

# **THE SERVICE RULES AND CODE OF CONDUCT FOR THE EMPLOYEES OF EDUCATIONAL INSTITUTIONS ADMINISTERED BY THE MANAGING COMMITTEE OF MALLESWARAM LADIES' ASSOCIATION (Regd)**

## **1. Introduction**

1.1 These rules shall be called service rules for Employees of Educational Institutions administered and paid by the Managing Committee of MALLESWARAM LADIES' ASSOCIATION

1.2 These shall come into effect from the date specified by the Managing Committee

1.3 These rules are not exhausting and the Managing Committee of Malleswaram Ladies Association may from time to time amend, alter or add to these rules and all such amendments, modification and additions take effect from the date specified by the Managing Committee and shall apply immediately to all employees of the school/college administered and paid by the Managing Committee, superseding the rules and regulations in force at the time of appointment.

## **2. Extent of Applicability**

(a) These rules shall apply to Managing Committee paid full time teaching/ non-teaching employees including class IV employees who are in service of the school/college and to those who join their appointment subsequent to the promulgation of these rules except where separate rules are given for one or the other particular category of employees.

(b) What is said of female employees shall apply to male employees unless it is repugnant to or inconsistent with the text or context, in as much as they do not in any way contradict its working.

(c) What is said of the responsibility of the lower authorities may be validly done by a higher authority.

## **3. Definitions**

In these rules, unless the context otherwise requires, the following terms mean:

**3.01 Malleswaram Ladies Association:** Means a society formed by the founder body duly registered under the Karnataka Societies Registration Act 1960 for the Managing Committee of the educational institutions established and owned by the founder body, herein after called "Association".

**3.02 Managing Committee:** Means a committee duly constituted in accordance with the rules and regulations of the By-Laws of Malleswaram Ladies Association amended time to time.

**3.03. President:** Means authority duly elected by the Managing Committee of Malleswaram Ladies Association

**3.03. Honorary Secretary:** Means the authority which is elected by Managing Committee and empowered by the president through

delegation to make appointments for service in the college/Schools. She conducts the general administration of all the schools/ Colleges owned by the Association on behalf of the General Body.

**3.04. Principal / Headmistress:** The Executive head of the school/college, for the implementation of the rules, regulations, policies and objectives of the School/college and shall be responsible for all the matters connected with teaching, curriculum, discipline and all other matters/related or incidental thereto, subject to approval and general superintendence of the Managing Committee.

**3.05 Employee:** Means a person employed and paid by the Managing Committee for teaching or non-teaching work in one of the institutions of the Association, duly engaged by a letter of appointment. These include teachers, clerical staff, class IV staff or any other as full time or part time, whether such employment be probationary / Temporary or regular.

**3.06. School/College:** Means a school/college owned or run by the Managing Committee of Malleswaram Ladies' Association.

**3.07. Employer:** Means primarily the Managing Committee and also connoted to any other subordinate officer on whom the powers and functions of appointment may be conferred by according to Bye-laws of the Association. The president, may, from time to time issue presidential resolutions in regard to any or all her ordinary powers, privileges and discretions granted to her, and such resolutions shall have the validity, effect and full binding force of the resolutions moved and passed at a meeting of the Managing Committee, duly convened and constituted and such resolutions shall not be deemed invalid by reason of notice or for any other cause whatsoever.

**3.08. Leave:** Means authorized absence from duty.

**3.09. Emolument:** Except where otherwise defined, means basic pay plus other permissible allowances sanctioned by the Managing Committee and drawn by the employee on monthly basis.

**3.10. Service:** Means the period during which an employee on duty as well as on leave duly authorized by the competent authority (sanctioned leave by the Head Mistress/ principal) but does not include the period during which an employee is absent from duty without permission or leave without pay or overstays



His/ her leave, unless such absence is regularized by grant of extraordinary leave, or such other leave as may be due by an order of competent authority.

**3.11. Superannuation:** In relation to an employee means the attainment by him/her of such age as which been fixed in these rules as the age of attainment of the employee when he/she shall vacate the employment. **The present age of superannuation is 58 years.**

**3.12. Family:** Means a single spouse, parents, legitimate or legally adopted children, who wholly dependent on him/her.

**3.13. Enquiry Officer:** Means a person so appointed by the competent authority to conduct an inquiry in relation to an act of commission or omission by an employee.

**3.14. Delegation of Power :** Means the Managing Committee may at any time delegate all or some of its powers to a committee or committees constituted by it or to the head of an institution (Principal/ Headmistress, Manager), or any other officers of the Managing Committee.

#### **4. Amendment and Implementation**

a) The Managing Committee may from time to time amend, modify or add/delete these rules and all such amendments, modifications or additions/deletion will take effect from the date, specified by the Managing Committee.

b) Such amendment, alteration, modification/addition or deletion shall become binding on all the Managing Committee paid teaching and non teaching staff of the school/college.

#### **5. Interpretation and Implementation**

The interpretation and implementation of these rules rests with the head of the institution/Managing Committee whose decision will be final and who may issue such administrative instructions as may be necessary or give effect to and carry out the purpose of the provisions of these rules.

#### **6. Powers to Relax**

The Managing Committee, in its own exclusive discretionary powers, may relax the provisions of any of the rules in a special case. But for such relaxation, the rules would not operate harshly and against good conscience, equity and justice. But any such relaxation would not form any precedence/example for future reference.

## 7. Classification of Employees

Employees can be classified as:

- (a) Regular
- (b) Temporary
- (c) Part – Time/ Guest Faculty

(a) **A regular employee:** Means one who has been appointed in a Temporary capacity and later successfully completed the probationary period or otherwise.

(b) **Temporary Employee:** Means an employee who has been employed for a specific period for a particular job under the terms of employment/appointment which automatically ceases after the expiry of period or completion of job.

(c) **A part-time employee/ Guest Faculty:** Means one who has been employed on any job/post on part-time basis.

