



# SHIVAJI UNIVERSITY, KOLHAPUR



*Shivaji University Act, 1974.*

*( Maharashtra Act XXIV of 1974 )*

## STATUTES FRAMED UNDER SECTION 42(I) OF THE SHIVAJI UNIVERSITY ACT, 1974.

**Statutes governing the terms and conditions of service of the  
teachers in the Affiliated Colleges/Recognised Institutions  
affiliated to the Shivaji University, Kolhapur.**



**Price : Rs. 10-00**

**1988**

*Published by :*

**Dr. B. P. Sabale,**  
**Registrar,**  
**Shivaji University,**  
**Kolhapur-416 004.**

© Shivaji University, Kolhapur.

**Copies : 1,000**

**Price : Rs. 10-00**

**1988**

*Printed by :*

**Shri D. M. Bhingade,**  
**Superintendent,**  
**Shivaji University Press,**  
**Kolhapur-416 004.**



## **Shivaji University, Kolhapur.**

**Statutes governing the Terms and conditions of Service of the Teachers in the Affiliated Colleges and the Recognised Institutions affiliated to the Shivaji University, Kolhapur (Under Section 42(1) of the Shivaji University Act, 1974).**

**S. 190. : Definitions : In these Statutes unless there is anything repugnant to the subject or context,**

- i) "Act" means the Shivaji University Act, 1974.
- ii) "Appointing Authority" means the authority competent to make appointments to the different posts in affiliated Colleges/Recognised Institution as specified in Statute No. 193.
- iii) "Chancellor" means the Chancellor of the Shivaji University declared as officer of the University under Sections 8 and 9 of the Act.
- iv) "Compensatory Allowance" means an allowance granted per month to meet personal expenditure necessitated by the circumstances in which duty is performed.
- v) "Competent Authority" means Governing Body of the Affiliated Colleges or Recognised Institution.
- vi) "Continuous Appointment" means an appointment held by the teacher without any break.

### **Explanation :**

- 1. Leave of any kind granted to a teacher while holding an appointment does not constitute a break under this definition.
- 2. If a person who is appointed in a clear vacancy and whose services are terminated at the end of a term is reappointed at any time in the following term then he shall be deemed to be in the continuous service for the purposes of counting his probation period.
- vii) "Contract" means a contract entered into in writing between the Competent Authority or the officer or person to whom the power is delegated by the Governing Body and a teacher.
- viii) "Duty" includes the service on probation, on confirmation, on temporary, on honorary and on contractual basis.
- ix) "Executive Council" means the Executive Council of the Shivaji University declared as an authority of the Shivaji University under Section 19 of the Act and constituted under Section 23 of the Act.



- x) "Holiday" means a weekly off or any other day declared as a "Holiday" by the Executive Council.
- xi) "Honorarium" means payment granted to a teacher of an Affiliated College/Recognised Institution as remuneration for special work or work of an occasional character.
- xii) "Lien" means the title of a teacher to hold substantively a permanent post either immediately or on the termination of a period or periods of absence.
- xiii) "Officiating Appointment" means an appointment made on a temporary basis in a clearly vacant post or in a post which is vacant on account of the absence of another person who holds a lien or a suspended lien on the post.
- xiv) "Pay" means the basic pay.
- xv) "Personal Pay" means additional pay granted (i) to save an employee from loss of substantive pay in respect of a permanent post due to revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; (ii) in exceptional circumstances on other personal considerations.
- xvi) "Probation" means an appointment made on trial on specified conditions for a stipulated period to a post for determining one's fitness for eventual substantive appointment to the post.
- xvii) "Registrar" means the Registrar of the Shivaji University already in service or appointed under Section 13 of the Act.
- xviii) "Salary" means the basic pay plus all other allowances admissible under the University Statutes.
- xix) "Senate" means the Senate of the Shivaji University declared as an authority of the Shivaji University under Section 19 of the Act and constituted under Section 20 of the Act.
- xx) "Teacher" means and shall include Principals, Professors, Readers, Lecturers, Assistant Lecturers, Demonstrators, Tutors, Masters of Method, Directors of Physical Education in the affiliated Colleges/Recognised Institutions. The term "Teacher" includes full-time teachers as well as part time and honorary teachers.  
 Explanation : This definition applies merely in the context of service conditions.
- xxi) "Temporary Appointment" means an appointment made on a purely temporary basis either in a permanent post temporarily vacant or a tenure post or against a temporary position.
- xxii) "Time Scale of Pay" means the scale in which the pay rises, subject to the conditions prescribed in these Statutes, by periodical increments from a minimum to a maximum.



xx.ii) "University" means the Shivaji University reconstituted by the Government of Maharashtra under Maharashtra Act No. XXIV of 1974.

xxiv) "Vice-Chancellor" means the Vice-Chancellor of the Shivaji University appointed under Section 10 of the Act.

S. 191 : Power to implement Statutes : The power to implement these Statutes shall rest with the Vice-Chancellor, who may, from time to time, issue such administrative instructions or directives as may be necessary to give effect to and carry out the provisions of these Statutes and to secure effective control over the teaching staff employed in the Affiliated Colleges/Recognised Institutions.

S. 192 : Power to amend or repeal any of the Statutes : The Statutes may be amended or repealed as need be, by the Senate with the assent of the Chancellor.

S. 193 : Salary Scale of Teachers in Affiliated Colleges/Recognised Institutions.

1) The scales of pay for Principal/Head of the Recognised Institution in the senior scale, Principal/Head, Recognised Institution in the Junior scale, Lecturer, Demonstrator, Tutor, Master of Methods, Director of Physical Education in the Affiliated Colleges/Recognised Institutions under Section 42(1) (f) of the Act shall be as follows :

\*\*Principal in the Senior Scale Rs. 1500-60-1800-100-2000-125/2-2500.

\*\*Principal in the Junior Scale : Rs. 1200-50-1300-60-1900.

Lecturer : Rs. 700-40-1100-50-1300-Assessment-50-1600.

\*Demonstrator/Tutor and \*Master of Method :

Rs. 500-20-700-25-900.

Director of Physical Education : Rs. 700-40-1100-50-1600.

Instructor of Physical Education (Assistant Director of Physical Education/P. T. I. ) : Rs. 700-40-1100-50-1600.

The above scales of Principals (Sr. & Jr. Scale ) Demonstrator/Tutor and Master of Method shall be deemed to have come into force w. e. f. January 1, 1973 and the scales of Director of Physical Education, Instructor of Physical Education ( Asstt. Director of Physical Education/P. T. I. ) shall be deemed to have come into force w. e. f. 1-4-1980.

The scales of pay of Principals and teachers who elect to retain their scales of pay (U. G. C. erstwhile-scales) existing prior to 1st January, 1973 in accordance with Government Resolution No.

USG-1177/129387/XXXII (CELL), dated 25th October, 1977 shall be as follows :

- a) Principal : Rs. 700-40-1100
- b) Sr. Lecturer : Rs. 700-40-1100
- c) Lecturer (Sr. Scale) : Rs. 400-30-640-40-800
- d) Lecturer (Jr. Scale) Rs. 300-25-600
- e) Director of Physical Education : Rs. 300-25-600
- f) Tutor : @Rs. 250-15-400
- g) Demonstrator : @Rs. 250-15-400
- h) Master of Method : @Rs. 250-15-400

( @Tutors, Demonstrators and Masters of Method holding Master's degree in Second Class shall start on Rs. 300/- in the grade of Rs. 250-15-400. )

The scales of pay of the existing post of field work supervisor for the M. S. W. course shall be the existing scale prior to 1-1-1973 i. e. 250-15-400.

**Explanation : 1**

\*For existing incumbents only.

No new appointments be made under the above categories.

**Explanation : 2**

\*\* The Principals of Colleges/Recognised Institutions having (i) enrolment of over 1000 and (ii) possessing 12 years experience as a teacher in a Senior College/Recognised Institution shall get the higher scale; while Principals of Colleges having (i) enrolment below 1000 and (ii) possessing 12 years experience as a teacher in a Senior College/Recognised Institution shall get the lower scale.

**Explanation 3 :** The revised pay-scales are inclusive of D. A. admissible on 1-1-1973. The teachers will be eligible to get the D. A. equal to the increases sanctioned by the State Government effective from a date after 1-1-1973. Similarly, the teachers will be eligible to get effective from 1-1-1973 onwards house rent allowance and compensatory local allowance as admissible to State Government employees from time to time in addition to the pay in the revised scale.

**Explanation 4 :** Those teachers who have opted to remain in the existing scales till the date shown in the option form shall not be permitted to change the option once exercised. They will be entitled to get dearness allowance as per the rates admissible to State Government employees getting unrevised scales of pay.

**Explanation 5 :** The above scales shall be applicable to all the teachers except those in the Faculty of Medicine ( including Ayurvedic Medicine) and Engineering (including Technology).



II) a) If a Principal proceeds on earned leave at a time other than vacation or if there is a temporary vacancy of the post of Principal the vacancy shall be filled in by assigning the current duties of the post of Principal to the Vice-Principal in addition to his own duties, if there is a post of Vice-Principal. In case there is no post of Vice-Principal the current duties of the post of Principal shall be assigned to the senior-most teacher in the College in addition to his own duties as an alternative arrangement. For these additional duties of the post of Principal the person holding the additional charge shall be paid additional pay/special pay at the rate of 20% of the presumptive pay of the second post subject to the following conditions :

- i) such allowance be granted in the cases where the additional charge is held for not less than 15 days; and
  - ii) additional pay/special pay is restricted for a period of six months only.
- b) Any other teacher who is required to work during vacation shall be entitled to leave on full pay and allowances for 1/3 number of days for which he is required to work during vacation.

S. 194 : Qualifications : Qualifications and classification of teachers in the Affiliated Colleges and Recognised Institutions shall be as prescribed by Ordinances and in accordance with Section 39 (iv) of the Act.

S. 195 : Mode of Recruitment of Teachers of Affiliated Colleges/Recognised Institution : Recruitment of Teachers and Principals of the Colleges affiliated to the University and Recognised Institutions shall be as under :

1. There shall be a separate selection committee for making recommendation to the Management of the Affiliated Colleges/Recognised Institutions for the appointment of (i) Teachers of the Colleges affiliated to the University/Recognised Institutions. (ii) Principals of affiliated Colleges/Head of the Recognised Institutions.

**Selection Committee for :**

a) **Teachers :**

- 1) Chairman, Governing Body of the College/Recognised Institution or his nominee to be the Chairman of the Selection Committee;
- 2) A nominee of the Vice-Chancellor;
- 3) One expert to be nominated by the University;
- 4) One nominee of the Director of Higher Education; in the case of the Faculty of Ayurvedic Medicine, the Director of Ayurveda, M. S. or his nominee.
- 5) The Principal of the College/Head of the Recognised Institution and



6) Head of the Department concerned of the College, if there is no such Head, Head of the Department concerned from any other affiliated College.

b) Principal of the College/Head of the Recognised Institution :

1) Chairman of the Governing Body of the College/Recognised Institution or his nominee to be the Chairman of the Selection Committee;

2) One member of the Governing Body;

3) Two nominees of the Vice-Chancellor;

4) One nominee of the Director of Higher Education. In the case of the Faculty of Ayurvedic Medicine, the Director of Ayurveda, M. S. or his nominee.

