

BYE-LAWS

(First date of passing the Bye-Laws: 8/12/1975)

Latest Revision Completed June 10, 2010



TATA INSTITUTE OF SOCIAL SCIENCES

(A Deemed University, established under Section 3 of the UGC Act, 1956)

MUMBAI

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1.0 SERVICE RULES

1.1 Competent Authority

Competent authority means the “Governing Board” in the case of the Director and Deputy Directors; and the “Director” and “Deputy Directors”, as the case may be, for the other employees. The word “Board” wherever it appears, means Governing Board constituted as such under the Rules of the Institute.

1.2 Academic Staff

For the purpose of these Rules and Regulations, the expression Academic Staff will mean and include,

- (a) Members of the Faculty, i.e., Director,* Deputy Directors,* Professors, Associate Professors, and Assistant Professors;
- (b) Librarian, Deputy Librarians and Assistant Librarians;
- (c) Any other person declared to be a member of the Academic Staff by the Governing Board.

<p>* The status and entitlements of the positions of Director and Deputy Directors correspond to those of Vice Chancellor and Pro-Vice Chancellor in Universities.</p>
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1.3 Non-Academic Staff

Non-academic staff will mean and include all other staff not covered under 1.2 above.

1.4 Officers of the Institute

- (a) Director
- (b) Deputy Directors
- (c) Deans and Chairpersons
- (d) Librarian
- (e) Registrar
- (f) Such other persons designated as Officers by the Governing Board from time to time.

1.5 Appointments

1.5.1 Appointments to (i) academic posts in the grade of Assistant Professors and above, and (ii) non-academic posts in the grade of Assistant Registrar and above (except those to be filled by promotion as per UGC guidelines) will be made by inviting applications through advertisement in newspapers and on the basis of the recommendations of the Selection Committee appointed by the Governing Board as laid down in the Memorandum of Association, which will also include SC/ST representative in case of SC/ST candidates called for interview. The decision of the Board will be final in case it does not agree with the decision of the Selection Committee.

- (a) Notwithstanding anything contained in these rules, the Board may in special circumstances invite an eminent person, to fill the post of Professor or its equivalent and above in the Institute without the usual process of application/selection.
- (b) The Director may also appoint any person on contract in the prescribed pay and on terms and conditions applicable to the relevant post for a period not exceeding 5 years with a provision

of renewal for a further period. For making such appointments, the Director may at his/her discretion, constitute such ad hoc Selection Committee, as the circumstances of each case may require.

- (c) The Governing Board may also appoint on deputation a person to a post at the Institute on such terms and conditions, as may be mutually agreed upon by the parent organisation and the Governing Board.

1.5.2 For posts in grades below those mentioned in Clause 1.5.1 above, the vacancies will be notified to the Employment Exchange/advertised in newspapers/offered for promotion, as the case may be and selection made, on the recommendation of a Selection Committee in laid down at Clause 1.5.4. In the event of any disagreement among the members of the Selection Committee, on the selection of any candidate, the decision of the Director will be final.

1.5.3 The Governing Board will be the appointing authority for posts mentioned in Clause 1.5.1 above. The Director will be the appointing authority for posts mentioned in Clause 1.5.2 above, and also for appointments on an *ad hoc* basis in vacancies for a period not exceeding 11 months as also for temporary posts in projects, Visiting Faculty, Chair Professors and to such other posts, where only honorarium or short term contracts are involved.

- (a) The appointing authority reserves the right to: (i) relax any of the requirements with reference to age and experience in exceptional cases and/or in the case of persons already holding comparable positions on a regular basis in a University/Research Institution; (ii) consider names of suitable candidates, who may not have applied, but on the recommendations of the Selection Committee; (iii) not to fill up any of the vacancies advertised;
- (b) The Institute may conduct a written test/skill test for a post, at any place(s) at its discretion. Candidates found eligible/qualifying in the tests will be called for interview before the Selection Committee.
- (c) Possession of the prescribed qualifications and experience by themselves would not entitle an applicant to be called for a written/skill test and/or interview.

1.5.4 For posts mentioned in Clause 1.5.2 above, there will be Selection Committee consisting of:

- (a) A Deputy Director or anyone nominated by the Director as the Chairperson
- (b) Not more than three Faculty members to be nominated by the Director
- (c) The Registrar
- (d) Dean/Chairperson/concerned Head, in case of technical positions,
- (e) Head of the Personnel Section (holding the post of Assistant Registrar or above) as Member Secretary.

<p>Note: At least one faculty member must be present from out of those nominated under Clause 1.5.4(b) at meeting of the Committee</p>

1.5.5 Promotion to the post of Professor/Associate Professor/Assistant Professor in the Selection Grade will be made on the recommendation of the Selection Committee of the Institute referred to in Clause 1.5.1.

1.5.6 For placement of Assistant Professor in the Senior Scale, a Committee consisting of the Director, Deputy Director, School Dean/Chairperson of Independent Centres concerned and an external expert shall consider all cases of eligible Assistant Professors and make suitable recommendation to the Governing Board. The external expert will be selected by the Director, from the list of experts approved by the Governing Board, in consultation with the concerned School Dean/Chairperson of Independent Centre.

1.5.7 Every appointment shall be subject to the condition that the appointee is certified as being in sound health and physically fit for service by a medical officer of the Institute.

1.6 Probation

- 1.6.1 Subject to the provisions of the Memorandum of Association and Rules and Regulations, all appointments, including promotions, shall be made on probation, for a period of two years. The period of probation may be decreased, increased or terminated on the decision of the Governing Board, which will be final. In no case will the increase be beyond 36 months. If confirmed, the appointee shall continue to hold his/her office, subject to the provisions of the Memorandum only up to the specified age of his/her retirement (see Clauses 1.6.4 and 1.8 for extension and termination).
- 1.6.2 There shall be no probation for those who are invited by the Institute and appointed to a post on the recommendations of a properly constituted Selection Committee.
- 1.6.3 If a person avails of leave (except the Casual and Privilege leaves) during the period of probation, his/her probation will be extended by that period.
- 1.6.4 The appointing authority shall have the power to extend the period of probation of any employee of the Institute for a maximum period of one year extendable only by six months at a time, provided that if after the period of probation, the employee is not confirmed and his/her probation is also not formally extended, the employee shall be deemed to have continued on a temporary basis and that his/her services may then be terminated at a month's notice or on payment of a month's salary in lieu thereof.
- 1.6.5 New entrants to the Institute and on probation shall be eligible to join the Health Insurance Scheme immediately.

1.7 Retirement

- 1.7.1 In the case of the Director, the retirement age will be 70 years. For the Deputy Directors and all other faculty members, the age of retirement will be 65 years and that the retirement will be effective from the afternoon of the last day of the month in which age of superannuation is attained. A faculty whose date of birth is the first of the month, shall retire on the afternoon of the last day of the preceding month. Subject to availability of vacant positions and fitness, faculty members can also be re-employed on contract appointment beyond the age of 65 years, up to the age of 70 years. Re-employment beyond the age of superannuation shall, however, be done selectively, for a limited period of 3 years in the first instance and then for another further period of 2 years purely on the basis of merit, experience, area of specialisation and peer group review, and only against available vacant positions without affecting selection or promotion prospects of eligible faculty.
- 1.7.2 The age of superannuation of the Registrar, Librarian, Deputy Librarians and Assistant Librarians will be 62 years and that the retirement will be effective from the afternoon of the last day of the month in which age of superannuation is attained. Those whose date of birth is the first of the month shall retire on the afternoon of the last day of the preceding month.
- 1.7.3 In the case of the non-academic staff, the age of retirement will be 60 years.
- 1.7.4 Voluntary retirement is permissible to the permanent academic and non-academic staff in accordance with the Central Government rules by giving appointing authority three months' notice, provided that the appointing authority may for sufficient reasons reduce this period or direct the staff member concerned to pay an amount equal to the salary of the notice period not given, or call upon him/her to continue till the end of the semester.
- 1.7.5 The appointing authority shall have the power to retire an employee on invalid pension on account of any bodily or mental infirmity, effective from the date on which his/her leave expires, in the case of those who are on medical leave or the date of the medical certificate whichever is later, on medical grounds, certified by a medical officer of the Institute.
- 1.7.6 The Board shall have the power to retire an employee on grounds of retrenchment or economy by giving to the person concerned six months' notice in writing or on payment of six months' salary in lieu thereof.

