PONDICHERRY UNIVERSITY

ORDINANCES GOVERNING ADMINISTRATIVE MATTERS

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1. ORDINANCES GOVERNING THE TERMS AND CONDITIONS OF SERVICE OF ALL EMPLOYEES OF THE UNIVERSITY OTHER THAN TEACHERS

PART—I

EXTENT OF APPLICATION

Short title and commencement

1. These rules may be called the "Pondicherry University (Non-Teaching Employees Terms and Conditions of Service) Rules".

These rules shall be deemed to have come into force from 16th October 1985.

Extent of application

2. Subject to the provisions in the Act and Statutes, these rules shall apply to the employees of the Pondicherry University other than the University teachers.

PART—II

DEFINITIONS AND INTERPRETATIONS

Definitions and interpretations

3. Unless the context otherwise requires, the various terms used in these rules will have the meanings as explained below:

(i) **Average Pay** means the average monthly pay earned during the 10 complete calendar months immediately preceeding the month in which the event occurs which necessitates the calculation of average pay.

(ii) **Cadre** means the strength of a service or a part of a service sanctioned as a separate unit.

(iii) **Compensatory Allowance** means an allowance granted to an employee to meet the personal expenditure necessitated by the special circumstances in which duty is performed. It includes travelling allowance.

(iv) **Duty** includes (a) service on probation provided that such service is followed by confirmation; (b) joining time. An employee may be treated as on duty during the course of instruction or training.

(v) **Employee** (non-teaching) means a University Employee other than Teaching Staff.

(vi) **Fee** means a recurring or non-recurring payment made to an employee from a source other than the funds of the University whether made directly to the employee or indirectly through the intermediary of the University but it does not include un-earned income such as income from property, dividends and interests on securities and income from literary, artistic, cultural, scientific and technological efforts.

(vii) **Honorarium** means a recurring or non-recurring payment granted to an employee from the funds of the University as remuneration for special work of an occasional or intermittent character.

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(viii) **Foreign Service** means service in which an employee receives his pay with the sanction of the University from a source other than the funds of the University.

(ix) **Joining Time** means the time allowed to an employee to travel to or from a station to which he is posted on transfer from one station to another within the jurisdiction of the University.

(x) **Leave Salary** means the monthly amount paid by the University to an employee who is on leave.

(xi) **Lien** means the title of an employee to hold substantively either immediately, or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively.

(xii) **Month** means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

(xiii) **Officiating** means an employee officiates in a post when he performs the duties of a post on which another employee is holding a lien. An employee may also officiate in a vacant post on which no other employee holds a lien.

(xiv) Pay means the amount drawn monthly by an employee as :

(a) The pay other than special pay or pay granted in view of his personal qualifications which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre; and

(b) Special pay and personal pay.

(xv) **Personal Pay** means additional pay granted to an employee—

(a) to save him from loss of substantive pay in respect of a permanent post, other than a tenure post, due to revision of pay or to any reduction of such substantive pay, otherwise than as a disciplinary measure; or

(b) in exceptional circumstances on other personal considerations.

(xvi) **Probation** : A person on probation in a post is one appointed to that post for determining his fitness for eventual substantive appointment to the post.

(xvii) **Special Pay** means an addition of the nature of pay, to the emoluments of a post or of an employee, granted in consideration of,

(a) the specially arduous nature of the duties or

(b) a specific addition to the work or responsibility.

(xviii) **Permanent Post** means a post carrying a definite rate of pay sanctioned without limit of time.

(xix) **Substantive Pay** means the pay other than special pay or personal pay to which an employee is entitled to on account of a post to which he has been appointed substantively.

(xx) **Subsistence Grant** means monthly grant made to an employee who is not in receipt of pay or leave salary.

(xxi) **Temporary Post** means a post carrying a definite rate of pay sanctioned for a limited time.

(xxii) **Time Scale Pay** means pay which rises by periodical increments from a minimum to a maximum.

(xxiii) **Travelling Allowance** means an allowance granted to an employee to cover the expenses which he incurs in travelling in the interests of the University.

(xxiv) **University** means the Pondicherry University.

PART – III

GENERAL CONDITIONS OF SERVICE

Posts Recruitment and appointments

4. (1) The non-teaching posts in the University shall be subject to such classifications as Government by any general order or special order make from time to time be classified as follows:-

Sl. No.	Description of Posts	Classification of posts
1	A post carrying a pay or a scale of pay with a maximum of not less than Rs.13500/-	Group – 'A'
2	A post carrying a pay or a scale of pay with a maximum of not less than Rs.9000/- but less than Rs.13500/-	Group – 'B'
3	A post carrying a pay or a scale of pay with a maximum of over Rs.4000/- but less than Rs.9000/-	Group – 'C'
4	A post carrying a pay or a scale of pay with a maximum of which is Rs.4000/- or less	Group – 'D'

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EMOLUMENTS, TERMS AND CONDITIONS OF SERVICE OF THE REGISTRAR. under Statute 4(2)

4 (1) (A)

1. The Registrar shall be a whole-time salaried officer of the University and he/she shall receive pay besides allowances as admissible to the University staff, in the scale of pay of Rs.16400-450-20900-500-22400 or as revised from time to time by the Executive Council. His/her appointment shall be for a term of five years and it may be renewed for similar terms.

   Provided that in the event of the Office of the Registrar being filled by obtaining the services of a person on deputation / absorption, the salary and other service conditions shall be such as may be admissible to him according to the terms and conditions finalized in consultation with the parent Organisation.

2. Registrar shall perform his/her functions and duties as laid down in the Statutes and Ordinances.

3. Registrar shall be provided with unfurnished University accommodation for which he/she shall pay rent at the usual rate.

4. Other conditions of service of the Registrar shall be as provided in the "Contract of Service of Officers" (enclosed) and approved by the Executive Council, subject to such other additional conditions as may be specified by the Executive Council.

5. The contract of service of the Registrar shall be signed, on behalf of the University, by the Officer performing the duties of the Registrar at that time or by the Finance Officer of the University.

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Form of Contract of Service for Officers

Memorandum of Agreement made this the ..... day of ..... between .....(hereinafter called the 'Officer') of the first part, and the Pondicherry University being a body corporate constituted under the Pondicherry University Act, 1985 (No. 53 of 1985) (hereinafter called the 'University') of the second part.

It is hereby agreed as follows:

1. That the University hereby appoints ..... to be an officer of the University with effect from the ..... and the said ..... hereby accepts the engagement and undertakes to take such part in the activities of the University and perform such duties in the University as may be required by and in accordance with the said Act, Statutes and Ordinances framed there under, for the time being in force.

2. The officers pay will be fixed in the scale of Rs._____. In accordance with rules applicable for the University employees and he/she/she will be eligible for normal increments as applicable in the rule.

3. That the said ..... shall be a whole time Officer of the University and unless the contract is terminated by the Executive Council or by the Officer before the expiry of the term of his/her/her appointment for which he/she/she is appointed or is terminated as hereinafter provided, shall continue in the service of the University for the period of his/her appointment as aforesaid.

4. That the said Officer agrees to be bound by the Statutes, Ordinances, Regulations and Rules for the time being in force in the University, provided that no change in the terms and conditions of service of Officer shall be made after his/her/her appointment in regard to designation, scale of pay, increment and provident fund so as to adversely affect him/her.

5. That the Officer shall devote his/her/her whole time to the service of the University and shall not, without the written permission of the University, engage directly or indirectly, in any trade or business whatsoever, or other work to which any emolument or honorarium is attached.

6. It is further agreed that his/her/her engagement shall not be liable to be terminated before the expiry of the aforesaid period of appointment by the University except on the ground of misconduct as laid down in Statute 27 of the Statutes of the University.

7. Any dispute arising out of this contract shall be settled in accordance with the claus (2), of Section 31 (reproduced below):

"Any dispute arising out of a contract between the University and any employee shall at th request the employee, be referred to a Tribunal of Arbitration consisting of one membe

appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940".

8. The Officer may, at any time, terminate his/her/her engagement by giving the Executive Council three months' notice in writing, provided that the Executive Council may waive the requirement of notice at its discretion.

9. On the termination of this engagement, from whatever cause, he/she shall handover to the University all records and such other articles belonging to the University as may be due from him/her.

In Witness whereof the parties hereto affix their hands and seal.

Signature :

Designation :

In presence of

1. Signature
Designation

2. Signature
Designation

Signed and sealed on behalf of the University under the authority of the Executive Council

Signature
Designation

Signature
Designation

In the presence of

1. Signature
Designation

2. Signature
Designation

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EMOLMENTS, TERMS AND CONDITIONS OF SERVICE OF THE FINANCE OFFICER Under Statute 5 (2)
4 (1) (B)

1. The Finance Officer shall be a whole-time salaried officer of the University and he/she/she shall receive pay and other allowances admissible in the pay scale of Rs. 16400-450-20900-500-22400 or as revised from time to time by the Executive Council. His/her/Her appointment shall be for a maximum period of five years.

   Provided that the Finance Officer shall be appointed on deputation basis from an organized Accounts/Audit service/cadre. His/her/her salary shall be such as admissible to him/her according to the rules of deputation of service to which he/she/she belongs.

2. The Finance Officer shall perform his/her/her duties and functions as laid down in the Statutes and Ordinances of the University.

3. The Finance Officer shall be provided with unfurnished University accommodation for which he/she/she shall pay rent at the usual rates.

4. Other terms and conditions of service of the Finance Officer shall be as prescribed in the "Contract of Service of the Officers" and approved by the Executive Council subject to such other, additional conditions as may be specified by the Executive Council.

5. The contract of service of the Finance Officer shall be signed by the Registrar on behalf of the University.

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(2) **Qualifications for Appointment :**

The age, qualifications and method of recruitment for appointment to various posts in the University shall be such as may be prescribed in the relevant recruitment rules or as determined by the Executive Council from time to time.

(3) **Fitness :**

(a) Appointment of persons by direct recruitment for a period for more than 3 months shall be subject to their being found medically fit by the Medical Officer of the University or any other Medical Authority authorised for the purpose or by a Medical Officer not below the rank of a Civil Surgeon.

(b) No person shall be appointed to any post unless the Appointing Authority is satisfied that he possesses good character and conduct.

(4) Methods of Recruitment :

Recruitment to posts may be made—

(i) by direct recruitment or

(ii) by promotion or

(iii) by transfer or

(iv) by deputation from Government Departments and other institutions.

(5) Recruitment by Promotion :

(i) Appointment to a post in any grade by promotion shall be made, whether in a permanent or officiating capacity, from amongst employees serving in posts in the next lower grade.

(ii) Every appointment by promotion shall be on the basis of suitability due regard being paid to seniority.

(6) Appointment :

(i) Appointment to a post shall be made by the Executive Council or by the Officer authorised by it for the purpose on the recommendations of Selection Committee constituted for the purpose from time to time.

(ii) The age, educational and other qualifications for appointment to the post and the methods of recruitment shall be such as may be determined by the Executive Council from time to time.

(7) *Ad hoc* Appointments :

Notwithstandnig anything contained in the above rule, the Executive Council may by a general or special order and subject to such conditions as it may specify in such order delegate to any authority in the University the power to make *ad hoc* appointments.

(8) Appointments in the place of employees dismissed or removed or reduced :

Where an employee has been dismissed, removed or reduced from any cadre in the service, no vacancy caused thereby or arising subsequently in such cadre in the service shall be substantively filled to the prejudice of such person until the appeal, if any, preferred by him against such dismissal, or reduction is decided, and except in conformity with such decision or until the time allowed for preferring an appeal has expired, as the case may be.

(9) Re-employment in service beyond the date of superannuation :

Notwithstanding anything contained in these rules, the Executive Council shall have power:

(i) to extend the services of the employees of the University beyond the age of superannuation;

(ii) to re-employ persons who have worked under the Central Government or State Government or Union Territory Government or other Universities and who have retired from service on superannuation or on other grounds except on invalid grounds.

(iii) to absorb permanently Government servants who have been on deputation to the University and to retain them on re-employment basis.