2. **Tenure :** The tenure of the nominated members of the Selection Committee will be two years from the date of their nomination.

### 3. Procedure :

a) **Mode of Recruitment :** All appointments to posts categorised above shall be made on merit on the basis of wide advertisement as approved by the University. The qualifications stated should not be linked with the regional, communal or caste considerations. The particulars of minimum and other qualifications, if any, stating emoluments should be included in the advertisement and reasonable time of one month should be allowed within which the applicants may, in response to the advertisement, submit their applications. Knowledge of Marathi is essential.

i) **Provided that :** The Affiliated Colleges and Recognised Institutions shall reserve 24 p. c. of the total number of posts of teachers to be filled in by selection for members of the scheduled castes and scheduled tribes, denotified tribes as under :

1) Scheduled Castes	13 p. c.
2) Scheduled Tribes	7 p. c.
3) Nomadic Tribes and Vimukta Jatis	4 p. c.
	<hr/>
	24 p. c.

ii) If some candidates belonging to these categories are selected on merit, they should be counted against the general (unreserved) posts. Provided that the total number of candidates from all the three categories together with those selected on merit should not exceed 40% of the total vacancies to be filled on any one occasion of recruitment.



- iii) The various orders contained in booklet "Reservations and other concessions in Government service for Backward Classes" will be applicable for recruitment to the teaching posts reserved for Backward Classes in affiliated colleges and Recognised Institutions, subject to the following modifications in regard to recruitment to the teaching posts :
- a) The vacancies reserved for the particular category of the Backward Classes have to be filled in by appointing candidates of any of these categories of Backward Classes for when they have been reserved. If however, suitable candidates belonging to the particular category of the Backward Classes are not available for appointment to the teaching posts in the affiliated colleges and Recognised Institutions the said vacancies should be transferred to the other categories of Backward Classes referred in (i) above from whom suitable candidates are available provided that the total percentage of reservations does not exceed the limit of 24 p. c.
- b) At any given time of recruitment to the teaching posts, only the total number of reserved vacancies and the selections from which they are to be filled in should be determined. It would be enough if the required percentage is fulfilled as a whole and not with reference to any particular posts. If the reserved vacancies cannot be filled in because of the non-availability of the candidates, the same may be filled in from the candidates belonging to the open category for a period of one year at a time. Before filling in vacancies "No objection Certificate" should be obtained from the agencies mentioned below :
- i) The Regional or District Employment Exchange concerned,
  - ii) The University Employment Information and Guidance Bureau,
  - iii) The Director of Social Welfare or the Deputy Director of Social Welfare of the region concerned.

During the period of three years, the posts should be advertised yearly. Even after re-advertising the posts yearly, for three years if suitable candidates belonging to Backward Classes do not become available, they may be filled in by the candidate belonging to the open category during fourth academic year. Before filling in vacancies "No objection Certificate" should be obtained from the agencies mentioned below :

- i) The Regional or District Employment Exchange concerned,
- ii) The University Employment Information and Guidance Bureau,
- iii) The Director of Social Welfare or the Duputy Director of Social Welfare of the region concerned,



- iv) Director of Tribal Welfare, Nasik,
- v) Tribal Welfare Officer, Pune,
- vi) Project Officer, Tribal Development, Pune,
- vii) Tribal Development Corporation, Nasik.

b) The date of the meeting of every Selection Committee shall be so fixed as to allow notice thereof being given at least 7 days to each member and to the candidates and the particulars of the candidates be supplied so as to reach each member of the Selection Committee at least 3 days before the date of the meeting.

c) The quorum to constitute a meeting of every Selection Committee shall be four members. In case of teacher no selection shall be valid unless at least one expert is present (for this purpose the Head of the Department concerned shall also be considered as an expert).

d) The Selection Committee shall interview and adjudge the merits of each candidate in accordance with the qualifications advertised, and recommend to the Vice-Chancellor the names arranged in order of merit of the persons, if exceeding one, whom it recommends for appointment to the post/s advertised giving reasons for the order of preference. It shall be observed that the candidates selected are eligible and have work-load to teach one of subjects for which affiliation (Temp. or Permanent) has been granted. If no person is selected, a report to that effect be made. The Committee will have the right to recommend only one name if others are not found suitable for recommending a panel. The recommendations of the Committee shall be subject to the approval of the Vice-Chancellor.

e) The Governing Body shall appoint from amongst the persons so recommended and approved by the Vice-Chancellor the Principal or the number of teachers required to fill in the posts advertised.

Such appointment shall be strictly according to the order of merit prepared by the Selection Committee and approved by the Vice-Chancellor.

Provided that, where the Governing Body proposes to make an appointment otherwise in accordance with the order of merit arranged by the Selection Committee, it shall record its reasons in writing and submit them to the Vice-Chancellor, who may approve the proposal or return it to the Governing Body for reconsideration. After reconsideration, if the Governing Body desires to pursue its original proposal, it shall refer the matter again to the Vice-Chancellor for his decision which shall be final.



4. **Temporary Appointments :** When a vacancy of a teacher is to be filled in temporarily for a period not exceeding one term (i. e. six months) the Principal of Affiliated College/Head of the Recognised Institution in consultation with the Chairman, Governing Body shall fill in the temporary vacancy and information of the same shall be given to the University authorities. If a vacancy of a teacher is for a period exceeding a term, the vacancy shall be filled in on the recommendation of a Local Selection Committee constituted as follows and information of the same will be given to the University authorities. (Such an appointment shall not be made for a period exceeding 12 months ).

1. Chairman of the Governing Body.
2. The Principal of the College/Head of the Recognised Institution concerned.
3. The Head of the Department at the College/Recognised Institution in the subject concerned or a senior Faculty member nominated by the Chairman, Governing Body.
4. While appointing a teacher either on permanent basis or in a temporary vacancy no teacher shall be allowed to join his duties unless he produces a clear discharge certificate from his previous Educational Institution, if any, where he was working.
5. All appointment orders shall be in the proforma as given in Appendix 'A'.

S. 196 : Appointment of Principal/Head of the Recognised Institution :

1. Principal of a College/Head of the Recognised Institution may be appointed by recruitment, through Selection procedure laid down in the Statutes and his post shall be considered a non-vacation post.
2. a) In the case of a Principal/Head of the Recognised Institution who happens to be Selected from amongst the teachers of the same College/Recognised Institutions or Colleges/Institutions under the same Management he shall have an option to go back as a teacher to the Department to which he belonged originally within a period of two years from his appointment. In a similar manner the Governing Body shall have the option of relieving him of the duties as the Principal/Head of the Recognised Institution within a period of two years from his appointment, in which case he shall revert to his original post of a teacher in the College/Recognised Institution.

In case of a Principal of an affiliated College/Head of a Recognised Institution who resumes as a teacher, his pay shall be fixed in such a way that he shall draw the same pay which he



would have ordinarily drawn had he normally continued in the post of a teacher prior to his appointment as Principal of the affiliated College/Head of the Recognised Institution. The Governing Body shall also give him the benefit of the prevalent scale applicable to the post on his resumption if he fulfils the condition of prescribed qualifications and length of service.

- b) In case the Governing body at a later date decides to appoint some other person as a Principal/Head of the Recognised Institution in his place, on any of the grounds mentioned in para (ii) of the Statute 211 (3) relating to the 'Suspension or Dismissal or Termination' of service, he shall be relieved according to the rules prescribed in that behalf.
  - c) In case the Principal/Head of the Recognised Institution wishes to relinquish his post for personal or other reasons, he would have to give three months' notice thereof. In case of his failure to do so, he shall pay an amount equivalent to three months' pay to the Governing Body and ordinarily he shall not give such notice in the middle of the term.
3. In the case of a Principal/Head of Recognised Institution who is appointed by recruitment from persons who are not members of the existing staff :
- a) The probationary period of such post shall be two years and the person shall be relieved by giving him three months' notice or in lieu of notice three months' pay, if during the period of probation his work is not found to be satisfactory but ordinarily he should not be relieved in the middle of the term.
  - b) If during this period, the Principal/Head of the Recognised Institution desires to relinquish the post, he shall give three months' notice or in lieu of notice three months' pay but ordinarily he should not relinquish the post in the middle of the term.
  - c) In case the Governing Body at a later date decides to appoint some other person as a Principal/Head of the Recognised Institution in his place, on any of the grounds, mentioned in the Statute-211 (3) relating to the 'Suspension, Dismissal or Termination of Service' he shall be relieved according to the rules prescribed in that behalf.
  - d) If a Principal/Head of the recognised Institution after confirmation desires to relinquish the post of his own accord for personal or other reasons, he shall be relieved by the Governing Body on his giving six months' notice or six months' pay in lieu of notice, but ordinarily he should not relinquish his post in the middle of the term.



**S.197 : Duties and responsibilities of the Principal of the affiliated College/Head of the Recognised Institution.**

Subject to the Supervision and general control of the Governing Body the Principal/Head of the Recognised Institution as an administrative and academic Head of the affiliated College/Recognised Institution shall be responsible for-

- a) academic growth of the Affiliated College/Recognised Institution.
- b) participation in the teaching work and research and training programmes of the affiliated College/Recognised Institution.
- c) assisting in planning and implementation of academic programmes such as orientation course, seminars, inservice and other training programmes organised by the University/Affiliated College/Recognised Institution for academic competence of the Faculty members.
- d) admission of students and maintenance of discipline of the affiliated College/Recognised Institution.
- e) receipts, expenditure and maintenance of true and correct accounts.
- f) management of the affiliated College/Recognised Institution, Libraries and Hostel, if any.
- g) correspondence relating to the administration of the Affiliated College/Recognised Institution.
- h) administration and supervision of curricular, cocurricular/extracurricular or extra-mural, Students' welfare activities of the affiliated College/Recognised Institution and maintenance of records.
- i) observance of the Act, Statutes, Ordinance, Regulations, Rules and other Orders issued thereunder, from time to time.
- j) supervision of the examinations, setting of question papers moderation and assessment of answer papers and such other work pertaining to the examinations of affiliated College/Recognised Institution.
- k) Over-all supervision of University Examinations if required.
- l) observance of provisions of Accounts Code.
- m) Maintenance of assessment reports of teachers and their Service Books.
- n) any other work relating to the College/Recognised Institution relating to the administration of the College as may be assigned to him by the Governing Body from time to time.

**S. 198. : Probation :**

1. A teacher shall, subject to the procedure prescribed for selection and appointment, be appointed, in the first instance on probation for 24 months from the date on which he joins his duties at the end of which

he shall be confirmed or his services dispensed with provided that intimation of such confirmation or notice of termination of service is given atleast one month before the due date, in absence of which it shall be construed that he has completed the period of probation satisfactorily and that he has been confirmed in service.

