

STEWART SCIENCE COLLEGE AIDED EMPLOYEES' **SERVICE RULES, 2010**

1. SHORT TITLE AND COMMENCEMENT:

- a) These rules may be called Stewart Science College Aided Employees' Service Rules, 2010.
- b) These rules shall come in to force with effect from the 22nd Dec 2010.

2. These rules shall apply to all aided employees of the Stewart Science College, Cuttack, whether, permanent employees or probationers whose appointments are approved by government for payment of their salary from the Grant-in Aid Scheme and are working in the Stewart Science College, Cuttack,

3. Definitions: - For the purpose of these rules;

- I. **"Government"** means the Government of Orissa in the Education Department;
- II. **"University"** means University incorporated under the provisions of the Utkal University Act, 1966 (Orissa Act 20 of 1966).
- III. **"Council"** means Council of Higher Secondary Education, Orissa, established under Orissa Higher Secondary Education Act, 1982
- IV. **"Management"** means the Diocese of Cuttack, Church of North India under which the Stewart Science College have been administered.
- V. **"Governing Body"** means the committee constituted by the management for the day-to-day administration, of Stewart Science College, Cuttack.
- VI. **"Diocesan Board of Education"** means statutory Board constituted by the management for the purpose of inspection and guidance to all the educational institutions under the management of the Diocese of Cuttack, CNI."
- VII. **"Employee"** means an employee of the Stewart Science College, Cuttack, whether, permanent employee or probationer, whose appointments are made by the Governing Body of the Stewart Science College, Cuttack and receiving their salary from the government of Orissa under Grant-in Aid Scheme.
- VIII. **"Permanent Employee"** means any employee confirmed in the service by the Governing Body of the college as permanent employee, whose scale of pay is fixed and paid from time to time under Grant-in Aid Scheme from the government of Orissa.
- IX. **"Probationer"** means any person who is provisionally employed against a permanent vacancy or post and paid by the government of Orissa, under Grant-in Aid Scheme and whose service has not been made permanent or confirmed in service by the Governing Body of the Stewart Science College.
- X. **"Members of the family"** means the employee's spouse, wholly dependent children, as also parents, brothers and sisters ordinarily residing with him/her and wholly dependent on the employee;
 - ❖ The term "spouse" shall not include a husband or wife separated from the employee.
 - ❖ The term "children" shall include stepchildren and legally adopted children but shall not include married daughters including widowed daughters.
 - ❖ The term "brothers and sisters" shall not include stepbrothers and step sisters and married brothers and married sisters.
 - ❖ The term "parents" shall include stepmother but shall not include stepfather.
 - ❖ The term "wholly dependent child/brother/sister/parent" shall mean who has no ostensible means of livelihood

4. General conditions of service:

- a) Every employee of the college shall take all possible steps to ensure and protect the interest of the college and discharge his/her duties with utmost integrity, honesty, devotion and diligence.
- b) Every employee shall be at his/her place of work, commence the allotted duties at the time fixed and notified, work for the full prescribed hours of work and give maximum output.

- c) Every employee shall carry out and act according to the reasonable orders of his/her superiors so far as his/her official duties are concerned.
- d) Every employee shall at times of exigency make himself/herself available at the disposal of the authorities beyond the office hours in the best interest of the college.
- e) Every teaching employee shall take utmost care to teach his/her allotted subject in the class and shall be responsible for the result of his/her subject in any examination conducted by the college or the Council/ University .
- f) Every employee shall at all times maintain political impartiality and act in such a manner so as not to create any ill feeling or hatred among different communities.
- g) No employee except with explicit permission of the management, shall own wholly or in part, edit or manage any news paper or periodical, and participate in a Doordarshan telecast or a radio broadcast or contribute any article to any newspaper or periodical, except such participation or contribution which is purely academic in character.
- h) Every employee shall refrain from criticizing the actions of the management or his/her superiors in public or through print or electronic media which may or likely to tarnish the image of the college. However, the employee is welcome to put forth valuable suggestions in the shape of memorandum or representation in the overall interest of the college.
- i) No employee except with explicit permission of the management shall take admission in any educational institution for further studies even if such study falls outside the normal duty hours of the employee.
- j) Every teaching employee shall take extra classes of his/her subject, if necessary, as may be decided by the Secretary /Principal for the benefit of the students.
- k) Every teaching employee residing inside the college campus shall take at least two extra classes daily for the benefit of the students staying in the hostel.

