

The Indian Academy
Jogiwala Mussoorie Bypass, Garhwali Colony, (Near Dobhal Chowk),
Nehru Gram, Dehra Dun (Uttarakhand) India.

SERVICE RULES

**RULES AND CONDITIONS OF SERVICE RELATING TO EMPLOYMENT OF THE
TEACHING AND NON-TEACHING STAFF OF THE INDIAN ACADEMY**

I. APPLICATION AND SCOPE

The rules shall apply to all administrative, teaching and office staff, but not the maintenance staff of The Indian Academy

II. CLASSIFICATION OF EMPLOYEES

- 1) "Permanent" employee is an employee who has been appointed on permanent basis in a proper letter of appointment under the signature of the Director, Admin./Principal and shall not include an employee who is on probation or hired on a casual or temporary basis.
- 2) A "probationer" is an employee who is provisionally employed with a view to fill a permanent post and is on trial to prove his/her fitness for holding that post and has not been confirmed. If a permanent employee is employed as a probationer in a new post, he/she may at any time during the probation period be reverted to his/her own permanent post. Probation usually last for eleven months in case of teachers. It may be extended for a further period of eleven months by the Management (in case of teachers).
- 3) "Temporary" employee is an employee who has been employed for the job which is essentially of a temporary nature and is to be completed within a specific period of time i.e. 3 months (**under Observation**) if terminated then no salary & perks etc is payable.
- 4) "Contract employee" shall mean an employee who has entered into a contract with the management to fill up a particular post for a specific period of time.
- 5) "Part-Time employee" shall mean, an employee who is employed on a part-time basis only and not on a whole day basis.
- 6) A "Casual" employee shall mean an employee whose employment is of an occasional or casual nature.
- 7) "Substitute" shall mean one who has been employed in place of any permanent or temporary employee or a probationer during his/her leave of absence such as maternity leave.

III APPOINTMENT

- 1) Every employee, whether teaching or non-teaching staff, shall be appointed by a letter of appointment signed by the Director, Admin./ Principal. No other letter of appointment shall be held as valid and binding on the school. The letter of appointment shall state clearly the type of employment offered-such as permanent, probation, temporary, contract, substitute or part time.
- 2) The period of probation in respect of teachers shall be eleven months and non-teaching staff shall be six-months. The appointing authority may extend it, wherever necessary, without assigning any reasons.
- 3) No untrained person shall be appointed on permanent basis as a teacher. If at the time of a temporary appointment/contract appointment, the teacher is not trained, she/he can be given a reasonable time-but not more than three years to obtain the necessary qualification.
- 4) The Principal, will make a performance appraisal of the probationer. This will be presented to the Chairman/President/Director, Admin. on the completion of the Probationary period. On the basis of the appraisal, Chairman/President/Director, Admin. will decide whether to confirm,

extend probation or terminate the appointment. The decision of the Chairman/Director, Admin. shall be final and binding on the employee.

- 5) Every employee is required to intimate, in writing, any change that may occur in the personal data furnished by him/her in the application for employment, including his/her address, permanent as well as mailing address.
- 6) A service record book will be maintained for each member of the staff. The Chairman/President/Director may maintain the service book of Principal and Vice-Principal. The confidential personal file of the others will be maintained by the Principal. The confidential personal file of each member will contain the bio-data, appointment letter, confirmation letter, particulars regarding disciplinary action, correspondence, recommendations etc.

IV EMOLUMENTS

- 1) A teacher who is appointed on a contract basis is given a consolidated/lump sum according to the contract. He / She is not eligible for a yearly increment.
- 2) Each regular employee shall be governed by the scale of pay and allowances application to him/her, as stated in the appointment letter.
- 3) Only the Chairman/President /Director or his representative shall be entitled to re-fix the pay scales and allowances. In fixing salary of an employee, in the revised scale, the following procedures shall be followed. New pay fixation in the revised scale shall not be less than the total emoluments currently being received at the existing scale.
- 4) Once the scale is fixed by the Management, it shall be binding.
- 5) A person who reaches the maximum in the salary scale is eligible for a stagnancy increment only in alternate year, up to a maximum of three increments.