Provided also that it will not be necessary to assign any reasons for terminating the services of a teacher on probation if it is held that he has not completed his probation satisfactorily.

The Governing Body of the College/Recognised Institution may in very exceptional cases and for reasons to be recorded, reduce the period of probation and shall have the power to assess the suitability of a teacher for confirmation even before the expiry of the period of 24 months from the date on which he joins his duties but not earlier than 9 months from that date on the basis of the assessment report justifying special consideration.

2. The Governing Body shall assess the suitability of teachers before the expiry of the period of probation.
3. The Principal shall maintain assessment reports of teachers on probation, in the proforma prescribed for the purpose by the University, for every six months. The Principal shall forward the recommendations to the Chairman, Governing Body at least two months before the date of expiry of the period of probation, for confirmation in service or otherwise. If a person is not to be confirmed at the end of the probationary period a confidential report justifying the decision should be attached and such cases be referred to the Chairman for further instruction. The Governing Body shall be the deciding authority in these cases.
4. The Assessment Report of Principals of Affiliated Colleges/Heads of the Recognised Institutions shall be maintained by the Chairman of the Governing Body and will be placed before the Governing Body at least two months before the date of expiry of the period of probation with definite recommendation of confirmation in service or otherwise.

If a person stated above is not recommended to be confirmed, an Assessment Report justifying the decision should be attached and such cases be placed before the Governing Body for consideration along with the Assessment Report.

5. A teacher appointed on probation shall be entitled to his annual increment in the scale prescribed unless otherwise withheld by the Principal of the College/Head of the Recognised Institution under orders from the Governing Body in writing on consideration of the assessment of a teacher concerned or for any other reason.



6. If the Governing Body terminates the services of a teacher on probation on the ground of reduction in work-load or abolition of the post and if he is re-employed by the same Management College/Recognised Institution subsequently within a year, the period spent by a teacher on probation during his first appointment shall be counted towards the total period of probation of 24 months. He shall be eligible for Annual increment, condonation of break-in-service for counting his period of probation and confirmation, subject to his carrying good Assessment Report.

S. 199. : Increment :

1. An increment shall be drawn as a matter of routine unless it is withheld. If the date of increment falls in the middle of the month, the teacher shall draw the increment from the 1st day of the month.
2. Service as laid down in the following clauses and in such other manner as the Governing Body may determine from time to time, shall count for increment in a time scale :
  - a) All duty in a post on a time-scale shall count for increment in that time scale, provided that service rendered in a post carrying lower time-scale will not count for increment in the higher post.
  - b) Leave, other than leave without pay, shall count for increments in the time scale of the post in which the teacher has been confirmed.
  - c) Should a teacher while holding one post be appointed to officiate in a higher post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, count for increments in the time-scale applicable to such lower post.
  - d) Service rendered in a time-scale post during the period of probation shall count as service towards increment.
  - e) Service rendered in a temporary post shall count for increment, provided that the post is on a prescribed time-scale.
  - f) When a teacher who is allowed to keep a lien reverts to his original post the period of lien granted shall count for increment.

S. 200 (A) Leave Rules : The following shall be the Leave Rules applicable to full time teachers :

- a) Leave cannot be claimed as a matter of right. Discretion to refuse or revoke leave is reserved with the Governing Body.
- b) A teacher shall be entitled to vacation as may be specified from time to time. A teacher shall remain present on the first and the last day of each term unless otherwise permitted by the Principal of the College/Head of the Recognised Institution.

- c) Teachers who have vacations will not be entitled to earned leave. Those who do not have such vacation will be entitled to earned leave.
- d) A teacher may be sanctioned leave of absence from duty which will be treated as duty leave for attending Conferences, Seminars, Meetings of N. C. C. or N. S. S., days spent on work relating to the examinations of this University and meetings convened by the U. G. C., Government, Educational Institutions and Universities for academic purposes and to discuss the teachers' problems such as their grievances and demands with the Government authorities, with the permission of the Principal of the College/Head of the Recognised Institution. In the case of the Principal of the College/Head of the Recognised Institution such leave of absence shall be taken with the prior permission of the Chairman/Governing Body.

This Duty leave will not exceed 10 days in an academic year. The days spent in attending the meetings of the University authorities mentioned in Section 19 of the Shivaji University Act, 1974 being not included.

#### B) Kinds of Leave

##### a) Casual Leave :

- 1) Every teacher will be entitled to casual leave for 15 days in an academic year.
- 2) Ordinarily not more than 7 days Casual Leave at a time shall be granted to a teacher but in any case it shall not exceed 10 days.
- 3) Casual Leave cannot be prefixed or suffixed to a vacation or other type of leave except duty leave.
- 4) Casual leave shall not be combined with any other kind of leave but it may be prefixed or suffixed to holidays and/or Sundays provided the period of total absence does not exceed ten days at a time.
- 5) The Principal of the College/Head of the Recognised Institution shall be authorised to grant casual leave to the teachers, working under him. The Principal/Head may avail of the casual leave due to him by informing of the same to the Chairman of the Management.
- 6) All applications for casual leave shall ordinarily be sent before the date from which the casual leave is required and the person required the casual leave shall make sure that the same is granted to him.
- 7) Record of casual leave of teachers shall be maintained by the College/Recognised Institution.



**b) Earned Leave :**

- 1) The Principal/Head of the Recognised Institution being an administrative Head of the College/Recognised Institution shall be treated as non-vacation officer and shall not be entitled to vacations which are ordinarily granted to teachers.
- 2) A Principal of a College/Head of the Recognised Institution shall be entitled to earned leave at the rate of one eleventh of the period spent on duty, subject to his accumulating a maximum of 180 days.

**c) Half Pay Leave on Private Work/Sick Leave on Medical Grounds :**

- 1) The half pay leave admissible to a teacher in respect of each completed year of service shall be 20 days. It may be granted on private work or on medical grounds.
- 2) An application for half pay leave on medical grounds shall have to be supported by a Medical Certificate by a Registered Medical Practitioner, not below of the qualifications M.B.,B.S./B.A.M.S. or equivalent qualifications.
- 3) When leave on commutation basis is granted twice the amount of leave shall be debited against the amount of half pay leave due and admissible to a teacher.
- 4) Half pay leave on private affairs shall not be allowed to be commuted and accumulated and shall not be allowed more than 20 days in a year.

**d) Study Leave :** On the approval of the Governing Body a teacher will be eligible for study leave as per the following rules :

- 1) Study leave shall not be ordinarily granted to more than one teacher in a department at a time and unless the teacher has been in service for at least three years. Such a teacher shall not ordinarily be of more than fifty years of age.
- 2) The teachers claiming such leave shall have shown interest and aptitude for advanced work in the subject to the satisfaction of the College authorities
- 3) The teacher must apply for study leave well in advance. He should specify the course or courses of study or research contemplated or any examination he may propose to take. A detailed programme should be submitted.
- 4) Teacher shall give an undertaking that he shall not accept any appointment as an examiner and/or shall not write any text book or guide during the period of his leave.

- 5) The teacher shall give an undertaking to serve the institution for a period of three years for every year of study leave so enjoyed, without claiming an increase in scale of salary.

He shall execute an agreement on requisite stamp-paper with the management to refund the whole of the amount of salary etc. received by him or such part of it as the management may determine with interest at 6% per annum if he gives up the services before the stipulated period or if he fails to complete the course successfully unless he gives reason to the satisfaction of the management for his failure.

- 6) The teacher shall work under the guidance of a recognised authority in the subject or if he works independently he shall submit six-monthly reports of progress.
- 7) The teacher going on study leave shall be given his full salary.
- 8) Extra-ordinary leave may be combined with study leave if permitted by the Governing Body.
- 9) Where a teacher takes advantage of assistance from other sources such as teaching assistance from other sources, teaching assistantships, fellowships, professorships, the teacher will be eligible for study leave as under :

- i) Leave earned by a Teacher on full pay.
- ii) Leave without pay for the rest of the period.

(Note : Agreement Bond be signed by the Teacher proceeding on Study Leave.)

However, additional benefits such as lump-sum grant, if any, may be determined by the Governing Body having regard to the circumstances of each case.

- 10) If the management on its own decide that a teacher be sent for studying certain approved courses of instructions and/or approved course of research the teacher shall be treated as on duty and he will draw during that period his full pay and allowances as admissible under the Statutes.
- 11) The maximum period of Study Leave shall not exceed one year at a time and two years in the whole service. He may be permitted to join the Study Leave in case the Study Leave is less than two years with any other kind of leave provided that the total period of such continued leave does not ordinarily exceed two years.

**e) Extra Ordinary Leave :**

- A) A teacher who becomes a member of the Parliament or State Legislature, shall have to go on leave during the period during which he remains a member of that body and his lien on



his original post will be kept. This leave will be without pay but he will be entitled to increments during this period. However, he may take advantage of earned leave, if any, to his credit. This period will be considered as active service for the purpose of the normal benefits except Provident Fund.

- B) 1) Extra-Ordinary leave may be granted to a teacher in special circumstances, i. e.
- a) When no other leave is by rule admissible.
  - b) When other leave is admissible but a teacher has applied in writing for the grant of extra-ordinary leave without pay.
- 2) Extra-Ordinary leave may be granted in combination of any other leave that is admissible.
- 3) Extra-Ordinary leave is not debited against the leave account.
- 4) Except in the case of extra-ordinary leave granted to a permanent teacher as Study leave, or in the case of periods of suspension converted into leave under Statute 217 (1) (b) the duration of extra-ordinary leave in the case of a teacher shall not ordinarily exceed three months on any one occasion.
- f) **Combination of Leave :** Any kind of leave under these statutes may be granted in combination with or in continuation of any other kind of leave or vacation except casual leave upto a limit to be decided by the Governing Body.
- g) **Leave Preparatory to Retirement :**
- 1) A Principal of an affiliated College/Head of the Recognised Institution shall be eligible for earned leave preparatory to retirement, provided that it is due and admissible to him, and that he has applied for it well in advance of the date on which he intends to proceed on leave.

Subject to availability of earned leave of the credit of the concerned Principal, the maximum of such leave which can be granted to him, under this rule shall be restricted to 180 days. A Principal entitled to leave preparatory to retirement and desiring to take up another employment shall be given the option of retiring forthwith, however, in such case all leave due to him shall lapse.

- 2) The earned leave applied for by a Principal under this rule shall not be refused except when it is necessary to do so in the interest of the Affiliated College/Recognised Institution.

- 3) When a Principal applies for earned leave preparatory to retirement sufficiently in advance of the date from which he proposes to proceed on leave but when the competent authority considers that it will not be in the interest of the Affiliated College/Recognised Institution to allow him to proceed on leave, the authority concerned may refuse the leave applied for.

In such cases the Principal concerned shall be entitled to get refused leave salary on his retirement.

- h) **T. B./Cancer Leave :** A permanent teacher, after the expiry of earned leave and sick leave admissible to him, shall be granted T. B./Cancer leave on full pay provided that he produces a medical certificate from the head of the Medical Institute specialised for such diseases, to the effect that he was suffering from the said diseases during the leave period. The total period of T. B./Cancer leave will not exceed one year. Similar leave shall be granted to a teacher suffering from any other similar malignant disease of a serious nature.

