations or other activities of the institution.
  - b. divulge confidential matters relating to the institution.
  - c. obstruct other members of the staff from discharging their lawful duties.
  - d. indulge in any sort of agitation to coerce or embarrass the authorities of the institution.
  - e. be in possession of weapons, explosives and other objectionable materials, in the premises of the institution.
23. The employees shall never carry on any personal monetary transactions among themselves, with the students and/or with the parents.
24. The employee shall never propagate through teaching lessons or otherwise, communal or sectarian out-look or incite or allow any

student to indulge in communal or sectarian activity.

25. The employees shall not take private tuitions to the students of the institution where one is employed.
26. The employee will carry out the duties assigned to him/her and should not simply while away the time during his/her presence in the institution. It is expected of every employee to remain present at all functions of the institution, actively participate and extend full co-operation.
27. The employee shall not prepare, publish any book or books commonly known as Keys/ Guides/ Workbooks/Digest or assist whether directly or indirectly in their publication, canvassing and/or working as a selling agent.
28. The employee shall abide by all the rules and regulations in force and as may be laid down and/or modified, from time to time, by the authorities and show due respect to the authorities by faithfully carrying out all such orders and directions given to him/her by the HCEF, Principal and any of the authorized members of the staff.
29. The employee shall not leave the station without having first obtained the written permission of the authorities of the institution.
30. No employee shall, except with the previous sanction of the concerned authorities, give any talk on the radio/T.V., publish any statement or document either in his/her own name or anonymously or pseudonymously or in the name of any other person (except academic in nature without referring to the official documents of HCEF).
31. The employee shall send any representation to the higher authorities like Chairman of HCEF, Secretary of HCEF through proper channel and no representation should be sent directly. If any representation is received from any employee directly without following the proper channel, it will invite disciplinary action as per rules.
32. The Employee shall not post any photos of the functions/events of the institution without the consent/approval of the concerned authority.

(Refer-P91-97, HCEF Handbook 2021)

## 11. Misconduct

Any action by the employee contrary to the provisions prescribed in the foregoing rules, as also any of the following acts and omissions on the part of the employee, shall amount to misconduct.

1. Going on illegal strike (overt or otherwise) or abetting it, indulging in instigation or acting in furtherance thereof.
2. Theft, fraud or dishonesty.
3. Habitual break of any standing orders, rules or habitual neglect of work.
4. Wilful/negligent damage of the institution's property.
5. Refusal to accept charge-sheet, order or other communications served,



according to the rules.

6. Conviction in a court of law, involving moral turpitude, any other act or omission on part of the employee, which in the opinion of the Competent Authority amounts to misconduct.
7. Making sustained neglect in correcting class work or home work.
8. Insubordination or disobedience, whether alone or in association with others, of any order of a superior, or any rule circular, instruction or notice issued or given or as may be issued or given from time to time.
9. Habitual late-coming, riotous or disorderly behaviour, threatening, intimidating or coercing in connection with or relating to any duties or working of the HCEF.
10. Neglect of work or negligence in discharging any duty or failure to give the day's out-turn or negligence in discharging.
11. Violence or inciting violence.
12. Stopping work either on his own or with other employees or inciting anyone else not to work.
13. Theft of property of another employee within the premises of the institution.
14. Playing cards or any other game of pastime during working hours.
15. Sleeping or loitering or whiling away time during hours of work or disappearing from place of work for any period for any reason whatsoever.
16. Falsification of or tampering with any paper or record of the institution.
17. Obtaining employment by misrepresentation.
18. Sheltering or trying to shelter any offender or anyone who commits any act of misconduct which takes place in his presence.
19. Making any false or exaggerated allegations against any officer, superior or a co-employee or authority.
20. Committing nuisance during the working hours by being found intoxicated or otherwise.
21. Committing any act involving moral turpitude.
22. Misappropriation of any money, movable property or late-crediting in the institution of any money belonging to the institution.
23. Making any false declaration, announcements or representation wilfully.
24. Attending the duties without uniform supplied by the institution or prescribed by it, if any.
25. Failure to give permanent address or absenting without permission in writing as mentioned in the leave rules.
26. Not attending regularly and punctually to the duties according to the timings fixed.
27. Not working with accuracy and reasonable speed.



28. Not carefully keeping institutions' papers, correspondence, files, registers etc. in his/her charge.
29. Giving evidence before a public committee or Body without the previous permission of the Competent Authority.
30. Organizing or attending any meeting during duty hours except when he is required or permitted by the Head of the institution to do so.

