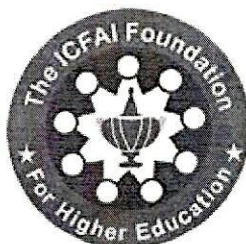

The ICFAI Foundation for Higher Education

(Declared as a Deemed-to-be-University under Section 3 of the UGC Act, 1956)



NON-TEACHING EMPLOYEES' SERVICE RULES

(Ratified vide Board of Management resolution dated March 29, 2011)


REGISTRAR
ICFAI FOUNDATION FOR HIGHER EDUCATION
(Deemed-to-be-University established under section 3 of UGC Act 1956.)



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INTRODUCTION

The ICFAI Foundation for Higher Education (IFHE) was registered on August 06, 2005 at Hyderabad, as a not-for-profit Educational Trust. The Government of India, Ministry of Human Resources Development, Department of Higher Education, New Delhi vide their Notification No.F.9-54/2006-U-3 dated December 16, 2008 declared the "ICFAI Foundation for Higher Education, Hyderabad, Andhra Pradesh, comprising of ICFAI Business School, Hyderabad as Deemed-to-be-University under Section 3 of the UGC Act 1956". Further, the University Grants Commission (UGC) vide their Office Memorandum No. F.6-42/205(CPP-I) dated May 26, 2010 granted approval for starting New Faculties namely, Faculty of Science & Technology and Faculty of Law at IFHE, Hyderabad. The objectives of IFHE is to create and disseminate knowledge and skills in core and frontier areas through innovative educational programs, research, consulting and publishing and developing a new cadre of professionals with a high level of competence and deep sense of ethics and commitment to the code of professional conduct and to meet the management needs in the industry and business.

CHAPTER I: Short Title, Applicability and Effective Date

1. Short Title

These rules may be called the IFHE Non-Teaching Employee's Service Rules.

2. Applicability:

These rules shall be applicable to all the **non-teaching employees** engaged by IFHE and/or its constituents.

3. Effective Date

- i) The IFHE Non-Teaching Employee's Service Rules shall come into force with effect 01.04.2011 and shall continue to be in force till further notification.
- ii) The IFHE Non-Teaching Employee's Service Rules supersede all other rules/guidelines issued earlier.

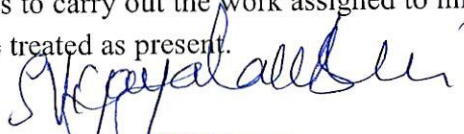
CHAPTER II: Definitions

4. Definitions:

In these rules, unless the context otherwise requires:

- i) "Attendance" means presence of the employee concerned, at the time specified at the place(s) of his duty where he is required to work by the management. If any employee is not present at his duty place or though present in such a place but refuses to carry out the work assigned to him which he is bound to do, then he shall not be treated as present.




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- ii) "Appellate Authority" means the authority appointed by the Management for the purpose of review of appeals.
- iii) "Controlling Officer" means the authority who controls the work, assesses the performance of employees and is accountable for carrying out all jobs / tasks in pursuit of the goals of the University/ Organization.
- iv) "Competent Authority" means the authority designated for any purpose by the Management.
- v) "Dean" means any person appointed/designated as Dean of any constituents/Faculties of the University/ Organization.
- vi) "Director" means any person appointed / designated as Director, IFHE or of any constituents/Faculties of the University/ Organization.
- vii) "Disciplinary Authority" means the authority appointed by the Management /Competent Authority to handle all disciplinary suits.
- viii) "Employer" means The ICFAI Foundation for Higher Education (IFHE) and includes the Vice Chancellor or any other person duly authorized to act on his behalf.
- ix) "Employee" or "Staff Member" in these service rules means a non-teaching person appointed on a regular/temporary pay scale or on consolidated pay / stipend and/or by any designation irrespective of the tenure or period employed by the employer and is a staff member or an employee of the organization. The term 'Employee' would however exclude all the persons engaged by a contractor or through a contractor either on a casual/ daily basis or for specified contractual period.
- x) "Family" means the employee, his/ her spouse and unmarried dependent children and parents living with and wholly dependent on him/her.
- xi) "Habitual" means an act or omission which is repeated three times or more within a period of 12 months.
- xii) "University/Organization" means The ICFAI Foundation for Higher Education and includes its constituents/Faculties.
- xiii) "Medical Certificate" means a certificate issued by a Registered Medical Practitioner.
- xiv) "Masculine" references like he/his/him shall include the "feminine" like she/her and vice versa unless the context refers to a specific single gender.
- xv) "Management" means the Board of Management or any other person or body of persons as may be authorized by the employer from time to time.



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- xvi) "Singular" shall include the "plural" and vice versa.
- xvii) "Service" means, service with the IFHE.
- xviii) "Misconduct" as defined in section 25 of these service rules, and any act of the employee that is detrimental to the interest of the organization.
- xix) "Organization" means The ICFAI Foundation for Higher Education and includes its constituents/Faculties.
- xx) "Officer-in-charge" means a person authorized by the employer to be in charge of an activity or task or assignment or department.

5. Employee/ Staff Classification

They are classified as:

- a. **Fixed Term Employee** is an employee who has been engaged on the basis of contract of employment for a fixed period.
- b. **Probationer** is one who is provisionally employed to fill a regular vacancy subject to declaration of satisfactory completion of the prescribed probationary period as assessed by the competent authority. The appointing authority shall have the power to extend the period of probation of any employee of the University for such period, where his / her performance is found to be unsatisfactory. But in no case, shall the period of probation exceed two years from the date of appointment. If a regular employee is employed as a probationer in new post, he may at any time, during the probationary period, be reverted to his/ her old post by an order in writing.
- c. **Temporary employee** is one who has been engaged for limited work or limited period of time which is essentially of temporary character or in connection with temporary increase in work of a regular nature or who is employed in a temporary vacancy caused directly or indirectly by absence of or leave of a regular employee.
- d. **Casual employee** is one who is employed for any work that is occasional, casual or intermittent in nature and to whom remuneration is paid on a daily wage basis.
- e. **Apprentice** is one who is taken on Apprenticeship Training as per the provisions of Apprenticeship Act, 1961:
 - 1) An apprentice shall be paid a stipend.
 - 2) The period of apprenticeship training shall be specified for each trade but in no case shall exceed three years.
- f. **Trainee** is a learner who may or may not be given a nominal allowance during the period of his training which shall not exceed three years and will not carry any assurance of employment after training.