- i) **Leave Sanctioning Authority :** The sanctioning authority for different kinds of leave to teachers shall be as under :

**Type of Leave**

**Sanctioning Authority**

- 1) All types of leave to Principals/  
Heads of Recognised  
Institution and Study Leave  
T. B./Cancer Leave, Deputat  
Leave, Extra-Ordinary Leave

Chairman of the  
Governing Body.

- 2) All types of leave to teachers  
other than those specified  
above.

Principal of the  
College/Head of the  
Institution.

- j) **Payment of Leave Salary :**

- 1) A teacher on earned leave is entitled to leave salary equal to the monthly salary to which the teacher is entitled immediately before the commencement of the leave.
- 2) A teacher on half-pay leave is entitled to leave salary equal to half of the monthly basic pay drawn by him before the commencement of the leave plus D.A., C. L. A. and H. R. A. admissible on the half of basic pay drawn by him.
- 3) A teacher on commuted leave is entitled to leave salary equal to the amount admissible under clause (1) above.
- 4) A teacher on extra-ordinary leave is not entitled to any leave salary or allowances, if any.
- 5) A lady teacher on maternity leave is entitled to leave salary as regulated in Clause (1) or (2) above as the case may be.



k) **Maternity Leave** : A lady teacher who does not have three or more living children on the date of application may be eligible for Maternity Leave on full pay and allowances for a period of 90 days from the date of commencement of leave. If, however, she has put in less than one year of service before the commencement of the Maternity Leave she will not be entitled to maternity leave. The teacher who has put in less than two years service but more than one year service before the commencement of the Maternity Leave will be entitled to only half average pay.

- i) Not exceeding 6 weeks ' maternity leave ' will be admissible in a case of miscarriage or abortion.
- ii) Maternity Leave will be granted to a lady teacher subject to the production of a medical certificate.

S. 201 : Vacation :

The period of vacation shall be as laid down by the University Authorities.

S. 202 : Assessment of Teacher's work :

In order to enable the Principal/Head of the Recognised Institution to evaluate the work of a teacher, the teacher should prepare the academic programme at the beginning of each term and submit the same to the Principal/Head of the Recognised Institution through the Head of the Department and at the end of each term he should submit to the Principal/Head of the Recognised Institution a detailed report in writing of the work done by him.

In addition the Assessment Report of the teacher shall be maintained by the Principal of the College/Head of the Recognised Institution for the following purposes :

1. Six monthly report during the period of probation.
2. Confirmation in Service.
3. Interview for a higher post.
4. To determine once in every three years whether the teacher continues to take his work seriously.
5. On other occasions when required for specific purposes.

The adverse remarks as well as remarks of appreciation of any outstanding work be brought in writing to the notice of the person concerned by the Principal of the College/Head of the Recognised Institution; or Chairman of the Governing Body in the case of Principal/Head of the Recognised Institution with a view to making improvement in the work, by the person concerned, if the report is adverse.

S. 203 : Assessment Authority :

1. The Assessment Report, referred to above shall be made by the persons indicated herein below on the recommendations of the immediate head under whom the member of the staff is working :

- i) Chairman, Governing Body : Principal of the College affiliated to the University/Head of the Recognised Institution affiliated to the University.
- ii) Principal of the affiliated College/Head of the Recognised Institution : Teacher in the affiliated College/Recognised Institution.

The Governing Body shall take necessary action on the reports.

2. For assessing the lecturers in the scale of Rs. 700-40-1100-50-1300-Assessment-50-1600 for purposes of crossing the Assessment Bar at Rs. 1300-00 a Committee will consist of the following persons :

- i) Principal of the College.
- ii, Nominee of the Director of Higher Education in the State Concerned.
- iii) One expert nominated by the University.

The Committee shall give proper weightage to the previous triennial assessment reports on the work of the concerned while considering the crossing of the Assessment Bar.

3. On the recommendation of the Committee referred to above the Governing Body shall permit a teacher to cross the Assessment Bar in the scale prescribed. If the report is adverse, such a case shall be reviewed within a period of not more than one year; and if the report of this review is again adverse, the teacher concerned shall be entitled to make his appeal to the Vice-Chancellor, in the matter whose decision shall be final.

S. 204 : Seeking Release :

- a) No teacher shall leave the service of the affiliated College/Recognised Institution without giving to the Governing Body three months' notice, if he is confirmed or one month's notice if he is temporary or on probation or in lieu of notice, pay the Governing Body an amount equal to three months' or one month's pay as the case may be.
- b) No Principal appointed in a College affiliated to the University/Head of the Recognised Institution shall leave the service without giving



one month's notice if on probation or three months' notice, if confirmed, or in lieu of notice, pay one month's pay, if on probation or three months' pay if confirmed.

- c) The Governing Body, at its discretion may waive the above notice period or notice pay in part or in full.
- d) Where a teacher is appointed on a specific contract, the period and conditions of contract shall not be inconsistent with the conditions as laid down herein and shall be clearly defined.

S. 205 : Application for a post elsewhere :

The applications of Teachers and Principals of Affiliated Colleges/ Heads of the Recognised Institutions should be forwarded through the Principal and the Chairman, Governing Body respectively.

S. 206 : Handing Over charge :

A teacher before leaving service shall hand over the charge of his post to a duly authorised person and shall return to the College/Recognised Institution/Library, all books, furniture, equipments etc. issued to him or in the case of loss make good the same and shall pay up in full all charges due from him for occupation of residential quarters, water and electricity charges etc. If he fails to do so, the Principal of Affiliated College/Head of the Recognised Institution in which he is employed shall recover the amount due from such teacher on account of the above items from his last salary. The last salary will not be paid to the teacher concerned until a clearance certificate in the prescribed form as shown in Appendix 'B' is issued by the Librarian/Principal of the College/Head of the Recognised Institution. All dues payable to the teacher shall be paid to him/her on the date of relief after he has duly handed over his/her charge.

S. 207 : Discharge Certificate :

The Principal of the College/Head of the Recognised Institution will immediately give a discharge certificate as shown in Appendix 'C' on application, to a teacher who leaves service after due notice or to a teacher whose services are terminated, after making sure that the teacher leaving services has paid off all amounts due by him to the College/Recognised Institution and obtained the said clearance certificate.

S. 208 : Service Book :

A Service Book shall be maintained by the Principal of the College/Head of the Recognised Institution for each teacher of the affiliated college/Recognised Institution and shall contain information regarding date of birth, date of appointment, total service under different managements and date of joining, scale of pay, increments, probation and particulars of leave.

A copy of the Service Book shall be given to every teacher by the Management and the teacher will be entitled to have the entries in his service Book certified by the Principal.

**S. 209 : Superannuation :**

The age of superannuation for teacher (including Principal/Head of the Recognised Institution ) of non-Government College/Recognised Institutions shall be sixty years and thereafter no further extension in service shall be given.

A teacher who retires on reaching the age of Superannuation shall be paid at the time of retirement all the arrears due to him.

However, the Management may re-employ a teacher, who is, due to superannuate in the middle of the academic year, on attaining the age of 60 years, till the end of that academic year only. During the period of re-employment which will be deemed as temporary service, the teacher shall not earn increment and shall not contribute to the Provident Fund. The period of re-employment shall also not count for the purpose of payment of gratuity and pension.

[Note : It may please be noted that the Chancellor has been pleased to accord his assent to the above Statute 209 subject to the condition that the payment of pay and allowance of the teachers re-employed by the Colleges after attaining the age of superannuation will be borne by the Management.]

**S. 210 : Assent withhold by the Chancellor.**

**S.211 : Service Conditions :**

**1. Duties :**

- a) A teacher shall devote his time and energies to develop and improve his academic professional competence by taking all opportunities to attend and participate in academic programmes such as Seminars, Orientation Courses, In-service Programmes, etc. The Management should give the teacher every possible opportunity to do so.
- b) A teacher shall perform his academic duties such as preparation of lectures, demonstrations, assessment, guidance, research, tutorials, etc. and will encourage pursuit of learning in his students.
- c) A teacher shall engage the classes regularly and punctually and impart such lessons and instructions as the Principal/Head, shall allot to him from time to time and shall not ordinarily remain absent from work without prior permission or grant of leave.
- d) A teacher shall faithfully, observe the provisions of the University Act, Statutes, Ordinances, Regulations and Rules in force, as modified from time to time and abide by the decisions of the University/Governing Body, Principal and Head of the Recognised Institution and shall ensure the interest of the University/



College/Recognised Institution. Such decisions, however, shall not be inconsistent with the provisions of the Statutes etc. If it is found by the Governing Body that damage or loss has been caused to the College/Recognised Institution by an act or wilful neglect or default on the part of the teacher, such damage or loss shall be recoverable from him.

- e) In addition to the duties of teaching and allied activities the teacher shall, when required, attend to extra curricular, co-curricular activities organised by the University/College/Recognised Institution and administrative and supervisory work and maintenance of records and assessment reports or any other duties befitting the status of a teacher assigned to him by the Principal/Head.
- f) A teacher shall help the University/College/Recognised Institution authorities to enforce and maintain discipline and good habits among the students.

## 2. Code of Conduct :

It is assumed that the teacher will not in general avoid his responsibilities and misuse privileges. However, following lapses would constitute improper conduct on the part of the teacher of the College/Recognised Institution.

- a) Failure to perform his academic duties such as preparations, lectures, demonstrations, assessment, invigilation etc.
- b) Gross partiality in assessment of students, deliberately over/under marking, or attempt of victimisation on any grounds.
- c) Inciting students against other students, colleagues, administration. (This does not interfere with his right to express his differences on principles in Seminars or other places where students are present.)
- d) Raising questions of castes, creed or religion, race or sex in his relationships with his colleagues and trying to use the above considerations for improvement of his prospectus.
- e) Refusal to carry out the decisions of appropriate administrative and academic bodies and/or functionaries of the University. This will not inhibit his right to express his difference with their policies or decisions, expression provided that he will not use the facilities or forum of the University/College/Recognised Institution to propagate his own ideas or beliefs for or against particular Political Party or alignment of political or religious activities.

### 3. Suspension, Dismissal and Termination of Service :

- i) The services of a College/Recognised Institution teacher on probation shall not be terminated without one month's notice, or the payment of the one month's pay in lieu of notice. The services of the Principal/Head of the Recognised Institution on probation shall not be terminated without three month's notice or the payment of three months' pay in lieu of notice. However, no teacher shall ordinarily leave or be compelled to leave the service in the middle of the term.
- ii) A teacher is liable for disciplinary action on one or more of the following grounds :
  - 1) Misconduct,
  - 2) Moral Turpitude,
  - 3) Wilful and persistent negligence of duty,
  - 4) Physical or Mental unfitness,
  - 5) Incompetence,
  - 6) Participation in Private coaching classes, directly or indirectly accepting tuitions, accepting any outside employment or office of profit.

