



TEERTHANKER MAHAVEER UNIVERSITY

(Established under Govt. of U. P. Act No. 30, 2008)

Delhi Road, Moradabad (U.P)

E-Mail: registrar@tmu.ac.in

Phone No.: 0591-2476813

Ref. : TMU/R.O./2021-22/Adm/021

Date: 13.01.2022

Circular

Sub: First Amendment in the Service Rules-2021.

With reference to the above subject, this is to convey and inform all the employees that the University has brought the First Amendment in the Service Rules-2021 of the University which shall be effective from January 01, 2022. These amendments shall be ratified during the next meeting of Executive Council.

This is issued with the approval of Hon'ble Vice Chancellor.

(Aditya Sharma)

Registrar

Copy to:

I.

1. P.S. to Hon'ble Chancellor
2. P.S. to Hon'ble Vice Chairman
3. P.S. to Hon'ble Vice Chancellor
4. Director-Corporate Affairs
5. Director-Admissions
6. Director-Administration
7. Controller of Examinations
8. Director-Hospital Administration
9. Director-Students Welfare
10. Finance Officer
11. Joint Registrar-R & D
12. Joint Registrar (Academics)
13. Director-CTLD
14. Director-Hospital Planning & Development/Chief Warden
15. Jt. Director (Security & Students' Welfare)
16. Dy. Director (Accounts)
17. Dy. Director (Admissions)
18. Medical Superintendent (Hospital)
19. Deputy Registrar (HR)
20. Assistant Registrar-Registration & Migration
21. Assistant Registrar-Student Welfare & Cultural Affairs
22. Head-IT
23. Manager-HR/Establishment
24. Manager-Transport
25. Electrical Engineer
26. Engineer-Constructions, Engineering & Maintenance
27. Sr. Executive- Constructions, Engineering & Maintenance
28. Executive-Purchase & Stores
29. Hostel Wardens
30. University Library
31. Audio-Visual Section
32. Guard File

- II. 1. Associate Dean-Academics
2. College Principals as above

Service Rules for Teaching and Non-teaching Employees of the University, (First Amendment), 2021



**TEERTHANKER MAHAVEER UNIVERSITY
MORADABAD**



TEERTHANKER MAHAVEER UNIVERSITY

MORADABAD – 244001 (U.P.)

Service Rules for Teaching and Non-teaching Employees of the University, (First Amendment) 2021

In exercise of the powers conferred under section 35 and 38 of the U.P. Private Universities Act 2019, the University brings the 1st amendment in the Service Rules framed in 2021, namely:

1. Short Title, application and commencement:

- 1.1. These Rules may be called Teerthanker Mahaveer University Rules on Service Conditions of the Teaching and Non-teaching Employees of the University (First Amendment), 2021 and are framed in accordance with the provisions of the section 38 of the U.P. Private Universities Act 2019.
- 1.2. These shall be effective on all the existing employees and also on employees those who join the services of the University after the notification of these Rules.

The following amendments are being brought in the following clauses of the Service Rules 2021.

2.8 Resignation, Termination and Retirement of the Teaching and Non-Teaching employees:

- i. If the University is willing to terminate the services of employee at the end of the academic year two-months notice shall be given or one-month salary shall be payable in lieu there-of as the case may be.
- ii. Every permanent employee may resign his/her position after giving two months' notice in writing to the University or three months' salary in lieu of the notice in the case of Teaching staff. However, the said Notice period for non-teaching staff shall be one month. Every temporary employee may resign his/her post after giving one-month notice in writing to the University or one-month salary in lieu of the notice. The Executive Council is to accept the resignation and waiver of the notice period. All permanent employees shall retire at the end of the month in which they complete the age of superannuation i.e **58 years in case of class III and IV non-teaching employees and 62 years in case of all teaching and class I & II non-teaching employees of the University.** Provided the Executive Council may

permit the teaching staff to continue to serve after retirement as aforesaid till the end of the academic year to ensure that the teaching work is not dislocated.