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- g. **Badli** or **Substitute** means an employee who is engaged in the position of a regular employee or a probationer who is temporarily absent and whose name is entered in the Badli register.

6. Appointment

- a. No person below the age of 18 years will be employed in the organization.
- b. No person shall be deemed to be in the employment until and unless he has received a letter of appointment, provided no such letter is necessary where a person is employed as a casual workman or substitute and/or whose name appears in the specific register maintained for that purpose.
- c. The verification of information furnished by the employee about his age, qualifications, experience and any other information as also physical and medical examination are prerequisites for seeking employment in the organization. The organization shall maintain proper records in respect of each employee containing particulars of the employee and duly attested by the officer in-charge.

7. Notices

- a. Notices to be exhibited or given under these rules shall be in English.
- b. Any Notice, Order, Charge-sheet, Communication or Intimation which is meant for an individual employee and is given in writing under these rules will be in English. Such a communication may be given in regional language. However communication in English version will prevail for all purposes.
- c. All communications during the absence of an employee from duty shall be sent to the latest postal address available in the personnel records by Registered post with AD/speed post/under certificate of posting and pasted on all Notice Boards and shall be deemed to have been served and acknowledged by the employee.

8. Record of Age, Qualification, Experience and other information

- a. Every employee will furnish truthfully all information required at the time of employment.
- b. Every employee shall produce authentic proof of his age, qualification, experience and other information wherever necessary and the said information shall go into his personal records. In future, if such information is found to be incorrect and it is determined that the employee has furnished wrong information, such act on his part shall constitute a serious misconduct.
- c. For the record of age, an employee is required to supply
 - i. His Matriculation or School Leaving Certificate granted by the Board of Secondary Education or similar educational authority; or



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- ii. A certified copy of his Birth certificate issued by a Municipality, Local Authority or Panchayat or Registrar of Births & Deaths.
- iii. In the absence of either of the aforesaid two categories of certificates, the employer may require the employee to supply a Certificate from a qualified registered Medical Doctor appointed by the employer indicating the probable age of the employee.
- d. The date of birth of an employee once entered in the service record of the organization shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the organization.
- e. Cases where date of birth of any employee has already been decided as on the date these rules come into force shall not be reopened under these provisions.

9. Address

- a. The employee shall furnish the correct postal address (both permanent and present/local) and telephone / mobile nos. and shall inform the HR Department of the University/Organization in case of change of address and phone numbers, failing which all communications sent to the address available as per the personnel records shall be final.
- b. All employees must inform the change of address if any within seven days of such change and to get the changes recorded in the personnel records. It would be the sole responsibility of the employee to update the employer of any change in the communication address/ phone numbers.
- c. Any communication sent to the address furnished by the employee available in the personnel records will be deemed to be served even if it is returned undelivered by the concerned authorities.

CHAPTER IV: Office hours & Rules Governing Conduct and Discipline

10. Office working hours

The normal work week consists of six (6) days, eight (8) hours long Monday through Saturday subject to, however, change as may be notified from time to time.

Working hours of the IFHE .. 9.00 AM to 6.00 PM

Lunch Hour: .. 1.00 PM to 1.30 PM

(Saturday & Sunday are Holidays)



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All the employees are expected to be in their respective work place by 9.00 a.m. and shall remain at workplace till end of working hours on all working days. In cases where the employee is officially detailed to work in another place, he will be deemed to be on-duty. Employees who are not on IFHE payroll and are casual workers will follow working hours as intimated to them.

10A Identity Card

Every employee shall be issued an Employee Identity Card with a validity date which is required to be carried by the employee during the period of service and shall be returned to the HR department of the University/ organization on the day of relinquishing service due to resignation/ termination/ etc.

11. Abandonment of services

If an employee remains absent from duty without prior permission/authorization and/or prior sanction of leave for eight (8) consecutive days or overstays the period of leave originally granted or subsequently extended for eight or more continuous days, he shall be deemed to have voluntarily abandoned his employment on his own accord and loses lien on his employment.

12. Double employment

No employee shall, without prior written sanction of the employer, engage in any other part time or full time employment or undertake any other work or service on remuneration/honorarium or directly or indirectly engage oneself in any business or activity for profit.

12A Taking part in Politics and Elections

An employee shall not take part in political activities or be associated with any party or organization having political affiliation.

No employee shall aid or assist in any manner any political movement or activity unless he obtains the permission of the BOM specifically for the purpose and proceeds on appropriate leave.

Management reserves the right to discharge the employee(s) for any violation of this rule.




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13. Essential services

The following services shall be treated as essential services and employees working in these services, shall not participate in any strike or non-cooperation or agitation along with other employees. These Employees shall not refuse to work whenever called upon to do the work any time of the day or night. Furthermore, these Employees shall work overtime whenever called upon to do so. An act of refusal to work when asked to do so or violation of any of these clauses by employees working on essential services shall be deemed to be serious acts of misconduct warranting severe action including that of dismissal from service.

