

**The institution functioning is as per  
professional code of prescribed / suggested  
by statutory bodies / regulatory authorities  
for different professions**



**ST. ANNE'S DEGREE COLLEGE  
(Affiliated to Mangalore University)  
Virajpet –571218, Kodagu**



**MYSORE DIOCESAN EDUCATIONAL SOCIETY (Regd)**

S.No.39/65-66.Dtd.11-03-1966

St. Joseph's College Campus, Jayalakshmipuram, Mysore- 570 012

**Mysore Diocesan Educational Society (MDES)  
Educational Institutions Employees Service Rules - 2017**

THESE SERVICE RULES ARE APPLICABLE TO EMPLOYEES OF ALL THE  
EDUCATIONAL INSTITUTIONS COMING UNDER THE JURISDICTION  
AND MANAGEMENT OF MYSORE DIOCESAN EDUCATIONAL SOCIETY

## INTRODUCTION

The Mysore Diocesan Educational Society, herein after referred to as MDES, was established in the year 1966 with the objectives to initiate, promote and support integrated development of students through educational activities related to formal , non-formal or technical and professional education in all aided as well as unaided institutions in the Catholic Diocese of Mysore. The MDES was registered on 11-03-1966 with registered no S.No.39/65-66.

From the inception, MDES has been catering primarily to the needs of members of the Catholic denomination of Christian faith, and also for all others without distinction, irrespective of caste or creed. Christians are a religious minority in the state of Karnataka. They are also an economically and socially backward community.

All the institutions under the jurisdiction and management of MDES come under the category of Christian Religious Minority Institutions established and administered within the scope and ambit of the safeguards of the articles 29 and 30 of the Constitution of India.

MDES aims at achieving excellence in imparting quality education and a strong student community possessing a sense of character, values, knowledge and patriotism with a view to build a strong and progressive India.

This 'MDES Educational Institutions Employees Service Rules – 2017 document lays down the norms, procedures and work practices that are to be adhered to by all employee , teaching and non-teaching , in the schools, colleges, and allied educational institutions in the jurisdiction and management of MDES.

These 'Service Rules' are expected to provide clarity on policies and work practices that are conducive for all employee, to demonstrate their best talents and abilities and to work in harmony with one and all.

It is expected that these 'Service Rules' will also be of immense value to all those responsible for the day to day administration and smooth functioning of all MDES institutions.



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## CHAPTER- I

### GENERAL

#### 1. Title and Applicability:

- (i) These rules may be 'MDES Educational Institutions Employees Service Rules – 2017'
- (ii) They shall come into force on the date of their notification by MDES.
- (iii) These rules shall be applicable, except when specifically exempted, to all employees including teaching non teaching, administrative and maintenance in all aided and unaided schools, colleges, and allied educational and training institutions, under the jurisdiction and management of MDES.
- (iv) All the institutions under the jurisdiction and management of MDES are considered as Religious Minority Institutions and enjoy the rights conferred under the Constitution of India

#### 2. Definitions:

- (i) MDES means Mysore Diocesan Educational Society
- (ii) Service Rules means MDES Educational Institutions Employees Service Rules 2017
- (iii) Management means "Mysore Diocesan Educational Society"
- (iv) Appointing authority means Governing Body of MDES
- (v) Disciplinary authority means Governing Body of MDES
- (vi) Secretary means the Secretary of the Governing Body of MDES
- (vii) Educational Institutions or Institutions means all the aided and unaided Institutions imparting educations which are managed by Mysore Diocesan Educational Society
- (viii) School/College means a School/College under the jurisdiction and management of MDES
- (ix) Proper channel means through the respective heads of the institutions
- (x) Head of the Institution' means and includes concerned Headmaster/ Headmistress of schools, Concerned Principal of colleges and other institutions coming under the management and jurisdiction of MDES
- (xi) Correspondents/ Rector/Administrator means persons appointed by the Governing Body to oversee the day today functioning of its institutions on behalf of the Management
- (xii) Academic Year means the year specified under various statutes and statutory bodies
- (xiii) Calendar year means beginning of calendar year to the end of calendar year – that is January first to thirty first of December
- (xiv) Aided means such institutions under the jurisdiction and management of MDES receiving salary grant from the government in full or in part
- (xv) Unaided means such institutions under the jurisdiction and management of MDES that do not receive any salary grant from the government in full or in part, but maintained by the Management from its own resources.
- (xvi) Self financing means the courses/combination/ subjects maintained by the Management from its own resources.