1.8 Termination

1.8.1 The appointing authority shall have the power to terminate the services of an employee without any cause assigned during the period of probation with one month's notice or payment of one month's full salary in lieu thereof.

1.8.2 A permanent employee at the Institute may terminate his/her engagement by giving to the appointing authority three months' notice, provided that the appointing authority may for sufficient reasons reduce this period or direct the staff member concerned to pay an amount equal to the salary of the notice period not given, or call upon him/her to continue till the end of the semester.

1.9 Suspension and Disciplinary Action

1.9.1 The competent authority may place an employee under suspension when disciplinary proceedings are contemplated/pending, or when a case in respect of any criminal offence is under investigation, inquiry or trial, or the employee is involved in a case of "dowry death". The Institute will follow the Government of India Central Civil Services Classification, Control, and Appeal Rules and Fundamental Rules.

1.9.2 For the purpose of disciplinary action, the Institute will follow the Government of India Central Civil Services Classification, Control and Appeal Rules and Fundamental Rules.

1.9.3 The appointing authority may for good and sufficient reasons, impose on any employee the following penalties as stated in the Government of India Central Civil Services Classification, Control and Appeal Rules and Fundamental Rules:

- (a) Censure;
- (b) Withholding of increments;
- (c) Recovery of the whole or part of any pecuniary loss caused to the Institute by negligence or breach of rules or orders;
- (d) Reduction to lower service, grade or post or to a lower time-scale, or to a lower stage in a time scale;
- (e) Compulsory retirement;
- (f) Removal from service, which will not be a disqualification for future employment under the Institute;
- (g) Dismissal from service, which shall be a disqualification for future employment under the Institute.

1.9.4 No order imposing on an employee any of the penalties specified at (a) to (c) of Clause 1.9.3 above, shall be passed by any authority subordinate to that by which he/she was appointed and unless the employee concerned has been given an opportunity to make a representation to the Appointing Authority.

1.9.5 No order imposing on an employee any of the penalties specified at (d) to (g) of Clause 1.9.3 above, shall be passed by any authority subordinate to that by which he/she was appointed and except after an enquiry has been held and the employee has been given reasonable opportunity of showing cause why the action proposed against him/her should not be taken.

1.9.6 Notwithstanding the above provisions contained in Clause 1.9.4 and 1.9.5 above, it will not be necessary to follow the procedure mentioned therein in the following cases:

- (a) Where a penalty has been imposed on an employee as specified at (d) to (g) of Clause 1.9.3 above, on the ground of conduct which has led to his/her conviction on a criminal charge;
- (b) Where the authority empowered to impose the penalty as at (d) to (g) of Clause 1.9.3 above, is satisfied that for some reason to be recorded by the authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause;

OR

If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under Clause (b) of 1.9.6 above, the decision thereon of the authority empowered to impose the penalty shall be final.

- 1.9.7 An employee aggrieved by any order imposing penalty, passed against him/her by the Director shall be entitled to prefer an appeal to the Governing Board against the order through appropriate channels, and there shall be no further appeal on the decision of the Board.

No appeal under these rules shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order to be appealed against provided that the Governing Board may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant has sufficient cause for not submitting the appeal in time.

- 1.9.8 The authority to whom an appeal against an order imposing penalty lies under Clause 1.9.7 above may, on its own motion or otherwise, call for the records of the case in disciplinary proceedings, review any order passed in such a case and pass such order as it deems fit as if the employee concerned had preferred an appeal against such order.

Provided that no action under this rule shall be initiated more than six months after the date of the order to be reviewed.

- 1.9.9 (a) When an employee of the Institute against whom a penalty has been imposed under Clauses 1.9.3(d) to (g) above is re-instated, the authority competent to order the re-instatement shall consider and make a specific order:
- i) regarding the pay and allowances to be paid to the employee for the period of his/her absence from duty; and
 - ii) whether or not the said period shall be treated as a period spent on duty.
- (b) When such competent authority holds that the employee of the Institute has been fully exonerated, or in the case of suspension, that it was wholly unjustified, the employee shall be given full pay to which he/she would have been entitled had he/she not been penalised under Clause 1.9.3(d) to (g) above, together with any allowance of which he/she was in receipt prior to his dismissal, removal or suspension.
- (c) In other cases, the employee shall be given such proportion of pay and allowances as the competent authority may prescribe, provided that, the payment of allowances under Clause 1.9.9(a) or (b) above, shall be subject to all other conditions under which such allowances are admissible.
- (d) In a case falling under Clause 1.9.9(b) above, the period of absence from duty shall be treated as a period spent on duty for all purposes.
- (e) In a case falling under Clause 1.9.9(c) above, the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose.

1.10 Allowances and Benefits

- 1.10.1 The employees of the Institute shall be entitled to allowances as per the Government of India rules.

- 1.10.2 The employees of the Institute will be entitled to the retirement benefits as per Government of India Rules modified from time to time.

1.11 Health Insurance Scheme

The employees of the Institute will be members of Health Insurance Scheme as per rules framed from time to time; excepting where he/she or his/her spouse or dependent/parents are already members of other schemes.

- 1.12 An employee of the Institute shall devote his/her whole time to the service of the Institute and shall not engage directly or indirectly in any trade or business or any other work which is likely to interfere with the proper discharge of his/her duties, but the prohibition herein contained shall not apply to academic work and consultative practices undertaken with the prior permission of the Director, through proper channel.
- 1.13 Lien
- 1.13.1 Retention of lien may be permitted in case of permanent employees only who have put in a minimum of 5 years of service in the Institute, provided that his/her application for the new assignment had been routed through proper channel.
- 1.13.2 Retention of lien may be allowed for appointments/assignments outside TISS. The Institutions/organisations should include scientific/educational institutions. Universities, Government establishments/bodies/commissions (Central or State), Non-governmental Organisations and editorial assignments both within and outside the country, and such others which are in line with the employee's work and the areas of interest to the Institute.
- 1.13.3 During the lien period, contributions towards pension, leave salary, etc., as per Government of India norms and rates in force from time to time, shall become payable to TISS by his/her foreign employer or by the employee himself/herself, as the case may be.
- 1.13.4 The aforesaid contributions shall be made as per Government of India Rules.
- 1.13.5 Joining time, pay and T.A. for either of the ways for joining Foreign Service or on reversion there from shall not be borne by TISS.
- 1.13.6 During the period of foreign service of the employee concerned, the Institute will not incur expenditure on HRA and any kind of other compensatory allowances.
- 1.13.7 The release of an employee under lien terms will be subject to submission of 'No dues certificate' from all concerned.
- 1.13.8 Under normal circumstances, retention of lien shall be up to two years. After expiry of the lien granted, the employee shall either revert back to TISS or resign from his/her service at the Institute.
- 1.13.9 Retention of lien may be allowed more than once in the entire service period of the employee provided the employee has rendered approved service of not less than five years at the Institute since his/her return from previous lien.
- 1.13.10 Lien cannot be combined with any other leave.
- 1.13.11 Lien is not a matter of right. The sanction of lien is solely at the discretion of the Director.
- 1.13.12 A person cannot change organisation during the lien period without the prior approval of the Institute and sending the application through proper Institute channels.
- 1.13.13 An employee on lien will follow the Housing Rules of the Institute for retention/surrender of quarters.