The over-riding consideration by the Executive Council for the grant of extension of service/re-employment is that it must be in the interest of the University and in addition satisfy one of the following two conditions:

(a) that no suitable person could be made available from the lower cadre on promotion or there is shortage in that cadre;

(b) that the retiring officer is of outstanding merit. Provided that no Officer shall be retained in the service of the University beyond two years from the date of superannuation prescribed by the University.

(10) Except as otherwise provided in these rules, the whole time of the employee of the University is at the disposal of the University which pays him and he may be employed in any manner required by proper authority without claim for additional remuneration.

Employees absent from duty

5. (a) The absence of an employee of the University from duty, whether on leave or on foreign service shall not render him ineligible to the privileges in respect of seniority, promotion and confirmation which he would have enjoyed but for his absence if he is fit otherwise.

(b) No permanent employee shall be granted leave of any kind for a continuous period exceeding five years.

(c) When an employee does not resume duty after remaining on leave for a continuous period of five years, or where an employee after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, or for any period which together with the period of the leave granted to him exceeds five years, he shall unless the Executive Council, in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned and shall accordingly cease to be in the University service.

TENURE

Probation and confirmation

6. (1) Every person appointed on regular basis to a post in the University whether by promotion or by direct recruitment, shall be on probation in that post for a period of two years. Provided that the appointing authority may, in any individual case, extend the period of probation for a further period not exceeding 2 years the reasons thereof to be recorded in writing.

(2) Where a person appointed to a post in the University on probation is, during his regular period of probation, or extended period of probation found unsuitable for holding that post or has not completed his period of probation satisfactorily the appointing authority may:

(i) in the case of person appointed by promotion revert him to the post held by him immediately before such appointment; and

(ii) in the case of a person appointed by direct recruitment terminate his services under the University without notice.

(3) Every person appointed to a permanent post under the University by promotion or by direct recruitment shall, on satisfactory completion of his period of probation be eligible for confirmation in that post.

(4) No employee shall be confirmed in any post unless—

(i) the service of the employee under the University is approved by the Appointing Authority.

Seniority

7. The seniority of an employee regularly appointed to a post according to rule shall be determined by the order of merit indicated at the time of initial appointment, provided that the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment on the recommendation of the duly constituted selecting authority irrespective of date of joining the post, persons appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection.

Temporary and permanent service

8. (i) An Employee shall be a temporary employee of the University until he is confirmed in a post under the University.

(ii) An Employee confirmed in any post under the University shall be a permanent employee of the University.

Termination of service

9. (1) The Services of a temporary employee may be terminated by the Vice-Chancellor/ Executive Council without assigning any reason at any time by a notice of one month in writing given to the employee or forthwith by payment to him of a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or as the case may be, for the period by which such notice falls short of one month.

(2) The services of a permanent employee may be terminated by the Vice-Chancellor/ Executive Council at any time by a notice of three months or on payment of pay and allowances drawn by him immediately before the termination of his service for such period as the notice falls short of three months, or without notice on payment of three month's pay plus allowances drawn by him immediately before the termination of his service, if the post in which he was confirmed is abolished.

(3) An employee who is given notice of termination of service under clause (2) may be granted, during the period of notice, such earned leave, as may be admissible to him, and, where the leave so admissible and granted is more than three months, his services shall be terminated on the expiry of such leave.

Retirement

10. (1) Except as other wise provided in this rule, every employee of the University shall retire from service on the afternoon of the last day of the month in which he attains the age of 60 years provided that an employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

(2) No employee shall be granted extension in service beyond the age of retirement of 60 years (save under special circumstances with the sanction of Executive Council).

However, in any case of service exigencies, the services of any employee are required, beyond the age of superannuation, such employee, on a case to case basis may be allowed to continue in service on "re-employment terms & conditions" for a maximum period of two years or till such time, such exigencies ceases, which ever is earlier with the approval of Executive Council.

(3) Notwithstanding anything contained in this rule, the Vice-Chancellor shall, if he is of the opinion that it is in the interest of the University so to do, have the absolute right to retire any employee by giving him notice of not less than three months in writing or three months' pay and allowances *in lieu* of such notice;

(i) if he is in Group A or Group B service or post and had entered the University service before attaining the age of thirty-five years, after he has attained the age of fifty years;

(ii) in any other case after he has attained the age of fifty-five years.

(4) Any employee may, by giving notice of not less than three months in writing to the Vice-Chancellor, retire from service after he has attained the age of fifty years if he is in Group A or Group B service or post and had entered the University service before attaining the age of thirty-five years and in all other cases after he has attained the age of fifty-five years:

Provided that it shall be open to the Vice-Chancellor to withhold permission to an employee under suspension who seeks retirement under this clause.

(5) At any time after an employee has completed thirty years qualifying service—

(a) he may retire from service, or

(b) he may be required by the Appointing Authority to retire in the interest of the University and in the case of such retirement the employee shall be entitled to a retiring pension.

Provided that—

(a) an employee shall give notice in writing to the Vice-Chancellor at least three months before the date on which he wishes to retire.

(b) the Vice-Chancellor may also give a notice in writing to an employee at least three months before the date on which he is required to retire in the interest of the University or three months' pay and allowances *in lieu* of such notice:

Provided further that where the employee giving notice under clause (a) of the preceding proviso is under suspension, it shall be open to the Vice-Chancellor to withhold permission to such employee to retire under this rule.

(6) (i) At any time after an employee has completed twenty years qualifying service, he may, by giving notice of not less than three months in writing to the Vice-Chancellor, retire from service.

(ii) The notice of voluntary retirement given under sub-rule (1) shall require acceptance by the Vice-Chancellor:

Provided that where the Vice-Chancellor does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

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(iii) An employee, who has elected to retire under this rule and has given the necessary notice to that effect to the Vice-Chancellor, shall be precluded from withdrawing his notice except with the specific approval of such authority:

Provided that the request for withdrawal shall be made before the intended date of his retirement.

Resignation

11. Subject to the acceptance of resignation by the Vice-Chancellor a permanent/temporary employee may, by notice of three months/one month as the case may be, in writing addressed to the Vice-Chancellor resign from the service of the University, or by payment of salary in lieu thereof:

Provided that the Vice-Chancellor may, if it deems proper in any case, permit a permanent/temporary employee to resign from service on notice of less than three months/one month.

PART—IV
MISCELLANEOUS

Special provision for existing employees

12. Every person holding a post under the University after the commencement of these rules but before the publication of these rules, shall be deemed to have been appointed under the provisions of these rules and shall draw the pay drawn by him immediately before the issue of these rules.

Service Books

13. (i) The University shall maintain a Service Book for each employee in such form as may be prescribed by the Executive Council.

(ii) The entries in the Service Book of an employee shall be made by the officer authorised in this behalf by the Vice-Chancellor.

Confidential reports

14. (i) Such officers of the University as may be prescribed by the Executive Council, shall report confidentially each year in the form prescribed by the University on the work and conduct of the employee who had served under them for periods not less than three months in the financial year immediately preceeding and forward their reports to the Registrar or any other officer authorised for the purpose.

(ii) The Reviewing Officer, the next higher authority will have the discretion to determine which unfavourable reports or portions thereof are weight enough to be communicated to the officer reported against. All adverse entries should be communicated within a specific period to the officials concerned. Any representation against the adverse remarks will have to be made within two months and would lie to the next higher authority than the Reviewing Officer.

Tests or examinations

15. University employees shall be required to pass such departmental and other tests or examinations as may be prescribed by the Executive Council. The Executive Council may also lay down rules regarding the periods within which the tests should be passed, the consequences of not passing the tests and other cognate matters.

Residuary conditions of Service

16. Any matter relating to the conditions of service of an employee for which no provision is made in these rules shall be determined by the Executive Council.

17. Not withstanding anything contained in these Rules the Vice-Chancellor may, if he is satisfied that there existed an extraordinary situation, notify certain categories and number of employees as he may deem necessary, as essential to perform certain duties for maintaining services considered indispensable for a period not exceeding 90 days. Refusal to attend to such duties will render them liable for major penalty including dismissal from service. Maintaining of essential service

18. Notwithstanding anything contained in these rules, the Executive Council may, in the case of any employee, relax any of the provision of these rules to relieve him of any undue hardship arising from the operation of such provisions, or in the interests of the University. Power to relax

19. Where a doubt arises as to the interpretation of application of any of the provisions of these rules, the matter will be referred to the Executive Council and its decision shall be final. Removal of doubts

PART – V

PAY AND ALLOWANCES

20. The standard scales of pay for the posts created in the University service shall be as detailed below: Scales of pay

Classification	Scale of Pay	
(1)	Pre-revised (2)	Revised (3)
Group A	Rs.4500-150-5700-200-7300	Rs.16400-450-20000-500-22400
Group A	Rs.3700-125-4950-150-5700	Rs.12000-420-16300
Group A	Rs.2200-75-2800-100-4000	Rs.8000-275-13500
Classification	**With effect from 1.1.86**	**With effect from 1.1.96**
Group B	Rs.2000-60-2300-EB-75-3200-100-3500	Rs.6500-200-10500
Group B	Rs.2000-60-2300-EB-75-3200	Rs.6500-200-10500
Group C	Rs.1640-60-2600-EB-75-2900	Rs.5500-175-9000
Group C	Rs.1400-40-1600-50-2300-EB-60-2600	Rs.5000-150-8000
Group C	Rs.1400-40-1800-EB-50-2300	Rs.4500-125-7000
Group C	Rs.1320-30-1560-EB-40-2040	Rs.4000-100-6000
Group C	Rs.1200-30-1560-EB-40-2040	Rs.4000-100-6000
Group C	Rs.975-25-1150-EB-30-1540	Rs.3200-85-4900
Group C	Rs.950-20-1150-EB-30-1500	Rs.3050-75-3950-80-4590
Group C	Rs.950-20-1150-EB-25-1400	Rs.3050-75-3950-80-4590
Group C	Rs.825-15-900-EB-20-1200	Rs.2750-70-3800-75-4400
Group D	Rs.800-15-1010-EB-20-1150	Rs.2650-65-3300-70-4000
Group D	Rs.750-12-870-EB-14-940	Rs.2550-55-2660-60-3200

Note : The pay scales which have been extended to the existing incumbents with prior permission of the competent authorities, but are different from those approved by the Government, shall be given as personal to the current incumbents of those posts on the consideration that they have already been drawing benefits of the grade in the pre-revised scale. Once the incumbents vacate the post, the pay scales would be reverted to the approved level, which exists in the Government.

No Post shall ordinarily be created in a scale of pay other than those mentioned above.

Initial pay

21. An employee shall, on his appointment to a post on a time-scale of pay, draw pay at the minimum of the time-scale unless the Appointing Authority decides that he shall draw pay at any higher stage :

Provided that, when such appointment is made by promotion—

(i) The pay of the employee will first be increased by one increment in the lower scale, and then fixed in the higher scale at the stage next above. The employee shall, however, have the option to be exercised in writing within a period of three months of his promotion, either to have his pay fixed in the higher scale of pay from the date of promotion or from the date on which his next annual increment falls due. The option, once exercised shall be final.

(ii) If he had previously served in the same post or in any other post under the University on the same or identical time-scale of pay, and was drawing pay higher than the pay admissible to him under clause (i) he shall draw such higher pay and the period of his duty in such post on such pay shall also count for purpose of increment in the higher post.

(iii) Fixation of pay of re-employed pensioners . The initial pay of a pensioner including officers pensioned off and retired on contributory provident fund and from the service of State Government, Railways and Defence Establishments, etc., re-employed in the University should be fixed at the Minimum stage of the scale of pay prescribed for the post in which the individual is re-employed. In addition he may be permitted to draw separately any pension sanctioned to him and to retain any other form of retirement benefit (G.P. Fund, Gratuity commuted value of pension, etc.,) provided the total amount of initial pay plus the gross amount of pension and/or the pension equivalent of other forms of retirement benefits does not exceed :—

(1) The pay he drew before his retirement (Pre-retirement pay) or

(2) Rs. 26,000/- whichever is less

Note: (1) In all cases where either of these limits is exceeded the pension and other retirement benefits may be paid in full and the necessary adjustment made in the pay so as to ensure that the total of pay and pensionary benefits is within the prescribed limits.