1. Maintenance of water and sanitation services
2. Security and firefighting services
3. Medical Services
4. Maintenance of electricity and/or any kind of power generation or supply of power.
5. Drivers.
6. Any other operational and break-down maintenance and overhauling works to be carried on continuously.
7. Canteen services.

Employees manning the above services will not leave their work place unless relieved by the next shift employees. In case of absenteeism of the reliever, employee will continue to work.

14. Strike

1. No Employee, whether alone or in combination with another or others shall strike work or resort to cessation of work without giving to the Management 14 days notice in advance, in writing, expressing their intention to go on strike or resort to cessation of work.
2. If three or more employees applying for leave of absence or absent themselves from place(s) where they are required to work, in concerted action and absenting themselves thereupon will also be deemed to be on illegal strike and shall be liable for appropriate action as per law besides deduction of salary/wages.
3. If three or more employees in concerted action striking work or resorting to cessation of work without giving the prescribed notice or not doing work despite being present at their work place, shall be deemed to be on illegal strike and shall be liable for appropriate action as per law besides deduction of salary/wages as per law.
4. The management may close down the operations of certain sections and/ or departments in the event of strike, including deliberate 'Go Slow' by employees



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effecting either wholly or partially such section or department, and any other section or departments affected by such closing down for any period or periods without notice of compensation to the employees so affected. The employer has the right to hire outsiders to carry out the work.

15. Right of management to fix additional service conditions in respect of employees working in essential services

The Management may fix, hours of work, weekly holidays, festival and other terms of service separately for essential services, in addition to these rules in view of the special nature of work of such employees and continuous operation.

16. Misconduct

The following acts and omissions shall amount to misconduct for the purpose of these rules.

- i) Impertinence, insubordination or disobedience or insult to officer-in-charge/departmental head whether alone or in combination with another or others for any lawful or reasonable order of the manager, use of impertinent language, indecent behaviour, gesture against any manager/departmental head/officer.
- ii) Unlawful cessation of work or refusal to work, participation or instigation to strike without 14 days' notice, or sit down, stay in strike or gherao.
- iii) Theft, fraud or dishonesty in connection with organization's business or property of the organization.
- iv) Dishonesty in connection with marking of attendance or attempt to mark or recording other Employee's attendance or attempting to mark attendance for other Employee.
- v) Habitual absence from duty without permission or absence from duty after leave is refused or absence from duty without leave (not sufficient balance of leave leading to without pay leave)
- vi) Applying for leave on false grounds.
- vii) Refusal to accept transfer from one job to another or from one branch to another whether locally or out of station under the same management provided salary/wage is not affected adversely.
- viii) Refusal to do other jobs.
- ix) Threatening, assaulting, intimidating or misbehaving with any manager/department head/officer or any other employee whether inside or outside the premises of the organisation.



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- x) Sleeping whilst on duty.
- xi) Disclosing to any unauthorised person any information relating to the secrets of the organization which may come in possession or knowledge of the employee during the course of his employment.
- xii) Habitual breach of any rules or orders or instruction for the running of any department or any other work while in service.
- xiii) Habitual breach of any clause of service, rules and regulations, any terms of conditions of service mentioned in the letter of appointment.
- xiv) Remaining absent without permission for 8 consecutive days or overstaying beyond sanctioned leave without prior sanction for more than 8 days.
- xv) Carrying official material to his house or any other place outside the organisation without prior written permission of the manager/department head.
- xvi) Habitual late coming or habitual leaving duty before time.
- xvii) Wilful disfigurement, destruction or alteration or forgery of any official record.
- xviii) Making or giving false statement before a manager/departmental head knowing it to be false or forging the signature of a manager/departmental head or other employee.
- xix) Conviction by any court of law for any offence involving moral turpitude.
- xx) Incorrect handling of packages or materials or tools or equipment or apparatus or vehicles.
- xxi) Striking work in contravention of the provisions of any Statute or the Service rules.
- xxii) Taking or giving bribes or any illegal gratification whatsoever.
- xxiii) Collection of money within the premises of the organisation for any purpose not permitted by the Officer In-charge/Departmental Head.
- xxiv) Engaging in trade or conducting chits, or money lending within the organisation.
- xxv) Drunkenness or riotous or disorderly behaviour during working hours or any acts subversive of discipline.
- xxvi) Habitual negligence or gross neglect of work.
- xxvii) Wilful damage/breakage of any property of the organization.
- xxviii) Spitting in the work premises other than in spittoons provided for the purpose.



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- xxix) Distributing or exhibiting inside the official premises any newspaper, handbills, pamphlets or posters without the prior written permission of the Officer-in-charge/Department head.
- xxx) Attending or holding meetings not related or required in the course of discharge of official duties within the premises of the organisation without the prior written permission of the Officer-in-charge/Department head.
- xxxi) Canvassing for Union or Party Membership or the collection of union or party dues, funds or contributions on the official premises without written permission of the Officer-in-charge/Head of Department.
- xxxii) Commission of any act subversive of discipline.
- xxxiii) Gambling or playing of any nature such as cards, satta, etc.,
- xxxiv) Consumption of any form of intoxicating substances including but not limited to drinking of alcohol, smoking, chewing pan, tobacco, ganja etc., within the premises of the organisation.
- xxxv) The sale or canvassing of any commodities or tickets of lotteries or raffles or of coupons or tokens in connection with any scheme for the sale of any commodity or article within the official premises without prior written permission of Officer-in-charge/Departmental head.
- xxxvi) Insubordination, malingering, loitering or deliberate delay in carrying out orders of the Officer-in-charge/ departmental head.
- xxxvii) Entering or leaving or attempting to enter or leave the organization except by gate or door intended for the purpose or breaking or damaging or otherwise tampering with any door, window, wall or structure forming part of the organization.
- xxxviii) Engaging, organising or participating in acts resulting in wrongful confinement or restraint of any person or employee or an officer or a public servant within the premises or outside the premises or employee engaged in essential services or departmental heads, supervisors, technical supervisors, watch and ward or conservancy staff or public servants.
- xxxix) Staying away from work during official timings such as lunch, attending to other personal works except during the designated lunch period, etc.
- xl) Refusal to accept a charge sheet, order or any other communication served either in accordance with these rules or in the interest of discipline.
- xli) Making false or vilifying accusations against the organization or a Officer-in-charge/departmental head or a co-worker.