- iii. Subject to the availability of the vacant positions and fitness, teachers as Assistant Professor, Associate Professor and Professor/ Senior Professor/ Principal/ Director may be re-employed on contract appointment beyond the age of superannuation, up to the age of 70 years.

2.7 Re-employment of retired persons:

The University may engage any person, who has superannuated, on contract to serve the University in teaching and other academic activities or non-teaching subject to such guidelines as the Executive Council may issue in this regard from time to time, and pay shall be fixed according to qualification, experience in their relevant field. The merit of the candidate shall be taken into account during this appointment. The Executive Council is empowered to appoint any such person with the recommendation of Selection Committee constituted in this regard provided that no person who has attained the age of seventy years be appointed under this option in case of teaching staff.

3. Leave Rules:

3.1 LEAVE STRUCTURE FOR A CALENDAR YEAR w.e.f from 01/01/2022

| S.No. | Nature of Leave | Teaching Staff | Non-teaching Staff |
|-------|--|--|-------------------------|
| 1 | Casual Leave | 12 | 12 |
| 2 | Academic/Special Casual Leave | 10 | Nil |
| 3 | Medical Leave | 08 | 08 |
| 4 | Earned Leave | Nil | 10 |
| 5 | Vacation Leave (Summer/Winter Breaks) | 21 (14 Summer Vacation) (07 Winter Vacation) | Nil |
| 6 | Compensatory Leave | ----- | As per explanatory note |
| 7 | Extra-ordinary Leave | Shall be without pay and shall not i) Exceed 03 months when service is < 03 years. ii) Exceed 06 months when service is > 03 but less than 06 years. iii) Exceed one year when service is > 06 years. | |
| 8 | Study Leave | As per explanatory note | ----- |
| 9 | Maternity Leave | 90 days each after 02 years of service with University and subject to a maximum for two surviving children. | |

| | | |
|----|-----------------------|--|
| 10 | Hospitalization Leave | Due to illness/injury of an employee on official duty and is allowed up to a maximum period of 03 months in any period of three years. |
|----|-----------------------|--|

1. Tutor shall be entitled for Earned leave (EL) in place of Vacation leave (VL).
2. Employees working in Hostel (Boys/Girls) of the University shall be entitled only for casual leave to the extent of 12 (twelve) days in a calendar year.
3. Regular Class IV employees of the University shall be entitled only for casual leave to the extent of 06 (six) days in a calendar year.

3.2 SANCTIONING AUTHORITY FOR VARIOUS KIND OF LEAVE

| S.No. | Nature of Leave | Sanctioning Authority | |
|-------|--|--|--|
| | | Teaching Staff | Non-teaching Staff |
| 1 | Casual Leave | Director/Principal | Director/Principal/ Reporting Authority |
| 2 | Academic/Special Casual Leave | Vice Chancellor | ----- |
| 3 | Medical Leave | Director/Principal | Director/Principal/ Reporting Authority |
| 4 | Earned Leave | Registrar | Registrar |
| 5 | Vacation Leave (Summer/Winter Breaks) | To be declared by the Director/Principal of the college with prior approval of the Vice Chancellor | ----- |
| 6 | Compensatory Leave | ----- | Registrar |
| 7 | Extra-ordinary Leave | Vice Chancellor | Vice Chancellor |
| 8 | Study Leave | Vice Chancellor | ----- |
| 9 | Maternity Leave | Registrar | Registrar |
| 10 | Hospitalization Leave | Registrar | Registrar |

NOTES:

1. Sanctioning Authority for all types of leave in case of Director/Principal of an academic unit (College/ Department/ Center) would be the Vice Chancellor and in case of Reporting Authority of a non-academic unit (Department/ Division/ Section/Cell etc) would be the Registrar.
2. Sanctioning Authority for casual leave (CL) in an academic unit (College/ Department/ Center) and in a non-academic unit (Department/ Division/ Section/ Cell etc) shall be the Director/Principal and the Reporting Authority respectively.