All the employees shall attend to his/her duties with care and commitment, be punctual in attendance and dutiful in respect of class room and also for any other work connected with the duties assigned to him/her by the Head of the Institution or the Board/ University. He/She shall abide by the rules and regulations of the Institution and carry out the lawful orders and also show due respect to the constituted authorities.

The following shall not be deemed as a breach of the Code of Conduct:

1. To appear at an examination to improve his/ her qualifications with the permission of the employer.
2. To become, or to continue to be a member of any religious, literary, scientific or professional organization or cooperative society.
3. To organize or attend any meeting outside the duty hours subject to the condition that such meeting is held outside the institution's premises.
4. To make any representation to the management for the redressal of any bonafide grievance, subject to the condition that such representation is not made in rude or indecorous language.

(Refer-P97-100, HCEF Handbook 2021)

## 12. 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:

1. Warning (oral / written) or censure or reprimand.
2. Fine,
3. Withholding of increment of pay or withholding of promotion,
4. Recovery from his/her pay, or such other amounts as may be due to him/her, of the whole or part of any pecuniary loss caused by him/her to the institution by negligence or by breach of orders.

### b) Major Penalties:

1. Reduction to the lower stage in the time scale of pay,
2. Reduction to a lower time scale of pay, grade pay, post or services with or without further directions regarding condition of restoration to the time scale of pay, grade, post or service from which he/she was reduced, and his/her seniority and pay on such restoration,

3. Compulsory premature retirement,
4. Removal or dismissal from service, which shall be a disqualification for future employment under the HCEF.

The following shall not amount to penalty:

- a. Withholding increment during the period of probation,
- b. Non-promotion of the employee, whether in substantive or/in officiating capacity, after consideration of his case, his service, grade or post for promotion for which he is eligible, on administrative ground(s) unconnected with his conduct, reversion of the employee officiating in higher service, 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(s) unconnected with his conduct.
- c. Reversion of the employee, appointed on probation to any service, grade or post, to his regular 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.
- d. Repatriation of the service of the employee whose services have been borrowed from an outside authority or recalling the employee from foreign employment.
- e. Termination of the services of the employee during or at the end of his probation, in accordance with the terms of his appointment or rules or orders governing such probation, or of a temporary employee unconnected with his conduct or of the employee under agreement, in accordance with the terms of agreement.

The authority imposing the penalty shall expressly state in the order, the period for which the reduction shall be effective.

When an increment(s) of the employee is/are withheld, the authority shall specify the number of increments withheld, period for which they are withheld and whether that shall have temporary or permanent effect on postponing the future increment, and that the period shall be exclusive of leave except casual leave taken during the period. Similarly when it is decided to debar the employee from promotion, the authority imposing the penalty shall specifically mention in its order the period for which the employee is not to be considered eligible for such promotion.

(Refer-P100-102, HCEF Handbook 2021)

### **13. Procedure for Imposing minor Penalties**

No full-fledged and elaborate departmental inquiry will be necessary for inflicting a minor penalty. In such cases, the employee shall be given intimation of the act of misconduct committed by him/her and he/ she will be given a reasonable opportunity to furnish his/her explanation, before the penalty is imposed.

(Refer-P102-103, HCEF Handbook 2021)

### **14. Suspension**



1. The appointing authority or any authority to which the appointing authority is subordinate or a disciplinary authority or any other authority empowered in that behalf by the Competent Authority by a general or special order may place an employee under suspension, where a disciplinary proceeding against him/her is contemplated or is pending and is likely to result into imposing any of the major penalties, or

- a. Where in the opinion of the authority aforesaid he has committed any activities prejudicial to the interest of the HCEF. When a case against him/her in respect of any criminal offence is under investigation, enquiry or trial, provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority, the circumstances in which the order was made.
- b. A case against him is charged with embezzlement; or cruelty towards any student/any employee of the institution; or misbehavior towards any parent, guardian student or employee of the institution; or a breach of any other Code of Conduct.
- c. No order for suspension shall remain in force for more than six months unless the Committee, for reasons to be recorded by it in writing directs the continuation of the suspension beyond the period of six months.
- d. Where the Principal/Manager intends to suspend any of the employee such intention shall be communicated to the Chairman of the HCEF/MC and no such suspension shall be made except with prior approval of the Chairman of the Committee provided that the Principal/Manager may suspend an employee with immediate effect and without prior approval of the Chairman of the Committee if he satisfied that such immediate suspension is necessary by reason of the gross misconduct within the meaning of the Code of Conduct or involves moral turpitude.

Provided further no such immediate suspension or the suspension made with the approval of the Chairman of the Committee shall remain in force for more than a period of fifteen days from the date of suspension unless it has been communicated to the committee and approved by it before the expiry of the said period. Where the intention to suspend or the immediate suspension of an employee is communicated to the committee, it may if it is satisfied that there are adequate and reasonable grounds for such suspension accord its approval to such suspension.