#### Explanation :

- A) Misconduct shall among other things include the following :
  - a) Insubordination
  - b) An act prejudicial to the proper management of the College/Recognised Institution.
  - c) Breach of the terms and conditions of service, prescribed by the Statutes and agreement.
  - d) Violation of Code of Conduct.
- B) Wilful negligence of duty shall among other things include the following :
  - a) Dereliction of duties like not engaging the allotted classes or not completing the prescribed syllabi under circumstances not beyond his control.
  - b) Habitual absence from duty without previous intimation.
  - c) Failure to discharge any of the duties prescribed under the Statutes.
  - d) Negligence of academic or extra-curricular duty that may be assigned to the teacher by the Principal of the College/Head of the Recognised Institution or the Governing Body not inconsistent with the Act, Statutes, Ordinances, Regulations and Rules.



- C) Incompetence among other things will include the following :
- a) Failure to complete the teaching of the prescribed syllabus within the prescribed period, because of inability to teach; and
  - b) Such other incapacities in teaching as would lead to failure in imparting of instruction to students.

**S. 212 : Penalties :**

Without prejudice to the provisions of these Statutes a Teacher guilty of offences specified in Statute 211 (3) (ii) shall be liable to receive any of the following penalties depending upon the gravity of the offences.

**I) Minor Penalties.**

- i) Reprimand, Warning or Censure.
- ii) Withholding of increments or promotion upto one year.
- iii) Recovery from pay or such other amount as may be due to him of the whole or part of any pecuniary loss caused to the College/Recognised Institution by negligences or breach of orders.

**Explanation :** The Principal shall make necessary inquiry and keep the record of the inquiry before the penalty is levied.

**II) Major Penalties :**

- i) Stoppage of increment with or without effect on future increments,
- ii) Reduction to a lower stage of increment in the teacher's own pay-scale,
- iii) Reduction in Rank,
- iv) Termination of service,
- v) Compulsory retirement,
- vi) Removal from the service of the College/Recognised Institution,
- vii) Dismissal from the service of the College/Recognised Institution.

**Explanation :** The following shall not amount to a penalty within the meaning of this Statute, namely :

- i) Stoppage of increment of a teacher at the Assessment Bar in the time scale of pay on the ground of his unfitness to cross the bar.
- ii) Non-promotion of a teacher, whether in a substantive or officiating capacity, after consideration of his case for promotion to a grade or post, to which a teacher is eligible.
- iii) Reversion of a teacher, appointed on probation to any other grade or post, to his permanent grade or post during or at the end of the period of probation in accordance with the terms of his appointment, or the rules and orders governing such probation.

- iv) Reversion of a teacher officiating in a higher grade, or post to a lower grade or post, on the ground that the teacher is considered to be unsuitable for such higher grade or post or on any administrative ground unconnected with the conduct.
- v) Replacement of the services of a teacher, whose services had been borrowed from outside authority, by another teacher, at the disposal of such authority.
- vi) Compulsory retirement of a teacher in accordance with the provisions relating to his superannuation or retirement.
- vii) Termination of the services :
  - a) of a teacher appointed on probation during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation; or
  - b) of a temporary teacher in accordance with the rules made in that behalf by the University; or
  - c) of a teacher employed under an agreement, in accordance with the terms of such agreement.

**S.213 : Scope of application of penalties :**

- i) **Withholding of increments or promotions :**

When an increment or increments of a teacher are withheld, the authority/officer imposing the punishment shall specifically mention in the order :

- a) the number of increments withheld,
- b) the period for which they are withheld,
- c) whether the stoppage of increments shall have temporary or permanent effect of postponing the future increments, and
- d) that the period for which the increments are withheld shall be exclusive of the leave (except casual leave, taken during the period).

Similarly, when it is decided to debar a teacher from his next promotion, the authority/officer imposing the punishment shall specifically mention in the order the period for which the teacher is not to be considered for such promotion.

- ii) **Reduction to a post in the lower pay-scale or to a lower stage of increment in the teacher's own pay-scale :**

- a) The authority/officer imposing this punishment shall specifically mention in the order the period for which such reduction shall be effective and whether on restoration, the order of reduction shall have the effect of postponing future increments.



- b) Notwithstanding anything contained in these Statutes and in other rules of the University, if any, a teacher who is reverted to a lower pay-scale or a lower stage of increment in his own time-scale of pay as a measure of punishment shall not ordinarily be restored to his original pay-scale from which he was reverted or to the original incremental stage in his own time-scale of pay unless the period stipulated in the order of punishment is completed exclusive of the period of leave (except casual leave) taken during the term of punishment.

S.214 : Authorities competent to inflict penalties :

The power to inflict penalties on teachers of the Affiliated College/Recognised Institution will rest with the Governing Body of the affiliated College/Recognised Institution.

However, the power to inflict minor penalties such as Reprimand, warning or censure shall rest with the Principal.

S.215 : Procedure for inflicting minor penalties :

The minor penalties may be inflicted for petty offences or lapses on the part of a teacher such as negligence of duty, insubordination, disobedience of orders of superiors and such other offences as may be decided as minor offences by the Principal of a College/Head of the Recognised Institution. Whenever a teacher is found guilty for the commission of such offences or lapses he may be properly dealt with as the competent authority/officer deems fit. Before, however, finally imposing any punishment as contemplated in this Statute, the teacher concerned shall be given in writing a fair opportunity to explain as to why he should not, for good and sufficient reason, be punished for the lapses, omission, etc., on his part. The quantum of punishment shall be finally decided in the light of his explanation.

S.216 : Procedure for inflicting major penalties :

- A) The service of a teacher shall not be terminated under S. 211 Clause 3 (ii) (1) to (6) above, without holding a full inquiry in the matter by the College/Recognised Institution.

Before holding such inquiry, a preliminary inquiry shall be held by a committee consisting of—

- 1) Principal/Head of the Recognised Institution (Chairman of the Committee)
- 2) Head of the Department
- 3) One teacher of the College/Recognised Institution nominated by the Vice-Chancellor.

This Committee will find out whether there is a prima facie case against the teacher. The teacher concerned shall be given an opportunity to represent his case before this Committee.



The findings of the Committee shall be forwarded to the Governing Body for further action if necessary.

**B) Suspension :**

- i) If the Governing Body finds that a teacher is alleged to be guilty of a lapse or an offence of a serious nature and if there is a reason to believe that in the event of the offence being proved against him, he would deserve to be removed or dismissed from service, the competent Authority/Officer shall first decide whether the person concerned should be placed under suspension.
- ii) During the period of suspension, a teacher shall be paid a subsistence allowance equal to his full pay & allowances admissible, pending regular enquiry.
  - a) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the pay excluding the allowances admissible during the period of the first 3 months, if, in the opinion of the said authority the period of suspension has been prolonged beyond 3 months due to reasons to be recorded in writing directly attributable to the teacher.
  - b) The rate of dearness allowance will, as the case may be, vary according to the decreased amount of pay admissible under sub-clause (a) above.

**Explanation :**

- 1) No payment under this rule shall be made to a teacher unless he furnishes an undertaking to the effect that he has not accepted any private employment or is not engaged in a trade or business during the period of his suspension.
- 2) While under suspension, the resignation of a teacher shall not be accepted.
- 3) No leave shall be granted to a teacher while he is under suspension.
- 4) The suspension order shall be served in the form as specified, (Appendix-1).

**C) Appointment of an Inquiry Authority/Officer :** Immediately after the decision to hold an inquiry of a teacher is taken, the competent authority shall appoint an Authority/Officer with the approval of the University to hold the departmental inquiry into the conduct of the teacher concerned. The Officer to be so appointed shall, as far as possible, not be the person who has made any preliminary investigation into the conduct of the teacher. The order appointing the Inquiry Authority/Officer shall be generally in the form as specified (Appendix J).



D) **Charge sheet :** The Inquiry Authority/Officer appointed according to Clause (C) above shall prepare the charge sheet in the form as specified (Appendix-K) and serve it on the person concerned. The charges should be very specific. The charge sheet should also be accompanied by statement of allegations on which the charges are based. The documents, which have been relied upon while framing the charges shall be made available to the person charged, to inspect and to take extracts wherever necessary. The person concerned shall be required, within a period of 30 days to put in a written statement of his defence and to state whether he desires to be heard in person.

E) **Oral Inquiry :**

- i) On receipt of the written statement of defence of the person charged, the Inquiry Authority/Officer shall fix a suitable date for the oral inquiry at which the teacher charged shall be heard in person in the first instance on the preliminary points such as whether he has received the charge sheet etc. The Inquiry Authority/Officer shall then examine at the oral inquiry, witnesses, if any, about whom advance intimation is given by the College/recognised Institution to the teacher charged, on behalf of the College/Recognised Institution in presence of the teacher charged who shall be allowed to cross examine the witnesses, if he so desires. After the oral and written evidence to be led by the College/Recognised Institution is over, the representative of the College/Recognised Institution shall declare in writing accordingly before the Inquiry Authority/Officer. The teacher charged shall then be allowed to produce his witnesses, if any, at the oral.

Inquiry about whom advance intimation regarding his intention to produce witnesses on his behalf is given to the other party. The teacher charged will then give his written statement or be heard in person before the Inquiry Authority/Officer.

- ii) The teacher charged shall not be allowed to have the aid of a pleader at the oral inquiry. However, he will be entitled to represent his case through any other teacher in the same college or any other college under the same management.
- iii) The depositions of the teacher charged and of the witnesses examined at the oral inquiry shall be recorded in writing in a narrative form. The depositions thus recorded shall be read out on the spot to the person charged or the witness, as the case may be, and his signature taken on each deposition in token of having read it out to him.

**Explanation :** Even if the teacher charged does not specifically or otherwise express a desire to be heard in person, an oral inquiry shall be held to record the statements of witnesses, if any, on behalf of the College/Recognised Institution and to corroborate the evidence on hand. The teacher charged shall be informed of the date and time fixed for the oral inquiry and also told that witnesses on behalf of the College/Recognised Institution will be examined at the oral inquiry in his presence and that he may, if he so desires, cross-examine them.

**F) Final statement of defence of the teacher charged :** After the oral inquiry is over, the Inquiry Authority/Officer shall ask in writing the person concerned to state within a specified time limit whether he has anything further to state in the light of the proceedings at the oral inquiry.

**G) Report of the Inquiry Authority/Officer :**

i) The inquiry shall be completed within 3 months from the date on which the charge sheet is served on the concerned teacher and within not later than 6 months from the date on which the Governing Body takes a decision to hold an inquiry against the teacher on the basis of the report of the preliminary Inquiry.

ii) After the oral inquiry is over and the teacher charged has given his final statement of defence, the Inquiry Authority/Officer shall prepare their/his inquiry report dealing with all the charges framed against the person concerned on the basis of the evidence (both documentary and other) before them. He shall take care to see that they/he examine/s the charges in an objective and not subjective manner. They/he shall submit their/his report to the authority concerned, within a reasonable time, together with the following accompaniments :

- 1) Copy of the charge sheet served on the teacher concerned together with a copy of the statement of allegations.
- 2) Statement of defence given by the teacher charged in reply to the charge sheet.
- 3) Proceedings of the Oral inquiry.
- 4) Final statement of defence if any, given by the person charged.
- 5) Copies of other documents, if any, relied upon by the Inquiry Authority/Officer.

iii) The Inquiry Authority/Officer shall take care to see that their/his recommendation regarding quantum of punishment, if any, to be inflicted upon the teacher concerned is not included in his inquiry report. He should make this recommendation in a separate confidential communication.