After the pay is fixed either at the minimum or higher stage, or below the minimum as a result of the said adjustments, increase in pay may be allowed after each year of service at the rate of increments admissible, as if the pay had been fixed at the minimum or the higher stage as the case may be.

Note: (2) Pay last drawn before retirement will be taken to be substantive pay plus special pay, if any: pay drawn in an officiating appointment may be taken into account if it was drawn continuously for at least one year before retirement.

In case where the minimum pay of the post in which the officer is re-employed is more than the last pay drawn, the officer concerned may be allowed the minimum of the prescribed scale of the post less pension and pension equivalent of other retirement benefits.

Once initial pay of re-employed pensioner has been fixed in the manner indicated above he may be allowed to draw normal increments in the time scale of the post to which he is appointed provided that the pay and gross pension/Pension equivalent of the retirement benefit taken together does not at any time exceed Rs.26,000/-.

In the case of Officers holding Group A post who retire before attaining of 55 years, their 1st Rs. 1500/- of Pension, shall be ignored in fixing their initial pay on re-employment.

Persons who were in re-employment in the University service as on 1.1.96 and who were drawing pay in the pre-revised scale of pay, the initial pay of such re-employed employees of the University, shall be fixed in the manner indicated in the Govt. of India O.M. Dept. of Personnel & Training O.M.No.3/12/97. Estt,-dt.19.11.1997.

Notwithstanding anything contained in the foregoing paragraphs the Vice-Chancellor, in special circumstances, shall have the power to fix the pay of the re-employed pensioner at a higher stage and permit him to draw the normal increments in the time-scale of the post to which he is appointed.

Increments

22. (i) An increment shall ordinarily be drawn as a matter of course unless it is withheld by the competent authority if the conduct of the employee has not been good or his work has not been satisfactory.

(ii) When an efficiency bar is prescribed in the time-scale, the increment next above that bar shall not be given to an employee without specific sanction of the Vice-Chancellor.

Service counting for increments

23. (a) All duty in a post on a time-scale of pay counts for increments in that time-scale.

(b) Service in another equivalent or higher post, foreign service and joining time will count for increments.

(c) All leave except extraordinary leave taken without medical certificate will also count for increments.

(d) The extraordinary leave sanctioned for the following purposes shall automatically count as qualifying service for pension and increments without any further sanctions :–

(i) Extraordinary leave granted due to inability of a University employee to join or rejoin duty on account of civil commotion.

(ii) Extraordinary leave granted to a University employee for prosecuting higher technical and scientific studies.

Pay during suspension

24. (1) An employee under suspension shall, during the period of suspension, draw subsistence allowance equivalent to half the rate of pay which is admissible to him immediately before the commencement of the suspension and in addition the dearness allowance as admissbile on the basis of that pay and such compensatory allowances admissible from time to time on the basis of pay which he was in receipt on the date of suspension, subject to fulfilment of other conditions laid down for the drawal of such allowances.

Provided that where the period of suspension exceeds three months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows :

(i) The amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first three months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the employee.

(ii) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50% of the subsistence allowance admissible during the period of the first three months, if in the opinion of the authority, the period of suspension has been prolonged for reasons to be recorded in writing, directly attributable to the employee.

(iii) The rate of the dearness allowance will be based on the increased or, as the case may be the decreased amount of subsistence allowance admissible under sub-clause (i) and (ii) above.

(2) No payment under sub-rule (i) shall be made unless the employee furnishes a declaration that he is not engaged in any other employment, business, profession or vocation during the period of suspension. Provided that in the case of an employee dismissed/terminated from service or compulsorily retired from service who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or termination of service or compulsory retirement and who fails to produce such a declaration for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the amount by which his earnings during such period or periods as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him; where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(3) The permissible deductions from the subsistence allowance will be of the following two categories :

(a) Compulsory deductions

(b) Optional deductions

Compulsory deductions :

(i) Income-tax and Super-tax (Provided the employee's yearly income calculated with reference to subsistence allowance is taxable).

(ii) House rent and allied charges, i.e., electricity, water, furniture, etc.

(iii) Repayment of loans and advances other than from provident fund taken from University at such rates as the Registrar may decide.

Optional deductions :

The deductions falling under this category should not be made except with the employee's written consent :

(i) Premia due on Life Insurance Policies.

(ii) Amount due to Co-operative Stores and Co-operative Credit Societies.

(iii) Refund of advance taken from Provident fund.

The deduction of the following nature should not be made from the subsistence allowance.

(i) Subscription to Provident Fund.

(ii) Recovery of loss to University in which an employee is responsible.

Special pay, personal pay, honorarium and fee

25. The University may sanction to an employee, in any special circumstances, such special pay, personal pay, honorarium or fee on such conditions as may be prescribed by regulations.

Drawal of pay

26. (i) An employee shall be entitled to draw the pay of the post to which he is appointed from the date on which he assumed charge of the post, if joining on the forenoon of that day; otherwise, from the next day.

(ii) Unless the Vice-Chancellor, in view of special circumstances, otherwise orders, pay in respect of any month shall become payable on the last working day of the month to which it relates; except for the month of March which will be disbursed only on the first working day of April.

(iii) Unless the Vice-Chancellor otherwise directs an employee resigning from service of the University without giving the prescribed notice shall not be allowed to draw pay due but not drawn.

Pay and allowances for holding additional charge of posts

27. (i) An employee appointed to hold full additional charge of the duties of a higher post will receive pay of the higher post.

(ii) An employee placed in charge of the full duties of a post of status equivalent to his own basic post will receive allowances at the rate of 10% of the presumptive pay of the additional post.

(iii) No allowance will be admissible when an employee holding one post is placed incharge of the current duties of a post of equivalent status of his own basic post. The employee concerned will receive pay in his basic post only.

(iv) An employee holding one post when placed in charge of the current duties of a lower post will not receive any allowance for the additional work.

Note : (1) The additional pay or allowance will not be admissible if the period of additionalcharge is 30 days or lass.

(2) The additional pay or allowance will not be admissible for any period exceeding sixmonths at a time.

IndiaCode

Compensatory allowance

28. The employees of the University will be eligible to draw Dearness Allowance, House Rent Allowance, City Compensatory Allowance, Travelling Allowance and other allowances as sanctioned by the University according to the rules in force from time to time and subject to the conditions prescribed for the drawal of these allowances.

Amendments

29. Unless there is anything repugnant in the Pondicherry University Act, Statutes, Ordinances, any amendments to Fundamental Rules and Supplementary Rules shall be deemed to be the amendments of the relevant provisions of these rules or any order or any administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders brought into force by the Central Government.

30. "The reservation in recruitments to non teaching posts shall be made as per reservation policy of UGC / Government of India as communicated by UGC from time to time".

IndiaCode

2. ORDINANCES GOVERNING THE CONDUCT OF THE EMPLOYEES OF THE UNIVERSITY

PART—I

1. (1) These rules may be called the "Pondicherry University (Conduct) Rules". — Short title and commencement

(2) These rules shall be deemed to have come into force from 16th October 1985.

2. In this chapter unless the context otherwise requires,— — Definitions

(a) "Employee" means teaching and non-teaching employees of the University.

(b) "Members of family" in relation to an employee includes:

(i) The wife or husband, as the case may be, of the employee whether residing with the employee or not, but does not include a wife or husband, as the case may be, separated from the employee by a decree or orders of a competent court.

(ii) Son or daughter or step-son or step-daughter of the employee wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the employee, or of whose custody the employee has been deprived by or under any law;

(iii) Any other person related whether by blood or marriage to the employee or to the employee's wife or husband, and wholly dependent on the employee.

(c) "Prescribed Authority" means the Vice-Chancellor or the authority prescribed by the Executive Council for the purpose of these rules as a whole or for any particular rule.

PART—II

3. (1) Every employee shall at all times : — General

(i) Maintain absolute integrity;

(ii) Show devotion to duty and

(iii) Do nothing which is unbecoming of an employee of the University.

(2) (i) Every employee, holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;

(ii)(a) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior.

(b) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;

(c) An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

(iii) Unless otherwise stated specifically in the terms of appointment and the contract, every whole-time employee may be called upon to perform such duties as may be assigned to him by the competent authority, beyond scheduled working hours and on closed holidays and Sundays.

(iv) An employee shall observe the scheduled hours of working during which he must be present at the place of his duty.

(v) Except for valid reasons and/or unforeseen contingencies, no employee shall be absent from duty without prior permission. If an employee is absent from duty without permission for a continuous period of 90 days, he shall be treated as absconding from duty and his service shall be deemed as terminated.

Explanation : Nothing contained in clause (ii) of sub-rule 3.2 shall be construed as empowering an employee to evade his responsibilities, by seeking instructions from or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distributions of powers and responsibilities.

Employment of near relatives of University employees in companies or firms

4. (i) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm having official dealings with the University.

(ii) No employee shall, in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person if any member of his family is employed in that company or firm or under that person or if he or any other member of his family is interested in such matter or contract in any other manner.

Taking part in politics and elections

5. (1) No employee shall be a member of, or be otherwise associated with any political party or any organisation which takes part in politics nor shall he take part in, subscribed in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government or the University as by law established and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the University.

(3) If any question arises whether a party is political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule 5.2. the decision of the University thereon shall be final.

(4) No employee shall canvass or otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority:

Provided that—

(i) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

(ii) An employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation: The display of an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

6. No employee shall join or continue to be a member of an association, the object or activities of which are prejudicial to the interests of the sovereignty and integrity of India, public order, decency or morality. Joining of associations by the employees

7. No employee shall— Demonstration and strikes

(i) engage himself or participate in any demonstration or strike which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence; or

(ii) resort to or in any way abet in any form of strike or coercion or physical duress in connection with any matter pertaining to his services or the service of any other employee.

8. (i) No employee shall, except with the previous sanction of the University, own wholly or in part, or conduct, or participate in the editing or management of any newspaper or other periodical publication. Connection with press or radio

(ii) No employee shall, except with the previous sanction of the University, or of the prescribed authority or except the *bona fide* discharge of his duties—

(a) publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles,

(b) participate in a radio broadcast or contribute any article or write a letter to any newspaper or periodical either in his own name or anonymously or in the name of any other person:

Provided that no such sanction shall be required—

(i) if such publication is through a publisher and is of a purely literary, artistic or scientific character, or

(ii) such broadcast or such contribution or writing is of a purely literary, artistic or scientific character.

Representation

8.A. (i) Whenever an employee wishes to putforth any claim or to seek redress of any grievance or any wrong done to him, he must forward his case through proper channel and shall not forward any advance copies of his application to any higher authority, unless the lower authority has rejected the claim, or refused relief, or the disposal of the matter is delayed by more than three months.

(ii) No employee shall be signatory to any joint representation addressed to the authorities for redress of any grievance or for any other matter.

Criticism of Government and/or University

9. No employee shall, in any radio broadcast or in any document published in his own name or in anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion,—

(i) which has the effect of an adverse criticism of any current or recent policy or action of the University or the University Grants Commission or the Government; or

(ii) which is capable of embarrassing the relations between the University and the Commission or the Government:

Provided that nothing in this rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

Evidence before a committee or any other authority

10. (1) Save as provided in sub-rule 10.3 below, no employee shall except with the previous sanction of the University give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule 10.1 no such employee giving such evidence shall criticise the policy or any action of the University or Commission or the Government.

(3) Nothing in this rule shall apply to—

(a) The evidence given at an enquiry before an authority appointed by the University, Commission, Government, Parliament or any State Legislature; or

(b) The evidence given in any judicial enquiry; or

(c) The evidence given in any departmental enquiry ordered by authorities subordinate to the Vice-Chancellor.