2.0 CONDUCT RULES

2.1 Application

All employees of the Institute will be governed by the Conduct Rules, except where a particular category of staff is mentioned specifically.

2.2 Definitions

In this schedule, unless the context otherwise requires:

- (a) “Competent authority” means:
 - i) The “Governing Board” in the case of the Director and Deputy Directors.
 - ii) The “Director” and “Deputy Directors” as the case may be for the other employees.
 - iii) The appointing authority.
 - iv) Any other person so designated for a specific purpose.
- (b) “Member of the family” in relation to an employee includes:
 - i) The spouse, child, step-child or adopted child of such employee residing with the employee. Documentary evidence may need to be produced when required to support the claim.
 - ii) Any other person related, whether by blood or by marriage to the employee or to such employee’s spouse and wholly dependent on such Institute employee, for which documentary evidence may need to be produced when required to support the claim, but does not include legally separated spouse of the employee or child or step-child or adopted child who is no longer in any way dependent upon him or her, or whose custody the employee has been deprived of by law.
- (c) “Service” means service under the Institute.

2.3 General

- 2.3.1 Every employee shall at all times maintain absolute integrity and devotion to duty and also be strictly honest and impartial in official dealings.
- 2.3.2 An employee should at all times be courteous in dealings with other employees, students and members of the public.
- 2.3.3 Unless otherwise stated specifically in the terms of appointment, every employee is a whole-time employee of the Institute and may be called upon to perform such duties, as may be assigned to him/her by competent authority, beyond scheduled working hours and on Institute holidays and Sundays. These duties shall *inter alia* include besides the usual tasks, attendance at meetings of committees to which he/she may be appointed by the Institute.
- 2.3.4 An employee shall be required to observe the scheduled hours of work, during which he/she must be present at the place of duty.
- 2.3.5 Except for valid reasons and/or unforeseen contingencies, no employee shall be absent from duty without prior permission.
- 2.3.6 No employee shall leave station except with the previous permission of proper authority, even during leave or vacation.
- 2.3.7 Whenever leaving station, an employee shall inform the Registrar and the Dean/Chairperson to which he/she is attached, and the address where he/she would be available during the period of his/her absence from the station.

2.4 Participation in Political Activity

No employee of the Institute shall take part in political or public activity without prior information to the Director and such activity shall not affect his/her duties/performance.

2.5 Connection with the Media

No employee shall, except with the previous sanction of the competent authority, own wholly or in part, or conduct or participate in the editing or managing of any newspaper or other periodical publications.

2.6 Criticism of the Institute

No employee shall take part in any public discussion or make any statement in public, including the mass media.

- (a) which has the effect of an adverse criticism of any policy or action of the Institute, or
- (b) which is capable of embarrassing the relations between the Institute and the Central Government or any State Government or any other Institution or organisation or a member of the public. Provided that nothing in this rule shall apply to any statement made or views expressed by an employee in his/her official capacity or in the due performance of the duties assigned to him/her.

2.7 Evidence Before Committee or any Other Authority

2.7.1 Save as provided in 2.7.3 (c) below, no employee shall, except with the previous sanction of the competent authority, give evidence in connection with any inquiry conducted by any person, committee or authority.

2.7.2 Where any sanction has been accorded under 2.7.1 above, no employee giving such evidence shall criticise the policy or any person of the Institute or the Central Government or any State Government.

2.7.3 Nothing in this rule shall apply to:

- (a) evidence given at any inquiry before any authority appointed by the Institute, by the Parliament or by a State Legislature; or
- (b) evidence given in any judicial inquiry; or
- (c) evidence given at any departmental inquiry ordered by the Institute authorities; or
- (d) statements made on the basis of academic and intellectual pursuits of the faculty.

2.8 Unauthorised Communication of Information

No employee shall, except in accordance with any general or special order of the competent authority or in the performance in good faith of the duties assigned to him/her, communicate, directly or indirectly, any official document or information concerning the Institute to any person to whom he/she is unauthorised to communicate such a document or information including the press or in any other way.

2.9 Gifts

No employee shall, except with the previous sanction of the competent authority, accept or permit any other member of his/he family to accept from any person other than relations any gift of more than a trifling value.

2.10 Investment, Lending and Borrowing

2.10.1 No employee shall speculate in any business nor shall he/she make or permit any member of his/her family to make any investment likely to embarrass or influence him/her in the discharge of his/her official duties.

2.10.2 No employee shall lend money at interest to any person nor shall he/she borrow money from any person with whom he/she is likely to have official dealings.

2.11 Insolvency, Habitual Indebtedness and Criminal Proceedings

2.11.1 An employee shall so manage his/her private affairs as to avoid habitual indebtedness or insolvency. When an employee is found liable to be arrested for debt or has recourse to insolvency, he/she may be liable to dismissal. An employee who becomes the subject of legal proceedings for insolvency shall forthwith report full facts to the Institute.

2.11.2 An employee who gets involved in criminal proceedings shall immediately inform the competent authority, irrespective of the fact whether he/she has been released on bail or not.

2.11.3 An employee who is detained in police custody whether on criminal charge or otherwise for a period longer than 48 hours shall not join his/her duties at the Institute unless he/she has obtained written permission to that effect from the Director.

2.12 Vindication of Acts and Character of Employee

No employee shall, except with the previous sanction of the competent authority, have recourse to any court of law or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

Provided nothing in this rule shall be deemed to prohibit an employee from vindicating his/her private character or any act done by him/her in his/her private capacity.

2.13 Improper Conduct on the Part of Employees

- (a) If the act or conduct is prejudicial or likely to be prejudicial to the interests of the Institute or to the reputation of the Institute.
- (b) If the act or conduct is inconsistent or incompatible with due or peaceful discharge of his/her duty to the Institute.
- (c) If the act or conduct of an employee makes it unsafe for the Institute to retain him/her in service.
- (d) If the act or conduct of the employee is so grossly immoral that all reasonable people will say that the employee cannot be trusted.
- (e) If the act or conduct of the employee is such that the Institute cannot rely on the faithfulness of the employee.
- (f) If the act or conduct of the employee is such as to open before him/her temptations for not discharging his/her duties properly.
- (g) If the employee uses abusive language or if he/she disturbs the peace at the place of his/her employment.
- (h) If he/she is insulting and insubordinate to such a degree as to be incompatible with the continuance of the relation of the Supervisor and the employee.
- (i) If the employee is habitually negligent in respect of the duties for which he/she is engaged.
- (j) If the neglect of the employee, though isolated, tends to cause serious consequences.
- (k) Wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior.
- (l) Untrustworthiness, theft and fraud or dishonesty in connection with the Institute's activities and property.
- (m) Strike, picketing, *gherao*, striking work or inciting others to strike work in contravention of the provisions of any law, or rule having the force of law.
- (n) Gross moral misconduct, riotous or disorderly behaviour during working hours at the establishment or any act subversive of discipline.
- (o) Riotous and disorderly behaviour during and after the office hours.
- (p) Habitual late attendance, absence without permission and overstaying leave.
- (q) Conviction by a criminal court.
- (r) Consuming any intoxicating drinks or drugs while on duty and reporting for duty or appearing in public place in a state of intoxication.
- (s) Utilising press and legal procedures against Institute, colleagues and administration without seeking redress for grievances through proper procedures laid down from time to time by the Institute.