## 8. Employment

(a) No person shall be deemed to be in regular employment of the school/ college unless and until he/she has received a letter of appointment duly signed by the Hon. Secretary. For every appointment, the candidate shall furnish a written application giving full details about his/her nationality, age qualification, marital status, address etc. together with a recent photo and attested copies of certificates, testimonials and two references. For those who are previously employed, the last pay certificate and character certificate from the previous principal/employer are necessary.

(b) Every employee including part time/ Guest Faculty, shall be engaged by a letter of appointment before taking up his/ her post. The letter of appointment shall state clearly the type of appointment offered, probation, temporary, or part time/ Guest faculty. The letter of appointment shall contain the terms of employment and other service conditions. The employee shall sign a copy of the appointment letter as a token of acceptance. This will be retained by the institution.

(c) Unless, in a particular case, it is otherwise distinctly provided, the employee's time is entirely at the disposal of the institution and he/she shall be responsible to render all possible assistance to the school/ college authorities and students.

(d) Generally, before a person is considered for a regular employment, unless otherwise specified in the appointment order, he/she is required to be on probation for a period of two years. The probationary period may be extended at the discretion of the competent authority.



(e) During the period of probation or extended period of probation, the services of an employee may be terminated at any time without notice or compensation in lieu of notice, without assigning any reason. No appeal shall lie against such termination.

(f) A regular employee promoted to a higher post shall be on probation for a period of one year and is liable at any time during this probationary period to be reverted to the original post at the discretion of the Managing Committee.

(g) No employee can claim promotion as right only on the basis of eligibility to hold the promotional post, or by way of mere seniority or of having been temporarily placed in charge of the post. When a higher post falls vacant and the competent authority is free to consider all available candidates. The promotion of an employee from a lower post to a higher post shall be determined on the basis of merit, quality of service, loyalty, conduct, efficiency, ability, and health, nature of the job, seniority and the individual's suitability for the job.

(h) If persons of requested qualification are not available, a temporary appointment may be made to carry on the work of the institution till such time when either a qualified hand is obtained or as the Managing Committee, so wishes. If an untrained person is appointed, he will be required to complete his/ her training within a period of two years. This rule may be relaxed by the Managing Committee, in view of satisfactory work, on the recommendation of the head of the institution.

(i) In case of a teacher appointed for a specified duration or for a particular assignment, the termination of service will be at the sole discretion of the Hon. Secretary. No notice or reason is required.

(j) Every employee though may be appointed in a particular institution, is liable to be transferred to any one of the institutions run by the Managing Committee, existing at the time of appointment signing the contract or which may come into existence at the time of transfer according to the need.

(k) The Managing Committee may, at any time in the event of a natural calamity, a fire, catastrophe, epidemic, civil commotion, strike, or any other causes beyond its control, close down sections or classes of the school/college, wholly or partially for a specific period without notice. In such event, the Managing Committee may terminate the services of a regular/ temporary employee. In such cases the employee shall be paid all his legitimate dues such as PF, gratuity etc. In the event of retrenchment for reasons beyond the control and contemplation of the Managing Committee due to abolition of a subject, class, section, department, the services of employee / teacher can be retrenched after giving such an employee one month notice or one month salary as compensation in lieu of notice.

(l) A regular employee may discontinue his/ her services in the school/college even after by giving one month notice or by paying an amount equal to one month salary in lieu of notice provided there are no dues outstanding against the employee.

(m) The employee is required to intimate in writing a change in his name, marital status and address.

(n) Every employee shall be required to produce the following certificate on appointment:

i. A certificate of fitness from a registered medical practitioner, approved by the school/ college.

ii. Two certificates from educationists or respectable members of the society not related to the candidates, certifying the character and conduct which will satisfy the school/college authorities.

iii. Original degree/ PG/ diploma certificates with attested photo copies thereof.

iv. Original certificates will be returned within three months after verification.

Non fulfillments of any of the condition shall render the appointment as null and void.

(o) No member of the regular staff shall apply for an employment elsewhere without taking a written permission from the Managing Committee.

## **9. Record of Age**

The date of birth of an employee as furnished by him/ her at the time of joining should be supported with one of the following documents before it is accepted as correct.

a. Certificate indicating the academic qualification and also indicating the correct date of birth.

b. The age of the employee verified as above or in any other manner deemed fit by the Managing Committee shall be the conclusive proof of the age of the employee for all questions concerning his employment including retirement. No change thereafter shall be accepted.

## **10. Change of Address**

Whenever a change occurs in the residential address of an employee he/she must immediately intimate such a change.

## **11. Leaving Headquarters**

No employee shall ordinarily, while on leave or under suspension, leave the headquarters without prior permission of his/ her leave sanctioning authority. If an employee wishes to leave station for any reason, while applying for such leave, he should communicate to the Managing Committee the outstation address at which he may be contacted, if necessary.



## **12. Service Record of the Employee**

(a) A service record including leave account etc. shall be kept in the form prescribed for every person in a regular appointment under the Managing Committee.

## **13. Code of Conduct**

Every employee shall be governed by the following code of conduct, which is not exhaustive:

A. (1) Every employee shall all times be courteous and considerate towards the Managing Committee personnel, parents, colleagues, students, visitors, superiors and co-workers.

(2) Every employee shall maintain absolute integrity, a high sense of devotion to duty and standard of conduct. The employees shall be loyal to the institution and abide by the rules made from time to time.

(3) Every employee shall carry out the work assigned to him by his superiors conscientiously in accordance with the specific or general instructions of his superiors and shall maintain discipline at all times in the department or workplaces or premises of the institution. He/ she shall also co-operate with his/ her superiors and co-employees and not commit a nuisance and abet indiscipline among others. No employee shall, at any time, indulge in maligning or falsely implicating the authorities or superiors or school/college Managing Committee or members of the staff.

