

St Anthony's College, Shillong, Meghalaya

Service Rules for College Approved Posts for Non Teaching Staff of St Anthony's College, Shillong 2019

Preamble

Keeping in mind the vision, mission of the College and to ensure excellence, commitment, equity and trust among all staff members of the College, the Governing Body of St Anthony's College, Shillong has resolved to frame a set of Service Rules to optimise the working conditions of the Non Teaching Staff in the College approved posts.

Therefore, the Governing Body adopted a resolution framing the following rules governing the conditions of service for the Non Teaching Staff of the College. These Service Rules has been adopted by the Governing Body in its meeting, held on 25th April 2019.

1. Title

The rules shall be termed "Service Rules for the College approved posts for Non Teaching Staff of St Anthony's College, Shillong".

2. Extent of Application and date of commencement:

These rules are applicable to the College approved Post for Non Teaching Staff of St Anthony's College, Shillong. They shall come into force with effect from 1st June 2019.

3. Definition of terms:

- i. "COLLEGE" or "INSTITUTE" means St Anthony's College, Shillong.
- ii. "GOVERNING BODY" or "MANAGEMENT" means the 'BODY' constituted by the Sponsoring Body as per the Constitution of the Governing Body of the College and Rules and guidelines of the Government of Meghalaya.
- iii. "PRINCIPAL" means the Head of the Institution.
- iv. STAFF or EMPLOYEE means Non Teaching Staff employed in the College approved post or any other staff involved for maintenance of Academic standards in Education, as decided by Governing Body.

4. Employees:

Recruitment, Qualification, Probation, Confirmation

I. Recruitment:

i. The Governing Body (GB) of St Anthony's College Shillong will constitute a Selection Board. The appointment will be made on the recommendation of the Selection Board.

The Selection Board comprises of the following members

- a. The Principal of the College as the Convener
- b. Rector of the Institution
- c. Administrator of the Institution
- d. Vice Principal(s) of the College
- e. Office – In-charge
- f. One teacher representative who is a member of the GB of the College.
- g. Coordinator of the Internal Quality Assurance Cell (IQAC) of the College

II. Qualification:

Same as in the existing aided College posts.

III. Probation and Confirmation:

- a. An Incumbent shall be on probation for a period of two years from the date of joining. The period of probation may be extended by another year if the GB so decides.
- b. The confirmation at the end of two years shall be automatic, unless extended for another year by a specific order issued before the end of the probationary period.
- c. The incumbent shall be notified in writing before the expiry of two years' probation period if his/her period of probation is to be extended/service terminated and in the absence of such a notice, the incumbent would be deemed to have been confirmed.
- d. It is obligatory on the part of the College to issue an order of confirmation to the incumbent within 45 days of completion of probationary period, the employee shall remind the Principal for letter of Confirmation if necessary.

5. Pay Scales & Benefits:

- i. Pay Scales for the Non Teaching Post will be framed by a committee set up by GB of the College. The GB of the College shall approve the pay scale with modifications if necessary. This approved pay scale shall be implemented as specified by Governing Body.
- ii. Pay components shall be reviewed every five (5) years.

- iii. The committee for Pay scales shall consist of the Principal as the Convener, two (2) Non Teaching Staff representatives, and other members as decided by the GB. The two (2) Non Teaching Staff representatives will be selected by the Non Teaching Staff themselves.
- iv. Annual increment shall be granted to Staff as a matter of course unless it is specifically withheld. The increment would be applicable as per eligibility in connection with the services of the Staff in the College.

6. Service agreement:

- i. An undertaking must be signed by the staff concerned and the same should be deposited with the Principal. This undertaking shall be signed in the presence of two GB members as witnessed.
- ii. Staff training is compulsory. The pedagogical imperatives of the College are to be apart of Staff training and other programs such as induction program. The induction program shall be completed during the probation period.

The training programs maybe in house or in other institutions.

7. Workload:

The workload will be the same as that of the Non Teaching Staff in deficit College.

8. Code of Conduct:

All the Staff shall observe the following code of conduct

- i. Every employee shall, at all times, maintain absolute integrity and devotion to duty and abstain from any activity that is unbecoming of an employee of an educational institution.
- ii. Every employee shall abide by and comply with the rules and regulations of the Institution and directions of his/her superior authorities, under whose superintendence or control, he/she is placed.
- iii. Every employee shall extend utmost courtesy and attention to all persons with whom he/she is to deal with in the course of his/ her duties.
- iv. Every employee shall endeavour to promote the interest of the Institution and shall not act in any manner prejudicial thereto.