3. The record of all types of leave shall be maintained by the Payroll section of the University. However, offices of the Sanctioning Authority shall also maintain the leave records in their ERP dashboard.
4. Leave where approval of the Vice Chancellor/Registrar is required, the application must be forwarded through the Reporting Authority.

3.3 GENERAL RULES:

- i. Leave cannot be claimed as matter of right. The sanctioning authority may refuse or revoke leave of any kind.
- ii. An employee on leave should not take up any service or employment elsewhere during the leave.
- iii. **Minimum number for the medical leave to be taken at one time is 2 (two).**
- iv. An employee who is on leave for more than 04 (four) days on medical grounds will be permitted to return to duty only on production of a medical certificate of fitness. Leave sanctioning authority may secure second medical opinion if it is necessary.
- v. **The claim for compensatory leave shall be made with-in 90 days of such presence on duty on weekly off/holiday.**
- vi. **Compensatory leave once claimed and sanctioned, cannot be cancelled for any reason.**
- vii. Absence from duty after the expiry of leave renders an employee liable for disciplinary action.
- viii. An employee who absents himself/herself without prior sanction of leave shall be treated as absent and shall be subjected to disciplinary action.
- ix. No employee shall leave the station without the prior permission of the designated authority. He/she shall inform the authorities about his/her address during the days of absence.
- x. In case an employee leaving the country during the leave period, sanction of the Vice Chancellor will be required, irrespective of the type or duration of leave.
- xi. All types of leave shall remain suspended once/after an employee submits his/her resignation or gets such a notice from the college/ University.
- xii. All leave shall be in reference to a calendar year, which stands for January 01st to December 31st of that year.

3.4 EXPLANATORY NOTES:

- i. **CASUAL LEAVE:**
 - a) An employee of the University shall be eligible for 12 (twelve) days casual leave in each calendar year.
 - b) Casual leave cannot be carried forward to next year.

- c) In case of employee joining in middle of a year, the limit will proportionately be reduced by the competent authority.
- d) Casual leave is intended for a short time and cannot be granted more than 03 (three) days at a time except under special circumstances.
- e) Casual leave cannot be combined with any other type of leave, but can be prefixed or suffixed with holidays and weekly-offs.
- f) However, a non-teaching staff is allowed to take half-day casual leave only with the permission of competent authority.
- g) **Application for CL must be made at least one day in advance and if not possible under unforeseen circumstances, then with-in three days of re-joining after the leave.**

ii. ACADEMIC/SPECIAL CASUAL LEAVE:

The Competent Authority may grant up to the limit of 10 (ten) days in a given calendar year leave of absence from duty to a member of the teaching staff to perform such duties as under:

- a) **To conduct examination of a University/Public Service Commission/board of Examinations or any similar body/institution; and**
- b) **To inspect academic institution attached to a statutory board/body.**

Availing of such leave would be subject to the following conditions:

- a) With prior approval from the competent authority on the recommendation of the college Director/Principal.
- b) Submission of a copy of invitation letter from the host organization.

Regarding AL(s) if any faculty, who leaves the job within the period of one year, will be liable to repay the salary of the days for which he/she has availed the AL(s) during the first year of his/her service.

iii. MEDICAL LEAVE:

- a) Regular employees except class IV and Hostel staff of the University shall be eligible for 08 (eight) days medical leave in a calendar year to meet out the requirement rising due to illness.
- b) For availing four or more medical leave, submission of medical certificate from registered medical practitioner is a must.
- c) Medical leave cannot be prefixed or suffixed with holidays and weekly-offs. Medical leave can be carried forward and accumulated to the extent of 30 (thirty) days and cannot be encashed. More than 30 ML(s) will lapse automatically on 31st December of the year.

iv. EARNED LEAVE:

- a) Non vacation staff (staff that is not entitled for summer/winter vacation) shall be entitled for 10 (ten) days earned leave, which are admissible after 01 (one) year of regular service.
- b) Earned leave can be accumulated up to 60 (sixty) days. The maximum number of earned leave that can be granted in a calendar year is 60 (sixty) days only.
- c) Encashment of earned leave will be either on retirement or on resignation after 02 (two) years of minimum service.
- d) Normally earned leave can be availed for a minimum 03 (three) days at a time.
- e) **Sundays/holidays occurring during the period of EL will be counted into/treated as part of leave applied for.**
- f) **In case an employee clubs EL with CL on Monday, then the non-working day, Sunday shall also be treated as EL.**

v. VACATION LEAVE:

Faculty shall avail vacation leave in two spells i.e. summer and winter. Normally the duration of summer and winter vacation shall be as under:

- **Winter Vacation: 07 (Seven) days**
- **Summer Vacation: 14 (Fourteen) days**

- a) The dates of commencement and duration of leave may be decided as per the requirement of the college with prior intimation to the Vice Chancellor.
- b) Teachers shall be given credit of leave in earned leave account for the vacation period in the ratio of 1:1, if detailed for official work by the competent authority during vacation. Such converted leave into earned leave account shall be governed by the earned leave rules for the non vacation staff as stated above. For the faculty whose services are requisitioned during the vacation, the Principal/Director/HOD concerned shall seek the prior permission of the Vice Chancellor.
- c) Faculty on completion of 01 (one) year of service in the University shall become eligible to avail vacation leave.
- d) Directors/Principals of an academic unit (College/Department/Centre) would be entitled for 21 (Twenty One) days of earned leave in lieu of vacation leave and shall not be carried forward.
- e) **Vacation leaves or Earned Leaves converted in lieu of Vacation Leaves to Teaching Staff cannot be carried forwarded to the next calendar year.**

vi. COMPENSATORY LEAVE:

- a) Non-teaching staff called to perform official duty on weekly-offs or public holidays shall be granted compensatory leave of equal number of days.

- b) However, if employee is called to clear the arrear of work for which he or she is personally responsible or is imposed as a penalty, no compensatory leave shall be granted under such situations.
- c) No compensatory leave shall be admissible to an employee who is paid TA & DA for that day(s).
- d) Such compensatory leave may be availed within 03 (three) months of the entitlement otherwise same shall be treated as lapsed.

vii. EXTRA-ORDINARY LEAVE:

In case of genuine necessity and when no other leave is due, leave without pay may be granted subject to the conditions to be specified at the time of granting the leave.

viii. STUDY LEAVE:

- a) A faculty member after completing five years of service with the University may be granted study leave with half pay and on execution of a bond to serve the University for another 05 (five) years after availing such leave failing which he or she would be asked to deposit an amount equivalent full salary of the period for which study leave have been availed.
- b) Study leave can be granted to a faculty for a maximum period of 24 (twenty four) months in entire career with University. However, in exceptional cases it could be further extended to another 12 (twelve) months to the satisfaction of the Competent Authority.
- c) Study leave shall be granted for acquiring higher qualification, if the additional qualification is considered to be in the interest of the college/ University.

ix. MATERNITY LEAVE:

- a) Female employees after 02 (two) years of their service with the University may be granted 90 (ninety) days of maternity leave with half pay.
- b) This is admissible to employees up to the second child.
- c) The leave can be combined with any other kind of leave.
- d) Maternity leave shall be granted only if supported by a medical certificate.
- e) Employees covered under ESIC would either the benefits of the ESIC scheme or the Maternity Leave of the University.

x. HOSPITALIZATION LEAVE:

Hospital leave may be granted to an employee under medical treatment for illness or injury directly due to risk incurred in the course of his official duty. This concession will be available to such employee, the nature of whose duties exposes them to such illness or injury. Hospitalization leave may be granted up to a period of 03 (three) months on full or

half salary, as may be decided by the competent authority, in any period of 03 (three) years.