Unauthorised communication of information

11. No employee shall, except in accordance with any general or special order of the University or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly any official document, or any part thereof or information to any other employee or any other person to whom he is not authorised to communicate such document or information.

Subscriptions

12. No employee shall, except with the previous sanction of the University or of the prescribed authority, ask for or accept contribution to, or otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance of any object whatsoever.

Gifts

13. (1) Save as otherwise provided in these rules, no employee shall accept, or permit any member of his family or any other person acting on his behalf to accept any gift.

Explanation : The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with employee.

Note. 1. A casual meal, lift or other special hospitality shall not be deemed to be a gift.

Note: 2. An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firm, organisations, or from Universities and Colleges, etc.

(2) On occasions, such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious or social practice, an employee may accept gifts from his near relatives but he shall make a report to the University if the value of any such gift exceeds—

(i) Rs. 500 in the case of an employee holding any Class I (Group A) or Class II (Group B) post;

(ii) Rs. 250, in the case of an employee holding any Class III (Group C) post; and

(iii) Rs. 100, in the case of an employee holding any Class IV (Group D) post.

(3) On such occasions as are specified in sub-rule 13.2 an employee may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the University if the value of any such gift exceeds—

(i) Rs. 200, in the case of an employee holding any Class I (Group A) or Class II (Group B) post;

(ii) Rs. 100, in the case of an employee holding any Class III (Group C) post; and

(iii) Rs. 50, in the case of an employee holding any Class IV (Group D) post.

(4) In any other case, an employee shall not accept, or permit any member of his family or any other person acting on his behalf to accept, any gift without the sanction of the University, if the value thereof exceeds—

(i) Rs. 75, in the case of an employee holding any Class I (Group A) or Class II (Group B) post; and

(ii) Rs. 25, in the case of an employee holding any Class III (Group C) or Class IV (Group D) post.

(5) Notwithstanding anything contained in sub-rules 13.2, 13.3 and 13.4 an employee may receive gifts of symbolic nature from foreign dignitaries and retain such gifts.

(6) Gifts from foreign dignitaries which are not of symbolic nature may be retained by an employee if the market value of the gift in the country of origin does not exceed Rs. 3,000.

(7) Where there is doubt whether a gift received from a foreign dignitary is of symbolic nature or not, or where the market value of the gifts in the country of origin apparently exceeds Rs. 3,000 or where there is any doubt about the actual market value of the gifts, the acceptance of such gifts and retention thereof by the employee shall be regulated by the instructions issued by the Government/University in this regard from time to time.

(8) An employee shall not accept any gift from any foreign firm which is either contracting with the University or is one with which the employee had, has or is likely to have, official dealings. Acceptance of gifts by an employee from any other foreign firm shall be subject to the provisions of sub-rule 13.4.

Dowry

13. A. No employee shall—

(i) give or take or abet the giving or taking of dowry; or

(ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanation : For the purpose of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

Public demonstration in honour of employees of the university

14. No employee shall except with the previous sanction of the Vice-Chancellor, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other employee:

Provided that nothing in this rule shall apply to—

(i) a farewell entertainment of a substantially private and informal character held in honour of an employee on the occasion of his retirement or transfer or any person who has recently quitted the service of the University; or

(ii) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.

Note : Exercise of pressure or influence of any sort on any employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character and the collection of subscriptions from Group "C" or Group "D" employees under any circumstances for the entertainment of any employee not belonging to Group "C" or Group "D" is forbidden.

Private trade or employment

15. (1) No employee shall except with the previous sanction of the University, engage directly or indirectly in any trade or business or undertake any other employment:

Provided that an employee may, without such sanction—

(i) undertake honorary work of a social or charitable nature; or

(ii) undertake occasional work of a literary, artistic or scientific character; or

(iii) participate in sports activities as amateur subject to the condition that in all the cases his official duties do not thereby suffer. He shall not undertake or shall discontinue such work or activity, if so directed by the University.

Explanation : Canvassing by an employee in support of the business of insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this sub-rule.

(2) Every employee shall report to the University if any member of his family is engaged in a trade or business or own or manages an insurance agency or commission agency.

(3) No employee shall, without the previous sanction of the University except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or any co-operative society for commercial purposes:

Provided that an employee may take part in the registration, promotion or management of—

(i) a co-operative society substantially for the benefit of the employees registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force; or

(ii) a literary, scientific or charitable society registered under the Societies Registration Act, 1960 (2 of 1960) or any other law for the time being in force.

(4) No employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the competent authority of the University.

Investment lending and borrwing

16. (1) No employee shall speculate in any stock, share, or other investment.

Explanation : Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

(2) No employee shall make or permit any member of his family or any person acting on his behalf, to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether any transaction is of the nature referred to in sub-rule 16.2 the decision of the University thereon shall be final.

(4) (i) No employee shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf—

(a) lend or borrow or deposit money, as a principal or an agent, to, or from, or with any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or firm or private limited company; or

(b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid:

Provided that an employee may give to or accept from a relative or a personal friend, a purely temporary loan of a small amount free of interest or operate a credit account with a *bona fide* tradesman or make an advance of pay to his private employee:

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by an employee with the previous sanction of the University.

(ii) When an employee is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule 16.2 or sub-rule 16.4, he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

Insolvency and habitual indebtedness

17. An employee shall so manage his private affairs so as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the University.

Note: The burden of proving that the insolvency or indebtedness was the result of circumstances which with the exercise of ordinary diligence, the employee could not have foreseen or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

Movable, immovable and valuable property

18. (1) Every employee shall on his first appointment to any University service or post submit a return of his assets and liabilities, in such form as may be prescribed by the University, giving the full particulars regarding—

(a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in the name of any member of his family or in the name of any other person;

(b) shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;

(c) other movable property inherited by him or similarly owned, acquired or held by him; and

(d) debts and other liabilities incurred by him directly or indirectly.

Note 1: Sub-rule 18.1. shall not ordinarily apply to class IV (Group D) servants but the University may direct that it shall apply to any such employee or class (Group) of such employees.

Note 2: In all returns, the values of items of movable property worth less than Rs. 2,000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc, need not be included in such return.

Note 3: (i) Where an employee already belonging to a service, or holding a post is appointed to any other civil service or post he shall not be required to submit a fresh return under this clause.

(ii) Every employee belonging to any service or holding any post included in Group A or Group B shall submit an annual return in such form as may be prescribed by the University in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family, or in the name of any other person.

(2) No employee shall, except with the previous knowledge of the University, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:

Provided that the previous sanction of the University shall be obtained by the employee if any such transaction is—

(i) with a person having official dealings with the employee.

(3) Where an employee enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall, within one month from the date of such transaction, report the same to the University, if the value of such property exceeds Rs. 10,000 in the case of an employee holding any Class I (Group A) or Class II (Group B) post or Rs. 5,000, in the case of an employee holding any Class III (Group C) or Class IV (Group D) post:

Provided that the previous sanction of the University shall be obtained if any such transaction—

(i) with a person having official dealings with the employee.

(4) The University may, at any time by general or special order, require an employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall if so required by the University, include the details of the means by which, or the source from which, such property was acquired.

(5) The University may exempt any category of employee belonging to Class III (Group C) or Class IV (Group D) from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Executive Council.

Explanation 1 : For the purpose of sub-rule (1) the expression movable property includes

(a) Jewellery, insurance policies the annual premia of which exceeds Rs. 2,000 or one sixth of the total annual emoluments received from the University, whichever is less, shares, securities and debentures;

(b) Loans advanced by such employees whether secured or not;

(c) motor cars, motor cycles, horses, or any other means of conveyance; and

(d) refrigerators, radios, radiograms and television sets.

Explanation 2 : For the purposes of this rule, "lease" means, except where it is obtained from or granted to a person having official dealings with the employee, a lease of immovable property from year to year or for any term exceeding one year or receiving a yearly rent.

18–A Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.

Notwithstanding anything contained in sub-rule 18.2, no employee shall, except with the previous sanction of the prescribed authority:—

(a) acquire by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;

(b) dispose of by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;

(c) enter into any transaction with any foreigner, foreign Government, foreign organisation or concern—

(i) for the acquistition by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property.

(ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

Vindication of acts and character of employment

19 (1) No employee shall, except with the previous sanction of the University, have recourse to any court 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.

(2) Nothing in this rule shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the University regarding such action.

Canvassing of non-official or other outside influence

20. No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the University.

Restrictions regarding marriages

21.(1) No employee shall enter into or contract a marriage with a person having a spouse living; and

(2) No employee having a spouse living shall enter into or contract a marriage with any person:

Provided that the University may permit an employee to enter into or contract any such marriage as is referred to in clause 1 or clause 2, if it is satisfied that—

(a) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and

(b) there are other grounds for so doing.

(3) An employee who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the University.

Consumption of intoxicating drinks and drugs

22. An employee shall—

(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug;

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(bb) refrain from consuming any intoxicating drink or drug in a public place;

(c) not appear in a public place in a state of intoxication;

(d) not use any intoxicating drink or drug, to excess.

Explanation : For the purpose of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

Interpretation

23. If any question arises relating to the interpretation of these rules, it shall be referred to the Executive Council whose decision thereon shall be final.

Amendments

24. Unless there is anything repugnant in the Pondicherry University Act, Statutes, Ordinances, any amendments to the Central Civil Services (Conduct) Rules, 1964 shall be deemed to be the amendments of the relevant provisions of these rules or any order or administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders are brought into force by the Central Government.

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3. ORDINANCES GOVERNING THE CONTROL AND APPEAL OF THE EMPLOYEES OF THE UNIVERSITY

PART—I
GENERAL

Short title and commencement

1. (1) These rules shall be called the "Pondicherry University (Control and Appeal) Rules"

(2) They shall be deemed to have come into force from 16th October 1985.

Definitions

2. In these rules unless the context otherwise requires,—

(a) "Appointing Authority" means the authority empowered to make appointments.

(b) "Disciplinary Authority" in relation to the imposition of penalty on an employee means the authority as such competent under these rules to impose on him any of heit penalities specified in rule 6.

(c) "Employee" means any person in the service of the University who is a member of a cadre on one of the categories of posts created under the University and includes any such person on foreign service or whose services are temporarily placed at the disposal of another University or any other authority by the University and also any person in the service of a State Government or Central Government or a local or other authority or any other autonomous body whose services are temporarily placed at the disposal of the University.

Application

3. These rules shall apply to all the employees of the University except persons on daily wages/consolidated.

If any doubt arises as to whether these rules or any of them apply to any person or person to whom these rules apply belongs to a particular cadre, the matter shall be referred to the Executive Council which shall decide the same.

Protection of rights and privileges conferred by agreement

4. Nothing in these rules shall operate to deprive any employee of any right or privilege to which he is entitled by the terms of any agreement subsisting between any such person and the University on the commencement of these rules.

PART—II
SUSPENSION

Suspension

5. (1) The appointing authority or any disciplinary authority to which it is subordinate or any other authority empowered by the University in that behalf may place an employee under suspension—

(a) where a disciplinary proceeding against him is contemplated or is pending or

(b) where a case against him in respect of any criminal offence is under investigation, enquiry or trial :

Provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.

(2) An employee shall be deemed to have been placed under suspension by an order of appointing authority—

(a) with effect from the date of his detention if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation : The period of forty-eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose intermittent period of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service, imposed upon an employee under suspension is set aside on appeal or on review under these rules and the case is remitted for further enquiry or action or with any direction, the orders of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold further enquiry against him on the allegation which the penalty of dimissal, removal, or compulsory retirement was orginally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders:

Provided that no such further enquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

PART—III

PENALTIES AND DISCIPLINARY AUTHORITIES

6. The following penalties may for good and sufficient reasons and as hereinafter provided, be imposed on an employee namely :—

Minor Penalties

(i) Censure

(ii) Withholding of promotion

(iii) Recovery from the pay of the whole or part of any pecuniary loss caused by him to the University by negligence or breach of rules of the University or directions of superior authorities.