- (t) Raising questions of caste, creed, religion, language, race or gender in his/her relationship with his/her colleagues and trying to use the above consideration for improvement of his/her prospects.
- (u) Refusal to carry out the decisions or orders of appropriate administrative and academic bodies and/or functionaries of the Institute. This would not inhibit his/her right to express his/her differences with their policies or decisions.
- (v) Lodging unsubstantiated allegations against colleagues/authorities with higher authorities/police.
- (w) Failure to perform his/her academic duties such as preparation of lectures, field instructions, visits to field work agencies, research supervision, camps/study tours for students, assessment, guidance, admissions, examination work, field action projects, research from a sponsoring body and any other duties attached to the position.
- (x) Gross partiality in assessment of students, deliberately over-marking/under-marking or attempts at victimisation on any ground and divulging entrance examination papers and question papers for examinations and various tests.
- (y) Inciting students against other students, colleagues or administration (this does not interfere with the right of a faculty to express his/her differences on principles in seminars or other places even where students are present).
- (z) Failure to manage their private affairs in a manner consistent with the dignity of the academic profession.
- (aa) Involving in discrimination and sexual harassment against women.

2.14 Representations

Whenever an employee wishes to put forth any claim, or seeks redressal of any grievance or of any wrong done to him/her, he/she must forward his/her case through proper channels, and shall not forward copies of his/her application to any higher authority. He/She may, however, forward copies of application to any higher authority if the concerned authority has not forwarded his/her application to the competent higher authorities within two weeks or has not been able to resolve the matter within one month of the receipt of the application, where he/she is the competent authority, or the disposal of the matter is delayed by more than three months.

2.15 Disciplinary Action

Violation of the rules will attract disciplinary action.

2.16 Interpretations

The decision of the Board on all questions relating to the interpretation of these provisions shall be final.

3.0 LEAVE RULES FOR ACADEMIC STAFF

3.1 Applicability and Commencement

These rules may be called the Tata Institute of Social Sciences Leave Rules and shall be applicable to the members of the Academic Staff of the Institute. They shall come into force on the day on which the Governing Board approves these rules. Not more than 20% of the academic staff in a School/Centre can be on leave at a time except on casual/medical leave.

3.2 Definitions

3.2.1 In these Rules:

- (a) "Leave" includes Earned leave, Half pay leave, Commuted leave, Extra Ordinary leave, Maternity leave, Paternity leave, Child Care leave and Leave Not Due.

- (b) “Half-Pay Leave” means leave earned in respect of completed years of service calculated according to the rules hereinafter contained.
- (c) “Commutated Leave” means leave not exceeding half the amount of Half pay leave granted on medical certificate.
- (d) “Earned Leave” means leave earned in respect of period spent on duty.
- (e) “Completed Years of Service” means continuous service of the specified duration under the Institute and include periods spent on duty, leave, as well as on deputation.

3.3 Right of Leave

Leave cannot be claimed as a matter of right and when exigencies so demand, leave of any description may be refused or revoked by the authority empowered to sanction the leave.

3.4 Authority Empowered to Sanction Leave

3.4.1 Application for leave, that is, Vacation, Earned leave, Half pay leave, Commuted leave, Extra Ordinary leave, Maternity leave, Paternity leave, Child Care leave, Casual leave, Optional Holidays, etc., shall be addressed to the Chairperson, Governing Board, by the Director and to the Director by the Deputy Directors/Deans/Chairpersons of Independent Centres and to the Deans/Chairpersons/Heads of the Section by other employees.

3.4.2 For conversion of Vacation to Earned leave, the sanctioning authority will be the Director.

3.5 Commencement and Termination of Leave

3.5.1 Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day preceding the one in which duty is resumed; if resumption of duty takes place on the afternoon of a day, leave ends on the same day.

3.5.2 Sundays and other holidays or the Vacation may be prefixed as well as suffixed to leave, subject to any limits of absence on leave prescribed under each category of leave.

3.6 Combination of Leave

Except as otherwise provided in these rules, any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave, subject to such limits on the aggregate period of absence as may be prescribed in such cases.

3.7 Grant of Leave Beyond the Date of Retirement

3.7.1 No leave shall be granted beyond the date on which a member of the staff must compulsorily retire.

3.7.2 Provided that the authority empowered to grant leave may allow any member of the staff who had been denied in whole or in part Earned leave applied for preparatory to retirement, on account of exigencies of service the whole or any portion of the Earned leave so denied even though it extends to a date beyond the date on which such member of the staff must compulsorily retire.

3.7.3 A member of the staff whose services have been extended in the interest of the Institute beyond the date of his/her compulsory retirement may similarly be granted either within the period of the extension or, if the conditions of the preceding proviso are satisfied, after its expiry, any Earned leave which could have been granted to him/her under the preceding proviso, had he/she retired on that date, and in addition, any Earned leave due in respect of such extension, subject to the limits for the grants of leave at a time prescribed hereinafter.

Note: (a) For the purpose of this rule, a member of the staff may be deemed to have been denied leave only if in sufficient time before the date on which he/she must compulsorily retire or the date on which his/her duties finally cease, he/she has either formally applied for leave and been refused on the ground of exigencies of service or has ascertained in writing from the sanctioning authority that leave if applied for would not be granted on the aforesaid ground.

(b) A member of the staff who has been granted an extension will be deemed to be in continuous service.

3.8 Conversion of One Kind of Leave into Another Kind

3.8.1 At the request of a member of the staff, the sanctioning authority may convert any kind of leave including Extra Ordinary leave, retrospectively into leave of a different kind which may be admissible as on the date on which the leave was availed of. But the member of staff cannot claim such conversion as a matter of right.

3.8.2 If one kind of leave is converted into another, the amount of leave salary and allowance admissible shall be recalculated and the arrears of leave salary and allowances paid or amounts overdrawn will be recovered, as the case may be.

3.9 Rejoining Duty on Return from Leave on Medical Grounds

A member of the staff who has been granted leave on medical grounds shall be required to produce a medical certificate of fitness before resuming duty.

3.10 Rejoining Duty Before the Expiry of Leave

Except with the permission of the authority which granted the leave, no member of the staff on leave may return to duty before the expiry of the period of leave granted to him/her.

3.11 General

3.11.1 Leave should always be applied for and sanctioned before it is availed, except in cases of emergency and for satisfactory reasons.

3.11.2 Continuous temporary service followed by permanent service without any break shall be included in permanent service for the purpose of computation of leave.

3.11.3 The non-vacation academic staff will follow the Government of India rules for non-vacation staff in respect of Earned leave, Half pay leave and Commuted leave. All other leave rules to be followed will be as in the case of academic staff.

4.0 LEAVE RULES GOVERNING PERMANENT FACULTY

4.1 All Leaves are subject to approval. The following kinds of leave would be admissible to permanent faculty

(a) Leave treated as duty, viz., (i) Casual leave; (ii) Special Casual leave; and (iii) Duty leave.

(b) Leave earned by duty, viz., (i) Earned leave; (ii) Half pay leave; and (iii) Commuted leave.

(c) Leave not earned by duty, viz., (i) Extra Ordinary leave; and (ii) Leave Not Due.