- H) **Action to be taken on the Inquiry Authority/Officer's Report.** On receipt of the Inquiry Authority's/Officer's report, the competent authority shall immediately decide the action to be taken in the light of the findings of the Inquiry Authority/Officer, and the record of the teacher's past service. In case charges are held as not proved and no action is proposed to be taken the competent authority shall inform the teacher accordingly. In case any of the charges against the teacher concerned are held as proved, the competent authority shall decide the quantum of punishment to be inflicted on him and shall give him notice in the form as specified, (Appendix 'L') asking him to show cause why the proposed punishment should not be finally inflicted on him. The person concerned shall also be supplied with a copy of the Inquiry Authority's/Officer's Report along with the show cause notice and copies of any other document related to the case, if demanded by the teacher.

**Explanation :**

- 1) Although this Statute contains the procedure to be followed before inflicting a penalty classified as major, it shall be open to the competent authority to reduce the quantum of punishment and to inflict one of the minor penalties, if it so decides. In such cases the show cause notice to be given need not be elaborate as specified.
  - 2) When it is proposed to inflict the punishment of removal from service on a teacher, it would be desirable to mention in the show cause notice the maximum punishment of dismissal. The competent authority shall have the discretion to reduce the punishment to a lower magnitude.
- I) **Final action :** On receipt of a reply to the show cause notice from the teacher concerned, the quantum of punishment shall be finally decided by the competent authority with due consideration of the reply given by the teacher concerned to the show cause notice and the necessary action taken as soon as possible.

**Explanation :** The order of removal or dismissal from service shall be served in the form as specified (Appendix 'M'.)

**S. 217 :**

1. **Treatment of the period of Suspension :** If, after the conclusion of the proceedings against a teacher, he is reinstated in service, the competent authority shall decide, as per provision given hereunder No. (b) the manner in which the period of suspension should be treated.



- a) If the teacher is fully exonerated of the charges against him or if it is held that his suspension was not justified, he shall be treated as on duty during the period of his suspension and given his full pay and allowances for the period.
- b) If the person is not fully exonerated he should be given pay equal to (i) subsistence allowance or (ii) certain percentage of pay depending upon the merit of the case. The period can be converted into leave due and admissible only at the express desire of the teacher concerned.

**Explanation :** The subsistence allowance already paid to the teacher shall be adjusted against the payment to be made to him under this Statute.

2. **Suspension to be mentioned in the Service Book of a Teacher :** The period of suspension of a teacher shall be mentioned in the service book of the teacher. In the case of the subsequent exoneration from the charges against the teacher, the fact shall be entered in Service Book.
3. **Acting arrangement to be made in place of a teacher under suspension :** It shall be open to the competent authority to make such acting arrangements as may be necessary for the discharge of the duties assigned to a teacher under suspension. The grant of pay and allowances under the Statute 217 shall not cancel the acting arrangements already made.
4. **Action to be taken when a teacher is convicted in a Court of Law :** If a teacher is convicted for a criminal offence in a Court of Law, he shall forthwith be dismissed or removed from the service of the College/Recognised Institution without following the procedure laid down in Statute 216. The necessary order of dismissal or removal shall be served on him immediately on receipt of the official decision of the Court of Law. If, however, as a result of an appeal with the higher court, the employee secures an honourable acquittal, the competent authority shall revise its decision and immediately on receipt of the decision of the Court reinstate him in service. In such cases the interval between the date of dismissal of a teacher and the date of his reinstatement shall be treated as leave due and admissible to him.

**Explanation :** A teacher may be put under suspension as soon as criminal case is filed in the court against him.

5. **Cases of teachers who are acquitted by a Court of Law, to be inquired into Departmentally :** In a case in which a teacher is tried by a court of Law for some criminal offence but is acquitted by a Court by giving him the benefit of doubt it shall be open to the



competent authority to proceed against him departmentally if there is reason to believe that the person concerned is responsible for moral turpitude although from the legal point the evidence may not be sufficient to prove his offence. In such a case the question of holding a departmental inquiry into his conduct shall be decided immediately after the receipt for the official decision of the Court of Law. The proceedings against him shall be held in accordance with the procedure laid down.

**Explanation :** In case the competent authority considers that the infliction of a minor penalty specified in Statute 212 shall serve the purpose, the person concerned may be dealt with in accordance with the procedure laid down in Statute 215.

**S. 217-A :** Code of conduct and Procedure for enquiry of Principals of affiliated Colleges/Heads of Recognised Institutions.

**I) Code of Conduct :** The code of conduct shall be as follows :

- a) He shall not discriminate one employee against another on any non-academic grounds; his treatment to all shall be equal, objective and impartial.
- b) His outlook and views shall be thoroughly social, democratic, rational, modern and liberal.
- c) He shall decide each and every matter on academic/administrative merits and not on any extraneous considerations.
- d) He shall not refuse to carry out the instructions or decisions of the University nor shall he divulge any confidential information relating to the affairs of the University including the examinations work entrusted to him by the University or any other confidential work entrusted to him by the College/management to any person not authorised in respect thereof.
- e) In addition, as being basically a teacher, he shall observe the Code of Conduct prescribed for teacher, also, as in Statute No. 211 (2).

**II) Procedure of Enquiry :**

- a) Whenever the Governing body of an affiliated College or the Recognised Institution finds that there are grounds for holding an enquiry against the Principal or the Head of the Recognised Institution which may result in imposing major penalty, a preliminary enquiry shall be held by the Governing body into the allegations against the Principal or the Head of the Institution to find out whether there is a *prima facie* case against him. The persons concerned shall be given an opportunity to represent his case at the time of this preliminary enquiry. The findings of this enquiry shall be considered by the Governing Body. However, before implementing the decision taken in this behalf the



preliminary enquiry shall be forwarded to the Vice-Chancellor for his approval to the action proposed to be taken against the Principal or the Head of the Institution.

- b) On receipt of the approval of the Vice-Chancellor, a regular departmental enquiry shall be ordered by the Governing Body as provided in Statute 216.
- c) The provision of Statutes 211 to 218 (both inclusive) shall, unless the context otherwise requires, apply to the inquiry to be held against the Principal or the Head of the Institution, with the following amendments, namely :-
  - i) for the word "teacher" the word "Principal" or Head of the "Recognised Institution" shall be substituted;
  - ii) for the words "Principal/Head of the Recognised Institution" the words "President or Chairman of the Governing Body" shall be substituted.

#### S.218 : Tribunal of Arbitration :

- a) **Affiliated College/Recognised Institution** : Any teacher who is dismissed, removed or reduced in rank, shall be entitled to an appeal to a Tribunal of Arbitration as provided under Sections 42-A to 42-H of the Act.
- b) In all other cases of punishment which are not covered by (a) above excepting punishment of reprimand and warning or censure not going on record the concerned teacher may file an appeal to the University and the decision of the Executive Council in the matter shall be final.

#### S.219 : Honorary Teachers :

No teacher shall be appointed in Honorary capacity to do regular teaching at the college or a Recognised Institution except in special subjects where services of specialists or professional persons are required. In exceptional circumstances, the Executive Council may permit College/Recognised Institution to appoint a teacher in honorary capacity on the following conditions to do regular teaching in relaxation of this rule but the work-load should not exceed that of a part-time teacher.

- a) An honorary teacher shall be bound by the rules of conduct and discipline laid down by the College/Recognised Institution for teachers.
- b) An honorary teacher shall be given fixed remuneration for his work on lecture basis or on lump sum basis in a College/Recognised Institution but shall not be eligible to receive any allowance such as D. A , C. L. A., H. R. A. etc.
- c) The appointment of an honorary teacher will be from year to year basis and extended if required.



- d) The rules pertaining to retirement and superannuation applicable to full-time teachers will be made applicable to honorary teachers also.
  - e) The services of an honorary teacher can be terminated by either party by serving the other party in advance a notice in writing of at least thirty days, unless this notice is waived by the Chairman, Governing body.
  - f) An honorary teacher shall not be entitled to any leave if his remuneration is on lecture basis. In case the remuneration is on lump sum or term basis and his work load is equal to that of a part-time teacher, he will be eligible for a 15 days casual leave in a year as per rules. He will not be eligible for any other kind of leave. Such a teacher can be assigned some work besides teaching if required.
  - g) The provision pertaining to vacation will apply to honorary teachers also.
  - h) The appointing authority will be the Chairman, Governing Body.
- S.220 : Yet to be assented by the Chancellor.  
 S.221 : Appointment of Temporary Teachers :

The service conditions and leave rules given below will apply to temporary teachers, in the affiliated Colleges/Recognised Institutions, including those appointed on a contract basis or for a specific period or purpose.

1. A temporary teacher is ordinarily one who is appointed on full-time basis to a temporary post or in a temporary leave vacancy or notice of permanent appointment is not made in respect of a permanent post. Generally appointments in projects for a fixed period or appointments in leave vacancies should only be made for a fixed period. The period of such temporary appointment should not exceed two years except in special circumstances.
2. **Termination of Service etc.** : The services of a temporary teacher unless he is appointed for a fixed period either in a leave vacancy or a project shall not be terminated without giving one month's notice or in lieu thereof one month's pay on either side.
3. **Increment** : Service rendered in a temporary post on a graded scale shall count for increment provided the post carries such graded scale.
4. **Provident Fund** : A temporary teacher shall not be entitled to subscribe to the provident Fund.
5. **Handing Over charge** : A teacher before leaving service shall hand over the charge of his post to a duly authorised person and shall return to the College/Recognised Institution/Library, all books, furniture, equipments etc. issued to him or in the case of loss make good the same and shall pay up in full all charges due from him for occupation of residential quarters, water and electricity charges etc.

If he fails to do so, the Principal of affiliated College/Head of the Recognised Institution in which he is employed shall recover the amount due from such teacher on account of the above items from his last salary. The last salary will not be paid to the teacher concerned until a clearance certificate in the prescribed form as shown in Appendix 'B' is issued by the Librarian/Principal of the College/Head of the Recognised Institution. All dues payable to the teacher shall be paid to him/her on the date of relief after he has duly handed over his/her charge.

6. **Discharge Certificate :** The Principal of the College/Head of the Recognised Institution will give a discharge certificate as shown in Appendix 'C', on application, to a teacher who leaves service after due notice or to a teacher whose services are terminated, after making sure that the teacher leaving services, has paid off all amounts due by him to the College/Recognised Institution and obtained the said clearance certificate.