- (xvii) Casual Employee means any person engaged temporarily to do such work that is not regular in nature
- (xviii) Contract Employee means any person engaged to carry out a specific task/job within a specified period as per the terms of an agreement in writing.
- (xix) Confirmation means the successful completion of probation as indicated in writing by the Appointing Authority
- (xx) Enquiry Officer means a person so appointed by the Disciplinary Authority to conduct an inquiry into the allegations of actions of an employee that are in violation of MDES Service Rules
- (xxi) Family means and includes the spouse, parents, legitimate or legally adopted children of an employee who are wholly dependent on him/her.
- (xxii) Financial Year means the 12 consecutive calendar months commencing from the first day of April of any given year up to the last day of March of the following year or as specified by the Government India from time to time.
- (xxiii) Grade or Scale means the pay scale applicable to employee showing basic pay and allowances
- (xxiv) Honorarium mean nominal payment including reimbursement of expenses made to professionals, specialists, experts, guests and invitees not being persons on the rolls of MDES and its institutions, for their time and services provided to MDES and its institutions
- (xxv) Leave means authorized absence from duty
- (xxvi) Christian Religious Minority Institutions means, School / Colleges and other institutions established and administered by Christian Community within the scope and ambit of the safeguards of the articles 29 and 30 of the Constitution of India.
- (xxvii) Part-time Employee means any person engaged to work only for a part of the day, week or month
- (xxviii) Permanent Employee means those employee who are not on probation, temporary, casual, part-time or on contract
- (xxix) Probationer means an employee appointed provisionally to fill up a vacancy on a trial basis to prove his / her ability, suitability, fitness and competence
- (xxx) Qualifying Service means the period of work done in an academic/financial year (365 days) calculated on the basis of actual number of days worked including leave granted, but excluding unauthorized absence from work, unpaid study or medical leave, and periods of suspension with penalty
- (xxxii) Salary includes basic pay, allowances management contribution towards provident fund and other emoluments paid to employee on the rolls of MDES on a monthly basis
- (xxxii) Superannuation means the age of retirement with or without pension fixed under these rules
- (xxxiii) Employee means all the teaching and nonteaching employees in MDES institutions.
- (xxxiv) Service Register/ Book means a book maintained for each employee in a manner prescribed by the government from time to time
- (xxxv) The words used but not defined in these service rules shall have the meaning assigned to them in the rules

## CHAPTER II

### THE POWER & FUNCTIONS OF THE OFFICERS OF THE INSTITUTIONS

#### 3. The Power & Functions of the Officers of the Institutions

- (i) **The Secretary:** He shall be the executive authority on behalf of the MDES. He shall be responsible to carry out the statutory obligations of these rules. He shall call for meetings by sending notices in time; prepare agenda, record minutes and present reports to the



Management. He shall be the joint signatory of all the management accounts of the MDES institutions & keep a close watch on all expenditure. All the financial transactions are done as per the guidelines issued by MDES from time to time as and when required.

- (ii) He shall maintain the records of all the MDES institutions. He shall implement the decisions of the Governing Body.
- (iii) **The Correspondent/ Rector/Administrator of an Institution:** (The Correspondent/ Rector/ Administrator are liaison between the institution and management. They shall have over all responsibilities for the efficient and smooth functioning of the institution.) He/she shall review the functioning of the institution keeping in view the administrative problems and introduce the scientific measures for improving administration in the institution. He/she shall exercise such powers as are necessary to implement the policies and programmes of the management and the respective Govt. Departments to which the institution is affiliated. He/she may call any documents related to any department and report any lapses, indiscipline by the employees to the management.
- (iv) **The Head of the Institution:** The Head of the Institution shall exercise such powers as are necessary to implement the policies and programmes of the management and the respective Govt. Departments to which the institution is affiliated. He/she shall issue such general or specific directions from time to time to the teaching and nonteaching employee to attend the matters relating to their departments/sections in accordance with the administrative orders. He/she may call any documents related to any department/section and pass such orders as he/she deems fit. He/she may delegate such administrative powers to such employee members as he/she considers necessary after taking approval from the higher authority. He/she may call any documents related to any department and report any lapses, indiscipline by the employees to the Correspondent/ Rector/ Administrator.
- (v) **Vice-Principal or Asst. HM:** He/she shall assist the head of the institution as and when required. In the absence of the Head of the Institution, shall carry out the administrative and academic responsibilities excluding signing of cheques and shall report any lapses, indiscipline by the employees to the Correspondent/ Rector/ Administrator
- (vi) The Management shall create any other administrative post from time to time as and when required.