(d) Leave not debited to leave account:

i) Leave for academic pursuits, viz., Study leave; and Sabbatical leave.

ii) Leave on grounds of health, viz., Maternity leave; Paternity leave; Adoption leave; and Child Care leave.

4.2 Quarantine Leave

The Governing Board may, in exceptional cases, grant for the reasons to be recorded, other kinds of leave, subject to such terms and conditions as it may deem fit to impose.

4.3 Casual Leave

4.3.1 Total Casual leave granted to a faculty shall not exceed eight days in an academic year.

4.3.1 Casual leave cannot be combined with any other kind of leave except Special casual leave. It may be combined with holidays including Sundays. Holidays or Sundays falling within the period of Casual leave shall not be counted as Casual leave.

4.4 Special Casual Leave

Special casual leave, not exceeding ten days in an academic year, may be granted to a faculty:

- (a) To conduct examination of a University/Public Service Commission/Board of examination or other similar bodies/institutions; and
- (b) To inspect academic institutions attached to a statutory body etc.

Notes: (a) In computing the 10 days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.

- (b) In addition, Special casual leave to the extent mentioned below may also be granted;
 - i) To undergo sterilisation operation (vasectomy or salpingectomy) under family welfare programme. Leave in this case will be restricted to six working days; and
 - ii) To a female faculty who undergoes non-puerperal sterilisation. Leave in this case will be restricted to 14 days.
- (c) Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except Casual leave. It may be granted in combination with holidays or vacation.

4.5 Duty Leave

Duty leave should be applied for to the proper authority and may be granted if it does not interfere with the performance of the regular duties at the Institute. Duty leave must be applied for and granted before proceeding on leave or accepting invitations.

- (a) Duty Leave may be granted for:
 - i) Attending conferences, symposia and seminars on behalf of the Institute or with the permission of the Institute;
 - ii) Delivering lectures in institutions and universities at the invitation of such institutions or universities received by the Institute, and accepted by the Director;
 - iii) Working in another Indian or foreign university, any other agency, institution or organisation, when so deputed by the Institute;
 - iv) Participating in a delegation or working on a committee appointed by the Government of India, State Government, the University Grants Commission, a sister university or any other academic body, and
 - v) For performing any other duty for the Institute.
- (b) The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion;
- (c) The leave may be granted on full pay. Provided that if the faculty receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she may be sanctioned duty leave on reduced pay and allowances;
- (d) Duty leave may be combined with Earned leave, Half pay leave or Extra Ordinary leave; and
- (e) Duty leave should be given also for attending meetings in the UGC, DST, etc., where a faculty is invited to share experience with academic bodies, government or NGO.

Ordinarily, the total numbers of days of duty leave one can avail will be limited to 30 days in an academic year.

4.6 Earned Leave

Earned leave admissible to a faculty shall be:

- (a) 1/30th of actual service, including Vacation.
- (b) 1/3rd of the period, if any, during which he/she is required to perform duty during Vacation.

- Notes:** (a) i) For purpose of computation of period of actual services, all periods of leave except Casual, Special Casual and Duty leave shall be excluded.
- ii) Earned leave at the credit of a faculty shall not accumulate beyond 300 days. The maximum Earned leave that may be sanctioned at a time shall not exceed 60 days. Earned leave exceeding 60 days may, however, be sanctioned in the case of higher study, or training, or leave with medical certificate, or for child care or when the entire leave, or a portion thereof, is spent outside India.
- (b) When a faculty combines vacation with earned leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.
- (c) In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of the leave spent in India shall not in the aggregate exceed 120 days.
- (d) A “completed year of service” means continuous service of specified duration under the university and includes periods of absence from duty as well as leave including extraordinary leave.

4.7 Half-Pay Leave

Half-pay leave admissible to a permanent faculty shall be 20 days for each completed year of service. Such leave may be granted on the basis of medical certificate from a registered medical practitioner, for private affairs or for academic purposes.

4.8 Commuted Leave

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

- (a) Commuted leave, during the entire service shall be limited to a maximum of 240 days;
- (b) When Commuted leave is granted, twice the amount of such leave shall be debited against the Half-pay leave due; and
- (c) The total duration of Earned leave and Commuted leave taken in conjunction shall not exceed 240 days at a time. Provided that no Commuted leave shall be granted under these rules unless the authority competent to sanction leave has reason to believe that the faculty will return to duty on its expiry.

4.9 Extra Ordinary Leave

4.9.1 A permanent faculty may be granted Extra Ordinary leave when:

- (a) No other leave is admissible; or
- (b) Other leave is admissible and the faculty applies in writing for the grant of Extra Ordinary leave.

4.9.2 Extra Ordinary leave shall always be without pay and allowances. Extra Ordinary leave shall not count for increment except in following cases.

- (a) Leave taken on the basis of medical certificates;
- (b) Cases where the Director is satisfied that the leave was taken due to causes beyond the control of the faculty, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teaches has no other kind of leave to his credit;
- (c) Leave taken for pursuing higher studies; and
- (d) Leave granted to accept an invitation to a teaching post or fellowship or research-cum-teaching post or an assignment for technical or academic work of importance.

4.9.3 Extra Ordinary leave may be combined with any other leave except Casual leave and Special Casual leave, provided that the total period of continuous absence from duty on leave (including periods of Vacation when such Vacation is taken in conjunction with leave) shall not exceed three years except in cases where leave is taken on medical certificate. The total period of absence from duty shall in no case exceed five years in the full working life of the individual.

4.9.4 The authority empowered to grant leave may commute retrospectively periods of absence without leave into Extra Ordinary leave.

4.10 Leave Not Due

4.10.1 Leave Not Due may, at the discretion of the Director, be granted to a permanent faculty for a period not exceeding 360 days during the entire period of service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave shall be debited against the Half-pay leave earned by him/her subsequently.

4.10.2 'Leave Not Due' shall not be granted unless the Director is satisfied that as far as can reasonably be foreseen, the faculty will return to duty on the expiry of the leave and earn the leave granted.

4.10.3 A faculty to whom 'Leave Not Due' is granted shall not be permitted to tender his/her resignation from service so long as the debit balance in his/her leave account is not wiped off by active service, or he/she refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill health, incapacitating the faculty for further service, refund of leave salary for the period of leave still to be earned may be waived by the Governing Board.

Provided further that the Governing Board may, in other exceptional case waive, for reasons to be recorded, the refund of leave salary for the period of leave still to be earned.

4.11 Study Leave

4.11.1 Study leave may be granted after a minimum of three years of continuous service, to pursue a special line of study or research directly related to his/her work such as Ph.D. in the Institute or to make a special study of the various aspects of university organisation and methods of education. In case of study leave for Ph. D. degree, the paid period of study leave should be for three years, but two years may be given in the first instance, extendable by one more year, if there is adequate progress as reported by the Research Guide. Care should be taken that the number of faculty given study leave, does not exceed the stipulated percentage of faculty in any School/Centre. Provided that the Study Leave Committee may, in the special circumstances of a case, waive the condition of three years service being continuous.

Explanation: In computing the length of service, the time during which a person was on probation or engaged as a Research Officer may be reckoned provided:

- (a) the person is a faculty on the date of the application; and
- (b) there is no break in service.

4.11.2 Study leave shall be granted by the Study Leave Committee on the recommendation of the Dean/Chairperson concerned. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Committee is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the Institute.

4.11.3 Study leave shall not be granted to a faculty who is due to retire within five years of the date on which he/she is expected to return to duty after the expiry of Study leave.