V. PAYMENT OF SALARY

All the employees will be paid their salary within ten days of the following month.

VI. VACATION SALARY

A newly appointed teacher must complete nine months of service for vacation salary either before or after the vacation.

VII. The Management has the right to modify the working hours from time to time, according to the exigencies of the situation.

- 1) The Administrative Staff, besides the regular school timings, their hours and days of work are governed by the needs of the work.
- 2) The Teachers must follow the school routine, arriving at least ten minutes before the assembly and not leaving before stipulated time. When work demands and school programs are held, the teachers have to be present even if these are held on non-school days and after school hours.
- 3) The Office Staff (P.A, Accountants, Receptionists, Typist, etc.) are expected to work 48 hours in a week, seven hours a day - Monday to Saturday routine worked out by the Principal/Director.

VIII. ABSENCE

- 1) **Absence with permission:**

- i) Absence from the place of work: Only with the express permission of the Principal can an employee absent himself/herself during working hours from the school.
- ii) No employee is to absent himself/ herself without sanction of leave (including absence before or after summer vacation, winter holidays, etc.)

2) **Absence from duty without permission:**

- (i) Any employee who, after presenting himself/herself for work, is found absent without permission from his/her place of work during working hours shall be liable to be treated as absent for the whole day.
- (ii) An employee absent without permission will lose the pay and allowance for the period of absence and on repeating the same action will be taken under conduct rules.

ATTENDANCE

- 1) All members of the staff, teaching and non-teaching must sign regularly, the Attendance Register, which is to be maintained by the Principal. In the Attendance Register, each should daily record the time of his / her arrival and departure.
- 2) Delay of fifteen minutes or more than the appointed time, shall be considered as late attendance.
- 3) Late attendance of every three days shall be considered as absence for one day.

LEAVE

Leave means authorized absence from duty. For any leave to be granted, an employee must apply in writing.

- 1) Leave Rules: Casual Leave, Medical Leave, Maternity Leave, etc. as per the administrative calendar and/or as may be applicable.
- 2) Leave cannot be claimed as a matter of right.
- 3) All applications for leave shall be submitted to the Principal/Director, Admin. as the case may be, who deals with them in accordance with the prescribed rules and regulations.
- 4) **Except in an emergency, an application for leave shall be submitted to the authority concerned at least one week before the date from which the leave is to be taken.**
- 5) Grant of leave to an employee would depend on the exigencies of the work of the school and shall be at the discretion of the Principal/ Director, Admin., as the case may be. The sanction of leave can be refused, revoked, or granted for a shorter period than applied for.
- 6) Extension of leave, which under the rules cannot be granted by the Principal, an Application for consolidated leave shall be submitted to the Director through the Principal.
- 7) Every employee who proposes to go out of station during leave shall give his / her address at which she/he can be contacted.
- 8) Authorization to collect pay on behalf of the employee is not permissible except in unavoidable circumstances or in special cases.

Casual Leave/Sick Leave:

- 1) CL/SL is provided as a safeguard against the unexpected and unforeseen events that happen in life.
- 2) Casual leave/Sick leave is granted with full pay.
- 3) Casual leave/Sick leave may be granted up to eight days for the teaching and office staff in a calendar year, by the Principal. This leave cannot be accumulated but is encashable at the end of the year. It may not be taken for more than three days at a time. It cannot be claimed as a right. Discretion to grant or revoke leave is reserved to the Principal/Director as the case may be.
- 4) Holidays which occur immediately before or after or during the period of absence, are to be treated as part of the casual leave, provided the day is not a National Holiday (January 26,

August 15 and October 2). If an employee takes casual leave either on Saturday or Monday, it is calculated as one day. However, if an employee takes CL on Saturday and Monday, it is calculated as 3 days.

- 5) For lesser period of service, employees shall be granted casual leave proportionate to their period of service.
- 6) Attendance on the last day before and first day after the Summer / Dushehra / Deepawali / Winter vacation / break is compulsory. An equivalent of two day's salary and allowances will be deducted for absence for either of these above days.