### CHAPTER III SERVICE CONDITIONS

#### 4. Employment Criteria:

- (i) **Service Register:** Every head of the institution shall maintain a separate service register for each employee (Both aided and unaided) and record all the details of employee as being done for grant in aid employees of the institution. This service register shall be signed by the employee every year and counter signed with by the head of the institution with office seal. For head of the institution the management or its authorized persons shall counter sign the service register/book. The service register/book shall remain with the institution even after the employee leaves the institution.



- (ii) **Selection of candidates for various posts:** The criteria for selection of candidates to fill various posts such as qualifications, experience, skills and abilities shall be as laid out in the guidelines issued from time to time by the respective Government Departments/Universities to which the respective institutions are affiliated or obtained permission to start the institutions. MDES shall be at liberty to prescribe higher level criteria and employ persons with the highest level of qualifications, skills and abilities. Preference shall be given to candidates who have done regular courses (instead of correspondence courses) in a reputed College/University. Those candidates already appointed who do not meet the aforesaid qualification criteria, will be encouraged and given sufficient time to complete their studies and get qualified. Only one person per family shall be eligible for appointment in an MDES institution.
- (iii) **Age:**  
No person being a minor shall be appointed in any of the MDES institutions. In making appointments to various posts statutory requirements shall be adhered to. An employee shall retire on completing the age of 60 years. For the purposes of arriving at the date of birth of any employee, the date mentioned in the SSLC Marks Card/Matriculation Certificate shall be taken into consideration. In the absence of the said document either the Notarized Affidavit provided by the employee at the time of appointment or a birth certificate issued by Municipal/Panchayat authorities shall be taken to determine the date of birth. Changes in date of birth after appointment shall not be considered.
- (iv) **Salary Structure:**
- a) The employees (Teaching & Non teaching) appointed in the grant in aid institutions and salary admitted to grant in aid by the government, their pay and allowance will be governed by the State Government Rules where ever applicable.
  - b) The employee appointed in the aided schools but salary not admitted to grant in aid by the government, their pay & allowances will be fixed by the management from time to time.
  - c) An employee appointed in the aided institution for self financing courses their pay & allowances will be fixed by the management from time to time
  - d) The employee working in the unaided institutions, their pay & allowances will be fixed by the management from time to time.
  - e) The institution shall make deductions from the salary of the employees as per statutory requirement for the purpose such as income tax, provident fund etc and shall deposit the same with appropriate authorities in time.
  - f) The temporary employees terminated during the period of temporary employment shall be entitled for salary in the month of termination only till the date he/she has served the institution
- (v) **Benefits & Privileges**
- a) **For the Employees admitted to grant in aid:** The Employees admitted to grant in aid by the government are entitled the benefits & privileges as per Government Rules where ever applicable from time to time.



b) **For the Employees appointed for unaided & self financing posts:**

1. **Provident Fund:** Every permanent full time employee shall subscribe to the provident fund as per the PF ruled issued from time to time by the concern authority.
2. **Gratuity:** Every permanent full time employee shall be entitled for the gratuity which shall be 1/2 months basic salary multiplied by number of years of service to a maximum of 33 years of service subject to a maximum of Rs.????? . **Any employee dismissed from service shall not be entitled for gratuity.**

(vi) **Recruitment:** All the institutions under the jurisdiction and management of MDES come under the category of Christian Religious Minority Institutions and are established and administered within the scope and ambit of the safeguards of the articles 29 and 30 of the Constitution of India.