7. **Leave Rules :**

- a) **General :** Leave cannot be claimed as a matter of right. Discretion to refuse or revoke leave is reserved with the Chairman, Governing Body.
- b) **Casual Leave :** A teacher appointed on temporary basis will be entitled to casual leave as per rules prescribed under Statute 200 (B) (a).
- c) **Extra-Ordinary Leave without pay :** Extra-Ordinary leave without pay may be granted under special circumstances upto a period of 15 days at a time and such leave will not be granted more than once during the term of service.
- d) **Other Leave :** A teacher who is appointed to a temporary post for a period exceeding one year, will be entitled to the benefits of sick leave and other leaves as approved for permanent teachers but only after he completes one year's continuous and active service.
- e) **Sanctioning Authority :** The sanctioning authority for granting casual leave and other kinds of leave, except as specified under Statute 200 (B) (i) will be the Principal of the College/Head of the Recognised Institution under whom he is working.

8. **Vacation :** A Temporary teacher will be entitled to Vacations as prescribed under S. 201. Non-vacation teachers will be eligible to earned leave, as per rules, if they complete one years' active service.

9. **Other Conditions :**

- a) The rules pertaining to retirement and superannuation applicable to permanent full-time teachers will be applicable to temporary teachers.



- b) Temporary teachers will be bound by rules of conduct and discipline applicable to permanent teachers and will follow the rules related to duties laid down for permanent teachers.
- c) A temporary teacher shall be allotted supervision and other examination work as allotted to permanent teachers.
- d) A temporary teacher shall be assigned co-curricular, administrative work related to training programmes and other curricular activities, besides actual teaching as assigned to permanent teachers.

S. 222. Rules regarding the payment of salaries to the teacher who ceases to be a teacher at the end of the 1st term or the II term shall be as follows :

- i) If he has served for a major part of the whole academic year and if he ceases to be a teacher at the end of the second term he will be paid his salary upto the 14th of June, following the end of the second term.
- ii) If he has served for a major part of the first term and if he ceases to be a teacher at the end of the first term, he will be paid his salary upto the 15th of November.
- iii) If he has served for a major part of the second term and he ceases to be a teacher at the end of the second term, he will be paid his salary upto the 30th of April.
- iv) Provisions contained in Statute (i) to (iii) above shall not apply to : (a) those appointed in leave vacancy or fixed period and (b) to a teacher who has left the service of his own accord.

N.B. : 1) "major part" means more than one half.

2) "Left the service of his own accord" means and includes "one who has abandoned or deemed to have abandoned his services as per S. 223 as also one who has resigned or has terminated his service by giving notice."

#### S 223. Abandonment of Service :

A) A teacher may be deemed to have abandoned service in the following circumstances :

- i) If a teacher absents from duty and does not apply for leave within seven days thereafter, or having so applied does not join within seven days of refusal thereof.

OR

- ii) If a teacher on leave does not apply further leave within seven days from the expiry of the leave period.

OR

- iii) If a teacher absents from duty after tendering his resignation and before the acceptance thereof.

B) The teacher who is thus deemed to have abandoned service shall be liable to pay to the college or institute, sum equal to his salary as laid down below :-

- i) Salary of one month if he is temporary.
- ii) Salary of three months if he is confirmed or deemed to have been confirmed.

S.224 :

1. i) An orthopaedically handicapped teacher will be eligible for conveyance allowance only if he or she has a minimum of 40% permanent partial disability of either upper or lower limbs or 50% permanent partial disability of both upper and lower limbs together. For purposes of estimation of disability, the standards as contained in the Manual for Orthopaedic Surgeon in Evaluating Permanent physical impairment brought out by the American Academy of Orthopaedic Surgeons U. S. A. and published on their behalf by Artificial limbs Manufacturing Corporation of India, G. R. Road, Kanpur shall apply.
- ii) The conveyance allowance will be admissible to the Orthopaedically handicapped teachers on the recommendation of the Head of Orthopaedics Department of a Government Hospital.
- iii) In the case of a blind teacher the allowance will be admissible on the recommendation of the Head of Ophthalmological Department of a Government Hospital.
- iv) The allowance will not be admissible during leave ( except casual leave ), joining time or suspension.
2. The teachers concerned shall accordingly apply to the Director of Education ( Higher Education ), through the college concerned for the grant of the special conveyance allowance. The allowance may be granted with effect from the date, the recommendations of the concerned medical authority is received by the Director of Education (Higher-Education). However, in the case of the existing teachers, the allowance may be granted with effect from 1-4-1981. The allowance should be drawn alongwith the pay of the concerned teachers in the monthly salary bill.
3. In cases, where handicapped teachers are referred by the Director of Education ( Higher Education ) to the Government hospitals located outside teacher's headquarters for getting recommendations for grant of conveyance allowance, they may be reimbursed the actual travelling expenses, subject to a maximum travelling allowance admissible for a journey on tour without any daily allowance for the period of journey and for halts. The period spent on journeys as also at the hospital, shall, however, be treated as duty.

S. 225 : Deputation Leave :





A teacher may at the discretion of Governing Body be deputed to any other College or Recognised Institution on terms and conditions given below :

1. The Governing Body may, at its discretion, consider the requests from other Colleges/Educational Institutions, for a loan of services of teacher of the College/Recognised Institution provided that he is confirmed in his post.
2. The deputation of such employee be, in the first instance, for a period of one year. After having reviewed the case at the end of this Period, the Governing Body may extend the period, if necessary, by one more year.
3. In the case of teacher whose services are loaned on deputation, the Institution concerned shall be required to send to the Governing Body on or before the 5th of each month the provident fund contribution. Gratuity Fund contribution, equivalent to the amount that the employee would have drawn ordinarily, had he continued in the College/Recognised Institution, on his substantive post, along with the equal share of the employee's subscription. Such amount shall be credited to the employee's account in the College/Recognised Institution.
4. The Institution concerned will also pay to the College/Recognised Institution, the leave salary for the leave earned by the teacher during the period of loan service.
5. The teacher concerned on deputation will be eligible to increments during the period of deputation which will be accumulated and he will be entitled to draw the same on rejoining.
6. The seniority of person on deputation shall not be affected on his return to the parent Institution.
7. The teacher on deputation shall not apply for any post during the period of deputation without prior permission of the parent College/Recognised Institution.

S. 294 : For purposes of service condition of teachers in the non-Government Engineering Colleges affiliated to the University "Teacher" means and shall include Principals, Professors, Assistant Professors, Readers, Lecturers, Lecturers in Senior Scale, Lecturers in Junior Scale, Assistant Lecturers, Directors of Physical Education. The term "Teacher" includes full-time teachers as well as part-time and honorary teachers.

S. 295 : Salary Scales of pay of Teachers in Non-Government Engineering Colleges affiliated to the University :

The pay scales shall be as follows :

a) Teachers in Technical Subjects Designation.	Existing Scale of Pay.	Revised Scales of Pay.
1	2	3
i) Principal ( In addition to scales of pay in col. 2, Principals were entitled to a Spl. Pay of Rs.200/- p.m. and rent free quarters.,	Rs. 900-50-1350 ( For those who hold only the prescribed qualification).	Rs. 1500-60-1800-100-2000-125/2-2500+ Rs. 100/-as Spl. Pay p. m. and rent free quarters
	Rs. 900-50-1450 ( For those possessing a Second class post-graduate Degree in Engineering).	
ii) Professor	-do-	Rs. 1500-60-1800-100-2000-125/2-2500.
iii) Asstt. Professor	Rs. 650-45-1100-50-1200.	Rs. 1200-50-1300-60-1900.
iv) Lecturer	Rs. 400-25-550-30-640-EB-30-820-40-940.	Rs. 700-40-1100-50-1600.
b) Teachers in academic (Non-Technical) subjects :		
i) Professor/Senior Lecturer	Rs. 700-40-1100	Rs. 700-40-1100-50-1300. Assessment-50-1600.
ii) Assistant Prof./Lecturer (Senior Scales)	Rs. 400-30-640-40-800.	
iii) Lecturer (Junior Scale)	Rs. 300-25-600.	
c) Designation	Existing Scales of Pay Rs.	Revised Scales of Pay Rs.
i) Assistant Lecturers in Technical subjects	300-15-390-20-430 EB-20-550-25-575.	500-20-700-25-900
ii) Assistant Lecturers in non-Technical subject.	250-15-400	500-20-700-25-900

The above revised scales of pay shall be deemed to have come into force w. e. f. January 1, 1973.



The teachers who elect to retain their scales of pay existing prior to 1st January, 1973 in accordance with the Education and Youth Services Department, Government of Maharashtra Resolution No. GEC-5474/41439 (1591) IX, dated 10th January, 1979, shall be as given above as *Existing Scales of Pay*.

*Explanation No. 1 :* The revised pay-scales are inclusive of D. A. admissible on 1-1-1973. The teachers will be eligible to get the D. A. equal to the increases sanctioned by the State Government effective from a date after 1-1-1973. Similarly, the teachers will be eligible to get effective from 1-1-1973 onwards house rent allowance and compensatory local allowance as admissible to State Government employees from time to time in addition to the pay in the revised scale.

*Explanation No. 2 :* Those teachers who have opted to remain in the existing scales till the date shown in the option form shall not be permitted to change the option once exercised. They will be entitled to get dearness allowance as per the rates admissible to State Government employees getting unrevised scales of pay.

- a) If a Principal proceeds on earned leave at a time other than vacation or if there is a temporary vacancy of the post of Principal the vacancy shall be filled in by assigning the current duties of the post of Principal to the Vice-Principal in addition to his own duties, if there is a post of Vice-Principal. In case there is no post of Vice-Principal, the current duties of the post of Principal shall be assigned to the senior most teacher in the College in addition to his own duties as an alternative arrangement. For these additional duties of the post of Principal the person holding the additional charge shall be paid special pay of Rs. 100/- p. m.
  - i) such allowance be granted in the cases where the additional charge is held for not less than 15 days; and
  - ii) special pay is restricted for a period of six months only.
- b) Any other teacher who is required to work during vacation shall be entitled to leave on full pay and allowances for 1/3 number of days for which he is required to work during vacation.

S.296 : Mode of Recruitment of Teachers/Principals :

Mode of recruitment of Teachers and Principals of non-Government Engineering Colleges, affiliated to the University shall be as under :

1. There shall be a selection committee for making recommendations to the management of the colleges for the appointment of teachers and Principals of Non-Government Engineering Colleges affiliated to the University consisting of the following members :
  - i) Chairman, Governing Body of the College or his nominee, who shall be a member of the Governing Body of the Institution;



- ii) the Director of Technical Education;
- iii) The Assistant Educational Adviser (T), Ministry of Education and Social Welfare, Western Regional Office, Bombay;
- iv) a nominee of the Vice-Chancellor of the University to which the college is affiliated;
- v) two experts from the panel of experts prepared by the All India Council or Technical Education;
- vi) the Principal and Secretary of the college as Ex-Officio member where selection is not for the post of Principal.

S. 297 : Yet to be assented by the Chancellor.

S. 298 : The Appendix H shall be as follows :

[ Note : The work-load shown above under S.298 pertains to teachers in Non-Govt. Engineering Colleges.]