(4) An employee is required to accept any work allotted to him/ her by the head of the institution in addition to the work allotted to the particular post held by the employee, keeping in mind the vision and mission of the institution.

(5) Employees shall always be neatly dressed, in clean, ironed clothes while on duty and shall keep their person and work-places tidy and clean and at all times maintain cleanliness of the institution.

(6) Employees who have been provided with uniform shall wear it while on duty. Those who do not wear it are liable to be debarred for the day and marked absent besides rendering themselves liable to disciplinary action. Uniforms provided by the institution shall not be worn during off-duty hours.

(7) Employees shall take proper care of machines, tools, materials, equipment, furniture and all other sundry property of the institution, movable and immovable.

(8) Employees shall promptly report of an injury sustained in course of their duty. The Managing Committee, in no way, is responsible for damage while on duty and all employees are expected to take out accident and/or other necessary insurance policies except in cases where the employee is covered under ESI.

- (9) Employees shall promptly report of an accident or hazard noticed by them on the premises of the institution and shall promptly do the needful to minimize the damage forthwith.
- (10) All non-teaching/teaching staff should be present at the commencement of the time fixed and notified to them. If anyone attending late by more than **10 minutes** shall be liable to be marked absent for the whole day at the discretion of the principal/head mistress.
- (11) No employee shall misuse or carelessly use the material and facilities provided by the institution.
- (12) No employee shall, without proper sanction and making proper payment, avail himself, for private or personal purpose, or take out any material which is the property of or has been paid for by the institution.
- (13) Employees are not permitted to accept gifts in cash or kind from visitors, parents, contractors, businessmen or any other parties connected with the activities of the institution.
- (14) No employee shall tamper or cause it to be tampered with the records or notices of the institution.
- (15) An employee shall not communicate directly or indirectly an official document or information to any other person.
- (16) No employee shall disturb the peaceful atmosphere of the institution by demonstration, shouting, talking loudly in any fashion whatsoever, or indulge in an act which is prejudicial to the interest of teaching or peaceful working of the institution.
- (17) No employee shall indulge in quarrels, cross-talking, abuses, fights, violence or any other disorderly or indecent behavior on the premises of the institution.
- (18) No employee shall make a collection of money in any manner on the premises without a written permission of the Managing Committee.
- (19) No employee shall interfere with the work of other employees, disturb or cause annoyance to them at work.
- (20) No employee shall disfigure or damage or write on the walls of the institution.
- (21) No employee shall bring alcohol or intoxicants or drugs to the school premises or report to work in an unfit condition because of previous indulgence in or under the influence of intoxicants or drugs.
- (22) No employee, while on the premises, shall have in his possession firearms, weapons or other articles detrimental to the security of the institution or persons.
- (23) No employee shall, without a written sanction of the Managing Committee shall undertake employment while in service of the institution other than his/ her duties connected with the institution, or carry on, directly or indirectly a business or trade or private practice relating to tuitions or associate himself/herself



directly or indirectly with any coaching classes to prepare students for public examinations.

(24) No employee shall commit an act in contravention of or in derogation of any of the provisions of these service rules or any rules or instructions notified by the Managing Committee to the employees from time to time.

(25) No employee shall knowingly or willfully neglect his/ her duties, moral or otherwise discriminate against a student on grounds of caste, creed, language, religion, place of origin, social and cultural background or any of them.

(26) No employee shall indulge in or encourage, any form of malpractice connected with examinations or any other social activities; be negligent in or late in correcting class work or home work done by students, inflict corporal punishment on a student.

(27) No employee, while being marked present in the school/ College, shall absent himself/ herself from a class or duty which he/ she is required to attend without the permission of the principal/ Head Mistress

(28) No employee shall indulge in disclosing any secret or confidential matter relating to the affairs of the school/college to an unauthorized person at any time, refuse to accept a communication from the Managing Committee/principal.

(29) Every employee shall at all times conduct himself/ herself in accordance with the specific or implied order of the Managing Committee and the head of the institution regarding behavior and conduct which may be enforced and issued from time to time.

(30) No employee shall, except with the sanction of the Managing Committee/ head of the institution participate in editing or managing a newspaper or periodicals, participate in radio, T.V. broadcast or contribute an article or write a letter either anonymously or in his/ her own or in the name of any other person to a newspaper or an agency derogatory to the good name of the institution.

(31) No employee shall indulge in activity which may embarrass the cause of the institution.

(32) No employee shall, except with the sanction of the head of institution, lend money to a person on interest.

(33) No employee shall enter into or contract, a marriage with a person having a living spouse.

(34) No employee shall bring or attempt to bring any outside influence to bear upon a superior authority to further his/her interest in respect of matters pertaining to his/ her employment.

**B. Every employee Shall** observes the following code of conduct besides the above:

(a) Be proud of the dignity of his/ her profession.

(b) Be in the school/college premises according to the timings laid down by the principal/ Head Mistress and sign the attendance

register at the time of arrival or the time fixed for such purpose by the Principal/ Head Mistress.

(c) Conform, in the absence of a teacher, to the replacement timetable as drawn up by the Principal/ Head Mistress or his/ her nominee.

(d) Be strictly impartial to all his/ her pupils, sympathetic and helpful particularly to slow learners.

(e) Cultivate freedom of thought and expression and strive to develop a scientific temper in himself/ herself and in his/ her pupils.

(f) Organise and promote all school/college activities which foster a feeling of universal brotherhood among pupils.

(g) Take his/ her stand against the unhealthy customs and practices in modern society and strive his/ her best to instill into the minds of his/ her pupils principles of co-operation, justice and social service.

(h) Instill, by precept and example, into the mind of the pupils entrusted to his/ her care, love for the motherland, respect for all and for rule of law and order.

(i) Be regular and punctual in respect of duty, be it academic or otherwise, in all matters pertaining to the school/college, which may be assigned to him by the head of the school/college or his/ her nominee.

(j) Comply with school/college working- hours by setting an example in punctuality.