(iv) Withholding of increments of pay

Major penalities

(v) Reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period the reduction will or will not have the effect of postponing the further increments of his pay.

(vi) Reduction to a lower time-scale of pay, grade or post or service shall ordinarily be a bar to the promotion of the employee to the time-scale of pay grade, post or service from which he was reduced with or without further directions regarding conditions of restoration to the grade or post or service from which such reduction has been made.

(vii) Compulsory retirement

(viii) Removal from service

(ix) Dismissal from service

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

(i) Stoppage of an employee at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar;

(ii) Non-promotion of an employee, whether in a substantive or officiating capacity, after consideration of his case for promotion to a grade or post to which the employee is eligible;

(iii) Reversion of an employee 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 an employee officiating in a higher grade or post to a lower grade or post, on the ground that the employee 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 an employee, whose services had been borrowed from outside authority, at the disposal of such authority.

(vi) Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement.

(vii) Termination of the services—

(a) of an employee 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 employee in accordance with the terms of appointment; or

(c) of an employee employed under an agreement, in accordance with the terms of such agreement.

7. (1) The Executive Council may impose any of the penalties specified in rule 6 on any employee.

(2) The Vice-Chancellor may impose on an employee any of the penalties specified in clauses (i), (ii), (iii), and (iv) of rule 6.

(3) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and academic staff, as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of the censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

8. (1) The Executive Council or any other authority empowered by it by general or special order may —

(a) institute disciplinary proceedings against any employee;

(b) direct a disciplinary authority to institute disciplinary proceedings against any employee on whom that disciplinary authority is competent to impose under these rules any of the penalties specified in rule 6.

(2) A disciplinary authority competent under these rules to impose any of the penalties specified in clauses (i) to (iv) of rule 6 may institute disciplinary proceedings against any employee for the imposition of any of the penalities specified in clause (v) to (ix) of rule 6 notwithstanding that such disciplinary authority is not competent under those rules to impose any of the latter penalties.

PART—IV

PROCEDURE FOR IMPOSING PENALTIES

Procedure for imposing major penalties

9. (1) No order imposing any of the penalties specified in clauses (v) to (ix) of rule 6 shall be made except after an enquiry held as may be, in the manner provided in this rule and rule 11.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for enquiry into the truth of any imputation of misconduct or misbehaviour against any employee, it may itself enquire into, or appoint under this rule an authority to enquire into the truth thereof.

Explanation: Where the disciplinary authority itself holds the enquiry, any reference in sub-rule (7) to sub-rule and in sub-rule (20) (22) to the enquiring authority shall be construed as a reference to the disciplinary authority.

(3) Where it is proposed to hold an enquiry against an employee under this rule and rule 11, the disciplinary authority shall draw up or cause to be drawn up;

(i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge;

(ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge which shall contain—

(a) a statement of all relevant facts including any admission or confessions made by the employee;

(b) a list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained.

(4) The disciplinary authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained, and shall require the employee to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5)(a) On receipt of the written statement of defence the disciplinary authority may itself enquire into such of the articles of charge as are not admitted, or if it considers it necessary to do so, appoint under sub-rule (2) an inquiring authority for the purpose and where all the articles of charge have been admitted by the employee in his written statement of defence the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in Rule 10.

(b) If no written statement of defence is submitted by the employee, the disciplinary authority may itself inquire into the articles of charge, or may, if it considers it necessary to do so, appoint, under sub-rule (2) an inquiring authority for the purpose.

(c) Where the disciplinary authority itself inquires into any article of charge or appoints an inquiring authority for holding an inquiry into such charge, it may by an order, appoint an employee to be known as the "presenting officer" to present on its behalf the case in support to the articles of charge.

(6) The disciplinary authority shall, where it is not the inquiring authority forward to the inquiring authority :

(i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;

(ii) a copy of the written statement of defence, if any, submitted by the employee;

(iii) a copy of the statements of witnesses, if any, referred to in sub-rule (3)

(iv) evidence proving the delivery of the documents referred to in sub-rule (3) to them;

(v) a copy of the order appointing the Presenting Officer.

(7) The employee shall appear in person before the enquiring authority on such day and at such time within fifteen working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehaviour as the inquiring authority may, by a notice in writing specify in this behalf, or within such further time, not exceeding fifteen days, as the inquiring authority may allow.

(8) The employee may take the assistance of any other employee to present the case on his behalf but shall not engage a legal practitioner for the purpose.

(9) If the employee who has not admitted any of the articles of charge in his written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the employee thereon.

(10) The inquiring authority shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.

(11) The inquiring authority shall, if the employee fails to appear within the specified time or refuses or omits to plead guilty, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date not exceeding thirty days, after recording an order that employee may for the purpose of preparing his evidence;

(I) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-rule (3).

(Ii) Submit a list of witnesses to be examined on his behalf.

Note: If the employee applies orally or in writing for the supply of copies of the statement of witnesses mentioned in the list referred to in sub-rule (2) the inquiring authority shall furnish to the employee with such copies as early as possible and in any case not less than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

(iii) Give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow, the production of any documents which are in the possession of the University but not mentioned in the list referred to in sub-rule 3.

Note : The employee shall indicate the relevance of the documents required by him to be produced by the University.

(12) The inquiring authority shall, on receipt of the notice for the production of documents forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition

Provided that, the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case or not in the best interests of the University.

(13) On receipt of the requisition referred to in sub-rule (12) every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority:

Provided that, if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents could be against the public interest of the University, it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicated the information to the employee and withdraw the requisition made by it for the production of such documents.

(14) On the date fixed for the inquiry the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witness shall be examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross examined. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(15) If it shall appear necessary before the close of the case on behalf of the disciplinary authority the inquiring authority, may in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the employee, or may itself call for new evidence or recall and re-examine any witnesses and in such case the employee shall be entitled to have, if he demands it,

a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for at least three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the employee an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the employee to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interests of justice.

Note : New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced orginally.

(16) When the case for the disciplinary authority is closed, the employee shall be required to state his defence, orally or in writing as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.

(17) The evidence on behalf of the employee shall then be produced. The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority.

(18) The inquiring authority may, after the employee closes his case, and shall if the employee has not examined himself generally question him on the circumstances appearing against the employee in the evidence for the purpose of enabling the employee to explain any circumstances appearing in evidence against him.

(19) The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed, and the employee, or permit them to file written briefs of their respective case, if they so desire.

(20) If the employee to whom the copy of the articles of charge has been delivered, does not submit the written statement of the defence on or before the date specified for the purpose, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry *ex-parte*.

(21) (a) Where a disciplinary authority competent to impose any of the penalties specified in clauses (i) to (iv) of rule 6 but not competent to impose any of the penalties specified in clauses (v) to (ix) of the rule has itself enquired into or caused to be inquired into the articles of any charge and that authority having regard to its own findings or having regard to its decision on any of the findings of any inquiring authority appointed by it, is of the opinion that the penalties specified in clauses (v) to (ix) of rule 6 should be imposed on the employee, that authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose the last mentioned penalties.

(b) The disciplinary authority to which the records are so forwarded may act on the evidence on the record or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, recall the witness and examine, cross-examine and re-examine the witnesses and may impose on the employee such penalty as it may deem fit in accordance with these rules.

(22) Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein, and is succeeded by another inquiring authority which has, and which exercises such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself:

Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may recall, examine, cross-examine and re-examine any such witnesses as herein before provided.

(23) (i) After the conclusion of the inquiry, report shall be prepared and it shall contain—

(a) the articles of charge and the statement of the imputations of misconduct or misbehaviour;

(b) the defence of the employee in respect of each article of charge;

(c) an assessment of the evidence in respect of each article of charge;

(d) the findings on each article of charge and reasons therefor.

Explanation :

If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of the charge different from the original articles of the charge, it may record its findings on such article of charge:

Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such articles of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority, where it is not itself the disciplinary authority shall forward to the disciplinary authority the records of inquiry which shall include—

(a) The report prepared by it under clause (i)

(b) the written statement of defence, if any submitted by the employee;

(c) the oral and documentary evidence produced in the course of the enquiry;

(d) written briefs, if any, filed by the Presenting Officer or the employee or both during the course of the inquiry and

(e) the order, if any made by the disciplinary authority and the inquiring authority in regard to the inquiry.

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Action on the inquiry report

10. (1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of rule 9 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clause (i) to (iv) of rule 6 should be imposed on the employee, it shall, notwithstanding anything contained in rule 11, make an order imposing such penalty.

(4) If the disciplinary authority having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 6 should be imposed on the University employee, it shall make an order imposing such penalty and it shall not be necessary to give the University employee any opportunity of making representation on the penalty proposed to be imposed.

Procedure for imposing minor penalties

11. (1) Subject to the provision of sub-rule (3) of rule 10 no order imposing on an employee any of the penalties specified in clauses (i) to (iv) of rule 6 shall be made except after—

(a) informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

(b) holding an inquiry in the manner laid down in sub-rule (3) to (23) of rule 9 in every case in which the disciplinary authority is of the opinion that such inquiry is necessary.

(c) taking the representation if any, submitted by the employee under clause (a) and the record of inquiry, if any, held under clause (b) into consideration, and

(d) recording a finding on each imputation of misconduct or misbehaviour;

(1 A) Notwithstanding anything contained in caluse (b) of sub-rule (1) if in a case it is proposed, after considering the representation, if any, made by the employee under clause (a) of that sub-rule to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension payable to the employee or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rule (3) to (23) of rule 9, before making any order imposing on the employee any such penalty.

(2) The record of the proceedings in such cases shall include—

(i) a copy of the intimation to the employee of the proposal to take action against him,

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(ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him;

(iii) his representation, if any;

(iv) the evidence produced during inquiry;

(v) the findings on each imputation of misconduct or misbehaviour; and

(vi) the orders on the case together with the reasons thereof.

Communication of orders

12. Orders passed by the disciplinary authority shall be communicated to the employee who shall also be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings, on each article of charge, or where the disciplinary authority is not the inquiring authority a copy of the report of the inquiring authority and a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority unless they have already been supplied to him.

Common proceddings

13. (1) Where two or more employees are concerned in any case, the Executive Council or any other authority competent to impose the penalty of dismissal from service on all such employees may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

Note : If the authorities competent to impose the penalty of dismissal on such employees are different an order for taking disciplinary action in a common proceeding may be made by the highest of such authorities with the consent of the others.

(2) Subject to the provisions of sub-rule (2) of rule 7 any such order shall specify—

(i) the authority which may function as the disciplinary authority for the purpose of such common proceedings;

(ii) the penalties specified in rule 6 such disciplinary authority shall be competent to impose;

(iii) whether the procedure laid down in rule 9 and rule 10 or rule 11 shall be followed in the proceedings.

Special procedure in certain cases

14. Notwithstanding anything contained in rule 9 to rule 13—

(i) where any penalty is imposed on an employee on the ground of conduct which has led to his conviction on a criminal charge, or

(ii) where the disciplinary authority is satisfied, for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit.

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Provisions regarding employees lent to outside authority

15. (1) Where the services of an employee are lent to an outside authority (hereinafter in this rule referred to as the 'borrowing authority') the borrowing authority shall have the power of the appointing authority for the purpose of placing such employee under suspension and of the disciplinary authority for the purpose of conducting a disciplinary proceeding against him:

Provided that the borrowing authority shall forthwith inform the University which lent the services of the employee of the circumstances leading to the order of suspension of such employee or the commencement of disciplinary proceeding, as the case may be.

(2) In the light of the findings in the disciplinary proceedings conducted against the employee.

(i) If the borrowing authority is of the opinion that any of the penalties specified in clauses (i) to (iv) of rule 6 should be imposed on the employee, it may after consultation with the lending authority, make such orders on the case as it deems necessary:

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority the services of the employee shall be replaced at the disposal of the lending authority.

(ii) If the borrowing authority is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 6 should be imposed on the employee it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may pass such orders thereon as it may deem necessary:

Provided that, before passing any such order, the disciplinary authority shall comply with the provisions of sub-rule (3) and (4) of rule 10.