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- xlii) Leaving the place of work without written permission or valid pass during official hours.
- xliii) Leaving the work place without the attendance of reliever, wherever applicable.
- xliv) Failure to follow the instructions for maintenance of quality work.
- xlvi) Contesting in any political elections while in service.
- xlvi) Refusal to work extra hours when required.
- xlvi) Failure to wear uniform and shoes, safety equipment and observe the safety rules of the organization while on duty wherever applicable.
- xlvi) Abstaining from duty by one or more workmen in a concerted manner.
- xlix) Giving false information regarding one's age, father's name, qualification or previous service at the time of employment
- l) Repetition of any act or omission for which fine may be imposed under the relevant rules /legal provisions applicable to the establishment
- li) Any sexual harassment, such as, unwelcome sexually determined behaviour whether directly or by implication and includes.
 - a) physical contact and advances
 - b) demand or request for sexual favours
 - c) sexually – coloured remarks
 - d) showing, transmitting through email/ SMS/ MMS pornographic material to co-workers
 - e) any other unwelcome physical verbal or non-verbal conduct of sexual nature
- lii) Photographing the equipment, machines, buildings or any other object within the premises of the organization without written permission from management.
- liii) Failure to keep his place of work clean.
- liv) Detention in police or judicial custody for any period beyond 48 hours.
- lv) Unauthorized possession of any lethal weapon within the premises of the organization.
- lvi) Loitering or remaining in the premises of the organization after or before authorized hours of work without the written permission of the manager/departmental head.
- lvii) Refusal to do any work directed by the manager/Departmental Head.



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- lviii) Refusal to accept transfer from one shift to another or from one section or department to another or from one place to another.
- lix) Failure to report loss of tools or materials entrusted to an employee for performance of his duties or failure to account for the same, within a reasonable time.
- lx) Quarrelling or using foul language within the premises of the organization.
- lxi) Falsifying or refusing to give testimony when an accident or other matters are being investigated.
- lxii) Any other acts subversive of discipline and/or prejudicial to the interests of the organization.
- lxiii) Engaging in any political activity or seeking election to any political post or taking part in a meeting or demonstration organized by a political party'.
- lxiv) Unauthorized use or occupation of the University's quarters, land or other property
- lxv) Writing anonymous letters, addressing appeals or representations to an authority other than the appellate or the appropriate authority and forwarding advance copies of appeals or representations to any authority or any media.
- lxvi) Distribution or exhibition in the university premises or its precincts handbills, pamphlets, posters or causing to be displayed by means of signs or writings or other visible representations, in any manner without previous sanction of the authority.'
- lxvii) Calling media without authorization to record events or acts happening in the university.'
- lxviii) Criticism of the university:

17. Punishment for misconduct

An Employee guilty of misconduct may be punished with any one or more of the following punishments based on the degree of severity of the misconduct

1. Warning
2. Censure
3. Fine, consistent with the provisions of the Disciplinary Rules or any other Act applicable
4. Suspension for a period not exceeding four days
5. Stoppage of increments/performance reviews for a specific period of not exceeding 3 years



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6. Reversion to the next lower grade
7. Dismissal

Procedure for dealing with cases of misconduct

- 1 No order or punishment for misconduct will be made without following the principles of natural justice.
- 2 An employee may be suspended pending enquiry by giving an order in writing. An order of suspension will take effect immediately on giving notice thereof to the employee concerned.
- 3 The alleged misconduct if not enumerated in such suspension order, it will be given in detail in the charge sheet and the employee shall be given an opportunity to explain the charges alleged against him. He shall be permitted to secure at the enquiry, assistance of a co-worker, who is an existing employee of the company and no assistance of an outsider will be permitted.
- 4 Any employee who is placed under suspension shall during the period of suspension be paid a subsistence allowance.
- 5 Where the disciplinary proceeding contemplated or pending is departmental, the subsistence allowance shall, for the first 90 days from the date of suspension be equal to one half of gross wages to which the employee would have been entitled if he were to be on leave with wages.

If the departmental proceeding gets prolonged and the employee continues to be under suspension for a period exceeding 90 days, the subsistence allowance shall for the period exceeding 90 days be equal to three fourths of gross wages.

Provided that where such proceeding is prolonged beyond a period of ninety days for reasons directly attributable to the employee, the subsistence allowance shall for the period exceeding ninety days be reduced to one fourth of gross wages.

- 6 Where the disciplinary proceeding is by the police or by any court of law or where criminal proceedings against the employee are under investigation or trial, the subsistence allowance shall, for the first 180 days from the date of suspension, shall be equal to one half of his gross wage to which the employee would have been entitled to, if he were on leave. If such disciplinary proceeding or criminal proceeding gets prolonged and the employee continues to be under suspension for period exceeding 180 days, the subsistence allowance shall be equal to three fourths of gross wage.



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Provided that where such disciplinary proceeding or criminal proceeding is prolonged beyond a period of 180 days for reasons directly attributable to the employee, the subsistence allowance shall for the period exceeding 180 days, be reduced to one-fourth of gross wage.