(k) Along with the leave application the teacher has to assign the work of each of his/her teaching classes, so that the students are kept sufficiently occupied.

(l) To take up higher studies, training or appear for any examination to improve his/ her performance or to take private tuitions, a written permission of the Managing Committee is to be obtained. No employee shall entertain or talk to visitors at his/ her place of duty without the permission of the Principal/ Head Mistress.

#### **14. Attendance, Unauthorised Absence from Work, Etc.**

(a) Every employee shall report at the assigned place of work and at the notified time for the commencement of his/ her duty. He/ she shall record each day the time of reporting at and departing from the place of work in the manner specified by the Head Mistress/ Principal. An employee failing to report or record as above is liable to be marked absent. An employee who is found absent from his/ her place of work during the working hours without permission of the Principal/ Head Mistress shall be treated as absent from his/her place of work.

(b) If an employee reports late for duty either at the commencement of his/her working – hours or after mid-day break



three times during a calendar month, he/ she will forfeit one day's casual leave or one day's salary in lieu of leave, if he/ she has no leave in his/ her credit.

( c ) An employee, who has been granted leave, discharged, dismissed or has resigned or is not working for any reason, shall leave the premises of the institution forthwith unless asked to stay back by the Principal/ Head Mistress.

### **15. Medical Fitness**

(a) The Managing Committee may, whenever necessary, require an employee to be examined for medical fitness by a doctor approved by the institution and the employee shall be bound to comply with the same.

### **16. Working – Hours**

(a) General work-timings of the institution are noted in the school/ college diary. These work-timings are subject to change and the specific schedule for reporting for work will be detailed specifically by the Principal/ Head Mistress. Besides, an employee may be required to work beyond his/ her working – hours if exigencies of academic or institutional work, so demands and such instructions are to be complied with.

(b) All employees shall be required to attend emergencies or other urgent duties connected with academic and institutional work outside their regular hours of work including Sunday and holidays, if required.

(c) It is expressly understood that the teaching staff may be asked to take up classes whenever necessary, to accompany students on picnics during holidays and to travel on study tours with the class during holidays without extra remuneration.

### **17. Care of Institutional Property**

(a) Every employee shall take sufficient care of the property, furniture, etc. of the school/college and shall take all reasonable precautions. A negligent employee shall be liable to disciplinary action as may be deemed fit by the Managing Committee. Besides, the Managing Committee may recover the value of such breakage, damage, or loss from the employee.

### **18. Personal Property**

The Managing Committee shall not, in any way, be responsible for loss or damage to the personal property brought to the school/college by the employees.

### **19. Leave Rules and Procedures**

Leave means authorized absence from duty.

### **I. Casual Leave:**

- a) Casual leave may be granted at the discretion of the sanctioning authority, as and when the occasion arises, provided that the total period of absence including Sundays and other holidays intervening, prefixed or suffixed, shall not ordinarily exceed five days at a time. Sundays and Holidays whether intervening, prefixed or suffixed shall not be counted as casual Leave. **Casual Leave cannot be granted in combination with or in continuation of other types of leave.**
- b) During the first year of Service, an employee will be entitled to One day of Casual Leave for every completed month of service. From the Second year of service onwards, she/ he will be entitled to **12 (Twelve) days** of Casual Leave in a Calendar Year.
- c) Casual leave may be granted not more than 3 days at a time.
- d) Casual leave shall not be carried forward or accumulated.

### **II. Earned Leave:**

The Managing Committee paid employees both Teaching and non Teaching shall be entitled to Earned Leave not less than the leave specified below:

- a) Leave may be sanctioned to Managing Committee paid employee for a maximum of **12 (Twelve) days** in each calendar year but not more than Five days at a time on the ground of any sickness or any other reasonable ground. This leave shall be credited to the account of the unaided employee at the beginning of the calendar year on the first of January every year.
- b) If an employee does not, in any one calendar year avail himself/ herself of the whole of the earned leave at his/her credit, un-availed earned leave shall be added to the earned leave at his/her credit in the succeeding calendar year, provided that the total number of days of earned leave that may be so carried forward to a succeeding year shall not exceed 30 (Thirty) days.
- c) **A Managing Committee paid employee before availing himself of earned leave shall apply in writing to the Hon. Secretary through their controlling Officers, well before the date of which he/she is to be absent on leave and do so only if he/ she sanctioned leave.**
- d) Employees who have availed earned leave and resuming duty on completion of leave should submit duty report



- through their controlling officers to the Hon. Secretary without fail.
- e) During the period of probation, there is no provision for crediting/availing the earned leave.
  - f) Leave cannot be claimed as a matter of right. Discretion is reserved with the Authority who is empowered to grant/ refuse leave or revoke leave at any time according to the exigencies of the institutional workload.
  - g) Leave begins from the date on which leave is actually availed of, and ends on the preceding day on which duty is resumed.
  - h) Sundays and other holidays or the vacation may be prefixed as well as suffixed to leave. Intervening holidays, however, will be accounted for the purpose of earned leave.
  - i) If an employee, after proceeding on leave, desires an extension thereof, he shall, before the expiry of the leave originally granted to him, make an application in writing giving sufficient time to the principal/ Head Mistress to respond. The latter shall send to the employee a reply either granting or refusing the extension of leave to his/ her leave address. Every employee, going out of station on leave, shall furnish in his leave application the address of his outstation.
  - j) Any kind of leave under these Rules may be granted in combination with or continuation of any other kind of leave, except casual leave.
  - k) Leave is not deemed to have been granted unless sanction is given. An employee absenting himself when leave is not granted will be marked absent and will not earn wages for the period of his absence. Further, he renders himself liable to disciplinary action or other consequences under the service rules including abandonment of employment.
  - l) An employee who is detained in custody for more than 48 hours, whether on a criminal charge or otherwise, or is undergoing imprisonment, shall be deemed to be suspended from service and if he does not report back within a month, it will be presumed that he has abandoned the employment/ service.
  - m) An employee is eligible for all Sundays, public and school/ College holidays notified in the school/ College calendar unless otherwise shifted, on the understanding that the employee is bound to come to school/ College on a holiday to attend a meeting or for any other specific purpose when so required by the head of the institution.