5. Methods of recruitment: For smooth running of different departments of the college, the Governing Body shall take necessary steps to recruit new employees including permanent and probationer to fill up vacancies arising out of death, retirement, termination, retrenchment and resignation of the employees and newly created posts approved by the government . Candidates without requisite qualification from recognized institutions shall not be recruited in any condition. The Governing Body shall set the detailed criteria for recruitment on the basis of the guidelines given by the department of higher education, the University and the Council . The interview shall be conducted by the selection committee constituting the President, Secretary, Principal of the Stewart Science College, one of the office bearers of the management being the member of the Governing Body), one of the member of the Governing Body and one subject expert . In addition to this the head of department for which the employee will be selected, may be invited at the time of interview. Advertisement regarding the vacancy be given in the one of the monthly magazine or one of the leading daily news papers. Upon recruitment of the employee as a permanent and probationer the college shall give him/her a written order specifying the kind of appointment, the pay package to which he/she would be eligible and the service conditions.

Every employee must produce a satisfactory medical certificate from a competent medical authority before the appointment is made.

6. Carrier Advancement or Promotion: . The Carrier Advancement will be made by the Governing Body . Paramount importance shall be given to providing quality education in the college. Though seniority in service should be one of the important factors, the main criterion for promotion or Carrier Advancement shall be based upon efficiency, qualification, character and nature of responsibility required in connection with the vacancy in the upper grade or post. For the purpose of promotion, the Principle of “Merit cum seniority” shall be followed with due care and consideration. The Governing Body shall set detailed criteria for promotion in consultation with management .

7. Attendance rules:

Punctuality exhibits a healthy system especially in an educational institution. For smooth running of the college and administration, every employee shall take utmost care to be at his/her place of work before the commencement of the scheduled time. The "scheduled time" means the regular working hours of the college for each category of employees as fixed from time to time. However an employee shall have to remain 6 hours in the college.

For this purpose, every employee shall record his/her attendance in the Attendance Register by putting his/her own signature with time in the columns of "Arrival and Departure" at the time of arrival and departure respectively. The arrival time shall commence 15 minutes before the schedule time. For those who, for good reasons, fail to turn up on the scheduled time, late arrival shall be allowed up to a maximum of 10 minutes after the commencement of the scheduled time. Such late arrival shall be recorded by the Principal or the Principal -in-charge by putting an "L" mark in the "Arrival" column against the name of the respective employee. After the end of the late arrival time, no employee shall be allowed to join his/her duties and his/her absence shall be recorded by the Principal by putting an "A" mark in the "arrival" column against the name of the employee or leave mark such as C.L, M.L or E.L as per his/her leave application.

Three late arrivals shall constitute one-day leave and it shall be deducted from the eligible leave of the employee in the order of C.L, M.L and E.L as per the availability of leave to the credit of the employee. In the event, there is no leave to the credit of the employee; such absence shall be treated as "leave without pay". As a healthy practice, late arrival should be discouraged and habitual late coming shall be treated as gross misconduct.

8. Redress of grievances:

An employee desirous of the redress of a grievance relating to unfair treatment or wrongful exaction on the part of the Principal or a superior shall submit a complaint in writing to the Secretary or the Governing Body through the Principal /Secretary .

The Principal or Secretary or any person appointed by the Governing Body as soon as possible investigate the complaint at such time or place as he may fix. The employee shall have the right to be present at the time of investigation. A copy of the order finally made shall be supplied to him/her if he/she asks for one.