7 If on the conclusion of the disciplinary proceeding or of the criminal proceedings, the employee has been found guilty of the charges framed against him and it is considered, after giving him a reasonable opportunity of making representation on the proposed penalty that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly.

a) Provided that when an order of dismissal is passed under this clause, the employee shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period and the subsistence allowance already paid to him shall not be recovered.

b) Provided further that where the period between the date on which the employee was suspended from duty pending the proceeding or investigation or trial and the date on which an order or suspension was passed under this clause exceeds four days, the employee shall be deemed to have been suspended only for four days or for such shorter period as is specified in the said order of suspension and for the remaining period he shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

c) Provided also that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the employee shall be deemed to be on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period.

d) Provided also that in the case of a employee to whom the provisions of clause (2) of Article 311 of the Constitution apply, the provisions of that article shall be complied with.

8 If on the conclusion of disciplinary proceeding or criminal proceedings, the employee has been found to be not guilty of any of the charges framed against him, he shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period.



- 9 The payment of subsistence allowance under these Service Rules shall be subject to the employee concerned not taking up any employment during the period of suspension. The employee shall give an undertaking to this effect.
- 10 No postponement of proceedings may be given at any stage of enquiry on the ground merely of non-availability of the person whose assistance is sought, except for reasons to be recorded in writing by the officer holding enquiry. The employee shall be permitted to produce witnesses for his defence and cross-examine any witness on whose evidence the charge rests.
- 11 A concise summary of the evidence led by both sides and the employee's plea shall be recorded. A copy of the record of the enquiry shall be given if asked for, after the enquiry is over.
- 12 No order of dismissal, or suspension for a period not exceeding 15 days or demotion or withholding of annual increment with cumulative effect or order of termination, or other punishment except censure/warning shall be made, unless the employee concerned is informed of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him and an enquiry, wherever necessary, has been conducted by the officer appointed in this behalf. If a employee refuses to accept the charge sheet and provided that he has been asked to accept the charge sheet in presence of at-least one witness, he shall be told verbally the time and place at which the enquiry into his alleged misconduct is to be held and if he refuses or fails to present himself, the enquiry shall be concluded ex-parte and the punishment awarded shall take into account the misconduct committed under Service Rules.
- 13 All proceedings of enquiry for misconduct of workers shall be conducted and recorded either in English or in Hindi or in the language of the District where the Industrial Establishment is located, whichever is preferred by the employee.
- 14 Where a disciplinary proceeding for misconduct against employee is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the employee under suspension, he may, by order in writing suspend him with effect from such dates as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the employee within a week from the date of suspension.
- 15 The period of suspension of a employee against whom disciplinary proceedings are initiated, shall not, in any case, exceed forty-five days from the date of serving of the



suspension order on the employee. The disciplinary proceedings shall be completed within the said period of forty-five days, unless the delay in completing the proceedings is directly attributable to the employee himself.

- 16 The management shall also be entitled to presume in case an employee refuses to accept a charge sheet or fails to submit his explanation within the specified period that the employee has admitted the charges levelled against him. If the Management finds the employee guilty of misconduct may punish the employee by stoppage of increment with cumulative effect or suspension of any period as substantive punishment, or reversion to the next lower grade or rank, or may dismiss him without notice or any compensation in lieu of notice.
- 17 In awarding punishment under Service Rules the management may take into account the gravity of the misconduct and the previous record, if any, of the employee, and the extenuating or aggravating circumstances that may exist.
- 18 An employee may be warned or censured, or subject to and in accordance with the provisions of the Payment of Wages Act, 1936 fined for any of the following acts and omissions.

- a) Absence without leave without sufficient cause
- b) Late attendance
- c) Negligence in performing duties
- d) Absence without leave or without sufficient cause from the appointed place of work
- e) Entering or leaving or attempting to enter or leave premises of the establishment except by a gate or entrance provided
- f) Committing nuisance on the premises of the establishment
- g) Breach of any rule or instruction for the maintenance or running of any machine or department

No order of punishment for the above acts or omissions shall be made unless the employee concerned has been given an opportunity to explain.

The above acts of misconduct shall be determined only through a domestic enquiry.

- 19 In case the management feels that in the circumstances of the case and in the case of urgency that a domestic enquiry cannot be held into the charges levelled against a particular workmen, in such cases conducting the domestic enquiry can be dispensed with by recording the reasons thereof.



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- 20 During the course of the domestic enquiry no outsider or advocate or a legal practitioner can be permitted to represent the employee. In the event if any union is formed and if any legal advisor is appointed for the said union, even such legal advisor of the union cannot participate in the domestic enquiry proceedings.
- 21 If the union is formed and the President and General Secretary or any Office Bearer of the union is an outsider and not the employee of the company, they will not be permitted to participate in the enquiry merely because they happen to be office bearers of the union.
- 22 During the course of domestic enquiry if for some reason the management did not appoint any presenting officer, the same does not vitiate the enquiry proceedings.
- 23 In case of any prevailing emergency in the company or any situation, due to which it is not possible for the management to conduct an enquiry before termination or dismissal or discharge of services of employee, the services of employee will be terminated without conducting the same. However, the reasons for such situation or urgency shall be intimated in the order of termination or dismissal.
- 24 An employee on whom any of the penalties is imposed shall have a right of appeal to the authorities notified in this behalf. The appeal shall be submitted within 30 days from receipt of the order of the punishing authority and the appellate authority shall dispose of the appeal within 30 days of its receipt.

18. Termination of services

For terminating the services of an employee, notice period as mentioned in the terms of employment in writing with reasons or salary/wages in lieu thereof shall be given by the organization.

- i. No such notice shall be required to be given when the services of an employee are terminated on account of misconduct established in accordance with the Service Rules.
- ii. No notice of termination of employment shall be necessary in the case of temporary and badli workmen.
- iii. No employee on fixed term employment basis as a result of non-renewal of contract of employment or on its expiry shall be entitled to any notice or pay in lieu thereof.