4.11.4 Study leave may be granted not more than twice during one's career. However, the maximum of Study leave admissible during the entire service should not exceed five years.

4.11.5 No faculty who has been granted Study leave shall be permitted to alter substantially the course of study or the programme of research without the permission of the Study Leave Committee. When the course of study falls short of Study leave sanctioned, the faculty shall resume duty on the conclusion of the course of study unless the previous approval of the Committee to treat the period of shortfall as ordinary leave has been obtained.

4.11.6 Subject to the provision of sub-clauses (4.11.7) and (4.11.8) below, Study leave may be granted on full pay up to two years extendable by one year at the discretion of the Institute.

- 4.11.7 The amount of scholarship, fellowship or other financial assistance that a faculty granted Study leave has been awarded will not preclude his/her being granted Study leave with pay and allowances but the scholarship, etc., so received shall be taken into account in determining the pay and allowance on which the Study leave may be granted. The Foreign scholarship/fellowship would be offset against pay only if the fellowship is above a specified amount, which is to be determined from time to time, based on the cost of living for a family in the country in which the study is to be undertaken. In the case of an Indian fellowship, which exceeds the salary of the faculty, the salary would be forfeited.
- 4.11.8 Subject to the maximum period of absence from duty on leave not exceeding three years, Study leave may be combined with Earned leave, Half-pay leave, Extra Ordinary leave or Vacation, provided that the Earned leave at the credit of the faculty shall be availed of at the discretion of the faculty. A faculty, who is selected to a higher post during Study leave, will be placed in that position and get the higher scale only after joining the post.
- 4.11.9 A faculty granted Study leave shall on his/her return and re-joining the service of the Institute may be eligible to the benefit of the annual increment(s) which he/she would have earned in the course of time if he/she had not proceeded on Study leave. No faculty shall, however, be eligible to receive arrears of increments.
- 4.11.10 Study leave shall count as service for pension, provided the faculty joins the Institute on the expiry of his/her Study leave.
- 4.11.11 Study leave granted to a faculty shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction. Provided that where Study leave granted has been so cancelled, the faculty may apply again for such leave.
- 4.11.12 A faculty availing of Study Leave shall execute a bond as per rules. He/She shall serve the Institute continuously for double the period of Study Leave subject to a maximum of three years from the date of his/her resuming duty after expiry of the Study Leave.
- 4.11.13 After the leave has been sanctioned, the faculty shall, before availing himself/herself of the leave, execute a bond in favour of the Institute, binding himself/herself for the due fulfilment of the conditions laid down in sub-clauses 4.11.13 and 4.11.14 and give security of immovable property to the satisfaction of the Registrar or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent faculties for the amount which might become refundable to the university in accordance with sub-clause 4.11.14.
- 4.11.14 The faculty shall submit to the Registrar, six monthly reports of progress in his/her studies from his/her supervisor or the Head of the institution. This report shall reach the Registrar within one month of the expiry of every six months of the Study leave. If the report does not reach the Registrar within the specified time, the payment of leave salary may be deferred till the receipt of such report.
- 4.12 Sabbatical Leave
- 4.12.1 Permanent, full-time faculty of the Institute who have completed seven years of service as Assistant Professor (Selection Grade)/Associate Professor or Professor, may be granted Sabbatical leave to undertake study or research or for other academic pursuit solely for the object of increasing their proficiency and usefulness to the Institute and higher education system. A faculty who has two years service left on return from Sabbatical leave can apply for the Sabbatical leave.
- 4.12.2 The duration of leave shall not exceed one year at a time and two years in the entire career of a faculty.
- 4.12.3 A faculty who has availed himself/herself of Study leave would not be entitled to the Sabbatical leave until after the expiry of five years from the date of the faculty's return from previous Study leave.

- 4.12.4 A faculty shall, during the period of Sabbatical leave, be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him/her immediately prior to his/her proceeding on Sabbatical leave.
- 4.12.5 A faculty on Sabbatical leave shall not take up during the period of that leave, any regular appointment under another organisation in India or abroad. He/She may, however, be allowed to accept a fellowship or a research scholarship or ad hoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution of advanced studies, provided that in such cases the Study Leave Committee may, if it desires, sanction Sabbatical leave on reduced pay and allowances.
- 4.12.6 During the period of Sabbatical leave, the faculty shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension, provided that the faculty rejoins the Institute on the expiry of his/her leave.
- 4.12.7 After the leave is sanctioned, the faculty shall, before availing himself/herself of the leave, execute a bond in favour of the Institute, binding himself/herself for the due fulfilment of serving two years or pay salary in lieu thereof in case of terminating the service and give security of immovable property to the satisfaction of the Registrar or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent faculties for the amount which might become refundable to the university.

Notes: (a) The programme to be followed during Sabbatical leave shall be submitted to the Institute for approval along with the application for grant of leave. Part of the plan must include concrete output such as paper(s)/manuscript for publication.

(b) On return from leave, the faculty shall report to the Institute the nature of studies, research or other work undertaken during the period of leave. It is mandatory for a faculty to submit a manuscript on resumption of duty after availing the Sabbatical leave and manuscript will peer reviewed.

4.13 Maternity Leave

- 4.13.1 Maternity leave on full pay may be granted to a woman faculty for a period not exceeding 180 days, to be availed of twice in the entire career. Maternity leave may also be granted in case of miscarriage, including abortion, subject to the condition that the total leave granted in respect of this to a woman faculty in her career is not more than 45 days, and the application for leave is supported by a medical certificate.
- 4.13.2 Maternity leave may be combined with Earned leave, Half pay leave or Extra Ordinary leave, but any leave applied for in continuation of Maternity leave may be granted if the request is supported by a medical certificate.

4.14 Paternity Leave

Paternity leave of 15 days may be granted to male faculties during the confinement of their wives, provided the limit is up to two children.

4.15 Adoption Leave

Adoption leave may be provided as per the rules of the Central Government.

4.16 Child Care Leave

Child Care leave may be provided as per the rules of the Central Government.

4.17 Vacation

- 4.17.1 All Professors, Associate Professors and Assistant Professor shall be entitled to vacation.

- 4.17.2 The official May vacation will commence on the day after the Convocation for a period of 28 days and October vacation one day after the end of the various degree/diploma/certificate examinations for a period of 28 days.
- 4.17.3 Vacation may be taken in combination with any kind of leave except Casual, Special casual and Sabbatical leave provided that vacation shall not be both prefixed and suffixed to leave.
- 4.17.4 Except in special circumstances Vacation and Earned leave taken together shall not exceed six months.
- 4.17.5 When a vacation falls between two periods of leave so as to result in a continuous period of absence from duty during the entire period, such vacation shall be treated as part of the leave.
- 4.17.6 For the vacation period, a faculty shall be entitled to the same pay as when on duty. A faculty will however be entitled only to half of such pay if he/she has given notice of resignation and the period of such notice expires during vacation or within one month from the last day thereof.
- 4.17.8 In case a person is not able to avail of the vacation of 56 days (partly or fully) during the vacation period (4 weeks during Diwali and 4 weeks after the Convocation) because of any official work assigned by the Institute, he/she may be permitted to avail of the vacation outside the vacation period when the teaching is not on before the next vacation becomes due provided that the Dean/Chairperson certifies that his/her absence will not interfere with the academic work of the Institute. If a person could not avail of the vacation, he/she will apply for conversion to Earned Leave credit at 1/3rd of the period during which he/she is required to perform official work during the vacation. ***The faculty concerned should inform the Director, through the Dean/Chairperson in advance, if he/she is unable to avail of the vacation due to official work.***

5.0 LEAVE RULES GOVERNING FACULTY ON PROBATION

A faculty appointed as a probationer against a substantive vacancy and with definite terms of probation during the period of probation shall be granted leave which would be admissible to him/her if he/she holds his/her post substantively, otherwise than on probation. If, for any reason, it is proposed to terminate the services of a probationer, any leave granted to him/her should not extend beyond the date on which the probationary period expires, or any earlier date on which the probationary period expires, or any earlier date on which his/her services are terminated by the orders of the Governing Board. On the other hand, a faculty appointed 'on probation' to a post, not substantively vacant, to assess his/her suitability to the post shall, until he/she is substantively confirmed be treated as a temporary faculty for purposes of grant of leave. If a person in permanent service of the Institute is appointed on probation, to a higher post he/she shall not during probation be deprived of the benefit of leave rules applicable to his/her permanent post. A faculty on probation shall be entitled to vacation only if he/she has worked during the major part of the Semester.