If not satisfied with the decision of the Governing Body, the employee shall have the right to appeal to the Management, i.e. the COURT OF THE DIOCESE of Cuttack, CNI, through it's Secretary having its office at Bishop's House , Mission Road, Cuttack, 753001, Orissa. .

If any employee desirous of redress of his/her grievance, goes directly to the President or the Management or any other public authority without observing the proper procedure as stated above, he/she shall be liable for disciplinary action.

9. Disciplinary action and procedure thereof: -

I. The Secretary of the Governing Body shall be the disciplinary authority for taking disciplinary action against all categories of employees. The action taken by the Secretary needs to be ratified in the meeting of the Governing Body whose decision in the matter shall be final. If the employee, against whom the disciplinary action is taken, is not satisfied with the decision of the Governing Body may appeal to the Management (The Court of the Diocese of Cuttack, CNI , through it's Secretary) and such appeal should be filed within two months from the date of receipt of the orders from the Secretary of the Governing Body.

II. An employee, who commits such acts and omissions, which, in the opinion of the authority are "Misconduct", as enumerated hereunder, shall render himself/herself liable to disciplinary action.

10. MISCONDUCT: By expression "Misconduct" shall be meant any of the following acts and omissions on the part of an employee;

- a) Engaging in any trade or business outside the scope of his/her duties.
- b) Unauthorized disclosure of information regarding the affair of the college or any other person connected with the college, which is confidential, or the disclosure of which is likely to be prejudicial to the interest of the college.
- c) Drunkenness or drug abuse or riotous or disorderly or indecent behavior in the premises of the college.
- d) Willful damage or attempt to cause damage to the property of the college.

- e) Willful insubordination or disobedience of any lawful and reasonable orders of the management or of a superior.
- f) Gambling or betting inside the college.
- g) Taking bribe or illegal gratification from the parents, students or an employee of the college for whatsoever reason.
- h) Knowingly making a false statement in any document pertaining to or in connection with his/her employment in the college.
- i) Aiding, abetting or instigating in resorting to unfair practice of any nature whatsoever in any examination conducted by the college or Council / University or any other institution inside the college.
- j) Willful slowing down in performance of work or gross negligence in duty involving or likely to involve the college in serious loss or tarnishing the image of the college in public.
- k) Tampering the mark journal/examination records/service book/any college records.
- l) Disclosing the questions set for the examination.
- m) Willful negligence and deliberate discrimination in valuation of examination papers and tabulation of marks in any examination conducted by the college or Council/ University .
- n) Deliberate attempt to teach in haphazard manner or to come regularly late to the class for teaching or to create fear psychosis in the minds of the students or to teach in a manner compelling or inducing the students to take up private tuition.
- o) Taking up private tuition.
- p) Failing to show proper consideration, courtesy or attention towards the students, parents and other employees of the college and unsatisfactory behavior while on duty.
- q) Organizing or instigating employees to observe illegal strike or stop work or resort to agitation in whatsoever manner before exhausting all course of action for redress of grievances.

- r) Taking part in politics or enrolling himself/herself in any organisation connected with political parties or contesting election for parliament/legislative assembly/local bodies/municipal corporation/Panchayat without explicit permission of the management.
- s) Remaining absent unauthorisedly without intimation or without sufficient ground.
- t) Holding meeting in the premises of the college without the permission of the Governing Body.
- u) Unauthorised action misusing the powers of his/her superiors or that of the management, which creates or is likely to create disturbance in the college or put the management in difficult situation.
- v) Willful violation of service conditions which creates or is likely to create indiscipline among the employees.
- w) Suing the Governing Body or the management without explicit permission of the management.
- x) Bigamous marriage: (i) No employee having a spouse living shall enter into or contract a marriage with a person having a spouse living or with any person. Provided that the management may permit an employee to enter into or contract such marriage as referred to above that such marriage is permissible under the personal law applicable to such employee and the other party to the marriage and that there are other grounds for doing so
- y) Personal conduct during or out side college hours :-An employee engaged in the profession of teaching should be careful to see that his/her conduct before the student is ideal and that any sort of interaction between his/her colleagues or with any pupil of the college does not exhibit a bad example before the student which

may have adverse effect in the tender minds of the boys/girls . He/she should not engage himself with such action of **personal immorality** so as to damage of the reputation of the college in public.