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19. Contract

- a. All employees shall be employed only on contract basis and the contract period shall be decided based on the position for which they are appointed and the organizational needs.
- b. Based on the performance of the employee and on the recommendations of the Controlling Officer/Officer in-charge, the extension or termination of the contract of the employee shall be decided by the Competent Authority/Officer in-charge.
- c. The renewal or termination of contract of employment will be communicated to the employee in writing by the Competent Authority/Officer-in-charge one month in advance of the scheduled date of expiry of the contract.

20. Probation Period

- a. All employees will be on probation for a period of one year or any such period as stated in their contract of employment or any other letter issued by the Competent Authority/Officer in-charge from the date of joining with the organization.
- b. Based on the performance of the employee, the period of probation may be extended or reduced at the discretion of the Competent Authority.
- c. Every employee at the end of the probationary period will be issued with a formal letter on satisfactory completion of the probationary period or the extended period of probation, as the case may be.
- d. The employee will be considered to be on probation until he is communicated of the successful completion of the probation period in writing.
- e. Even after the extended period of probation, the performance or/ and general conduct of the employee is/ are not found satisfactory or up to the standard required for the post, the services of such employee are liable to be terminated at any time without notice and without assigning any reason thereof.

21. Outside Employment

- a. No employee is permitted to undertake outside employment even on part-time basis and after the working hours, without specific written permission of the Employer.
- b. Employees may be permitted to engage in outside assignments such as consulting, training, survey, or any short-term services provided that no actual or potential conflict of interest or appearance of such conflict exists and that the activity does not adversely affect the ability of such employees to perform their duties. However, such employees are required to seek a prior permission of the employer for such engagements.



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22. Confidentiality of Information

By signing the Letter of Offer / Appointment Order, the employee undertake notto divulge to any person except with the specific authority in IFHE, any information regarding the activities, technical know-how, security and administrative arrangements, organizational matters, and any information regarding the IFHE operations which may be their privilege to know by virtue of their assignment with IFHE. The obligation of the employees to keep such information confidential shall remain even after cessation or termination or cancellation of their assignment/ contract of employment with the IFHE.

23. Intellectual Property Rights

- a. Employees are required to disclose to the IFHE forthwith any discovery, process or improvement made or discovered by them while in the service, and such discovery, process or improvement shall absolutely belong to and be the sole and absolute property of the IFHE. If and when required to do so by the IFHE, the employees shall at the expense of IFHE take out or apply for latter's rights, privileges or protection as may be directed by the IFHE in respect of any such discovery, process or improvement so that the benefit thereof shall accrue to the IFHE. The employees are required to execute and do all instruments, acts, deeds and things, which may be required by the IFHE for assigning, transferring or otherwise vesting the same and all benefits arising in respect thereof in favor of the IFHE and its affiliates or its associates as the management may direct as the sole beneficiary thereof.
- b. Employees shall not have any claim or interest over any existing or future work created/developed by them during the course of employment which is covered under the definition of the term, "Intellectual Property" and the IFHE shall be the sole and absolute owner with all the rights to govern, use and assign it and the same shall be entitled to be registered in the name of the IFHE.

24. No outside dealings without prior approval

The employees shall not enter into any commitments or dealings on behalf of the IFHE for which they have no express authority nor alter or be a party to any alteration of any principle or policy of the IFHE or exceed the authority or discretion vested in them without the previous sanction of the employer.

25. Transferability of Services

- 1) During the period of contract, the Employer reserves the right to transfer employees to any of its offices / centers / divisions / departments existing or to be set up at any other location in India or abroad, protecting the compensation package and allowances last drawn at the current location.



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- 2) Employees transferred to a different location at their request are not eligible for transfer allowance or joining time.
- 3) Employees transferred to a different location are eligible for transfer allowance as applicable at the time of transfer and joining time as indicated below:
 - a) An employee shall be eligible for the joining time of not exceeding 7 days excluding the travel period.
 - b) In calculating the joining time admissible to an employee, public holidays following the day of relieving the employee shall not be included in computing the joining time.
 - c) No joining time will be admissible to an employee when his / her transfer is of a temporary nature.

26. Policy prohibiting discrimination and sexual harassment

One of the core objectives of IFHE is to ensure gender equality and gender justice through its interventions and practices. In keeping with this principle, it is important to ensure a climate, free from discrimination and harassment, with a particular focus on prevention of sexual harassment.

CHAPTER IV: Perquisites

27. Reimbursement of Medical Expenses

- a. Employees whose probation is declared as completed are eligible for reimbursement of medical expenses. Those employees who are covered under ESI are eligible for medical facilities/benefits as entitled to under the provisions of ESI Act.
- b. The maximum amount of reimbursement eligible per annum for an employee is limited to one-month basic pay of the employee.
- c. In case an employee completes the probation period and becomes eligible for reimbursement of medical expenses such employee will be eligible for reimbursement of proportionate amount.

28. Leave Travel Concession

Employees whose probation is declared as completed are eligible for Leave Travel Concession.

The maximum amount of reimbursement eligible per block of two years for an employee is limited to one-month basic pay of the employee.

In case an employee completes the probation period and becomes eligible for leave travel concession, such employee will be eligible for reimbursement of proportionate amount



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CHAPTER V: Leave Rules

29. The employees are eligible for the leave benefits subject to the rules laid down in the leave rules issued in this regard from time to time.

1) Casual Leave (CL)

- a. Every employee will be eligible for casual leave at the rate of one day per month.
- b. Casual Leave will be credited at the rate of one day for every completed month of service.
- c. The leave itself is of a casual nature. Hence employees are expected to avail of such leave judiciously
- d. Every employee availing of leave has to obtain prior sanction of the competent authority by applying in the prescribed form
- e. Unless warranted by extra-ordinary circumstances, no employee shall be granted more than 3 days of leave during one spell.
- f. Casual leave can be availed for half a day also
- g. Casual leave cannot be combined with any other kind of leave.
- h. Prefix or suffix holidays shall not be counted for the purpose of calculating number of days on CL
- i. Intervening holidays occurring during the CL spell will be treated as the employee on leave
- j. Un-availed casual leave will not be carried forward to the next year.