- a) The Secretary of MDES, based on internal assessment, shall notify the positions/vacancies to be filled in MDES institutions.
- b) The Governing Body after considering certain privileges granted in the Constitution of India to its religious minority institutions, may constitute a Selection Committee to select candidates to fill positions/vacancies whether aided or unaided in accordance with the Selection Procedure laid out in these rules.
- c) Only a provisional appointment letter shall be issued to candidates selected to fill positions/vacancies for aided posts in aided institutions against government sanctioned aided clear posts and regular appointment order shall be given on receiving approvals from concerned government departments.
- d) All candidates selected for appointment by the Selection Committee shall be issued appointment order by the Secretary of MDES.
- e) All appointed candidates will also receive along with the appointment order a copy of MDES rules.
- f) The appointed employee member shall acknowledge the appointment orders and give a written undertaking that he / she will abide by the service conditions and MDES rules.
- g) MDES reserves the right to appoint employee on a contract basis.

(vii) **Selection Procedure for all positions:**

- a) All vacancies shall be publicized internally within MDES institutions and/or externally, and applications invited (Advertisement / Publicity / Notification).
- b) Receiving applications from candidates.
- c) Initial screening of short-listed candidates will be done through a written test to assess skills, aptitudes and competencies, as well as knowledge and conceptual understanding required for the position concerned.
- d) Candidates appear for a demonstration class which is assessed by 3 competent persons from a school / college and or professionals from outside.
- e) Filling up an information form prescribed by MDES.
- f) Short listing of candidates based on Merit.
- g) Only short-listed candidates shall be called for interviews.
- h) Selection of candidates by a selection committee / Interview panel.
- i) An appointment issued by MDES Secretary.



- (viii) **Constitution of Selection Committee:-** For the purpose of recruitment to teaching and non-teaching posts other than head of the institution, to an institution, the Governing Body shall constitute a " Selection Committee" consisting of
- a) The Chairman of MDES or his nominee – Chairman;
  - b) The Secretary of MDES
  - c) The Rector/Correspondence/ Administrator of the that institution to which the vacancy shall be filled
  - d) The Head of the Institution to which the vacancy shall be filled;
  - e) An external educationist or an expert in subject nominated by the Governing Body.
  - f) A subject expert from the institution to which the vacancy shall be filled

(ix) **Selection of Head of Institution either through direct recruitment or through promotion:**

The Governing body of MDES shall select candidates for the position of Head of Institution based on qualifications, skills, core-competence, past performance, and integrity. All the institutions coming under the management of MDES enjoy the privileges granted by the Constitution of India for Minority Institutions, as these institutions come under Religious Minority Institutions category. The Management has the privilege of appointing the Head of the Institution of their choice who can mould the institution as they think fit, and in accordance with their ideas of how the interests of the community in general and the institution in particular will be best served.

(x) **Constitution of Selection Committee for the selection of Head of the Institution:**

For the purpose of recruitment to the head of the institution, to an institution, the Governing Body shall constitute a " Selection Committee" consisting of

- a) The Chairman of MDES or his nominee – Chairman;
- b) The Secretary of MDES
- c) The Rector/Correspondence/ Administrator of that institution to which the vacancy shall be filled.
- d) An external expert nominated by the Governing Body.

**5. Probation:**

- (i) The candidates other than Head of Institution appointed to fill regular vacancies will be on probation for a period of one year from the date of appointment, and at the end of the period of probation their efficiency, attitude and aptitude will be assessed together by a team comprising of the respective Head of Institutions along with the appointing authority.
- (ii) Based on the assessment carried out , candidate found eligible for confirmation shall be issued a letter of confirmation by the Secretary of MDES, and candidates who are not found eligible the period of probation may either be extended by one more year or their services be terminated. No appointment is deemed to be confirmed unless a letter of confirmation is issued to that effect on completion of the probationary period, by the Secretary of MDES.
- (iii) The appointing authority may terminate any candidate under probation for non-performance, gross inefficiency, insubordination, dereliction of duty and misconduct, even before the completion of the period of probation. Such employee members shall have no claims on any matter except payment due to him / her if any.



**6. Temporary Appointments:**

The appointing authority may appoint candidates as temporary employee to substitute for those on leave or to fill vacancies that cannot be filled with immediate effect for compelling reasons. Such appointments will be term appointments for a specific period and candidates so appointed will be paid a consolidated salary. Temporary appointees shall have no right to claim permanency when regular appointments are made. Such candidates however have the option of applying and subjecting themselves to the regular appointment process of MDES.