11. (A)Penalties :- The following penalties may for good and sufficient reasons and as hereinafter provided , be imposed on an employee of the college.

Minor Penalties

- (a) Warning
- (b) Censure
- (c) Suspension
- (d) Withholding of increment or promotion.
- (e) Recovery from pay of the whole or part of any pecuniary loss caused to the Institution for negligence on breach of orders.

Major Penalties

- (f) Be dismissed from service.
- (g) Be compulsorily retired/removed from service/discharged without Superannuation benefits or
- (h) Be brought down to lower stage in the scale of pay, or reverted to lower grade, or
- (i) Have his/her increment stopped.

12 Procedure of initiating disciplinary action

- I. An employee against whom disciplinary action is proposed or is likely to be taken, shall be informed in writing of the particulars of the charges against him/her and he/she shall be required to submit his/her explanation if any within such time as may be specified by the disciplinary authority.
- II. On receipt of the written explanation or if no such explanation is received within the specified time, the disciplinary authority if not satisfied, shall frame a charge sheet clearly setting forth the circumstances appearing against the employee and shall fix a date for enquiry and appoint a person from among the members of the Governing Body or from the Management in consultation with the President, as enquiry officer to enquire in to the charges.
- III. The charge sheeted employee shall be given reasonable time to prepare his explanation or to produce any evidence in his/her defense, shall be supplied with all the records on which the charges are based and shall be permitted to inspect or take extracts from such records as he may require provided that such permission may be refused if in the opinion of the disciplinary authority such records are not relevant or access to such records is against public interest. He/she shall be permitted to appear before the Enquiry Officer, to cross-examine any witness on whose evidence the charge rests and to produce witness and other evidence in his/her defense provide that the Enquiry Officer may decline to cross-examine any witness or evidence on the ground that such witness or evidence are not relevant in the case.
- IV. In all cases the proceedings of the enquiry shall be entered in a book kept specially for the purpose, in which the date on which the proceedings are held, the employee proceeded against, the charge or charges, the witness and evidence, if any, tendered by the charge sheeted employee, the findings with the grounds on which they are based and the order passed shall be recorded with sufficient fullness, as clearly as possible and such record of the proceedings shall be signed by the Enquiry Officer, after which a copy of such record may be furnished to the employee concerned if so requested by him/her in writing.
- V. On conclusion of the enquiry, the Enquiry Officer shall prepare a report of enquiry recording his findings with reasons thereof and submit it to the Disciplinary Authority for taking necessary action on it.
- VI. If the charges are established against the employee, he/she may be given a hearing as regards the proposed punishment after which the Disciplinary Authority shall award such punishment as deem necessary taking in to account the gravity of the misconduct, past record of the employee and the aggravating circumstances.

- VII. The disciplinary authority shall communicate the employee concerned the order awarding punishment or acquitting him/her from the charges, and submit a copy of the enquiry report with order passed thereof to the Governing Body in its next meeting for ratification and forward a copy of the enquiry report with the order passed thereof to the management for information.
- VIII. Pending such enquiry or initiation of such enquiry, the employee may be suspended, but if on the conclusion of the enquiry it is decided to take no action against the employee, he/she shall be deemed to have been on duty and he/she shall be entitled to the full wages and all other privileges for the period of suspension; and if some punishment other than dismissal is inflicted, the whole or part of suspension, may at the discretion of the Governing Body, be treated as on duty with right to corresponding portion of the wages.
- IX. If an employee commits an offence involving moral turpitude, he/she is liable to conviction and sentence under any provision of Law. If he/she is convicted he may be dismissed from service from the date of his/her conviction or be given any lesser form of punishment as may be decided by the Governing Body. If he/she is acquitted it is open to the Governing Body to proceed against him/her under the provision as set out above.