- v. No employee shall engage in any political activity within the premises of the Institution.
- vi. No employee shall engage directly or indirectly in any trade or business or undertake any other employment. For undertaking honorary work of a social and charitable nature or work of a literary, artistic or scientific character the employee shall obtain prior permission of the authority.
- vii. An employee of the College shall strictly abstain from intoxicating drink or drug while in the campus. No one shall indulge in smoking or consumption of tobacco in any form or betel nut products in the College campus.
- viii. **Obligation to maintain secrecy:** Every employee shall maintain the strictest secrecy regarding confidential matters concerning the institution and shall not divulge, directly or indirectly, any information of confidential nature either to a member of the public or of the College's staff, unless compelled to do so by a judicial or to other competent authority or unless instructed to do so by a superior officer in the discharge of his duties.
- ix. An employee of the College shall not, without the prior permission of the Principal, engage in any trade or business or adventure by himself or through any member of his family, undertake, accept, engage, solicit or seek any outside employment or office while on duty or on leave whether stipendiary or honorary.
- x. No employee of the College shall enter into any partnership, accept any fees, endowment or commission whatsoever from any part other than the College, except with the prior permission of the Principal.
- xi. **Acceptance of gifts:** An employee shall not solicit or accept any gift from a student of the College or from any subordinate employee, provided that such gifts, grants and donations shall be received by an employee in the official discharge of his duties for the College.
- xii. Sexual abuse of minors/students shall be considered as misconduct by the staff concerned and shall be dealt with under relevant provisions of the rules.

9. Leave Rules:

- i. Leave is earned by actual duty only.
- ii. Leave cannot be claimed as a matter of right. When the exigencies of service so require discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

9.1 Casual leave:

Casual leave cannot be accumulated and cannot be combined with any other kind of leave and vacation. However, such casual leave may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave. Casual leave can be granted up to 15 (fifteen) days in a calendar year, and shall not be more than 5(five) days at a time excluding Sundays and holidays.

9.2 Commuted leave:

Commutated leave, not exceeding half the amount of half pay leave due, may be granted on the basis of medical certificate from a registered medical practitioner to a permanent Staff subject to the following conditions:

- i. Commuted leave during the entire service shall be limited to a maximum of 240 days;
- ii. When commuted leave is granted, twice the amount of such leave shall be debited against the half – pay leave due.

9.3 Half Pay leave:

Half Pay leave admissible to an employee in permanent employment in respect of each completed year of service is 20 days. Such leave may be granted on the basis of medical certificate, for private affairs.

Employee in probation is also eligible for half pay leave at the rate mentioned above.

9.4 Maternity leave:

- i. Maternity leave on full pay is granted to women Staff who has put in more than one year of service. The number of days of such leaves will be as per the Non Teaching Staff in the deficit colleges.
- ii. Maternity leave may also be granted in case of miscarriage, subject to the condition is not more than 45 days and the application for leave is supported by a medical certificate.

- iii. Maternity leave may be combined with half pay leave or extraordinary leave but any leave applied for in continuation of maternity leave may be granted if the request is supported by a medical certificate.
- iv. A woman Staff who has not yet put in one year of service is however eligible for such maternity leave or miscarriage without pay.
- v. Can be availed maximum of twice in entire service career.
- vi. Maternity leave more than twice can be taken but without salary.
- vii. In the case of still-born delivery the grant of Maternity leave exceeding the above limit shall also be admissible. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

9.5. Paternity Leave:

Paternity leave on full pay will be granted to a male Staff during the confinement of their wives, and such leave shall be granted only up to 2 children. The number of days of such leaves will be as per the Non Teaching Staff in the deficit colleges.

9.6. Extra Ordinary Leave:

Extra ordinary leave without pay, may, in extreme exigencies, be granted to a confirmed member of the staff. The total period of absence from duty shall in no case exceed three years in the full working life of the individual.

- i. A confirmed member of the staff may be granted extra ordinary leave when no other leave is admissible.
- ii. Extraordinary leave shall not count for normal increment except in the following cases:
 - a. Leave taken on the basis of medical certificates;
 - b. Cases where the Governing Body is satisfied that the leave was taken due to causes beyond the control of the Staff, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the Staff has no other kind of leave to his credit;



- c. Leave taken for pursuing higher studies;
- d. Extraordinary leave may be combined with any other leave except casual leave, provided that the total period of continuous absence from duty on leave (including periods of vacation when such vacation is taken in conjunction with leave) shall not exceed two years except in cases where leave is taken on medical certificate. For medical leave beyond this period an expert opinion on the case may be sought by the institution.

9.7. Compulsory Leave:

Any employee desiring to seek election to Legislative body shall be on compulsory leave without pay from the date of filing his/her nomination till the end of the next academic session or till the termination of the term of his/her office to which he/she may be elected as the case may be. Such employee, however, shall not be allowed to retain such leave for a period exceeding five years.