Explanation : The disciplinary authority may make an order under this clause on the record of the inquiry transmitted to it by the borrowing authority, after holding such further inquiry as it may deem necessary, as far as may be, in accordance with rule 9.

Provision regarding persons borrowed from outside authorities

16. (1) Where an order of suspension is made or a disciplinary proceeding is conducted against an employee whose services have been borrowed from outside authority lending his services (hereinafter in this rule referred to as "the lending authority)" shall forthwith be informed the circumstances leading to the order of the suspension of the employee or of the commencement of the disciplinary proceedings, as the case may be.

(2) If, in the light of the findings in the disciplinary proceedings conducted against the employee, the disciplinary authority is of the opinion that any of the penalties specified in clauses (i) to (iv) of rule 6 should be imposed on him, it may, subject to the provisions of sub-rule (3) of rule 10, after consultation with the lending authority, pass such orders on the case as it may deem necessary:

(i) Provided that, in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the the employee shall be replaced at the disposal of the lending authority.

(ii) If the disciplinary authority is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 6 should be imposed on the employee it shall replace the services of such employee at the disposal of the lending authority, and transmit to it the proceedings of the inquiry for such action as it may deem necessary.

PART—V

APPEAL

Orders against which an appeal does not lie

17. Notwithstanding anything contained in this part, no appeal shall lie against —

(i) any order made by the Executive Council;

(ii) any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of a disciplinary proceeding other than an order of suspension ;

(iii) any order passed by an inquiring authority in the course of an inquiry under rule 9.

Orders against which appeal lies

18. Subject to the provisions of rule 17 an employee may prefer and appeal against all or any of the following orders, namely :—

(i) an order of suspension made or deemed to have been made under rule 5.

(ii) an order imposing any of the penalties specified in rule 6 whether made by the disciplinary authority or by an appellate or reviewing authority;

(iii) an order enhancing any penalty imposed under rule 6;

(iv) an order which—

(a) denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement; or

(b) interprets to his disadvantage the provisions of any such rule or agreement;

(v) an order—

(a) stopping him at the efficiency bar in the time scale of pay on the ground of his unfitness to cross the bar;

(b) reducing or withholding the pension or denying the maximum pension admissible to him under the rules;

(c) reverting him, while officiating in a higher grade or post to a lower grade or post otherwise than as a penalty;

(d) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;

(e) determining his pay and allowances;

(i) for the period of suspension; or

(ii) for the period from the date of his dismissal, removal, or compulsory retirement from service or from the date of his reduction to a lower grade, post, time-scale or stage in a time-scale of pay, to the date of his reinstatement or restoration to his grade or post or

(f) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement, or reduction to a lower grade, post, time-scale of pay or stage in a time-scale of pay to the date of his reinstatement to his service, grade or post shall be treated as a period spent on duty for any purpose.

Explanation : In this rule, the expression 'employee' includes a person who has ceased to be in the service of the University.

The expression 'pension' includes additional pension, gratuity and any other retirement benefits.

Appellate Authorities

19. An employee, including a person who has ceased to be in the service of the University may prefer an appeal against all or any of the orders specified in rule 18 to the authority specified in this behalf by a general or special order of the University or where no such authority is specified;

(a) to the appointing authority, where the order appealed against is made by an authority subordinate to it;

(b) to the Executive Council where such order is made by any other authority;

(c) notwithstanding anything contained in sub-rule (1)—

(i) An appeal against an order in common proceeding held under rule 13 will lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate.

(ii) Where the person who made the order appealed against becomes by virtue of his subsequent appointment or otherwise, the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate:

Provided that the Executive Council may appoint a Committee of Appeals' to which all appeals against major penalty of removal or dismissal referred to in rule 6 (viii) and (ix) or against the orders of the Executive Council would lie for final decision.

The composition and terms of the Committee of Appeals and also the rules for the conduct of its business would be determined by the Executive Council.

(iii) Any dispute arising out of a contract between the University and an Employee shall, at the request of the employee, be referred to a Tribunal of Arbitration as provided in section 31 (2) of the Act.

Period of limitation for appeals

20. No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant

Provided that the appeallate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

Form and contents of appeal

21. (1) Every person preferring an appeal shall do so separately and in his own name.

(2) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall not contain any disrespectful or improper language and shall be complete in itself.

(3) The authority which made the order appealed against shall on receipt of copy of the appeal, forward the same with its comments thereon together with the relevant records, to the appellate authority without any avoidable delay, and without waiting for any direction from the appellate authority.

Consideration of appeal

22. (1) In the case of an appeal against an order of suspension the appellate authority shall consider whether in the light of the provisions of rule 5 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in rule 6 or enhancing any penalty imposed under the said rule the appellate authority shall consider-

(a) Whether the procedure laid down in these rules has been complied with;

(b) Whether the findings of the disciplinary authority are warranted by the evidence on the record; and

(c) Whether the penalty or the enhanced penalty imposed is adequate or inadequate, or severe and pass orders—

(i) Confirming, enhancing, reducing, or setting aside the penalty; or

(ii) remitting the case to the authority which imposed or enhanced the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case:

Provided that—

(i) if such enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (v) to (ix) of rule 6 and an inquiry under rule 9 has not already been held in the case, the appellate authority shall subject to the provisions of rule 14 itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of rule 9 and thereafter on a consideration of the proceedings of such inquiry and after giving the appellant a reasonable opportunity as far as may be in accordance with the provisions of sub-rule (4) of rule 10 of making a representation against the penalty proposed on the basis of the evidence adduced during such inquiry, make such orders as it may deem fit.

(ii) no order imposing an enhanced penalty shall be made in any case unless the appellant has been given a reasonable opportunity as far as may be, in accordance with the provisions of rule 11 of making a representation against such enhanced penalty.

(iii) in an appeal against any other order specified in rule 18, the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

Implementation of orders in appeal

23. The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

PART—VI

REVIEW

Review

24. (1) Notwithstanding anything contained in these rules :—

(i) The Executive Council; or

(ii) The appellate authority; within six months of the date of the orders proposed to be reviewed, may, at any time, either on its own motion or otherwise call for the records of any inquiry and review any order made under these rules from which an appeal is allowed but from which no appeal has been preferred or from which no appeal is allowed and may—

(a) confirm, modify or set aside the order; or

(b) confirm, reduce, enhance or set aside the penalty imposed by the order or impose any penalty where no penalty has been imposed; or

(c) remit the case to the authority which made the order or to any other authority directing such authority to make such further inquiry as may consider proper in the circumstances of the case; or

(d) pass such other orders as it may deem fit:

Provided that no order imposing or enhancing any penalty shall be made by a reviewing authority unless the employee concerned has been given a reasonable opportunity of making a respresentation against the penalty proposed and where it is proposed to impose any of the penalties specified in clauses (v) to (ix) of rule 6 or enhance the penalty imposed by the order sought to be reviewed to any of the penalties specified in those clauses, no such penalty shall be imposed except after an inquiry in the manner laid down in rule 9 and after giving a reasonable opportunity to the employee concerned of showing cause against the penalty proposed on the basis of the evidence adduced during the enquiry.

(2) No proceeding for review be commenced until after—

(i) the expiry of the period of limitation for an appeal, or

(ii) the disposal of the appeal, where any such appeal has been preferred.

(3) An application for review shall be dealt with in the same manner as if it were an appeal under these rules.

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PART VII

MISCELLANEOUS

Service of orders, notices, etc.

25. Every order, notice and other process made or issued under these rules shall be served in person on the employee concerned or communicated to him by registered post and such communication if delivered at the address recorded in the official records of the University, is deemed to be a proper service.

Power to relax time-limit and to condone delay

26. Save as otherwise expressly provided in these rules, the authority competent under these rules to make an order may for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules or condone any delay.

Amendment

27. Unless there is anything repugnant in the Pondicherry University Act, Statutes, Ordinances, any amendments to the Central Civil Services (Classification, Control and Appeal) Rules, 1965 shall be deemed to be the amendments of the relevant provisions of these rules, or any order or administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/ orders are brought into force by the Central Government.

Removal of doubts

28. If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Executive Council which shall decide the same and its decision shall be final.

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4. ORDINANCES GOVERNING LEAVE OF ALL EMPLOYEES OF THE UNIVERSITY OTHER THAN TEACHERS

PART—I

PRELIMINARY

Short title and extent of application

1. These rules may be called the "Pondicherry University (Leave) Rules".

These rules shall be deemed to have come into force on 16th October 1985.

PART—II

GENERAL CONDITIONS

Right to leave

2. (i) Leave cannot be claimed as a matter of right.

(ii) When the exigencies of service so require, leave of any kind may be refused or revoked by the authority empowered to sanction leave but it shall not be open to that authority to alter the kind of leave due and applied for except at the written request of the employee.

Effect of dismissal, remoal or resignation on leave at credit

3. (i) Any claim to leave to the credit of an employee who is dismissed or removed or who resigns from the service of the University ceases from the date of such dismissal or removal or resignation :

Provided that the University may, in any case, grant terminal leave to an employee prior to his resignation which may extend beyond the date on which the resignation becomes effective, if in the opinion of the University, the circumstances justify the grant of such leave.

Commutation of one kind of leave into another

4. (i) At the request of an employee, the sanctioning authority may commute any kind of leave retrospectively into leave of a different kind which was due and admissible to him at the time the leave was granted; but the employee cannot claim such commutation as a matter of right.

(ii) The commutation of one kind of leave into another shall be subject to adjustment of leave salary on the basis of leave finally granted to the employee, that is to say, any amount paid to him in excess shall be recovered or any arrears due to him shall be paid.

Note : Extraordinary leave granted on medical certificate or otherwise may be converted retrospectively into "leave not due" subject to the provisions of Rule 18.

Combination of different kinds of leave

5. Except otherwise provided in these rules, any kind of leave these rules may be granted in combination with or in continuation of any other kind of leave.

Explanation : Casual leave which is not recognised as leave under these rules shall not be combined with any other kind of leave admissible under these rules.

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Maximum amount of continuous leave

6. No employee shall be granted leave of any kind for a continuous period exceeding five years.

PART—III

GRANT OF AND RETURN FROM LEAVE

Application for leave

7. Any application for leave or for extension of leave shall be made in Form 1 to the authority competent to grant leave. It should be applied for before it is actually availed of except in special cases of emergency and for reasons to the satisfaction of the sanctioning authority.

Leave account

8. A leave account will be maintained in Form 2 for each employee.

Grant of leave on medical certificate

9. (i) An application for leave on medical certificate shall be accompanied by a medical certificate in Form 3 given by the Authorised Medical Attendant of the University or any Registered Medical Practitioner defining as clearly as possible the nature and probable duration of illness.

(ii) The authority competent to grant leave may, at its discretion, secure a second medical opinion by requesting another medical officer either appointed by the University or of the Government to have the applicant medically examined on the earliest possible date.

(iii) The grant of medical certificate under this rule does not in itself confer upon the employee concerned any right to leave; the certificate shall be forwarded to the authority competent to grant leave and orders of that authority awaited.

(iv) An employee who is declared by a medical authority to be completely and permanently incapacitated for further service shall—

(a) if he is on duty, be invalidated from service from the date of relief of his duties which should be arranged without delay on receipt of the report of the medical authority; if, however, he is granted leave, he shall be invalidated from service on the expiry of such leave.

(b) if he is already on leave, be invalidated from service on the expiry of that leave or extension of leave, if any, granted to him.

Return from leave

10. (i) An employee on leave shall not return to duty before the expiry of the period of leave granted to him unless he is permitted to do so by the authority which granted him leave.

(ii) An employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in Form 4.

Commencement and termination of leave

11. Leave ordinarily begins from the date on which leave as such is actually availed of and ends on the day on which the employee resumes his duty.

Combination of holidays with leave

12. (i) When the day(s) immediately preceding the day on which an employee's leave other than leave on medical certificate begins or immediately following the day on which his leave expires is a holiday or one of series of holidays, the employee shall be deemed to have been permitted to prefix and or suffix the holidays/holiday.