4. Code of Conduct for Employees:

- a. These code of Conduct Rules shall apply to every person appointed by the University including the Part-Time, Contract, Adhoc and temporary appointees
- b. Every employee shall confirm to and abide by the rules including the employees Code of Conduct Rules and shall observe, comply with obey all orders and directions which may from time to time be given to him/her by any person under whose jurisdiction, superintendence or control he/she may be placed. Ignorance of the rules cannot be an excuse.
- c. Every employee shall serve the University honestly and faithfully and shall use his/her utmost endeavors to promote the interests of the University and shall show courtesy and attention in all transactions and interactions with every person with whom he/she may be in contact in his/her capacity as an employee whether uniformed or not, shall dress properly, neatly and presently always and every employee present a cheerful and dignified appearance. Employees shall spend their time on work and shall avoid wasting time on gossiping/ purposeless talk. They should go about as silently as possible with their duties. Executive Council may prescribe other rules time to time observe decorum and discipline.
- d. **Every employee of the University shall be required:**
 - i. To maintain absolute integrity
 - ii. To maintain devotion to duty
 - iii. To confirm and abide by the Rules and Regulations of the University.
 - iv. To abide by lawful orders and direction in the course of official duties by any person or persons to whom he/she is sub-ordinate in the service of the University, he/she shall not involve anti-social activity or create any communal disharmony.
- e. **No employee should use his/her position or influence directly or indirectly to secure and benefits.**
- f. No employee shall take part in election except prior written permission from the Executive Council.
- g. No employee can join any association, the object or activities which are prejudicial to the interest and sovereignty and integrity of India or to the interest of the University or public order.
- h. No employee shall participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, security of the State, the interest of the University, public order or morality or which involves contempt of court and defamation including inciting the students against other students or employees of the University or administration or in any way abet or any

form of strike or coercion or physical duress in connection with any matter pertaining to his/her service or the service of any other employee or any other employees of the University

- i. No employee shall except previous sanction of the University, ask for or accept contribution or otherwise associate himself/herself to receive any funds or other collection in cash/ cheque or any kind.
- j. No employee shall except previous sanction of the University engage directly or indirectly in any trade or business or to undertake any other employment.
- k. No employee shall bring or attempt to bring any political, personal or other influences to bear upon any authority of the University to further his/her interest or interest of any other person in respect of matters pertaining to his/her service or in respect of any other matter involving pecuniary or other benefits to him/her.
- l. No employee shall involve intoxicating drinks or possess any of them in the University premises.
- m. An employee shall not make representations to the Executive Council/Academic Council or Government or to any authority of the University directly and such representations shall be made through the proper channel.
- n. An employee of the University except in accordance with any general or special order of the Executive Council or in the performance in good faith of the duties assigned to him/her, shall not communicate directly or indirectly any official documents or information to any employee or to any other person to whom he/she is not authorized to communicate such documents or information.
- o. Concerted or organized refusal on the part of the employee to receive their pay shall constitute misconduct.
- p. An employee of the University may be placed under suspension where an enquiry in to charges is pending or contemplated against him/her.
- q. An employee of the University who is placed under suspension shall be paid subsistence allowance during the period of suspension, not exceeding one half of the basic pay and such proportions of the allowances as the Executive Council may determine.
- r. No employee shall avail any kind of leave without prior approval of the competent authority or extend the period of leave sanctioned without the approval of the competent authority as mentioned in the leave rules above. If an employee remains absent from his/her duties for a period exceeding 10 days without any prior approval or intimation, it shall be taken for granted that the said employee is no more interested in serving the University and shall be deemed to have left the services of the University on his/her own accord and there shall be no claim on the University from such employee. The University shall issue the notice in this regard to the employee and no claim on University by such employee shall be his/her right or legitimate.



(Aditya Sharma)
Registrar