2) Earned Leave (EL)

- a. On successful completion of probation, employees are entitled to 15 days of Encashable Earned Leave (EEL) and 15 days of Non-encashable Earned Leave (NEEL) per annum and will be credited at the rate of 7.5 days of EEL and NEEL each on the following January 01 and July 01 as the case may be.
- b. Leave shall be credited to the account of each employee at the rate of 7.5 days each on the 1st day of January and 1st day of July every year, which shall be known as standard dates for the purpose of leave rules.
- c. If an employee joins the service at any time during the financial year, leave shall be credited to the account proportionately. For the purpose of calculation of the leave, 15 days or more than 15 days of service in the month in which the employee joined the service shall be treated as a full month.



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- d. Whenever any such earned leave is availed of by an employee and granted/sanctioned by the competent authority, the employee is entitled to full salary along with other benefits like provident fund etc.
- e. Leave for longer duration will be granted at times convenient to the employer as may be decided by the Management. Due consideration will be given, wherever possible, to the request of the employee.
- f. Leave for longer duration can be refused on account of exigencies of business/work. Similarly, an employee who has already proceeded on leave can be recalled.
- g. Before proceeding on leave, the employee must leave his contact address and telephone number with the employer.
- h. Two persons in the same position in the same department cannot take leave at a time.
- i. An employee must get the leave sanctioned. Mere submission of application for leave will not be deemed that the leave has been sanctioned.
- j. **Conditions for availing of EL**
 - i. Every employee desirous of availing of earned leave shall apply for it in the prescribed form at least 10 days in advance.
 - ii. No employee shall be granted/sanctioned earned leave at one time for more than 120 days.
 - iii. EL can be availed of in not more than three spells in a calendar year.
 - iv. Intervening holidays occurring during the EL spell will be treated as the employee on leave.
 - v. Prefix or suffix holidays shall not be counted for the purpose of calculating number of days on EL.
- k. **Accumulation of EL and ceiling limit:** Un-utilized earned leave at the end of the calendar year shall be carried forward to the next year. Accumulation of EL on any standard date of crediting leave shall be limited to 180 days only.
- l. **Encashment of earned leave:** Employees may, at the end of the financial year, encash their unutilized earned leave as per leave rules in vogue. Employees have to forward their duly sanctioned Application for encashment of EL in the prescribed format to HR Department through Officer in-charge.



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3) Sick Leave (SL):

- a. Employees, not covered under ESI, are entitled Sick Leave of 10 days with full pay or 20 days with half pay per annum. Those employees who are covered under ESI are entitled for leave benefits as per the provisions of ESI Act.
- b. Un-utilized sick leave at the end of the calendar year shall be carried forward to the next year. Accumulation of SL on any standard date of leave crediting shall be limited to 60 days.
- c. *Eligible* employee intending to avail of sick leave has to apply in the form prescribed. In case the sick leave exceeds 3 days medical certificate from a registered medical practitioner shall be enclosed as documentary evidence with it.
- d. Leave shall be credited to the account of each employee at the rate of 5 days each on the 1st day of January and 1st day of July every year
- e. Employees joining at any time during the financial year are entitled to Sick leave on a pro-rata basis.

4) Maternity Leave (ML):

- a. Maternity Leave is admissible to female employees (who are not covered under ESI) after completion of 80 days' service.
- b. A female employee who is not covered under ESI with less than two surviving children may be granted leave for a maximum period of 90 days at a time by way of Maternity Leave including in respect of post-natal period or at the time of miscarriage or abortion or medical termination of pregnancy.

Provided that not more than 180 days of such leave shall be granted during the entire period of service of the employee.

No female employee will be allowed to work at least six weeks before the expected date of delivery. In other words, maternity leave shall be availed of at the rate of six weeks for the prenatal period and six weeks during the post-natal period, as per the provisions of the Maternity Benefit Act, 1961.

Such of those female employees who are covered under ESI, are entitled for maternity leave/benefits as per the provisions of ESI Act.

- c. Maternity leave shall not be combined with leave of any kind except CL.
- d. Employees who do not report for duty on the completion of sanctioned leave of 90 days shall be treated as voluntarily terminated their services and accordingly such employees shall be relieved from the services.




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5) Leave without pay Not Allowed

Employees are not permitted to proceed on leave without having sufficient leave to their credit, resulting in loss of pay. In case any employee proceeds on leave without pay, the following disciplinary action will be initiated by the Controlling Officer against such employees:

No. of days of LOP (Per annum)	Disciplinary Action
Below 3 days	Verbal warning
4 – 6 Days	Memo
Above 6 Days	In the case of employees under probation, the probation period will be extended by minimum one month.
	In the case of those employees whose probation period is declared as completed, 1/4 th of the basic pay will be levied as fine and such other action as may be warranted as per rules including termination of services based on the gravity of misconduct.

6) Unauthorized Absence:

If an employee is absent from duty for 8 consecutive days or remains absent for a period of 8 days or more beyond the period of leave originally sanctioned, such employee shall be considered as having voluntarily terminated his contract of employment and shall be relieved from the services without any notice.

Absence from work due to illness/ urgency or any other reasons.

- Employees, who are absent from duty owing to illness/urgency or any other reason, must inform the reporting officer in time through phone, e-mail, telegram, letter or any other mode of communication in the absence of prior sanction of leave/intimation

7) Procedure of Leave Rules

- Leaves will be allowed to eligible employees subject to the exigencies of work.
- Employee who desires to obtain leave shall apply to the Officer in-charge in writing.
- Application for leave for duration of less than three days must be made at least 48 hours prior to the time when leave is required, except on compassionate grounds as decided by the employer.