- e. The employee shall be deemed to have been placed under suspension - with effect from the date of his detention, if he is detained in police or judicial custody, on a criminal charge, for a period exceeding 48 hours.
- f. With effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed or compulsorily retired, consequent to such conviction, under these rules and shall remain under suspension until the order of suspension is modified or revoked by the authority competent to do so.



(Refer-P103-105, HCEF Handbook 2021)

### **15. Explanation**

1. The period of forty-eight hours referred to above shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any shall be taken into account.
2. Where a penalty of dismissal, removal or compulsory retirement from service imposed on an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his/her suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
3. Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on a consideration of the circumstances of the case, decided to hold a further inquiry against him/her on the allegations for which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.
4. a. An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.  
b. Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him/her during the continuance of that suspension, the authority competent to place him/her under suspension may, for reasons to be recorded by him/her in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.  
c. An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by an authority to which that authority is subordinate.

(Refer-P105-106, HCEF Handbook 2021)

### **16. Subsistence Allowance**

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

Period	Pay + Grade pay	Allowances
First six months	50%	D.A, HRA, CLA
Beyond six months (for reasons not directly attributable to the employee)	Not more than 75%	D.A, HRA, CLA
Beyond first months (for reasons directly attributable to the employee)	Not more than 25%	D.A, HRA, CLA

Notwithstanding, anything contained in the foregoing clauses, the employee convicted by the Competent Court and/or sentenced to imprisonment, shall be paid subsistence allowance of rupee one per month with effect from the date of such conviction till the date of his/her removal or dismissal. In case the employee has appealed against the conviction, he/ she shall be entitled to the subsistence at the rate of rupee one per month till the disposal of his/her appeal.

2. The employee reinstated due to exoneration from the charge on which he/she was put under suspension or honorably acquitted by the Competent Court, the period of his/her suspension shall be treated as period spent on duty, and he/she shall be entitled to full pay and allowances, subject to deduction of subsistence allowance already paid to him/her during that period, to which he/she would have been entitled had he/she not been so suspended. The employee shall also be entitled to all other benefits that would have been available to him/her had he/she not been so suspended.

Provided, however, that such full pay and allowances shall not be admissible to the employee if the proceedings against him/her are delayed due to reasons directly attributable to him/her.

3. In respect of the employee found guilty of charges levelled against him/her, the pay and allowances payable to him/her shall be determined on the basis of the order of the Competent Authority following the inquiry, as prescribed.
4. In case the employee is to be paid pay and allowances for the period of suspension as period spent on duty, the subsistence allowance already paid to him shall be fully recovered from the pay and allowances. If such period is to be treated, by an order of the Competent Authority, as leave as due and admissible, the subsistence allowance already paid to him shall be fully recovered from the leave salary payable to him.
5. The subsistence allowance and/or arrears of pay and/or leave salary under sub-rule (2), (3) or (4) above shall be payable to the employee only on his production of a Certificate that during the period of suspension he has not engaged himself in any gainful employment, trade or business, and the



authority being satisfied about the same.

(Refer-P106-108, HCEF Handbook 2021)

### **Procedure for Imposing major Penalty**

1. **Preliminary:** Where the allegations made against an employee are grave or are such as would entail punishment such as reduction, removal or dismissal, a preliminary inquiry may be held by a Competent Authority or by such other officer as may be directed by the Competent Authority.
2. **Orders for Departmental Inquiry:** On receipt of the report of the preliminary Inquiry or, where there has been no preliminary Inquiry, on perusal of other material available, the Competent Authority shall determine.
  - a) Whether a prima facie case exists for a Departmental Inquiry, if so,
  - b) Whether the employee concerned should be prosecuted in a court of law.
  - c) Whether the employee concerned should be suspended pending a Departmental Inquiry and/or prosecution, and
  - d) Whether the service of the employee concerned could and should be terminated without a Departmental Inquiry.
3. Whenever a prima facie case has been made out, a Departmental Inquiry shall be ordered or held by the Competent Authority.

The order for Departmental Inquiry shall specify -

- a) the designation of the Inquiry Officer/ committee, and
  - b) the general nature of the accusations or conduct in respect of which the Inquiry is held.
4. **Departmental Proceedings:** Departmental Inquiries should be held and completed as quickly as possible, in any case within a period of three months.
    - a. No order of dismissal, removal or reduction (other than an order based on facts which have led to his conviction in a criminal court) shall be passed unless the employee concerned (hereinafter referred to as the person charged) has been informed in writing of the grounds on which action is proposed to be taken.
    - b. The grounds on which action is proposed to be taken shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged, together with a statement of the allegations on which each charge is based and of any other circumstances which are proposed to be taken into consideration in passing orders in the case.
    - c. The person charged shall be required within a reasonable time to put in a written statement of his defence and to state whether he desires to be heard in person.