#### APPENDIX-H

**Work-Load :** The total teaching load should be shared by the various categories of teachers according to the following average teaching hours per week.

Principal	- 4 hours
Head of Department	- 10 hours
Professors	- 12 hours
Assistant Professors	- 14 hours
Lecturers	- 16 hours
Asstt Lecturers	- 14 hours

S. 454 : Appointment of Vice-Principal in the affiliated non-Government Colleges/Recognised Institutions.

1. The appointment of Vice-Principal in an affiliated College/Recognised Institution is not compulsory. The Management and the Principal of the College/Recognised Institution, if they desire, may appoint the Vice-Principal. But while appointing Vice-Principal, the following norms shall be observed :
  - a) In the affiliated College/Recognised Institution, having more than one faculty the Vice-Principal shall be of the faculty other than the faculty to which the Principal belongs.
  - b) The Vice-Principal can be appointed in a one-faculty College/Recognised Institution if the strength of students is more than 500 taking into account the strength of Jr. Classes also, and additional Vice-Principal if the strength of the students is more than 1200.
  - c) The teacher to be appointed as Vice-Principal must have at least ten years' teaching experience.



2. While making appointment of the Vice-Principal the following further norms shall be followed :
  - a) Applications from the eligible teachers working in the College/Recognised Institution shall be invited.
  - b) The teacher for the post of Vice-Principal shall be selected in an interview by the Selection Committee.

3. The Selection Committee shall consist of :
  - a) The Chairman of the Management or his nominee (Chairman.)
  - b) Two representatives nominated by the Vice-Chancellor.
  - c) One representative nominated by the Management.
  - d) The Principal of the College/Recognised Institution.

The Report of the Selection Committee shall be held as legal and acceptable only if at least one nominee of the Vice Chancellor is present at the time of interview.

4. The Report of the Committee shall be submitted to the Vice Chancellor and the appointment of the Vice-Principal shall be made on approval of the Vice-Chancellor. The decision of the Vice-Chancellor shall be final.
5. The remission in work-load of the Vice-Principal will be given as per Government rules only if the appointment of the Vice-Principal is made as per the norms mentioned above. However, if any allowance is paid to the Vice-Principal by the Management it shall not be admissible for Government Grant.
6. The Travelling and Daily Allowance shall be paid to the nominees of the Vice-Chancellor by the Management of the College/Recognised Institution as per the University Ordinances.
7. In case the Vice-Principal is not appointed in a College/Recognised Institution the charge of the post of Principal during the leave period of the Principal shall be given to the Senior most teacher in the College/Recognised Institution as per the letter No.RSP/1083/16920/VI-A, dated 17th June, 1983 from the Director of Education (Higher Education) and/or in any other order/s that would be issued by the Government of Maharashtra from time to time.

APPENDIX 'A'  
Statute-195 :

Form of Appointment Order of a Teacher

From : \_\_\_\_\_

To : \_\_\_\_\_

With reference to your application dated \_\_\_\_\_ the Management/Principal is pleased to inform you that you are hereby appointed as a Full-time/Part-time teacher as \_\_\_\_\_ in \_\_\_\_\_ subject in \_\_\_\_\_ College at \_\_\_\_\_ on Rs. \_\_\_\_\_ in the scale of Rs. \_\_\_\_\_ with effect from \_\_\_\_\_.

Your appointment is on probation/purely temporary upto \_\_\_\_\_

Your services shall be governed by the provisions of Shivaji University Act, 1974 and the Statutes, Ordinances, Regulations and Rules made thereunder from time to time.

You will be eligible to get all allowances as per rules.

If your acceptance is not received upto \_\_\_\_\_ your appointment is liable to be cancelled.

In case you accept the appointment you shall have to sign the agreement in the enclosed form at the time of joining the duties.

Agreement

This agreement made on the \_\_\_\_\_ day \_\_\_\_\_ 198 \_\_\_\_\_ between Shri/Smt /Dr \_\_\_\_\_ and the Management/Principal of the College/Head of the Recognised Institution established by \_\_\_\_\_

It is hereby agreed by and between the parties hereto as under :

- 1) The Management/Principal \_\_\_\_\_
- 2) Shri/Smt./Dr. \_\_\_\_\_  
appointed under letter No. \_\_\_\_\_  
dated \_\_\_\_\_.



We hereby agree to abide by the provisions of Shivaji University Act, 1974 the Statutes, Ordinances, Regulations and Rules made thereunder from time to time.

Signature

Signed and Sealed on behalf of the Management.

Signature of the employee.

Principal of the College/Head of the Recognised Institution.

Place :

Place :

Date :

Date :

Witnesses :

Name

Address

Signature.

1)

2)

### APPENDIX 'B'

Statute-206 : 221 (5)

#### Certificate of Handing over-Charge

Date :

I, \_\_\_\_\_ (Designation), in the College/Recognised Institution, have handed over the charge of my post to \_\_\_\_\_ on the eve of \_\_\_\_\_ as I have resigned my post from the eve of \_\_\_\_\_.

I have already submitted a clearance certificate obtained from Principal of the affiliated College/Head of the Recognised Institution, stating that no property or money belonging to the College/Recognised Institution is in my possession.

I have already handed over possession of flat/premises occupied by me in the College/Recognised Institution premises.

Signature of the employee.

I, \_\_\_\_\_ (Designation), in College/Recognised Institution, have taken over the charge from \_\_\_\_\_ in the College/Recognised Institution who has resigned his post from the eve of \_\_\_\_\_.

No property belonging to the College/Recognised Institution is in his possession. The premises occupied by him in the College/Recognised Institution for his residential accommodation is also been duly vacated and handed over by him.

List of the Property  
Handed over to me.

Principal of the College/Head  
of the Recognised Institution.

**APPENDIX 'C'**

Statute-207 : 221 (6)

**Discharge Certificate**

Date :

This is to certify that Shri/Smt./Kum. \_\_\_\_\_  
 \_\_\_\_\_ who was in the employment of the College/  
 Recognised Institution as \_\_\_\_\_ has been  
 left/relieved from the Services of the College/Recognised Institution from  
 \_\_\_\_\_. The College/Recognised Institution has no  
 objection if he/she is selected for any other post.

Principal of the College;  
 Head of the Recognised  
 Institution.

**APPENDIX 'I'**

Statute 216 (B)

**Form of Suspension Order**

As decided by the Governing Body of the Affiliated College/Head of  
 the Recognised Institution by resolution No. \_\_\_\_\_ passed at its  
 meeting held on \_\_\_\_\_

I, \_\_\_\_\_ do hereby suspend  
 you (Shri \_\_\_\_\_) from the service  
 of the College/Recognised Institution with effect from  
 \_\_\_\_\_  
 on the charge of \_\_\_\_\_.

2. It is also ordered that a regular Departmental Inquiry be held  
 into your conduct. Orders appointing an Inquiry Authority/Officer for the  
 purpose are being issued separately.

3. You should note that it is not permissible for you to accept any  
 employment or to do any business while you are under suspension. Any  
 breach of this condition shall render you liable to forfeit your claim for  
 subsistence allowance.

4. Pending further orders you shall be paid a subsistence allowance  
 equal to your half of salary i. e. on half pay on the date of suspension plus  
 such other allowances as may be admissible.

By Order,

Place :

Date :

Principal of the College/  
 Head of the Recognised Institution.



**APPENDIX 'J'**

Statute-216 (C)

**Form of Appointment of Inquiry Authority/Officer**

As it has been decided to hold a Departmental Inquiry into the conduct of Shri \_\_\_\_\_ on the charge (s) mentioned in the margin an Authority/Officer consisting Shri \_\_\_\_\_ (Designation)

\_\_\_\_\_ is appointed to hold the inquiry in accordance with the prescribed procedure. A proforma in which the charge sheet is to be served on Shri \_\_\_\_\_ is attached \_\_\_\_\_ Shri \_\_\_\_\_ is requested to see that they/he complete/s the inquiry and submit/s their/his report expeditiously and in any case on or before \_\_\_\_\_.

Place :

Date :

Chairman of Governing Body.

**APPENDIX-'K'**

Statute-216 (D)

**Form of Charge Sheet**

I, (Name and Designation) \_\_\_\_\_ appointed Inquiry Authority/Officer by the order issued by \_\_\_\_\_ under his No. \_\_\_\_\_ of \_\_\_\_\_ to hold a Departmental Inquiry into your conduct do hereby charge you (Shri \_\_\_\_\_) as under :-

1

2

etc.

2. A statement of allegations on which the charges are based is attached herewith.

3. You are called upon to put in your written statement of defence alongwith such documents as you intend to rely on in your defence in answer to the above charges within \_\_\_\_\_ days from the date hereof and to state at the same time whether you desire to be heard in person. If you desire to examine any witness in your defence you are called upon to furnish at the same time the names and addresses of your witnesses. On your failure to put in your statement or to furnish the names and addresses of your witnesses within the time allowed to you, it will be presumed that you do not wish to make a statement or to furnish the names and addresses of any witnesses.

4. You are further called upon to state why the above charges or any of them, if held proved, should not be considered as good and sufficient ground for imposing upon you any one of the penalties specified in the Statutes of the Shivaji University. Any representation that you may make with regard to the action taken against you would be considered by the competent authority before the final order of punishment is passed. You may, if you so desire, take inspection of relevant documents and if you further so desire you may take copies of required documents.

Date :

Place.

Inquiry Authority/Officer,

**APPENDIX 'L'**  
Statute-216 (H)

### Form of Show Cause Notice

From : \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Subject : Disciplinary action**

Sir :

I am to forward herewith a copy of the report submitted by the Inquiry Authority/Officer who conducted the Departmental inquiry into your conduct and to state that with due consideration of the findings arrived at in this respect it has been held that Charges Nos. \_\_\_\_\_ mentioned in the charge sheet served upon you have been proved against you. It is, therefore, proposed to dismiss/remove you from the service of the College/Recognised Institution, retire you compulsorily from the service of the College/Recognised Institution, reduce you to a lower post or grade or the lower stage of increment in your present time-scale. You are hereby called upon to show cause within \_\_\_\_\_ days from the date of receipt



of this notice why the proposed action should not, for good and sufficient reasons, be taken against you. On your failure to show cause within the time allowed to you, it will be presumed that you do not wish to show cause.

2. You are requested to acknowledge receipt of this letter.

Yours faithfully,  
(Designation)

Encl : As above

APPENDIX 'M'  
Statute-216 (I)

**Form of Order for Removal OR Dismissal**

(As decided by the Governing Body of College/Recognised Institution  
by resolution No. \_\_\_\_\_ passed at its meeting held  
on \_\_\_\_\_).

The Chairman of Governing Body hereby directs that  
Shri \_\_\_\_\_ should be  
dismissed/removed from the service of the College/Recognised Institution  
with effect from \_\_\_\_\_.

Hence, you are dismissed/removed from the service of the College/  
Recognised Institution.

By Order,

No.

Place :

Date :

Principal \_\_\_\_\_

College/Head of the \_\_\_\_\_

\* \* \*