Maternity Leave:

Maternity leave will be granted as per rules.

Leave without Pay:

Leave without pay may be granted for a genuine and serious reason such as a death in the family or taking care of sick parents, by the Principal up to thirty days and by the Director, Admin. up to three months in an academic year. No employee can be absent from the duty without permission.

Special Leave:

In case may staff member is deputed by the school to attend to participate in training courses, Workshops or Seminars for the benefit to the school, such periods will be considered as on duty and the employee will be authorized to get full pay.

HOLIDAYS

- 1) (a) Normally, Sundays & long vacations are off duty days. However, if need arises, teachers may be called to attend school functions, duty schedules on these days and no extra pay will be given for the same.
(b) Non-teaching staff is required to work during vacations (e.g., Summer/Winter vacation) however, they will be entitled for Earned Leave as per rules.
All employee are authorized to avail festival, National Holidays and Gazetted holidays as decided by the Govt./School Management.

PROVIDENT FUND

As per The Employees Provident Funds and Miscellaneous Provisions Act 1952, Provident Fund will be deducted from the employees' salary from the 1st day of regular employment.

EMPLOYEES STATE INSURANCE SCHEME

Employees are eligible for benefits under the Scheme will be duly covered by payment of a suitable contribution.

CODE OF CONDUCT FOR TEACHERS

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

Teaching, in its true sense, is not mere instruction but influence. The teacher's duty is not merely to communicate knowledge in specific subjects but also to help children grow to their fullest stature,

develop suitable attitudes and unfold their personality. In this responsible task what matters most is the personal example of the teacher.

2. The provisions of the C.C.S. (Conduct) Rules 1964 will apply mutatis mutandis to the non-teaching staff of the Academy including the Principal but in case of teaching staff of the Indian Academy the following code of conduct shall apply:

- 1) Every teacher shall, by precept and example, instill in the minds of the pupils, entrusted to his care, love of the motherland.
- 2) Every teacher shall, by precept and example, inculcate in the minds of pupils respect for law and order.
- 3) Every teacher shall organize and promote all school activities which foster a feeling of universal brotherhood among the pupils.
- 4) Every teacher shall, by precept and example, promote tolerance for all religions among his pupils.
- 5) The teacher shall always be on the alert to see that his pupils also do not take active part in politics.
- 6) Every teacher must take his stand against the unhealthy and unsocial customs and practice in modern society and must strive his best to instill in the minds of his pupils the Principles of co-operation and social service.
- 7) Every teacher shall in all activities which aim at the improvement of the moral, mental and physical well-being of pupils.
- 8) Every teacher must be strictly impartial in his relations with all his pupils. He should be sympathetic and helpful particularly to the slow learners.
- 9) Every teacher must be a learner throughout his life not only to enrich his own life, but also of those who are placed in his care. He should plan out his work on approved lines and do it methodically, eschewing vigilantly all extraneous activities.
- 10) Every teacher must regard each individual pupil as capable of unique development and of taking his due place in the society, and help him to be creative as well as co-operative.
- 11) Every teacher should be temperate and sober in his habits. He should scrupulously avoid smoking, chewing of betel leaves and such other undesirable habits in the presence of students and within the precincts of the Academy.
- 12) Every teacher should have an exemplary moral character. His dealings with the members of the other sex in the Academy or outside it, should not be such as would cause reflection on his character or bring discredit to the Academy.
- 13) Every teacher should take pride in his calling and try to promote the dignity and solidarity of his profession.
- 14) Every teacher must be an advocate of freedom of thought and expression, and the development of scientific temper in himself and his students.
- 15) Every teacher should be clean and trim, not casual and informal, while on duty. His dress should be neat and dignified. He should on no account be dressed so as to become an object of excitement or ridicule or pity at the hands of the students and his colleagues rather he/she shall have to come on dress prescribed by the Academy.
- 16) Every teacher should be punctual in attendance, in respect of his class work as also for any other work connected with the duties assigned to him by the Principal. He should realize that he is a member of the team and should help in developing a corporate life in the school.
- 17) Every teacher should abide by the rules and regulations of the Academy and show due respect to the constituted authority, diligently carrying out instructions issued to him by the superior authority.
- 18) No teacher shall apply for an assignment or job outside the Academy direct. He shall invariably forward his application through proper channel.
- 19) No teacher shall represent his grievances, if any, except through proper channel, nor will he canvas any non-official or outside influence or support in respect of any matter pertaining to his service in the Academy.