- d. If the person charged refuses to make any statement as regards any charge his refusal to make a statement should be recorded.
- e. If he so desires an oral Inquiry shall be held. At the Inquiry so held, oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the Officer/ committee conducting the Inquiry may, for reasons to be recorded in writing, refuse to call any witnesses.
- f. The Inquiry Officer/ committee shall maintain a roznama of the proceedings.
- g. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and grounds.

**5. The procedure laid down above may not be followed and/or any of its provisions may be dispensed with in the following cases:-**

- a. When the order of punishment i.e. dismissal, removal and reduction is based on facts which have led to the conviction of the person charged in a criminal court. In such cases the order of punishment may be based on the strength of the facts as disclosed in the criminal case.
  - b. When the person charged has absconded, or when it is for other reasons impracticable to communicate with him/her.
  - c. In exceptional cases, when there is difficulty in observing the exact requirements of the rule.
6. After completing the oral Inquiry, if any, the Inquiry Officer/ committee shall give the person charged a further opportunity of making a written or oral statement.
  7. The Inquiry Officer/ committee shall then consider evidence and record his/their finding on each charge and the reason for such finding. The finding on each charge should be clearly stated.
  8. If the Inquiry Officer/ Committee submit his/ their report containing his/their findings in the case to the Competent Authority for further necessary action. The committee may also communicate their recommendations as to the quantum of punishment to the Competent Authority separately.
  9. The Competent Authority shall then consider the report, come to its conclusions and decide on the action proposed against the person charged i.e.
    - a. What penalty should be imposed in respect of the charges, if any, proved;
    - b. If none of the charges are proved, whether the person charged should be exonerated;
    - c. If the person has been under suspension, what order should be made regarding pay and allowances during the period of suspension.
    - d. Where the findings of the Competent Authority in respect of the charges



are different from those of the Inquiry Officer/ committee, it shall record its reasons for the same.

10. In all cases where the penalty proposed to be imposed is dismissal, removal, or reduction, a further opportunity shall be given to the person charged to show cause against the action proposed in the following manner:
    - a. The person charged should be furnished with a copy of the Inquiry Officer's/ committee's findings and the grounds thereof.
    - b. He/she should be informed of the conclusions (with reasons where necessary) provisionally reached by the Competent Authority on the findings of the Inquiry Officer/ committee
    - c. He/she should be told about the action which the Competent Authority proposes to take against him/her and the grounds thereof.
    - d. He/she should be called upon to show cause against the action proposed and given a reasonable time and opportunity to do so.
    - e. The Competent Authority shall, after considering the representations, if any, made by the person charged, pass final orders.
    - f. Where the Competent Authority on a contention raised by a person charged, or otherwise finds that any material irregularities have been committed and that they have caused or they may have caused prejudice to the person charged it shall further consider:
      - i) Whether the whole Inquiry be set aside and a fresh Inquiry ordered,
      - ii) Whether the Inquiry be set aside as from the stage where the irregularity accrued and be ordered to be continued, as from that stage.
- No order of dismissal or removal should be made with retrospective effect.

(Refer-P109-113, HCEF Handbook 2021)

### **Common Proceeding**

Where two or more employees are concerned in any case, the Competent Authority, who is the appointing authority for the highest ranking employee amongst those concerned, shall take all actions as disciplinary authority and proceed as per the provisions hitherto before provided in respect of employees concerned and direct disciplinary action against all of them in a common proceeding.

(Refer-P113, HCEF Handbook 2021)