### **III. Maternity Leave:**

Female employees shall be sanctioned maternity Leave for a period of not less than such number of days as admissible in accordance with the Maternity benefit Act 1961.

The maternity leave cannot be granted more than two times in whole of service period.

#### **F. Leave without Pay**

(a) For absence exceeding the permitted leave, salary will be deducted from the monthly emoluments.

(b) The maximum period of the special leave is six months.

(c) No salary of any kind is admissible for this period of leave.

(d) Such leave does not count for an increment after joining duty nor will it be computed for gratuity, unless otherwise specified in writing.

#### **G. No work No Pay**

In all cases of absence from duty without leave or permission or where an employee fails to discharge his duties, the principle of 'no work no pay' shall apply.

### **20. Provident Fund**

All eligible employees shall subscribe to the provident fund scheme at a rate stipulated by the Employees 'Provident Fund and Miscellaneous Provision Act of 1952.

### **21. Gratuity Benefits**

(i) The gratuity benefits scheme in the way formulated below will be applicable only to regular and full time employees of the school/ college. If a better scheme is adopted later, the present one will stand withdrawn.

(ii) Gratuity will be payable to a regular employee or his/ her legal heir nominee on the termination of the employment after he/she has rendered continuous service for a period not less than Five years. Employees dismissed from service or have not put in five years of continuous service in the school/ college shall not be eligible for gratuity. (Only leave with salary will be counted as continuous service). In case of death of an employee gratuity will be paid to his/ her legal heir/nominee as per nomination made in the prescribed form by the employee.

(iii) Formula:

Gratuity = Last Drawn Salary X 15 X Years of service



- (iv) The year of service will be counted from the date of joining.
- (v) Gratuity will be paid @ 15 days of service as per years calculated on the last drawn salary (Basic) subject to the maximum of Rs. ten lakh.
- (vii) Payment of gratuity to an employee or his/legal heir nominee depends subject to deduction of any liability of the employee to the institution.

## **22. Complaints, Grievances & Procedure for its redressal**

**A. (i)** A grievance means a controversy between an employee and employees on one hand and the Managing Committee and employees on the other hand in respect of wages, payment, transfer, leave, promotion, working – conditions and matters involving interpretation of existing legislation but excluding a matter connected with punishment or disciplinary action.

(ii) Whatever the type of grievance may be, in the interest of the students, the aggrieved person/persons shall be given a patient hearing that grievance be settled as promptly as possible on the basis of facts in a climate of mutual confidence and respect. The endeavour shall also be that the grievance is settled at the point of its origin.

### **B. The formal procedure for the settlement of the grievance would be as follows:**

(a) That the employee shall first take up his grievance in writing with the Principal/ Head Mistress. The principal/ Head Mistress will try to settle the grievance and satisfy the employee verbally as soon as possible but within 3 days.

(b) In case the employee is not satisfied with the reply given by the Principal/ Head Mistress and if he/she so desires, he/ she may submit his/ her grievance to the Managing Committee who would try to settle it as early as possible.

(c) The Managing Committee would take a decision in the matter and the same will be conveyed to the employee.

## **23. OPERATION PROCEDURE AND PREVENTION OF SEXUAL HARASSMENT AT WORK PLACE**

### **I. COMMITMENT:**

The Managing Committee of Malleswaram Ladies' Association is committed to provide a work environment that ensures every Female Student/ women employee is treated with dignity and respect and afforded equitable treatment

The Managing Committee is also committed to promote a work environment that is conducive to the professional growth of its

Female student/ women employees and encourage equity of opportunity

The Managing Committee will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its female student/ women employees are not subjected to any form of harassment.

## **II. Scope:**

This policy applies to all categories of employees, employees on deputation and on contract at MLA Educational premises. This policy also applies to all female students studying in MLA Educational Institutions.

The work place includes:

- a. All Educational Institutions run by the Association.
- b. Any academic, social or other functions held in this premises where the conduct or comments may have adverse impact on the work place or work place relations.

## **III. Definition of Sexual Harassment:**

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favors or any other verbal or physical conduct of sexual nature.

Sexual harassment at the work place includes:

1. Unwelcome sexual advances (Verbal, written or physical)
2. Demand or requests for sexual favors
3. Any other type of sexually-oriented conduct
4. Verbal abuse or 'joking' that is sex-oriented
5. Any conduct that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and/or submission or rejection of the conduct is used as a basis for making employment decisions.

## **IV. Responsibilities regarding Sexual harassment:**

All Students/ employees of the Educational Institutions run by the Managing Committee have a personal responsibility to ensure that their behaviour is not contrary to the policy.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.



## **V. Complaint Mechanism:**

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of 'Complaints Committee' has to be created in each Educational Institutions run by the managing Committee for time bound redressal of the complaint made by the victim.

## **VI. Complaints Committee:**

The Managing Committee has instituted a complaints Committee for redressal of sexual harassment complaint (made by the victim) in each Educational Institution run by the Association and for ensuring time bound treatment of such complaints.

Initially and till further notice, the Complaints Committee will comprise of the following 6 members.

1. The Principal/ The Head Mistress (Chair Person)
2. Senior most faculty- 3 Nos (Members) + 1 male faculty
3. Counselor- External member

The names of the members of the Complaint Committee with their mobile numbers & E Mail ID should be made accessible to all female student/faculty members.