- 20) Every teacher shall consider Academy's property and funds as if placed in trust with him and shall ensure proper upkeep and maintenance of the same.
- 21) (a) No teacher shall accept or permit any member of his family or any other person acting on his behalf to accept any gift from any pupil, parent or any person with whom he has come into contact by virtue of his position in the Academy,
Explanation: The expression "gift" shall include free transport, board, lodging or other service or any person other than a near relation or personal friend having no official dealings with him.
Note: A casual meal, lift or other social hospitality of a casual nature shall not be deemed to be a gift.
 (b) On occasions such as weddings, anniversaries, funerals or religious function when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept gifts if the value thereof does not exceed Rs.200.
- 30) No teacher shall, except with the previous sanction of the Academy, give any talk on the radio, publish any statement or document either in his own name or anonymously, pseudonymously or in the name of any other person, which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or a State Government, or which is capable of embarrassing the relations between the Central Government and the Government of any foreign State.
- 31) No teacher shall, except with the previous sanction of the competent authority, ask for or accept contribution to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object, whatsoever.
- 32) It is the duty of every teacher:
- (i) to respect the National Flag and the National Anthem;
 - (ii) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities, to renounce practices derogatory to the dignity of women,
 - (iii) to develop scientific temper, humanism and spirit of inquiry and reform,
 - (iv) to safeguard public property and to abjure violence,
 - (v) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement.
- 33) Every teacher shall at all times
- (i) maintain absolute integrity,
 - (ii) Maintain devotion to duty,
 - (iii) Do nothing which is unbecoming of an employee of the Academy.

RULES OF MISCONDUCT

Misconduct is a wrongful act and/or omission or habitual misbehavior, which is incompatible with the vocation as an employee in a school. The following acts and omissions will be treated as major misconduct, for which an employee may be dismissed, discharged, demoted, suspended or his/her increment withheld, according to approval disciplinary procedure.

- 1) Habitual late attendance.
- 2) Habitual negligence of work.
- 3) Habitual absence without leave and /or absence for more than ten days.
- 4) Insubordination or refusal to work whether alone or in combination with others or deliberate delay in carrying out any reasonable order of Principal / Director, Admn.
- 5) Instigating other employees against the School Management.
- 6) Giving or taking a bribe in connection with school work.
- 7) Engaging oneself in any activity apart from school duties, which in the opinion of the Principal are prejudicial to one's responsibility.
- 8) Engaging in private tuition unless it is taken up with the explicit approval of the Principal.
- 9) Engaging actively in any political activity on the school premises.
- 10) Inflicting serious corporal punishment on the students.
- 11) Habitual breach of any rules of the school and habitual slovenliness in dress and manners.

- 12) Theft, fraud, willful damage with regard to school property.
- 13) Drunkenness, riotous or disorderly behavior, any subversive activity on the premises.
- 14) Distribution, exhibition of hand bills, pamphlets, posters within school premises without prior permission.
- 15) Threats, intimidation, using force or any form of violence against any other person within the school premises.
- 16) Gambling, money-lending or doing any other business within the premises of the school.
- 17) Holding meetings unrelated to academic activity inside the premises of the school without prior permission of the Principal.
- 18) Tampering with records, attendance registers, disclosing to any unauthorized persons confidential facts or figures about the school.
- 19) Any act of immorality (as normally understood) within the premises or indecent behavior injurious to the name and the effectiveness of the school.
- 20) Forging of signatures of any person or making deliberate false statement.
- 21) Conviction by a court of law for any offence.
- 22) Spreading false rumors or giving false information which may bring into disrepute the school or its employees.

INSURANCE

All staff members, teaching as well as administrative, shall be suitably insured for medical exigencies/accidental benefits as decide by the Management from time to time.