(ii) In the case of leave on medical certificate :

(a) When an employee is certified medically unwell to attend office, holiday(s), if any, succeeding the day he is so certified including that day shall be treated as part of the leave; and

(b) When an employee is certified medically fit for joining duty, holiday(s), if any, succeeding the day he is so certified including that day shall automatically be allowed to be suffixed to the leave, and holiday(s), if any preceding the day he is so certified shall be treated as part of the leave.

Absence without leave and absence after expiry of leave

13. (i) Unauthorised absence from duty, i.e., absence without prior sanction of leave shall normally constitute a break in service and the employee is not entitled to any salary for the period of such absence:

Provided, however that the competent authority may, in exceptional cases, convert the unauthorised absence into extraordinary leave or any other kind of leave which may be due to the employee keeping in view the circumstances of each case and kind of leave due to the employee.

(ii) Unless, the authority competent to grant leave extends the leave, an employee who remains absent after the expiry of leave is entitled to no leave salary for the period of such absence and that period shall be debited against his leave account as though it were half pay leave.

(iii) Wilful absence from duty renders an employee liable to disciplinary action.

PART—IV

KINDS OF LEAVE DUE AND ADMISSIBLE

Earned leave

14. (i) The leave account of every employee shall be credited with earned leave in advance, in two instalments of 15 days each on the first day of January and July of every calendar year.

(ii) The leave at credit of an employee at the close of the previous half year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for the half-year do not exceed the maximum limit of 180 days. This limit is increased to 300 days with effect from 1-7-87

(iii) The maximum earned leave that can be granted to an employee at a time shall be 120 days. Earned leave may be granted for a period exceeding 120 days, if the entire leave so granted or any portion thereof is spent outside India Bangladesh, Bhutan, Burma, Sri Lanka, Nepal and Pakistan:

Provided that where earned leave for a period exceeding 120 days is granted, the period of such leave spent in India shall not, in the aggregate, exceed 120 days.

Calculation of Earned Leave

15. (i) Earned leave shall be credited to the leave account of an employee at the rate of $2\frac{1}{2}$ days for each completed calendar month of service which he is likely to render in a half year of the calendar year in which he is appointed.

(ii) The credit for the half year in which an employee is due to retire or resigns from the service shall be afforded only at the rate of 2½ days per completed calendar month up to the date of retirement or resignation.

(iii) When an employee is removed or dismissed from service or dies while in service, credit of earned leave shall be allowed at the rate of 2 1/2 days per completed calendar month up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(iv) If an employee has availed of extraordinary leave and/or some period of absence has been treated as dies-non in a half year, the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/10th of the period of such leave and or dies - non subject to a maximum of 15 days.

(v) While affording credit of earned leave, fractions of a day shall be rounded off to the nearest day.

Half Pay Leave

16. (i) The half pay leave account of every employee shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year, with effect from 1–1–86.

(ii) (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half year of the calendar year in which he is appointed.

(b) The credit for the half year in which an employee is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month up to the date of retirement or resignation.

(c) When an employee is removed or dismissed from service or dies while in service credit of half pay leave shall be allowed at the rate of 5/3 days per completed calendar month in which he is removed or dismissed from the service or dies in service.

(iii) The leave under this rule may be granted on medical certificate or on private affairs.

(iv) No half pay leave can be granted to an employee in temporary appointment except on medical certificate.

Commuted Leave

17. (i) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate to an employee, subject to the following conditions:—

(a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.

(b) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.

(ii) Half pay leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilised for an approved course of study certified to be in the interest of the University by the leave sanctioning authority.

(iii) Where an employee who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered:

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

Leave Not Due

18. (i) Leave not due shall be granted on half pay to an employee in permanent employment only on medical certificate subject to the following conditions :—

(a) Leave not due shall not be granted unless the sanctioning authority is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.

(b) The leave not due shall be limited to 180 days during his entire service.

(c) It shall not exceed the amount of half pay leave he is likely to earn thereafter.

(d) It shall be debited against the half pay leave the employee may earn subsequently.

(ii) (a) Where an employee who has been granted leave not due resigns from service or at his request permitted to retire voluntarily without returning to duty, the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave had commenced, and the leave salary shall be recovered.

(b) Where an employee who, having availed himself of leave not due returns to duty but resigns or retires from service before he has earned such leave, he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently :

Provided that no leave salary shall be recovered under clause (a) or clause (b) if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.

Extra-ordinary Leave

19. (i) Extraordinary leave may be granted to an employee in special circumstances :—

(a) When no other leave is admissible;

(b) When other leave is admissible, but the employee applies in writing for the grant of extraordinary leave.

(ii) Unless the Vice-Chancellor, in view of the exceptional circumstances of the case otherwise determines, no employee, who is not in permanent employment shall be granted extraordinary leave on any one occasion in excess of the following limits:

(a) Three months.

(b) Six months, where the employee has completed one year's continuous service on the date of expiry of leave of the kind due and admissible under these rules including three months extraordinary leave under clause (a) and his request for such leave is supported by a medical certificate from the Authorised Medical Attendant of the University.

(c) Eighteen months, where the employee who has completed one year's continuous service is undergoing treatment for—

1. Pulmonary tuberculosis or pleurisy of the tubercular origin in a recognised sanatorium;

2. Tuberculosis of any other part of the body by a qualified tuberculosis specialist or by a civil surgeon or staff surgeon; or

3. Leprosy in a recognised leprosy institution or by a civil surgeon or staff surgeon or a specialist in leprosy.

4. Cancer or mental illness, in an institution recognised for the treatment of such disease or by a civil surgeon or staff surgeon or a specialist in such disease.

(d) Twenty four months, where the leave is required for the purpose of prosecuting studies certified to be in the interest of the University provided the employee has completed three years continuous service on the date of expiry of leave of the kind due and admissible under these rules, including three months extraordinary leave under clause (a).

(iii) Two spells of extraordinary leave, if intervened by any other kind of leave shall be treated as one continuous spell of extraordinary leave for the purpose of sub-clause (ii).

(iv) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

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20. (i) A probationer shall be entitled to leave under these rules as if he had held his post substantively otherwise than on probation.

(ii) An apprentice shall be entitled to—

(a) leave, on medical certificate, on leave salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship;

(b) extraordinary leave under rule 19.

ersons Re-Employed After Retirement

21. In case of a person re-employed after retirement, the provisions of these rules shall apply as if he had entered service in the University for the first time on the date of his re-employment.

22. An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due not exceeding 300 days together with half pay leave due subject to the condition that such leave extends up to and includes the date of retirement. Leave preparatory to retirement

Note : The leave granted as leave preparatory to retirement shall not include extraordinary leave.

23. (i) No leave shall be granted to an employee beyond— Cash payment in lieu of Leave beyond the date of Retirement or quitting of service

(a) the date of his retirement, or

(b) the date of his final cessation of duties, or

(c) the date of his resignation from service.

(ii)(a) Where an employee retires on attaining the normal age prescribed for retirement, he will be paid cash equivalent of leave salary for earned leave, if any, at the credit of the employee on the date of his retirement, subject to a maximum of 300 days.

(b) The cash equivalent under clause (a) shall be calculated as follows and shall be payable in one lump sum as a one time settlement. No house rent allowance or city compensatory allowance shall be payable

$$\text{Cash equivalent} = \frac{\text{Pay admissible on the date of retirement plus dearness allowance}}{30} \times \text{Number of days of unutilised earned leave at credit on the date of retirement subject of a maximum of 300 days}$$

(iii) Where the service of an employee are terminated by notice or by payment of pay and allowances in lieu of notice; or otherwise in accordance with the terms and conditions of his appointment he may be granted cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days.

(iv) If an employee resigns or quits service, he may be granted cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 150 days.

(v) An employee who is re-employed after retirement may on termination of his re-employment be granted cash equivalent of EL at his credit on the date of termination of re-employment subject to a maximum of 300 days including encashment of unutilized EL at the time of retirement.

23(A) (i) An employee is eligible for encashment of 10 days of EL at his credit at the time of availing of L.T.C. The calculation of cash equivalent of leave salary may be done in the manner prescribed under Rule 23(ii)(b)

Provided he should avail EL of at least an equivalent duration /simultaneously to the extent of leave encashed.

Provided to balance of at least 30 days of EL at his credit should be available after deducting the total of leave availed plus leave for which encashment was availed.

(ii) The total leave encashed for availing LTC during the entire service should not exceed 6 days in aggregate.

(iii) The period of EL encashed shall be deducted from the quantum of leave that can be normally encashed by him at the time of superannuation. Cash equivalent of leave salary in case of death in service.

24. In case an employee dies while in service, the case equivalent of the leave salary in respect of earned leave at his credit on the date of death subject to a maximum of 300 days shall be paid to his family.

Leave Salary

25. (i) An employee who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on earned leave.

(ii) An employee on half pay leave or leave not due is entitled to leave salary equal to half the amount specified in sub-rule (i)

(iii) An employee on commuted leave is entitled to leave salary equal to the amount admissible under sub-rule (i).

(iv) An employee on extraordinary leave is not entitled to any leave salary.

PART—V

LEAVE NOT DEBITABLE TO LEAVE ACCOUNT

Casual Leave

26. (i) Casual leave is granted to an employee as and when required at the discretion of the sanctioning authority subject to a maximum of 8 days in a calendar year.

(ii) Casual leave cannot be claimed as a matter of right and its grant is always subject to the exigencies of service.

(iii) An employee on casual leave is treated as on duty.

(iv) Persons who join in the middle of the calendar year shall be eligible to proportionate casual leave.

(v) The total period of leave at one time including Sundays and other holidays shall not exceed 8 days.

(vi) Casual leave cannot be combined with any other kind of leave.

(vii) Unavailed casual leave at the close of the year shall lapse.

Note : Holidays and Sundays falling between will not count as Casual leave.

Special Casual Leave

27. (i) An employee summoned to serve as Juror or Assessor or to give evidence before the court of law as a witness in a civil or criminal case in which his private interests are not at issue may be given special casual leave sufficient to cover the period of absence necessary.

(ii) It may also be granted when an employee is deputed to attend reference libraries of other institution and conference or educational gathering of learned and professional society in the interests of the University or other academic work which will include working on the committees appointed by the University/Government/University Grants Commission.

(iii) The period of such leave admissible in a year shall not exceed 15 days.

(iv) Male employees who undergo vasectomy operation under the Family Welfare Programme for the first time may be granted special casual leave not exceeding six working days. Sundays and closed holidays intervening should be ignored while calculating the period of special casual leave. If any employee undergoes vassactomy operation for the second time on account of the failure of the first operation, special casual

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leave not exceeding six days may be granted again on production of a certificate from the medical authority concerned to the effect that the second operation was performed due to the failure of the first operation.

(v) (a) Female employees who undergo tubectomy operations - whether puerperal or non-puerperal - may be granted special casual leave not exceeding 14 days.

(b) In the case of female employees who undergo tubectomy operation for the second time on account of the failure of the first operation, special casual leave not exceeding 14 days may be granted again on production of a medical certificate from the prescribed medical authority concerned to the effect that the second operation was performed due to the failure of the first operation.

(c) Female employees who have insertions of Intra-uterine contraceptive devices may be granted special casual leave on the day of the IUCD insertion.

(d) Female employees who have re-insertion of IUCD may be granted special casual leave on the day of the IUCD re-insertion.

(e) Female employees who undergo salpingectomy operation after Medical Termination of Pregnancy (MTP) may be granted special casual leave not exceeding 14 days.

(vi) (a) Male employees whose wives undergo either puerperal or non-puerperal tubectomy operations for the first time or for the second time due to failure of the first operation (under Family Welfare Programme) may be granted special casual leave for 7 days subject to the production of a medical certificate stating that their wives have undergone tubectomy operation for the second time due to the failure of the first operation. It shall not be necessary to state in the certificate that the presence of the employee is required to look after the wife during her convalescence.