13. Leave

CHAPTER- I

- 1. Leave of all kinds cannot be claimed as a matter of right. When the exigencies of service so require, the Governing Body reserves the discretion to refuse or revoke leave of any description or grant leave for shorter period than prayed for or recall the employee already on leave from the place of his stay on leave.
- 2. If the leave prayed for, is granted or refused or postponed, an order showing the date of commencement of the leave or the reasons for refusal or postponement shall be issued to the employee and the leave shall not be deemed to have been granted unless the same is communicated to the applicant.
- 3. If an employee after proceeding on leave desires to extend the leave, he/she shall apply stating his full postal address sufficiently before so that the order of grant or refusal of such extension of leave shall reach him/her before the expiry of the leave originally granted.

CHAPTER- II

- 4. Except as otherwise provided, the various kinds of leave admissible under these rules may be granted in combination with or in continuation of any other kind of leave.
- 5. (1) Except as otherwise provided in these rules-
 - (i) Leave begin on the day on which transfer of charge is effected, or, if charge is transferred afternoon, on the following day; and
 - (ii) Leave ends on the day on which charge is resumed or if charge is resumed before noon on the preceding day.
- (2) When an employee is permitted to prefix holidays to leave, his leave begins on the first day after the holiday.
- (3) When an employee is permitted to suffix holidays to leave, his leave ends on the day on which it would have ended if the holidays had not been suffixed.
- (4) When an employee is permitted under rule 6 to combine leave with vacation, his leave begins or ends on the day on which it would have begun or ended if it had not been combined with vacation.
- 6. An employee may be permitted to combine vacation with leave either at the beginning or at the end thereof, provided that;
 - (i) no additional expenses shall be incurred by the institution for the period of the vacation;
 - (ii) vacation shall not be both prefixed and suffixed to leave;
 - (iii) leave shall not be both prefixed and suffixed to vacation;

- (iv) the total duration of vacation and earned leave taken in conjunction shall not exceed one hundred and eighty days; and
 - (v) the duration of vacation and earned leave and commuted leave taken in conjunction shall not exceed two hundred and forty days;
7. An employee who remains absent after the end of his leave is not entitled to leave salary for the period of such absence, and that period will be debited against his leave account as though it were leave on half average pay, unless his leave is extended by the competent authority. Willful absence from duty after expiry of leave may be treated as misconduct involving disciplinary action.
 8. An employee on leave is prohibited from taking any service or accepting any employment without obtaining the previous sanction of the appointing authority.

CHAPTER III

9. Earned leave – (1) The earned leave admissible to an employee who holds a post substantively one-eleventh of the period spent on duty.
 - (2) The earned leave admissible to an employee is subject to the following conditions, namely:-
 - (i) for each year of duty in which an employee has availed himself of the vacation, his earned leave shall be reduced by twenty days when the entire vacation has been enjoyed:
 - (ii) if a part of the vacation has been enjoyed in any year, the period by which the earned leave shall be reduced shall be a fraction of twenty days equal to the proportion which the part of the vacation taken, bears to the full period of vacation.
 - (3) An employee shall cease to earn leave when the earned leave due amounts three hundred days.
 - (4) The maximum earned leave that will be granted to an employee at a time shall be one hundred and twenty days.
 - (5) An employee who does not hold a post substantively shall not earn any leave during the first year of his service and shall earn it thereafter at one eleventh of the period spent on duty. If, however, he had availed of the entire vacation, the reduction shall be made proportionately as provided in sub-rule.
- (2) In no case he shall earn further leave when the leave at his credit amounts to ninety days.

Explanations – (1) A person who has completed his probation satisfactorily will be deemed to hold the post to which he was appointed on a substantive basis, with effect from the date of completion of period of probation, provided that the period of probation will not be less than one year in any case.