DISCIPLINARY ACTION

The services of an employee can be terminated by giving one month's notice on the following grounds inter alia:-

Neglect of duty

Insubordination

Defiance of any order issued to you

For not teaching up to the standard required

For behavior not conducive to the peaceful atmosphere of the school

For indulging in any act subversive of discipline or efficient working of the school

DISCIPLINARY AUTHORITY

- 1) The Principal shall be the Disciplinary Authority in respect of all acts of misconduct, which in her/his opinion warrants only minor penalties as defined below. All actions taken by the Principal in disciplinary matters shall be subject to the approval of the Chairman/President/Director.
- 2) The Chairman/President shall be the Disciplinary Authority in respect of all misconduct, which in his opinion warrant a major penalty as defined below.
- 3) The Founding Society shall be the Appellate Tribunal for the school. It shall have the power to reconsider all the evidence, if necessary, hear the parties concerned and confirm, modify or set aside any decision of the Chairman/President. In regard to all Disciplinary matters, its decision shall be final.

SUSPENSION:

- 1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority empowered in that behalf by the Chairman of the Academy, by a general or special order, may place an employee under suspension.

(a) Where a disciplinary proceeding against him is contemplated or is pending; or

- (b) where a case against him in respect of any criminal offence is under investigation, inquiry or trial; or
- (c) where, in the opinion of the aforesaid authority, the employee has engaged himself in activities prejudicial to the interest of the security of the State.

Provided that where the order of suspension is made by a disciplinary authority lower than the Appointing Authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

- 2) An employee shall be deemed to have been placed under suspension by an order of the appointing authority;
 - (a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours;
 - (b) 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 forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation: The period of forty-eight hours referred to in clause (b) of this sub-rule 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.

PENALTIES

1) Minor Penalties under Rule 16 of CCS-CCA

- a. Warning –either oral or written.
- b. Recovery of damage or loss incurred by the school subject to the extent of loss or damage.
- c. Suspension from duty without pay for a period not exceeding four days.
- d. Fine up to 2% of the salary of one month.

2) Major Penalties under Rule 14 of CCS-CCA.

- a. Demotion
- b. Withholding of increment
- c. Removal from service
- d. Dismissal

GRIEVANCE PROCEDURE

- 1) The purpose of this procedure is to ensure just and equitable treatment to all employees and achieve an effective employer-employee relationship.
- 2) Procedure and steps.

Step 1: An employee with a grievance arising out of any breach of any agreement or any of these rules, or any practice which, in common estimation, is considered unfair and unjust, should report it to the Principal, who will give his/her reply within a week.

Step 2: If an employee is dissatisfied with the response of the Principal, he/she shall report the grievance, in writing, to the Chairman/President within three or four days after the reply with a copy to the Principal. The Chairman/President will reply within a month and his decision will be final and binding.

TERMINATION OF SERVICE

- 1) The service of a temporary employee or a probationer can be terminated by the School Management by giving one month's notice..
- 2) A permanent employee may give resignation from his/her services by giving to the Chairman/President through the Principal, a three-month notice, or by paying three months salary in lieu thereof. Similarly, the Management may terminate the services of an employee by giving three month's notice or salary in lieu thereof.
- 3) No notice is required for disciplinary termination.

RESIDUARY POWER OF THE CHAIRMAN/PRESIDENT/DIRECTOR

In respect of any matters which are not expressly covered in these rules, the decision of the Chairman/President/Director will be final and binding on all teaching and non-teaching staff.

RIGHT OF APPEAL

Persons aggrieved have a right to appeal within seven days of receiving information, to the Governing Body, against the decision of the Management. The decision of the Chairman of the Governing Body shall be final and binding.

In case of any dispute or claim against the Academy in respect of service or any contract arising out of any dispute or flowing of any appointment. The Court of Dehradun / High Court at Nainital alone shall have the jurisdiction.

Chairman /President /Principal
The Indian Academy

I accept the above terms and conditions and in acknowledgement thereof, I put my signature on the duplicate copy and return the same.

Signature.....
Date

1. Witness
.....

2. Witness
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