**7. Promotions:**

All promotions to teaching and non teaching employee including those to the post of Head Master/Head Mistress/ Principal shall be based on merit and performance and not according to seniority. The Governing Body shall constitute a "Selection Committee" on the same line as for the selection of teaching, non-teaching posts and the Head of the Institution post to assess the eligibility of the employee for promotion.

**8. Transfers:**

- (i) An employee may be transferred to any institution under the management of MDES. These transfers shall be made in the best interest of the institution and after due considerations.
- (ii) Any request for transfers by employee shall be considered only if there is a vacancy and need in the institution, if it is financially feasible and if the situation so permits it, such requests for transfer shall be addressed to the Secretary MDES, through the respective head of the institutions through proper channel before 31<sup>st</sup> January of each year.
- (iii) Apart from transfers employee may be deputed to any other institution where their services are required for a specified temporary duration.
- (iv) Transfer of Heads of Institution shall be decided by the Governing Body and transfer of all other employee members shall be decided by the Governing Body together with the correspondents.
- (v) If two employees from the same family are in service in the MDES institution before these rules come into force, they shall not work in the same institution but shall be transferred to another institution of the management to a suitable post.
- (vi) If an employee after joining MDES marries another employee of MDES , in such cases they shall not work in the same institution.

**9. Seniority:**

- (i) The seniority of an employee shall be considered from the date of confirmation within the category and type of post held.
- (ii) The time lost due to penalties, leave without pay or absence without leave shall not be considered for the seniority of employee members in the respective category and type of the post held.
- (iii) Absence without leave shall constitute a break in service besides attracting other penalties.



**10. Resignation:**

- (i) An employee may at any time, resign his / her post by giving one months notice in writing or one month salary in lieu thereof, to the appointing authority and shall cite reasons for the same.
- (ii) The Resignation of a teaching employee during the semester / term will not be accepted. However, if they wish to relinquish their services in between the semester / term, they will be required to give one month's notice or one month's salary in lieu of the notice period. Resignation will be effective only during the vacation, after odd / even semester or term.
- (iii) The resignation will come into effect only on acceptance given in writing to the employee by the appointing authority specifying the date of release.
- (iv) An employee who has given notice regarding his / her intention to resign from the services will not be allowed to withdraw the same after the said notice has been accepted by the appointing authority.
- (v) The appointing authority shall ensure that arrangements to settle all dues to and from the employee are made on or before the date of release.
- (vi) An exit interview may be conducted by the appointing authority or its delegate(s) .

**11. Termination:**

- (i) The services of an employee on probation may be terminated at any time during the period of probation without notice if the work or conduct of an employee is not found satisfactory by paying one month's salary in lieu of the notice.  
If during the period of probation, the work or conduct of an employee is not found satisfactory, the appointing authority may
  - a) In the case of an employee is appointed on probation/transfer by promotion shall be revert to the post held by him/her immediately before such appointment and
  - b) In the case an employee appointed by direct recruitment shall be terminated, from service.
- (ii) The services of a permanent employee member may be terminated after following the procedure as laid out and as applicable in chapter (IV) of rules 15 to 24 of these service rules and as applicable at any time by giving one months' notice or salary in lieu thereof while specifying the grounds for termination.
- (iii) **Retrenchment: In case of retrenchment, the junior most employee in the said category shall be retrenched**
  - a) Where retrenchment of a permanent employee is rendered necessary due to changes in teacher pupil ratios, availability of funds, changes in government policy, position becoming redundant, the said employee shall be retrenched by serving one month's advance notice in writing or one month's salary in lieu thereof. **In case of retrenchment, the junior most employee in the said category shall be retrenched**
  - b) In case of any employee being retrenched who has completed 6 years of service, a gratuity at the rate of fifteen days of basic salary of last month for every completed year of service will be paid.