 - (2) For the purpose of this rule vacation counts as duty.
10. (1) Half-pay leave admissible to an employee in respect of each completed year of service shall be twenty days.
 - (2) The half-pay leave due may be granted to an employee either on medical grounds or on private affairs:

Provided that no half-pay leave may be granted to an employee without a substantive appointment, unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.
11. (1) At his option, an employee may have the half-pay leave due to his credit converted into half the amount of full pay leave when such leave is granted on medical certificate. Such converted leave shall be called commuted leave and the maximum limits up to which the commuted leave may be granted during the entire service is two hundred and forty days.
 - (2) Commuted leave may be combined with earned leave but such combination shall be limited to two hundred and forty days. This limit also applies to the combination of earned leave, vacation and commuted leave provided that no commuted leave may be granted when there is no reasonable prospect of the employee returning to duty on its expiry.
12. Extraordinary Leave – (1) Extraordinary leave may be granted to an employee in special circumstances –
 - (i) when no other leave is, by rule, admissible, or
 - (ii) when other leave is admissible, but the employee concerned applies for the grant of extraordinary leave.

- (2) Except in the case of an employee with a substantive appointment who has rendered not less than three years continuous service, the duration of extraordinary leave on any one occasion shall not exceed the following limits:-
- (i) two months; or
 - (ii) four months in special cases where the sanctioning authority is satisfied that the absence is due to illness of the employee; or
 - (iii) eighteen months in the case of an employee undergoing treatment for tuberculosis or leprosy supported by a medical certificate:
- Provided that the concession in clause (iii) above will be admissible only to those employee who have been in continuous service for a period exceeding one year.
- (3) An employee who does not hold a post substantively may be granted, during deputation on training, extraordinary leave from the date of his relief till the date of resumption of duty on return from training provided that he has completed a minimum period of one year's continuous service on the date of deputation, and the authority competent to grant the leave is satisfied that such training is necessary for improving the professional knowledge of the employee.
- (4) Where an employee without any substantive appointment fails to resume duty on the expiry of the period of extraordinary leave granted to him, he shall, unless the appointing authority in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned his appointment and shall accordingly cease to be in employment.
- [(5) Extraordinary leave taken on account of illness or for any reason beyond the employee's control or for prosecuting higher scientific or technical studies may be allowed to count for increments:
- Provided that when extraordinary leave is sanctioned in favour of an employee for the purpose of study such employee shall, on return from leave, produce satisfactory evidence in the form of a degree, diploma or other qualification or in the form of a certificate from the head of the institution where the course of study has been prosecuted to show that he has profited from such study, failing which the order allowing the period of extraordinary leave to account for increment shall be revoked by the authority.]
- [(6) Notwithstanding anything contained in the aforesaid sub-rules, when Government are satisfied that the operation of any of the provisions of the said sub-rules causes undue hardship to the employee or employees in any particular case, it may by an order, for the reasons to be recorded in writing, dispense with or relax the requirements of that rule so extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.]
13. Study Leave – (1) Study leave may be granted to a teacher of an aided college to enable him to study scientific, technical or similar problems or to undergo a special course of instruction. Such leave is not debited against the leave account.
- (2) Study leave will not ordinarily be granted to a teacher of an aided college of less than five years service or to a teacher within three years of the date on which he will attain the age of compulsory retirement.
- (3) The grant of study leave will be made with regard to the interest of the college. In no case will the grant of this leave in combination with leave other than extraordinary leave or leave on medical certificate involve an absence of over [thirty months] during the whole period of his service nor will it be granted with such frequency as to remove him from contact with his regular work or to cause difficulties owing to absence on leave.
- (4) Study leave sanctioned in favour of a teacher of an aided college will be limited to the actual period required for completion of the courses of study. If the courses of study involves a period less than the period of study leave sanctioned the excess period of leave will be treated as absence from duty unless he produces the assent of the sanctioning authority to his taking it as ordinary leave.
- (5) Study leave will count as services for all purposes but shall not be set off against any leave which may be due to a teacher of an aided college.
- [(6) During study leave a teacher of an Aided College shall be entitled to leave-salary at the rate admissible to his counterpart in Government Colleges only for a maximum period of two years.]
14. Maternity Leave – (1) Maternity leave may be granted to a married female employee by the authority empowered to grant ordinary leave subject to the following conditions:-

[(i) the period of such leave shall not extend beyond ninety days from the date of its commencement.]