The Complaint Committee is responsible for

- Investigating every formal written complaint of Sexual Harassment
- Taking appropriate remedial measures to respond to any substantiated allegation of Sexual harassment
- Discouraging & preventing employment - related sexual harassment

## **VII. Procedure for Resolution, Settlement or Prosecution of Acts of sexual harassment**

The Association is committed to providing a supportive environment in which to resolve the concerns of sexual harassment as under:

### **a) Informal Resolution Option:**

- i. When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and

- objections immediately to the harasser and request the harasser to behave decently.
- ii. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Complaints Committee for redressal of her grievances. The Complaints Committee will thereafter provide advice and extend support as requested and will undertake prompt investigation to resolve the matter.

**b) Complaints:**

- i. Any complaint with harassment concern, which is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Chairperson of the Complaints Committee constituted by the Managing Committee. The complaint shall have to be in writing and can be in a form of the letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternatively, the employee can send complaint through e mail. The employee is required to disclose her name and designation.
- ii. The Chairperson of the Complaints Committee will proceed to determine the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of sexual harassment or the allegation does not mean an offence of sexual harassment she will record this finding with reasons and communicate the same to complainant.
- iii. If the Chairperson of the Complaints Committee determines that the allegation constitute an act of Sexual harassment, she will proceed to investigate the allegation with the assistance of the Complaints Committee.
- iv. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Hon. Secretary, Malleswaram Ladies' Association as soon as practically possible and in case not later than 90 days from the date of receipt of complaint. The Hon. Secretary will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.
- v. Corrective action may include any of the following:
  - Formal apology
  - Counseling



- Written warning to perpetrator and a copy of it maintained in the employee's personal file .
  - Suspension or termination of services of the employee found guilty of the offence
- vi. **In case of complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Managing Committee.**

### **VIII. Confidentiality:**

The Managing Committee understands that it is difficult for victim to come forward with a complaint of sexual harassment and recognizes the victim interest in keeping the matter confidential.

To protect the interest of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

### **IX. Access to Reports & Documents:**

All record of complaints, including contents of meeting, results of investigations and other relevant material will be kept confidential by the Institution except where disclosure is required under disciplinary or remedial measures.

### **X. Protection to Complainant/ Victim:**

The Managing Committee is committed to ensuring that no student/ employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Managing Committee will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

**However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.**

### **24. Service of Notice**

- (i) A matter required to be notified under these rules and any notice by the Managing Committee to the employees in the school/

college shall be displayed on the notice board. When so displayed, such matter or notices shall be deemed to have been communicated to all the employees.

(ii) A notice or letter of communication intended for an employee may be delivered to him/ her personally in the premises of the school/college and the employee is bound to receive the notice and acknowledge the same. Refusal on the part of the employee to accept the letter of communication a second time, provided a copy thereof shall be exhibited on the notice board, will also render the employee liable to disciplinary action.

(iii) In the case of an employee who is absent or on leave, any intended notice or letter of communication shall be sent to him by registered post-with acknowledgement-due to the said address of the employee shall be deemed to have been served on him/ her. When such a registered letter, communication or notice is returned undelivered for any reason, it shall be deemed to have been served.

(iv) A matter required to be notified under the rules and a notice or communication by the Managing Committee/ Principal/ Head Mistress to the employee will be in English or in Kannada.

## **25. Misconduct, Penalty for Misconduct, Disciplinary Proceedings**

The term 'misconduct' denotes an offence or an act of commission or omission on the part of the employee which falls within the general connotation of the word misconduct as understood generally and shall be deemed also to connote an offence or acts of commission or omission under or against rules, regulations and practices of the institution detailed in the clauses of the service rules, specially clauses of the code of conduct without prejudice to the generality of word the misconduct the following acts of omission or commission shall be treated as misconduct on the part of an employee.

1. Late attendance or absence from duty without notice or permission.
2. Leaving the place of work during working hours without permission or absence without permission from the place of work.
3. Laziness, inefficiency or careless work.
4. Obtaining leave or attempting to obtain leave on false pretences.
5. Refusal to accept, receive or take delivery of notice or letter or any communication from the Managing Committee/ Principal/ Head Mistress.
6. Borrowing or lending money on the school premises.
7. Improper or discourteous behavior towards others, shouting, loud talking or making a nuisance and noise on the school premises.



8. Failure to report a disease an employee may have which may endanger others.
9. Using institutional facilities unauthorized for personal gain.
10. Sleeping while on duty.
11. Neglect of duties assigned to the employees.
12. Entering a section or department except for purposes of assigned duties.
13. Late coming or absence of a habitual nature.
14. Failure to report for duty when leave has been refused or when leave has been cancelled and the employee has been called back to duty.
15. Engaging in private work or trade within the school premises or engaging in the same or a different profession outside the school without the written permission of the Principal/ Head Mistress.
16. Failure to report at once to superiors any accident or a hazard noticed inside the premises or to report promptly any occurrence or defect or mistake which might damage the property of the institution or that of any others.
17. An act of conduct within and / or outside the premises which is likely to endanger the life or the safety or the good name of a person.
18. Failure to observe safety instructions or make use of safety devices provided by the Managing Committee or failure to take preventive measures.
19. Unauthorised handling or misuse, mishandling of a machine, apparatus, equipment or material.
20. Failure to report the loss of tools or materials entrusted to him in the performance of duties or failure to account for the same.
21. Using indecent language or making false allegations against co-employees or others, speaking in an abusive manner to superiors or others.
22. Insubordination or disobedience whether alone or in union with others; non-compliance of an order of a superior, or instigating others to insubordination or disobedience.
23. Refusal to accept or obey an order of transfer from one job to another or from one department of the institution to another or other institution of society.
24. Furnishing false or incorrect information or withholding relevant or pertinent information at the time of appointment or any other time.
25. Trespassing or forcible occupation of a portion of the premises, unauthorized use or occupation of the accommodation or refusal to vacate the same when told to do so by the Principal/ Head Mistress.
26. Unauthorised use of the name, address, telephone or any other description of the institution.