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- iv. Application for leave for a duration of more than one week shall be made at least 15 days in advance from the date from which the leave is required.
- v. Orders in writing shall be passed by the employer within two days following the receipt of an application either refusing or sanctioning the leave applied for, provided that in case of an application, leave is of urgent nature, orders will be passed without delay.
- vi. A record shall be maintained of all the leave
- vii. In the event of an employee applying for an extension of the period of his leave, he shall make an application in writing 72 hours before the period of his originally sanctioned leave expires, and the employer shall, on receipt of such application, inform the employee in writing at the address recorded by him, whether extension of leave applied for has been sanctioned, and if so, for how much period.
- viii. An employee suffering from a contagious or infectious disease shall, on the advice of a doctor nominated by the Employer be sent on compulsory leave. If any leave is due to him under these service rules, the same shall be adjusted, and if no leave is due, the compulsory leave shall be treated as leave without pay.
- ix. Mere submission of application of leave or applying for its extension will not be deemed that leave has been sanctioned.

CHAPTER VI: Retirement and Resignation

30. Retirement

An employee will retire on attaining the age of 60 years except in case the contract of employment extends beyond the age of 60 years. However, on account of physical or mental infirmity, inefficiency or incapability to work, the employer has the absolute right to discharge the employee from service. The decision of the employer in this regard will be final and binding.

31. End of Contract of Employment

- a. The contract of employment will automatically come to an end on completion of the fixed term as per the letter of appointment, unless the contract is extended by the Employer.
- b. The employee shall lose the lien on employment if he is absent from duty or remains absent for a period of 8 working days or more beyond the period of leave originally granted. In such case, the employee shall be considered as having voluntarily terminated employment without giving any notice.
- c. The services of an employee are liable to be terminated without any notice or salary in lieu thereof for any act/s of misconduct, loss of confidence, inefficiency, disloyalty or commission of an act involving moral turpitude.



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- d. The contract of employment can be terminated with prior notice on either side, except for the reasons mentioned in the offer letter. Prior notice or payment of salary in lieu of notice, will be as per the terms of employment.
- e. In the event of resignation by the employee, the Employer may, at its discretion, relieve the employee, prior to completion of the stipulated notice period, without any pay.

32. Relieving Letter and Final Settlement

Employees whose contract of employment has ended are required to ensure that the following documents are forwarded to HR Department by the Controlling Officer for obtaining the relieving letter and final settlement and terminal benefits, if eligible.

- a. Resignation letter or termination letter or letter of separation duly recommended by the Controlling Officer and approved by the Competent Authority.
- b. 'No Dues' Certificate from the Accounts Department as well as other administrative/ service departments such as Admin, HR, Security, Transport, Canteen, Library, Campus maintenance cell (in case of official quarter/ room is allotted), etc.
- c. Certificate by the Officer in-charge that the Identity Card/ access card and any other property of IFHE issued to the employee during the course of employment including computer/ laptop, telephone, SIM card, cameras, storage devices, tools, keys, files and any other documents issued for proper conduct of duty, are duly returned by the employee.

CHAPTER VII: Terminal Benefits

33. Contributory Provident Fund

Employees are eligible for contributory provident fund subject to eligibility as per the provisions of Provident Fund Act, 1952

34. Gratuity

Employees are eligible for Gratuity subject to eligibility under the provisions of Payment of Gratuity Act, 1972.

CHAPTER VIII: General Matters

35. Attendance and Punctuality

- a. The employees are required to be at their work place ready to work at the beginning of working hours, and should work till the end of working hours.



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- b. Employees are required to devote their entire time to the work assigned to them and should not undertake any work or business, honorary or with remuneration except with the written permission of the employer in each case. Any contravention shall attract termination of contract without any notice or compensation.

36. Dress Code:

All the employees shall abide by the Dress Code if any prescribed by the Competent Authority.

37. Change of Personal Data

In case of any change in the name, correspondence address, e-mail address, telephone number, marital status, dependents etc. of the employee, such information should be provided to the employer and the HR Department within 7 (seven) days from the date of such change.

38. Visitors not permitted in the Workplace

For security and other business considerations, visitors are not permitted to the workplace. Such visitors may contact the concerned person at the Reception or Visitors' Room, if provided in the campus/office.

39. Housekeeping and Safe Custody

- a. Neatness and good housekeeping are signs of efficiency. Employees are required to keep their work area neat and orderly at all times, as a measure of safety precaution.
- b. Employees are responsible for the safe keeping and return in good condition and order of all the properties of IFHE, which may be in their use, custody or charge. For the loss of any property of IFHE in their possession, the IFHE will have a right to assess on its own basis and recover the cost of damage of all such materials from the employee and to take such other action as it deems proper in the event of the failure of the employee to account for such material or property.

40. No Smoking Zones

All the premises of the organization are “**No Smoking Zones**” and the employees are restrained from smoking within the premises. Any violation in this regard will be treated as misconduct and seriously dealt with.

41. List of Holidays

The list of holidays applicable for the respective calendar year will be finalized and notified by the employer.



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42. Enforcement

The IFHE Non-teaching Employees' Service Rules will take effect as on the date as stipulated above at Clause 3 under Chapter I of these rules and it will replace any previous versions of the administrative regulations.

The English version will prevail in case of any lawsuit. These Service Rules are applicable to all the Non-Teaching employees who are on the rolls of the organization as on the date of issue of these rules and to all those who join subsequent to issue of these service rules.

43. Modification

The Employer reserves the right to change, update and notify these service rules at any time.



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