(iv) **Retirement / Superannuation:**

- a) All permanent grant-in-aid employees shall retire from service in accordance with rules prescribed by the Government.
- b) All other management appointed permanent employees shall retire on attaining 60 years of age. In case he / she attain 60 years of age during the academic year the management may permit him / her to continue till the end of the academic year.
- c) The superannuated employee may be re-employed on contract basis for 11 months at a time, on a consolidated honorarium and subject to specific terms and conditions.

**12. Leave: Leave means authorized absence of an employee.**

General rules for grant in aid and non grant in employee of MDES.

- a) The teaching staff shall be treated as vacation employees for the purpose of Leave. The Heads of the Institutions, Librarians, Administrative and supporting staff shall be treated as non- vocational employees.
- b) While leave is the privilege of an employee but cannot be claimed as a matter of right. It is granted subject to the exigencies of work. Hence, the concerned sanctioning authority has the discretion to refuse, postpone, curtail or revoke leave according to the exigencies of service and the situation.
- c) All leaves are in proportion to the number of days an employee has worked.
- d) The Head of the Institution shall be the Casual Leave sanctioning authority for all the staff and Correspondent/ Rector/Administrator is the authority to sanction all other types of leave
- e) The Correspondent/ Rector/Administrator shall be the leave sanctioning authority for all types of leave of Head of the Institutions.
- f) An employee seeking leave shall submit an application before proceeding on leave. He / she shall not proceed on leave unless the said leave has been approved by the authority concerned. Application for leave for more than three days should be made at least four days in advance. Application for leave for more than ten days should be made at least fifteen days in advance and should bear the leave address.
- g) In case of an emergency or unforeseen circumstances when a employee may not be able to obtain prior approval of leave from the sanctioning authority , he/ she shall immediately contact and / or inform his/her authority about his/her inability to attend office and the period as well as the reason for which such leave is required. If the grounds for leave are not acceptable to the authorities, then the employee must report for duty immediately. If such oral intimation is accepted by the authority it should be followed by a written leave request immediately on rejoining duty.



- h) If an employee does not have leave to his/her credit, the days of absence from duty, if sanctioned, shall be treated as leave without pay.
- i) An employee who has absented himself/herself without prior approved leave for a period of more than 10 consecutive calendar days shall be deemed to have left his/her own accord.
- j) No two types of leave can be combined.
- k) Any holiday falling within the leave period shall be treated as part of the leave.
- l) Taking leave during the examination/ admission/ auditing related works should be avoided as far as possible in the interest of the students.
- m) To avoid inconvenience to the students, a teaching staff member availing himself/herself of leave should either arrange for his / her classes to be conducted by other fellow teachers/colleagues, or on return, should conduct additional classes to compensate the missed classes.
- n) Absence without leave shall be construed as misconduct unless it is satisfactorily established that circumstances beyond one's control occasioned the lapse. Salary for the day/s of absence without authorized leave shall be deducted from the monthly pay unless satisfactory reasons are provided by the employee to the Principal / HM. Any salary paid during the period of absence or for any other reason shall be recoverable if it is found to be irregular.

### 13. Types of leave:

- (i) **For Grant in aid Employee:** The leave rules applicable to both teaching and non-teaching employee in Government Educational Institutions shall *mutatis mutandis* be applicable to the teaching and non-teaching employee those come under grant in aid category.
- (ii) **For Non Grant in aid Employee:** There are different types of leave provided to non grant in aid employee of MDES.
  - a) **Casual Leave - CL:**
    1. All the employees of MDES are entitled for 12 days of casual leave in a calendar year and shall not be carried forward or accumulated to subsequent years.
    2. Casual leave can be availed of for a maximum of 5 days at a time.
    3. For an employee on probation or on contract, one CL per calendar month is allowed.
    4. An employee who joins after the 15<sup>th</sup> of the month will not be eligible for CL during that month.
    5. Casual leave can be availed for half a day also by a non-vocational employee.
    6. Casual leave shall always be applied for before it is availed of. In case of urgency, however, this condition may be waived at the discretion of the sanctioning authority.

**b) Non Cumulative Earned Leave - EL:**

**Non Teaching Staff:**

1. Confirmed non teaching staff who have completed one full calendar year will be eligible for noncumulative EL of 10 days in a calendar year ( without carry over) year.
2. For those who join in the middle of the calendar year, EL will be on a prorated basis.
3. Probationers shall not be entitled to any earned leave during the first year of probation.
4. In the case of exigency of work, the management may direct the non-teaching employee who intends to avail himself / herself of earned leave, to remain on duty during the earned leave period.