### **Appeals And Review**

#### **A. Appeal**

1. Notwithstanding anything contained in this Rule no appeal shall lie

against:-

- a) Any order-made by the Competent Authority;
  - b) Any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of disciplinary proceedings, other than an order of suspension;
  - c) Any order passed by an Inquiry Officer/ committee in the case of an Inquiry under these rules.
2. Subject to the provisions of sub-rule (1) the employee may prefer an appeal against all or any of the following orders namely -
- a) An order of suspension or deemed suspension
  - b) An order imposing any of the penalties, whether made by the disciplinary authority or by an appellate, or by the reviewing authority;
  - c) An order enhancing any penalty, imposed under Rules;
  - d) An order which-
    - i) Denies or varies to his/her disadvantage his/ her pay, allowances or any other conditions of service;
    - ii) Denies promotion to which he/she is otherwise eligible according to the recruitment and promotion rules and which is due to him/her according to seniority;
    - iii) Interpret to his/her disadvantage the provisions of any such Rules.
  - e) An order -
    - i) Reverting him/her while officiating in a higher service, grade or post to a lower service, grade or post, otherwise than as a penalty;
    - ii) Reducing or withholding the post-retirement benefits, if any;
    - iii) Determining the subsistence and other allowances to be paid to him/her for the period of suspension or for the period during which he/she is deemed to be under suspension or for any portion thereof;
    - iv) Determining his/her pay and allowances -
      - a) For the period of suspension, or,
      - b) From the date of his/her reduction to a lower service, grade, post, time scale or stage in a time- scale of pay, to the date of his reinstatement or restoration to his/her service, grade, or post; or
    - v) Determining nature of the period from the date of his suspension or from the date of his/her dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time- scale of pay or stage in a time-scale of pay to the date of his/her reinstatement or restoration to his/her service, grade or post.
3. Unless otherwise provided an appeal shall lie to the authority next higher to the 30 days after the date on which the appellant was informed of the order appealed against.



4. Every employee preferring an appeal shall do so separately and in his/her own name
5. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language and shall be complete in itself. Every such appeal shall be submitted through the proper channel and shall be accompanied by a copy of the order appealed against.
6. An appeal may be withheld if-
  - i) It is appeal in the case in which no appeal lies under these rules: or
  - ii) It contains disrespectful or improper language, or
  - iii) It is not preferred within time and no reasonable cause is shown for the delay; or
  - iv) It is repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided and no new facts or circumstances are adduced which afford ground for a reconsideration of the case;

Provided that in every case in which an appeal is withheld the appellant shall be informed of the fact and the reason for it.

Provided also that an appeal withheld under rule (2) above may be resubmitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and such appeal shall not be withheld if it is submitted in a form which complies with these provisions.

7. In all cases in which an appeal lies and the person charged desires to appeal against the order of punishment he/she shall be supplied by the Competent Authority with a copy of the Inquiry Officer's report, if he/she has not already been supplied with one.
8. In cases where the appellate authority has powers to enhance the punishment and considers the case a fit one for enhancement of punishment, the appellate authority shall, before deciding to enhance the punishment, afford the person charged a reasonable opportunity of showing cause against the proposed enhancement. This can suitably be done by a notice stating:
  - i) The appellate authority's opinion about the inadequacy of the punishment imposed;
  - ii) The reasons therefore;
  - iii) The Proposed enhancement.

The person charged shall be given reasonable time to show cause, if any

(Refer-P114-117, HCEF Handbook 2021)

## **B. Review**

- a) Notwithstanding anything contained in these Rules - the Reviewing Authority may at anytime, either on his/her own or on being moved call

for the records of an Inquiry and review any order made under these Rules and

- i) Confirm, or set aside the order; or
- ii) Direct the Competent Authority to reduce or to enhance the penalty imposed by the order or impose any penalty where no penalty has been imposed; or
- iii) Remit the case to the authority which made the order or to any other authority directing such authority to make such further Inquiry as it may consider proper in the circumstances of the case.

Provided, however, that the Competent Authority shall not enhance the penalty and issue such directives, unless the employee is given opportunity to represent as to why the penalty should not be enhanced.

- b) No proceedings for review shall be commenced until after -
  - i) The expiry of the period of limitation for an appeal.
  - ii) The disposal of the appeal, whether any such appeal has been preferred.
- c) An application for review shall be dealt with in the same manner as if it were an appeal under these Rules except that the period of limitation for its consideration shall be six months commencing from the date on which a copy of the order under review is delivered to the applicant.

(Refer-P117-118, HCEF Handbook 2021)

#### **Miscellaneous**

- a) Serving of orders, notices, etc.

Every order, notice and other process made or issued under these Rules shall be served in person on the employee concerned or shall be communicated to him by registered post.
- b) Power to relax time-limit and condone delay :

Save as otherwise expressly provided in these Rules, the authority competent under Rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these Rules for anything required to be done under these Rules or condone any delay.

(Refer-P118-119, HCEF Handbook 2021)

#### **Power To Make And Amend Rules**

The HCEF shall have power to alter, amend or abrogate as in force the Rules or substitute new rule(s) and every such alteration, abrogation or new Rule or Rules shall be binding upon the employee with effect from such date as the HCEF may determine.

Provided that such alteration, amendments, or abrogation's shall not be to the disadvantages of the existing employees.

(Refer-P119, HCEF Handbook 2021)