27. Theft, fraud or dishonesty in connection with the business or property of the institution or of other employees, or visitors to the institution or attempting to do so.
28. Tampering with the records of the institution, falsification, defacement or destruction of the records of the institution including those pertaining to the employees or attempting to do so.
29. Disclosing to an unauthorized person, without written permission of the Principal/ Head Mistress, information affecting the interest of the institution with regard to procedures, practices and functioning of the institution.
30. Gambling within the premises of institution.
31. Bringing liquor or other intoxicants, including addictive/drugs to the school/college, consuming intoxicants in school/college premises, or reporting for work in an unfit condition because of previous indulgence in or under the influence of an intoxicant or disorderly indecent behaviour in the premises of institution or inside the premises, where such behaviour is connected with employment.
32. Possessing firearms, other weapons or other articles in the premises detrimental to the security of the institution or persons.
33. Soliciting, demanding, collecting or canvassing of money from anyone, or sale of any kind of tickets within the premises for a purpose or reason without prior permission of the Managing Committee.
34. Creating disturbance or nuisance inside or in the immediate neighbourhood of the premises by fighting, abusing, threatening to assault other employee/s, other riotous or disorderly behaviour.
35. An act subversive of discipline or good behaviour in the premises or outside the premises, if it affects the discipline or administration or reputation of the institution or has a bearing on the smooth and efficient working of the institution.
36. Intimidating other employees by threats pressures or other means, with a view to preventing them from attending to their duties.
37. Erection, inscription, exhibition of a matter whatever at any corner of the property of the institution including its building, walls, fences, trees, boards or vehicles, disfiguring of an inscription, notice or publication put up by the institution.
38. Unauthorised removal from or affixing of notice on the notice-board or any other place in the institution or its premises.
39. Preaching, carrying on or canvassing for religious or political activity on the premises, in any manner whatsoever, without the prior permission of the Managing Committee
40. Organising, holding, attending or taking part in the meeting, exhibition, sticking or distributing handbills, notices, leaflets, pamphlets or posters in the premises or in its immediate



neighborhood without prior permission of the Managing Committee.

41. Preaching of or inciting disaffection or violence in relation to matters and people concerning the institution.

42. Holding a meeting without permission, staging or participating in demonstration, shouting, forcing others to join in group action or picketing within the premises or within a radius of 50 meters from the boundary of the school/college premises.

43. Participating in a strike or stay-in-strike or abetting, inciting, instigating or acting in furtherance of a strike or stay-in-strike.

44. Delay in the performance of work or go slow in work or instigating thereof.

45. Gheraoing or surrounding or forcibly detaining the superiors or other employees of the institution or resorting to hunger strike or similar action in or outside the premises.

46. Obstructing the movement of goods, persons or vehicles pertaining to the activities of the institution.

47. Willful damage to work-in-progress or to the property of the institution.

48. Indulging in an act of sabotage, affecting thereby the smooth functioning of the institution.

49. Commission of an act subversive of law which amount to a criminal offence involving moral turpitude whether committed within or outside the premises of the institution offence punishable under the Indian Penal Code whether committed inside or outside the institution or conviction by a court of law for a criminal offence involving moral turpitude.

50. A conduct prejudicial to the interest or reputation of the institution or an act of conduct involving moral turpitude inside or outside of the premises.

51. Habitual breach of a standing order, service rule or any other regulations in force in the institution.

52. Commission of any act subversive of discipline or good behaviour.

53. Taking private tuitions without the permission of the head of the institution or running coaching classes.

### **C. Penalties for Minor Misconduct**

1. Censure

2. Withholding an increment or promotion to the next higher grade.

3. With holding of annual increment with or without cumulative effect, recovery from pay or from such other amount as may be due to the employee of the whole or part of any pecuniary loss caused to the institution due to negligence, by breach of orders on his/ her part, being considered for future employment in any capacity in the institution.

### **D. Penalties for Major Misconduct**

- a). 1. Suspension without pay and allowance.
2. Reduction to a lower post or grade or to a lower pay scale.
3. Discharge or removal from service which does not disqualify the employee from being considered for future employment in any capacity in the institution.
4. Dismissal from service, which debars the employee from future employment in any capacity in the institution.

b). Explanation

The following shall not amount to penalty within the meaning of the rule.

- (i) Retirement of the employee in accordance with the provisions relating to superannuation or retirement.
- (iii) Replacement of a teacher, who was not qualified on the day of his appointment by a qualified one.
- (iv) Discharge of an employee appointed on a short term officiating vacancy caused by the grant of leave or suspension.
- (v) Compulsory retirement at an age below the prescribed age for normal retirement.

## **26. Suspension**

1. The Managing Committee may place in employee under suspension pending further action in the following cases where in:
  - a. Disciplinary proceedings against him/her are contemplated or pending.
  - b. A case against him/her in respect of a criminal offence is under investigation or trial.
  - c. He/she is charged with embezzlement
  - d. He /She is charged with cruelty to a student or an employee of the school/college.
  - e. He /She is charged with misbehavior towards a parent, guardian, student, or employee of the school/college.
  - f. He/ She is charged with a breach of code of major misconduct.

## **27. Subsistence Allowance.**

An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments.

1. A subsistence allowance equal to half (50%) of the pay last drawn by him/her for the first three months (ninety days)
2. If inquiry gets prolonged and the employee continues to be under suspension for a period beyond ninety days, the suspension allowance shall be equal to three fourth of his aforesaid wages, provided that where such an inquiry is prolonged beyond period of ninety days for reasons directly attributed to the employees, the subsistence allowance shall, for the period exceeding ninety days, be reduced to one fourth of his/ her wages. The suspended employee shall be liable to obey the instructions issued from time to time by the Managing Committee in respect of attendance and residence.
3. Where a suspended employee is exonerated after disciplinary



proceedings or where a criminal prosecution against a suspended employee ends with an honorable acquittal, the salary and allowance of such an employee minus the subsistence allowance received by him/her shall be paid to him/her from the date on which he/she was suspended.