6.0 LEAVE RULES GOVERNING TEMPORARY FACULTY

Temporary faculty shall be governed by the provision of 4.0 of these Rules subject to the following conditions and exceptions:

6.1 Earned Leave

- 6.1.1 A temporary faculty shall be entitled to earned leave as a permanent faculty except that in respect of the first year of his/her service, he/she shall be entitled to earned leave as follows:
 - (a) 1/60th of the period of actual service plus,
 - (b) 1/3rd of the period, if any, during which he/she is required to perform duty during vacation.
- 6.1.2 A temporary faculty appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his/her previous duty had been in permanent employment, diminished by any earned leave already taken. Leave is not interruption of duty for the purpose of this Rule.

6.2 Half-Pay Leave

No half pay leave may be granted to a temporary faculty unless the authority competent to sanction leave has reason to believe that the faculty will return to duty on the expiry of such leave.

6.3 Commuted Leave

Temporary faculties shall not be entitled to commute any portion of the half pay leave.

6.4 Extra Ordinary Leave

In the case of temporary faculties the duration of Extra Ordinary leave on any occasion shall not exceed the following limits:

6.4.1 Three months at a time;

6.4.2 Six months in cases where the faculty has completed three years of continuous service and the leave application is supported by a medical certificate;

6.4.3 18 months where the faculty is undergoing treatment in a recognised hospital for tuberculosis, cancer or leprosy;

(a) 24 months in cases where the leave is required for prosecuting studies certified to be in the Institute's interest provided that the faculty has completed three years continuous service on the date of commencement of Extra Ordinary leave. In case, where this condition is not satisfied, Extra Ordinary leave to this extent may be sanctioned in continuation of any other kind of leave due and applied for (including three months Extra Ordinary leave under 6.4.1.1 above, if the faculty completes three years of continuous service on the date of expiry of such leave.

(b) When a temporary faculty fails to resume duty on the expiry of the maximum period of Extra Ordinary leave or where a faculty who is granted a lesser amount of leave remains absent from duty for any period which together with the Extra Ordinary leave granted exceeds the limit upto which he could have been granted such leave under (a) above, he/she shall unless the Governing Board in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned his appointment and shall accordingly cease to be in the employment of the Institute.

6.5 Leave Not Due, Study Leave And Sabbatical Leave

Temporary faculties shall not be entitled for the grant of Leave not due, Study leave and Sabbatical leave.

6.6 Vacation

6.6.1 A faculty who is appointed on a temporary basis shall be entitled to vacation only if he/she has worked during the major part of the Semester.

6.6.2 In other cases, the vacation salary may be paid to the faculty, if that temporary appointment continues for a part or whole of the next academic year and the faculty joins on the opening day and has also serviced on the last working day before the vacation.

7.0 LEAVE RULES GOVERNING FACULTY APPOINTED ON CONTRACT AND *AD HOC* BASIS

Faculties appointed on contract will be granted leave in accordance with the terms of the contract. Those appointed on ad hoc basis will be granted leave in accordance with the terms of such appointments.

8.0 LEAVE RULES FOR NON-ACADEMIC STAFF

The Institute will follow the Government of India Rules as modified from time to time for all kinds of leave to the non-teaching staff.

8.1 Authority Empowered to Sanction Leave

Casual leave to the faculty and non-teaching staff will be granted by the concerned Chairperson/Dean, Head of Section, whereas, for the Deputy Director/Dean/Chairperson of Independent Centres/Registrar, the Director will sanction the leave. For Privilege/Sick leave, the concerned Section Heads will recommend the grant of the leave to the Registrar for sanction and later on forward it to the Assistant Registrar (Personnel) for record. In the case of Deputy Registrar/Assistant Registrar, the Registrar will recommend the leave and the Director will approve. For any other kind of leave, the Deputy Directors/Director will be the sanctioning authority as the case may be after processing the application as per rule/procedures.

9.0 GUIDELINES TO FACULTY/ACADEMIC STAFF FOR ACCEPTING SHORT TERM ASSIGNMENTS/CONSULTANCY WHICH ATTRACT SALARY OR HONORARIUM IN INDIA OR ABROAD

9.1 The main assumption on which these rules are framed is that the consultant in all cases is the Institute. However, in some instances individual members of the faculty may provide consultancy where use of institutional infrastructure is not involved. All consultancy assignments and terms will be discussed with the Institute.

9.2 The acceptance of consultancy assignments by the Institute is a means to maintain linkages between the Institute and user agencies.

9.3 Where an agency offers pay and allowances, according to its own rules, the period of assignment should be treated as Foreign Service. The foreign agency should pay leave salary and pension contribution for the period of foreign service/consultancy and if it does not pay the employee himself/herself should pay such contributions. If neither of them pay the leave salary and pension contributions, the period spent on Foreign Service will not count as qualifying service for pension and for determining the leave entitlement.

9.4 Where an employee is sponsored for a short term assignment/consultancy/and where the employee so sponsored is paid only a daily allowance or consultancy fee/honorarium or both, and not pay and allowances as per rules of the agency concerned, the employee's salary will be protected. He/She will continue to draw his/her pay and allowances from the Institute. He/she will be treated as on duty for the entire period. Contribution towards leave salary and pension are not payable in such cases.

9.5 In case which are not covered by clause 9.3 and 9.4 above, an employee who is permitted to take up short term assignment consultancy on payment of daily allowance of fee/honorarium or both, the period of absence should be treated as leave due/admissible. No contribution on account of leave salary and pension will be payable in such case.

9.6 In all cases of short term assignment/consultancy, which involve absence from the Institute, total absence will not exceed 12 months in every 5 years.

9.7 Assignments undertaken by the faculty should be in the interest of the Institute and also be in the line of the work of faculty concerned.

9.8 Acceptance of such an assignment should not adversely affect the work of the faculty member.

9.9 Where consultancy is combined with regular work in the Institute, such an assignment can be permitted on one working day a week for duration of 12 months. The intervening period between two such assignments will be 2 years.

9.10 Consultation Fees

Faculty accepting short-term assignment/consultancy may be allowed to retain a fee up to 33 1/3rd per cent of their basic pay in the year; and if the fee received in a year is in excess of the 33 1/3rd ceiling limit, the excess should be shared by the faculty member and the Institute in the proportion of 50% each. However, the payment on the following assignments received by the employee will not be subject to crediting 1/3rd of the amount:

Writing of special reports not as part of a research project undertaken by the faculty, papers or study reports on selected subjects for international bodies like the UNO, UNESCO etc.