[(ii) No maternity leave shall be granted to a female employee for the third and subsequent issues.]

[(2) Maternity leave may be combined with leave of any other kind due, up to a maximum of sixty days.]

(3) Leave salary during the period of maternity leave shall be equal to the pay drawn by the employee concerned at the time of taking leave.

[Note-I] – Maternity leave may also be granted in case of miscarriage including abortion subject to the condition that the leave does not exceed six weeks and the application is supported by a certificate from the Medical Attendant.

[Note –II]- The expression “abortion” in Note-I shall include an abortion induced under the Medial Termination or Pregnancy Act, 1971.]

15. Earned leave at the credit of an employee shall lapse on the date of compulsory retirement, provided that if in sufficient time before that date he has-

(i) formally applied for leave due as preparatory to retirement with has been refused; or

(ii) ascertained in writing from the sanctioning authority that such leave applied for would not be granted, in either case the ground of refusal being the requirement of service to the institution after paying due regard to the provisions in sub-rule (3) of rule 16, then he may be granted, after the date of retirement, the amount of leave so refused, subject to a maximum of one hundred and eighty days.

16. (1) Leave will not be granted to an extent which would unduly deplete the strength of the establishment available for duty. When the duty strength has been reduced to an essential minimum, no further leave of any description will be granted except in cases of the most absolute necessity. When it is impossible, in the interest of the institutions to grant all applications for leave the following consideration should be taken into account in deciding which applications should be granted : -

(a) the employee who can for the time being, best be spared due regard being paid to the facility with which they could, in necessity arose be recalled from leave;

(b) the amount of leave due to the various applicants;

(c) the amount and nature of the service rendered by each applicant since he last returned from leave; and

(d) the fact that any such applicant has previously been refused leave in the interest of the institution.

(2) If an employee applies for leave at short intervals on the ground of health, leave should be refused except on medical certificate. In such a case the frequency of the leave taken in the past should be brought to the notice of the medical examiner, and he should be asked to advise with special care on the term required to establish a complete recovery.

(3) Notwithstanding the provisions in the preceding sub-rules, the application for leave preparatory to retirement by an employee should normally be allowed as soon as leave is applied for and the sanction order should not be, cancelled subsequently resulting in refusal of leave.

17. (1) Except as provided in sub-rule (2) an employee on earned leave is entitled to leave salary equal to the average monthly pay earned during the ten complete months immediately preceding the month in which the leave commences, or the substantive pay to which the employee is entitled immediately before the commencement of the leave, whichever is greater.

(2) An employee who proceeds on earned leave from a post having a scale of pay with a maximum not exceeding Rs. 100 per month is entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

(3) An employee who proceeds on half-pay leave is entitled to leave salary equal to half the amount specified in sub-rule (1) or sub-rule (2), as the case may be.

(4) An employee on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (1) of sub-rule (2), as the case may be.

(5) An employee on extraordinary leave is not entitled to any leave salary.

18. (1) Casual leave with full pay for ten days and special casual leave for five days on expiry of the above period may be granted to an employee in any one calendar year. It may be granted in combination with gazetted holidays but subject to the condition mentioned in clause (iii) of sub-rule (2). Such holidays will not be counted as part of the leave for the purpose of reckoning the total amount of casual leave and special casual leave. The unspent balance of casual leave and special casual leave in any calendar year will lapse at the end of that year.

(2) The grant of casual leave and special casual leave is subject to the following conditions, namely : -

- (i) Casual leave shall not be granted on vague and general grounds, as for 'urgent affairs' or for 'certain ceremony'. The specific purpose for which leave is required must be stated definitely;
- (ii) no employee may be allowed to produced on casual leave or special casual leave at short intervals;
- (iii) casual leave or casual leave combined with special casual leave or casual leave combined with gazetted holidays shall not be allowed for more than ten days at a time; and
- (iv) casual leave shall not be granted so as to cause an evasion of rules regarding charge of office, commencement and end of leave and return to duty.