4. No payment of subsistence allowance shall be made unless the employee furnishes a certificate to the effect that he/she is not engaged in any other employment, business, profession or vocation.

5. If an employee is arrested by police on a criminal charge and bail is not granted no subsistence allowance shall be payable on the grant of bail if the competent authority decides to continue the suspension, the employee shall be entitled for subsistence allowance from the date of grant of bail.

## **28. Procedure for Disciplinary Action**

(a) No order of punishment shall be issued without the employee's having been given an opportunity or explanation.

(b) On receipt of the unsatisfactory reply or where no such reply is received within the specified time, the Managing Committee shall appoint an inquiry officer for the purpose of conducting an enquiry. The Managing Committee may appoint an enquiry officer from among the staff of the institution or an outsider, wherever it may be necessary.

(c) If the employee does not admit the charge or if his explanation is found to be un-satisfactory and when the circumstances appear to warrant the principal to hold a recorded inquiry into the charges of misconduct in accordance with the principle of natural justice.

31. No order of punishment shall be issued without affording opportunity of hearing and giving explanation by the employee. In case of a misconduct, omission and or commission on the part of an employee, the Managing Committee shall issue a charge sheet giving the nature of misconduct requiring him/ her to submit his/ her explanation within a period of seven days. After receipt of the explanation from the employee, the Managing Committee will consider the same and incase he finds it unsatisfactory or in the event of non submission of any explanation or accepting the guilt, the Managing Committee may order for an enquiry and will appoint an enquiry officer.

(a) The employee concerned shall be issued a charge sheet clearly stating the misconduct, calling for an explanation.

(b) The delinquent employee shall present himself/herself at the assigned time for inquiry into the alleged misconduct against him/ her when called upon to do so. If the employee charged with misconduct fails to appear at the inquiry session for reasons which the enquiry officer considers unsatisfactory, the enquiry shall proceed *ex parte* in his/ her absence.



- (c) The employee subjected to inquiry shall be permitted to be assisted by a co-employee of the school/college. No outsider or legal practitioner shall be permitted to assist or defend him/ her in the inquiry. The employee shall be permitted to produce his/her oral /documents evidence and shall be permitted to cross-examine a witness deposing in support of the charges and also to produce witnesses, if any, in his/ her defense. The statements of the witnesses, examined at the inquiry session on either side shall be recorded by the E.O. The Managing Committee may appoint any of the staff members as representative of the Managing Committee to represent in the enquiry.
- (d) On the conclusion of the inquiry, the inquiry officer shall record his/ her findings and whether all or any of the charges leveled against the employee are established together with reasons and will submit the same to the disciplinary authority.
- (i) The employee concerned shall be furnished with a copy of a report of the inquiry officer by the head of the institution in writing.
- (ii) Give him/ her a notice in writing stating the action proposed to be taken with regard to him and calling upon him/ her to submit within the specified time, not exceeding two weeks such representation as he may wish to make against the proposed action.
- (iii) On receipt of the representation if any, made by the employee, the disciplining authority shall determine the penalty, if any, to be imposed on the employee and same shall be communicated to him in writing.
- (e) Where disciplinary proceedings against an employee are contemplated or pending or where criminal proceedings against an employee and the principal is satisfied that it is necessary or desirable to place the employee concerned under suspension, pending investigation, inquiry, trial and final disposal, the Managing Committee will, by an order in writing, suspend him/ her with effect from the date specified in the order.
- (f) If the employee is found guilty on the conclusion of the criminal proceedings as the case may be, he/she is to be punished accordingly.
- (g) If the employee is found guilty on the conclusion of the inquiry or the criminal proceedings as the case may be, is discharged or dismissed, he/ she shall be deemed to have been discharged or dismissed with effect from the date of suspension, unless otherwise indicated in the order of discharge or dismissal.
- (h) If, on the conclusion of the inquiry of the criminal proceedings as the case may be, the employee has not been found guilty of the charges framed against him, he/ she shall be deemed to have been on duty during the period of suspension also and shall be



entitled to the same wages as he would have received if he had not been placed under suspension.

### **29. Cessation/Termination of Employment**

(a) The Managing Committee may terminate the services of a regular employee on administrative grounds in the interest of the institution by giving One month's notice or salary in lieu of such a notice.

(b) A regular employee, desirous of leaving the institution, shall give one working month notice or one-month pay in lieu of notice to the Managing Committee before leaving.

(c) Notwithstanding anything contained in this rule, no notice shall be necessary in the termination of service of a temporary employee.

(d) Notwithstanding what is stated above, the Managing Committee reserves its right to refuse or to accept the resignation of an employee when disciplinary proceedings are pending against him/her or for a breach of contract or for any such reason.

### **30. Discharge on Medical Grounds**

(a) The Managing Committee may ask an employee at any time to appear before a doctor so approved by the institution for the purpose. If in the opinion of the doctor, the employee is found incapacitated rendering him/ her physically or mentally unfit for work which he/she has been doing, and in the opinion of the doctor the chances of his/ her becoming fit again for the same work are considered remote, he/she may be discharged by the Managing Committee on grounds of continued ill health.

(b) Failure to submit himself/herself for medical examination as required by the Managing Committee will render the employee liable to be deemed as medically unfit and consequently discharged from service. In such a case no compensation will be payable to him/her but will be entitled to all his/her legitimate dues like P.F. gratuity etc.

### **31. Retirement**

(a) Unless removed or dismissed from service, every employee shall retire from service on attaining the **age of 58 years**. The Managing Committee may grant extension/ re- employment at its discretion, provided the employee is fit for such an extension and has no mental or physical incapacity which disqualifies him/ her from such an extension.

(b) After attaining superannuation, if an employee is granted Extension/ reemployment, he/she will get the pay plus other allowances admissible thereon, as prescribed by the Managing Committee.

*Mangala Ramachandra*  
*Honorary Secretary*  
*Wallewaram, Ladies' Association*