- 9.10.1 Fees received by an employee from recognised universities and other statutory bodies like Institute of Chartered Accountants for the performance by the employees of work connected with the examinations conducted by these bodies or for delivering lectures; fees received by an employee in connection with similar services from public sector undertakings of autonomous bodies which are wholly or substantially owned or controlled by the Government.
- 9.10.2 Fees received in the form of travelling, conveyance, daily or subsistence allowance, etc., if the competent authority is satisfied that the amounts received by the employee are not a source of profit.
- 9.10.3 Income from books, articles, papers and lectures and literary, cultural, artistic, technological and scientific subjects including management sciences.
- 9.11 It is necessary that in each case, the staff member concerned obtains prior permission of the authorities concerned before undertaking any consultancy work – permission of the Chairperson, Governing Board, in the case of the Director and the permission of the Director through the Dean/Chairperson in the case of members of the academic staff. The Registrar will be the sanctioning authority for their staff with intimation to the Director up to a limit to be prescribed from time to time.

10.0 RULES/GUIDELINES APPLICABLE FOR PAYMENT OF HONORARIUM TO VISITING/INSTITUTE FACULTY FOR SHORT-TERM TRAINING PROGRAMMES/EVENING COURSES/SEMINARS/WORKSHOPS/CONFERENCES

- 10.1 For programmes funded from the finances of the Institute, including the Centre for Lifelong Learning (CLL), and where sponsoring Agency expects us to follow Institute Rules:
 - 10.1.1 There will be no difference in the rate of payment of honorarium between the guest faculty and the Institute's faculty. The rate will be as prescribed from time to time.
 - 10.1.2 The honorarium to the Institute faculty will be admissible only for conducting sessions outside their office hours, that is, honorarium will not be paid during working hours either from 9 A.M. to 4.45 P.M. or 10 A.M. to 5.45 P.M. or 1.30 P.M. to 8.30 P.M. (for those whose working hours are in the afternoon, respectively).
 - 10.1.3 On Sundays, public holidays and vacations an honorarium, as prescribed from time to time, will be paid for each session of one hour duration to the internal faculty.
 - 10.1.4 The maximum honorarium for full day involvement will be as prescribed from time to time.
 - 10.1.5 Outside resource persons will be paid the prescribed rate of honorarium for each session of one hour duration.
 - 10.1.6 If outside funds are utilised along with CLL funds, the payment will be as per rules of CLL.
- 10.2. For programme funded by outside sources
 - 10.2.1 The rate of payment should be as per the rates recommended by the sponsoring agency. However, the maximum rate should not exceed the prescribed limit.
 - 10.2.2 Honorarium may be paid even during the working hours from such sources.
 - 10.2.3 Where a sponsor gives a lump sum, then 50 per cent of the excess after deduction of maximum service charge, will accrue to the concerned School/Centre for spending on purchase of equipment or any academic activity, and the rest will be credited to the Institute Account.
- 10.3 UGC Seminars/Workshops/Conferences
 - 10.3.1 The UGC guidelines for the same will be followed as revised by the Commission from time to time.
 - 10.3.2 If the UGC funds are utilised along with CLL funds, the UGC rules will apply.

10.4 Coordinators

10.4.1 In all cases where the Institute rules apply, Coordinators for short-term courses/seminars/workshops/conferences (up to six working days duration) and for any programme of over 6 days duration where Institute rules apply, shall be entitled to honorarium as prescribed from time to time.

10.4.2 In all cases where the rules of the sponsor apply

- For programmes sponsored by outside organisation/agencies, such payments to the coordinator for short-term programmes (up to 6 days) and for long-term programmes may be made as per the limit prescribed from time to time.
- In the event of joint or multiple coordinatorship, the specified honorarium is to be equally/proportionately shared.
- Coordinators for research/field action projects shall, however, not be entitled to any honorarium.

10.5 Vacation Programme

For persons who obtain credit for vacation periods, the rule to be applied for payment will be as per the normal working hours of the Institute. If on vacation, half of the normal will be paid.

10.6 Faculty Fee

These may vary from 5% for government sources, where higher rates may not be permissible, to 40% for sponsors with capacity to underwrite all overheads.

11.0 GROUP INSURANCE SCHEME FOR TISS EMPLOYEES

The Institute will follow the scheme adopted for the Central Government employees. The scheme applies to all regular employees, and will be compulsory to all employees recruited on or after 01/4/1991 and optional to the employees who are already in service. The scheme is as follows:

Rates of monthly subscription (in Rupees) are as follows:

Employee Group	Monthly rate of subscription		Amount of Insurance cover
	Before enrolment as a member (at full rate)	After enrolment as a member (at reduced rate)	
Group A	40/-	120/-	1,20,000
Group B	20/-	60/-	60,000
Group C	10/-	30/-	30,000

The group to which an employee belongs shall be determined with reference to the post held by him on a regular basis on 1st January.

The amount (in Rupees) of enrolment consists of one Insurance Fund and Saving Fund. The classification is as follows:

	Amount			
	Group D	Group C	Group B	Group A
Savings Fund	10/-	20/-	40/-	80/-
Insurance Fund	5/-	10/-	20/-	40/-
Total	15/-	30/-	60/-	120/-

The amount chargeable to Saving Account will be credited to individual Saving Account and interest at 12% per annum will be compounded quarterly. The amount in Insurance Fund will be credited to the separate consolidated Insurance Fund of the Institute.

In case of death of the employee while in service, the family will get the amount of Insurance according to the group to which he belongs, plus accumulated balance in Savings Account with interest on the date of death. In case of retirement, resignation, etc., only the accumulated balance in the Saving Fund will be payable.

In case of the employee appointed in the middle of the year say in the month of March, he/she has to pay at reduced rates, i.e., only the amount for insurance fund and enrolment as a regular member can be made only in the month of January of the next year. Those employees who are enrolled as member will have to give nomination which will be kept in safe custody.

The full deductions made under this scheme are eligible for income tax deduction just like premium paid for Life Insurance Policy.

12.0 OTHER CONDITIONS OF SERVICE

In respect of matters not provided for in the Acts/Statutes/Ordinances, the rules regarding general conditions of service, pay, allowances, including travelling, transport allowance, and daily allowance, leave salary, joining time, medical attendance rules, foreign service and deputation in India or abroad is contained in Fundamental and Supplementary Rules and Orders and decisions issued therein applicable to the Central Government Servants shall apply mutatis mutandis to the employees of the University.

13.0 CLASSIFICATION OF POSTS

All the posts at the Institute are classified as follows:

- 13.1 **Group “A”:** Post carrying fixed pay of Rs. 75,000, Academic grade pays of Rs. 12,000, Rs. 10,000, Rs. 9,000 in the scale of pay of Rs. 37,400-67,000 in Pay Band-4 and Academic grade pays of Rs. 8,000, Rs. 7,000 and Rs. 6,000 in the scale of pay of Rs. 15,600-39,100. Post carrying grade pays of Rs. 7,600, Rs. 6,600 and Rs. 5,400 in the scale of pay of Rs. 15,600-39,100 in Pay Band-3.
- 13.2 **Group “B”:** A post carrying grade pays of Rs. 5,400, Rs. 4,800, Rs. 4,600 and Rs. 4,200 in the scale of pay of Rs. 9,300-34,800 in Pay Band-2.
- 13.3 **Group “C”:** A post carrying grade pay of Rs. 2,800, Rs. 2,400, Rs. 2,000, Rs. 1,900 and Rs. 1,800 in the scale of pay of Rs. 5,200-20,200.