**Teaching Staff:**

Confirmed teaching staff who have completed one full calendar year will be eligible for noncumulative EL of 10 days in a year.

**e) The Maternity Leave:**

1. The women employees whose appointment has been confirmed will be entitled to have paid maternity leave for 90 days and can be availed of starting 45 days before the expected date of delivery or adoption.
2. Application for maternity leave should be sent to the Management through proper channel supported by a certificate from a registered medical practitioner
3. Maternity Leave will be available up to twice in the entire career of the concerned employee.

**CHAPTER IV  
DISCIPLINE**

**14. General:**

- (i) By accepting employment with MDES an employee agrees to work in a responsible, disciplined, harmonious and productive manner.
- (ii) To be loyal to the Institutions of MDES and to act in a manner conducive to the accomplishment of its objectives;
- (iii) To abide by the service conditions of MDES as well as any other lawful and reasonable instructions, written or verbal, given by his / her Superiors.

**15. Nature of Penalties:** One or more of the following penalties for good and sufficient reasons and as hereinafter provided may be imposed on the employees, namely,-

- (i) Fine;
- (ii) Censure;
- (iii) Withholding of increments;
- (iv) Withholding of promotions;



- (v) Recovery from pay of the employees in whole or part of any pecuniary loss caused by negligence or breach of orders to the Governing council, the State Government or the Central Government;
- (vi) Reduction to a lower stage in a timescale of pay for a specified period with further direction as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increment of his pay;
- (vii) Reduction to a lower timescale of pay, grade , post of service which shall, unless otherwise directed, be a bar to the promotion of the employee to the timescale of pay, grade, post or service from which he was reduced with or without further directions regarding.-
- (viii) Seniority and pay in the scale of pay, grade, post or service to which the employee is reduced;
- (ix) Conditions of restoration to the scale of pay, grade, post or service from which the employee was reduced and his seniority and pay or such restoration to the scale of pay, grade, post or service.
- (x) Compulsory retirement;
- (xi) Termination from service;
- (xii) Dismissal from service;

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the order of disciplinary authority, no penalty other than those specified in clauses (viii) to (x) shall be imposed for any established charge of corruption:

**Explanation:** The following shall not amount to be penalty within the meaning of this rule.-

- (i) Withholding of increments of an employee for failure to pass a departmental examination in accordance with the rules or order governing the service or post or terms of his appointment;
- (ii) Stoppage of pay of an employee at the efficiency bar in the timescale on the ground of his unfitness to cross the efficiency bar;
- (iii) Non-promotion, whether in a substantive or officiating capacity of an employee after consideration of his case to a grade or post for promotion to which he is eligible;
- (iv) Reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or the end of the period of probation in



- (iv) With effect from the date of detention of employee, if the employee is detained in custody whether a criminal charge or otherwise, for a period exceeding forty-eight hours.
- (v) With effect from the date of conviction of employee, if the event of a conviction for an offence, the employee is sentenced to a term of imprisonment exceeding forty eight hours and not forthwith dismissed or removed or compulsorily retired consequent of such conviction.
- (vi) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee under suspension is set aside in 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 the suspension of the employee shall deemed to have continued in force on and the date of the original order of dismissal or compulsory retirement and shall remain in force until further orders.
- (vii) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon a 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, decides to hold further inquiry against the employee on the allegation on which the penalty of dismissal 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 or removal or compulsory retirement and shall continue to remain under suspension until further order.
- (viii) An order of suspension made or deemed to have been made under these rules shall continue to remain in force until it is modified or revoked by the Governing Body.
- (ix) Where a employee is suspended or is deemed to have been dismissed (Whether in connection with any disciplinary proceedings or otherwise) any other disciplinary proceedings is commenced against him during the continuance of that suspension, the authority competent to place the employee under suspension may be for reasons to be recorder by him in writing, directing that the employee shall continue under suspension until the termination of all or any such proceedings.
- (x) An order of suspension made or deemed to have been made under these rules may at any time be modified or revoked by the authority which made on or is deemed to have made the order or by any authority to which that authority is subordinate.