(3) Notwithstanding the provision in the foregoing sub-rules "additional special casual leave" with full pay may be granted for the following purposes and to the extent indicated below, namely : -

- (i) for service on a jury or for attending approved conferences or University or Board, meeting for the minimum period considered necessary; and
- (ii) for undergoing sterilization operation for a period not exceeding six days for men and fourteen days for women.

(4) Applications for casual leave and special casual leave showing reasons for the leave shall be addressed to the authority competent to sanction it and should under ordinary circumstances, be made at least three days in advance prior to the date from which casual leave is required except on grounds of personal illness or other emergent and unforeseen causes.

19. Quarantine leave on full pay be granted to an employee who is prevented from attending duty on account or presence of infectious disease in his house at the headquarters. Such leave may be granted up to thirty days by the authority competent to grant regular leave on the basis of a Medical Certificate. For this purpose only Cholera, Smallpox, Plague, Diptheria, Typhus fever and Cerebrospinal Meningitis shall be considered as infectious diseases.

20. Leave other than casual leave and special casual leave may ordinarily be granted to an employee of secondary schools and colleges by the Managing Committee or the Governing Body as the case may be. In case of urgency, or during a vacation when the Managing Committee or the Governing Body will not meet for some time, leave may be granted by the President but any leave so granted should be reported to the Managing Committee or Governing Body, as the case may be, at its next meeting for approval. Provided that study leave under rule 13 may be granted to a teacher only with the prior approval of Governing Body.

21. (1) Casual leave and special casual leave referred to in sub-rules (1) and (2) of rule 18 will be granted -

- (i) by the President of the Managing Committee or the Governing Body, to the Headmasters and Principals, respectively.
- (ii) by the Principals and the Headmasters, in the case of other employees of the college and secondary schools, respectively; and

(2) Special casual leave referred to in sub-rule (3) of rule 18 will be sanctioned by the authority referred to in rule 20.

22. (1) A leave account in respect of earned leave, half-pay leave commuted leave and extraordinary leave, may be maintained in respect of all employees of the aided educational institutions in the Form shown in Appendix – A.

(2) A leave account for casual leave and special casual leave referred to in sub-rules (1) and (2) or rule 18 may be maintained in the Form shown in Appendix – B.

(3) The leave account maintained in an institution shall be subject to inspection by an officer of the Diocesan Board of Education.

Interpretation: - If any question arises relating to the interpretation of any of these rules, the decision of the management i.e. the DIOCESE of Cuttack, CNI thereon shall be final.



*Bishop,
Diocese of Cuttack, CNI.*

*Secretary,
Diocese of Cuttack, CNI.*

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Note 1 – Period of extraordinary leave taken should be noted in red ink in Col. 24 “Remarks”

Note 2 – The entries in Col. 10 and should indicate only the beginning and end of completed years of service at the time of half-pay leave commences in cases where an employee completes another year of service while on half-pay leave the extra credit should be shown in Cols. 10 to 14 by making suitable additional entries and this should be taken into account when completing Col. 23.

Note 3 – When the rate of earning leave changes, the fraction of the earned leave accumulated at the earlier rate should be rounded off to the nearest day, i.e. fraction below half should be ignored and those of half or more should be reckoned as a day.

Note 4 – In calculating “ earned leave” the actual number of days of duty performed should first be counted and then multiplied by 1/11 or 1/22 as the case may be, the product expressed in days (and a fraction of day) and limited to 180 or 90 as the case may be.

Note 5 – the deduction of earned leave under rule 10 (i) should be recorded in red ink as a minus entry in column 4.

APPENDIX B

FORM OF LEAVE ACCOUNT FOR CASUAL LEAVE AND SPECIAL CASUAL LEAVE

Name and designation of the employee _____

Date (s) on which leave begins or ends	Number of days	Progressive total	Initial of the sanctioning authority
1	2	3	4