9.8. Duty Leave:

Duty leave of the maximum of 30 days (not including travel) in an academic year may be granted to those who have put one year of continuous service in the institution. It is allowed for performing any other duty assigned by the College that may require such leave.

10. Application for other employment opportunities:

A permanent Staff may apply for other employment opportunities, with the permission of the Principal of the College in writing. He/she shall be entitled, however, to send an advance copy of the application, the original of which is to be forwarded through the Principal of the College to the institution he/she applies for.

11. Age of Superannuation:

All Staffs shall retire from service as per Meghalaya government aided College Non Teaching post. However if a Staff retires in the course of the academic session, his/her service may be extended with last pay drawn till the end of the academic session.

12. Resignation from Service:

- i. A probationer may resign from his/her service with one month's notice or by payment of one month's salary in lieu of such notice.

- ii. A confirmed employee may resign from his/her service with 45 days' notice or one and half months' (45 days) salary in lieu of such notice.

13. Compulsory Retirement:

If an employee becomes permanently incapacitated by any physical injury or mental infirmity, the GB will have discretion to retire him/her compulsorily notwithstanding the provision regarding age of retirement under the provision of the Service Rules. For retiring, under this clause, a certificate from the civil surgeon of the district in which the Institution is situated, stating that the employee concerned is rendered permanently incapable for pursuing active life must be obtained. A Staff who is compulsorily retired under the provision of this clause shall be entitled to all the retirement benefits viz. provident fund, Gratuity etc. If situation arises, an expert opinion will be sought by Governing Body. The Governing Body may instruct the person concerned to undergo a fitness test.

14. Misconduct, Suspension, Penalties, Appeal:

Violation of the Code of Conduct by an act of commission or omission will be constructed as misconduct. Any act of misconduct by a Staff shall call for appropriate disciplinary action.

14.1 Procedure for dealing with misconduct:

- i. The Principal shall seek an explanation in writing from the person concerned within a period of 7 working days.
- ii. If the Principal is not satisfied with the explanation given or in the absence of one, he will constitute a Disciplinary Committee of 5 persons, at least 2 of whom shall be Staff representatives, to look into the allegations.
- iii. The report of the Disciplinary Committee will be tabled before the Principal for necessary consideration and action.

14.2 Disciplinary Action, Suspension and Penalty:

If the GB of the College, in his decision, puts an employee in suspension due to violation of the Code of Conduct, ethics, he shall communicate such decision in writing to the employee concerned. During the entire course of disciplinary procedure and appeal/clarification offered by the employee, he/she shall remain under suspension. An employee under suspension will be entitled to receive a monthly subsistence allowance as follows:

- i. During the first two months of suspension, at the rate of 50% of his/her total emoluments.
- ii. If there is delay beyond two months in arriving at a decision, subsistence allowance will be paid at the rate of 75% of his/her total emoluments.
- iii. Final decision on the future of suspended employee must be taken by the GB of the College within a period not exceeding 1 (one) year from the date he/she is placed in suspension, otherwise he/she is exonerated from all charges.
- iv. In case an employee is exonerated of all charges, all arrears of pay and allowances will be paid to the employee for the total period of suspension.

Penalties:

The following penalties may be imposed by the Principal on the recommendation of the GB:-

- i. Letter of Censure
- ii. Recovery of damage or loss incurred by the College from the individual.
- iii. Withholding of increment without cumulative effect (following year double increment without arrears).
- iv. Withholding of increment with cumulative effect (loss of increment permanently).
- v. Dismissal from service (without retirement benefits).

None of the above penalties including suspension shall be imposed on a staff until he/she has been given reasonable opportunity to defend himself/herself against the action proposed to be taken against him/her.

14.3. Right to appeal:

A Staff under disciplinary action shall have the right to appeal against the decision of the Principal taken under clause 14.2 within a period of 30 days from the receipt of the written communication from the Principal.

14.4. Appellate Authority:

The Governing Body shall be the final Appellate Authority in respect of all cases where a penalty is sought to be imposed against a member of the staff. The Governing Body shall have the power to reconsider all the evidence produced in the case, admit fresh evidence, if necessary, hear the parties concerned and confirm, modify or set aside any of the decision of the Principal.

15. Social Security/ Retirement benefits:

- 15.1 Benefits under New Pension Scheme will be applicable to all employees with matching contribution from employer.
- 15.2 Death-cum-Retirement Gratuity (DCRG) benefit: DCRG - SAC, 2015 will be applicable to employees as per the provisions of the scheme adopted by Governing Body.

16. Amendment:

The Governing Body reserves to itself the right to add, alter or amend any of the above rules as and when necessary. The proposal for amendment may be submitted in writing by a member of the Governing Body to the secretary of the Governing Body at least 3 months before the meeting of the Governing Body.



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