(b) Male employees whose wives undergo tubectomy/salpingectomy operation after Medical Termination of Pregnancy (MTP) may be granted special causal leave up to 7 days subject to the production of the medical certificate stating that their wives have undergone tubectomy/salpingectomy operation after Medical Termination of Pregnancy. It shall not be necessary to state in the certificate that the presence of the employee is required to look after the wife during her convalescence.

(vii) The special casual leave will necessarily have to follow the date of operation and there cannot be any gap between the date of operation and the date of commencement of special casual leave.

(viii) An employee who requires special casual leave beyond the limts laid down for undergoing sterilisation operation owing to the development of post-operation complications may be allowed at the discretion of the Vice-Chancellor, special casual leave to cover the period for which he or she is hospitalised on account the production of a certificate from the of post-operational complications, subject to the production of a certificate from the concerned hospital authorities/an Authorised Medical Attendant.

(ix) The aforesaid provisions may also be applied to cases where the sterilisation operation is performed by laproscopic method.

(x) . Special casual leave may be combined either with casual leave or regular leave. It cannot be combined with casual leave and regular leave.

Special casual leave may also be granted for any other purpose in the interest of the University by the Vice-Chancellor subject to the approval of the Executive Council.

Maternity leave

28. Maternity leave may be granted to a women employee (including an apprentice) for a period of 135 days (Date effect from 7.10.97) from the date of its commencement. During such period she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave

(ii) Maternity leave may also be granted in case of miscarriage, including abortion, subject to the conditions that the leave does not exceed six weeks and the application for the leave is supported by a medical certificate from an Authorised Medical Attendant.

(iii) (a) Maternity leave may be combined with leave of any other kind.

(b) Any leave (including commuted leave) for a period not exceeding sixty days, applied for in continuation of maternity leave may be granted without production of medical certificate.

(iv) Leave in further continuation of leave granted under clause (b) of sub-rule (iii) may be granted on production of a medical certificate for the illness of the female employee. Such leave may also be granted in case of illness of the newly born baby, subject to the production of medical certificate to the effect that condition of the ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.

29. Paternity Leave

(i) A male employee (including an apprentice) with less than two surviving children may be granted Paternity Leave for a period of 15 days during the confinement of his wife. During the period of such leave, he shall paid leave salary equal to the pay drawn immediately before proceeding on leave.

Quarantine leave

(ii) (Paternity leave may be combined with leave of any kind and it shall not be debited against the leave account.

(iii) Paternity leave may not be normally refused under any circumstances (Date of effect from 7.10.97.

Authorities competent to grant leave

30. The following authorities are competent to grant leave:

Sl. No.	Kinds of Leave	Authority competent to grant leave
1.	Earned leave, Half Pay leave, Leave not due, Extraordinary Leave, Maternity Leave, and Special Casual Leave.	a) Deputy Registrar (Administration) - in respect of all Group 'B', 'C' & 'D' employees. b) Registrar - in respect of all Group 'A' officers except Registrar/Finance Officer/ Controller of Examinations/Superintending Engineer/Librarian. c) Vice-Chancellor in respect of Registrar/ Finance Officer/ Controller of Examinations/ Superintending Engineer/Librarian.

STUDY LEAVE

Conditions for grant of study leave

31. (1) Study leave may be granted to an employee with due regard to the exigenceis of service of the University to enable him to undergo, in or out of India, a special course of study consisting of higher studies or specialised training in a professional or a technical subject having a direct and close connection with the sphere of his duty.

(2) Study leave may also be granted :—

(i) for a course of training or study tour in which an employee may not attend a regular academic or semi-academic course if the course of training or the study tour is certified to be of definite advantage to the University from the point of view of its interests and is related to the sphere of duties of the employee; and

(ii) for the purposes of studies connected with the framework or background of public administration subject to the conditions that

(a) the particular study or study tour should be approved by the Executive Council; and

(b) the employee should be required to submit, on his return, a full report on the work done by him while on study leave.

(iii) for the studies which may not be closely or directly connected with the work of an employee, but which are capable of widening his mind in a manner likely to improve his abilities as an employee and to equip him better to collaborate with those employed in other branches of the public service.

(3) Study leave shall not be granted unless—

(i) it is certified by the Vice-Chancellor that the proposed course of study or training shall be of definite advantage from the point of view of the interests of the University;

(ii) it is for prosecution of studies in subjects other than academic or literary subject.

(4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India.

(5) Study leave shall not be granted to an employee

(i) Who has rendered less than five years' service under the University;

(ii) Who is due to retire, or has the option to retire, from the University service within three years of the date on which he is expected to return to duty after the expiry of the leave.

(6) Study leave shall not be granted to an employee with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.

Maximum amount of study leave

32. The maximum amount of study leave, which may be granted to an employee shall be :—

(a) twelve months at any one-time, and

(b) during his entire service, twenty-four months in all (inclusive of similar kind of leave for study or training granted under any other rule).

Applications for study leave

33. 1. (a) Every application for study leave shall be submitted through proper channel to the Executive Council

(b) The course or courses of study contempleted by the employee and any examination which he proposes to undergo shall be clearly specified in such application.

2. Where it is not possible for the employee to give full details in his application, or if, after leaving India, he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Vice-Chancellor and shall not, unless prepared to do so at his own risk, commence the course of study or incur any expenses in connection therewith until he receives the approval of the Vice-Chancellor.

Sanction of study leave

34. 1.(a) Every employee who has been granted study leave or extension of such study leave shall be required to execute a bond in the prescribed form before the study leave or extension of such study leave granted to him commence.

(b) The bond shall be signed by two sureties who are holding posts of equal or higher status.

2.(a) On completion of the course of study, the employee shall submit to the Vice-Chancellor the certificates of examinations passed or special courses of study undertaken, indicating the date of commencement and termination of the course with the remarks, if any, of the authority in charge of the course.

Accounting of study leave and combination with leave of other kinds

35. (1) Study leave shall not be debited against the leave account of the employee.

(2) Study leave may be combined with other kinds of leave, but in no case the grant of this leave in combination with leave, other than extraordinary leave, shall involve a total absence of more than twenty-eight months from the regular duties of the employee.

Explanation : The limit of twenty-eight months of absence prescribed in this sub-rule includes the period of vacation.

(3) An employee granted study leave in combination with any other kind of leave may, if he so desires, undertake or commence a course of study during any other kind of leave and subject to the other conditions laid down in rule being satisfied, draw study allowance in respect thereof:

Provided that the period of such leave coinciding with the course of study shall not count as study leave.

Regulation of study leave extending beyond the course of study

36. When the course of study falls short of study leave granted to an employee, he shall resume duty on the conclusion of the course of study, unless the previous sanction of the Vice-Chancellor has been obtained to treat the period of shortfall as ordinary leave.

Leave salary during study leave

37. (1) During study leave availed of outside India, an employee shall draw leave salary equal to the pay that the employee drew while on duty with the University immediately before proceeding on such leave and in addition the dearness allowance, house rent allowance, and study allowance as admissible in accordance with the provisions of rules 38 to 41.

(2) (a) During study leave availed of in India, an employee shall draw leave salary equal to the pay that the employee drew while on duty with the University immediately before proceeding on such leave and in addition the dearness allowance and house rent allowance as admissible in accordance with the provisions of Rule 41.

(b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing a certificate by the employee to the effect that he is not in receipt of any scholarship stipend or remuneration in respect of any part-time employment.

(c) The amount, if any, received by an employee during the period of study leave as scholarship or stipend or remuneration in respect of any part-time employment as envisaged in sub-rule(2) of Rule 38, shall be adjusted against the leave salary payable under this sub-rule subject to the condition that the leave salary shall not be reduced to an amount less than that payable as leave salary during half pay leave.

(d) No study allowance shall be paid during study leave for courses of study in India.

Conditions for grant of study allowance

38. (1) A study allowance shall be granted to an employee who has been granted study leave for studies outside India for the period spent in prosecuting a definite course of study at recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.

(2) Where an employee has been permitted to receive and retain, in addition to his leave salary any scholarship or stipend that may be awarded to him from any sources, or any other remuneration in respect of any part-time employment :—

(a) no study allowance shall be admissible in case the net amount of such scholarship or stipend or remuneration (arrived at by deducting the cost of fees, if any, paid by the employee from the value of the scholarship or stipend or remuneration) exceeds the amount of study allowance otherwise admissible.

(b) in case the net amount of scholarship or stipend or remuneration is less than the study allowance otherwise admissible, the difference between the value of the net scholarship or stipend or any other remuneration in respect of any part-time employment and the study allowance may be granted by the Vice-Chancellor.

(3) Study allowance shall not be granted for any period during which an employee interrupts his course of study to suit his own convenience:

Provided that the Vice-Chancellor may authorise the grant of study allowance for period not exceeding 14 days at a time during such interruption if it was due to sickness.

(4) Study allowance shall also be allowed for the entire period of vacation during the course of study subject to the conditions that—

(a) the employee attends during vacation any special course of study or practical training under the direction of the University; or

(b) in the absence of any such direction, he produces satisfactory evidence to the Vice-Chancellor that he has continued his studies during the vacation :

Provided that in respect of vacation falling at the end of the course of study it shall be allowed for a maximum period of 14 days.

(5) The period for which study allowances may be granted shall not exceed 24 months in all.

Rates of study allowance

39. (1) The rates of study allowance shall be as follows :

Name of the country	Study allowance per diem
Australia	£ 1.00 (Sterling)
Continent of Europe	£ 1.65 (")
New Zealand	£ 1.20 (")
United Kingdom	£ 2.00 (")
United States of America	£ 2.75 (")

(2) The rates of study allowance prescribed in sub-rule (1) may be revised from time to time when the Central Government rivise them.

(3) The rates of study allowance to be granted to an employee who takes study leave in any country other than the one specified in sub-rule (1) shall be such as may be specially determined by the Executive Council in each case.

Procedure for payment of study allowance

40. (1) Payment of study allowance shall be subject to the furnishing of a certificate by the employee to the effect that he is not in receipt of any scholarship, stipend or any other remuneration in respect of any part-time employment.

(2) Study allowance shall be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the employee that he would refund to the University any over-payment consequent on his failure to produce the required certificate of attendance or on his failure to satisfy the Vice-Chancellor about the proper utilization of the time spent for which study allowance is claimed.

(3)(a) In the case of a definite course of study at a recognised institution, the study allowance shall be payable by the Vice-Chancellor on claims submitted by the employee from time to time, supported by proper certificates of attendance.

(b) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the employee is undergoing study in an educational institution, or at intervals not exceeding three months if he is undergoing study at any other institution.

(4)(a) When the programme of study approved does not include or does not consist entirely of such a course of study, the employee shall submit to the Vice-Chancellor a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adapting such methods or operations to conditions obtaining in India.

(b) The Vice-Chancellor shall decide whether the diary and report show that the time of the employee was properly utilised and shall determine accordingly for what periods study allowance may be granted.

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41. (1) For the first 120 days of the study leave, house rent allowance shall be paid at the rates admissible to the employee from time to time at the station from where he proceeded on study leave. The continuance of payment of house rent allowance beyond 120 days shall be subject to the production of a certificate to the effect that the employee continues to occupy the accommodation and has not sub-let either in whole or in part from time to time. Admissbility of allowances in addition to study allowance

(2) Except for house rent allowance as admissible under sub-rule (1) and the dearness allowance and the study allowance, where admissible, no other allowance shall be paid to an employee in respect of the period of study leave granted to him.

42. An employee to whom study leave has been granted shall not ordinarily be paid travelling allowance but the Executive Council may in exceptional circumstances sanction the payment of such allowance. Travelling allowance during study leave

43. An employee to whom study leave has been granted shall ordinarily be required to meet the cost or fees paid for the study but in exceptional cases, the Executive Council may sanction the grant of such fees: Cost of fees for study

Provided that in no case shall the cost of fees be paid to an employee who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain, in addition to his leave salary, any remuneration in respect of part-time employment.

44.(1) If an employee resigns or retires from service or otherwise quits service without returning to duty after a period of study leave or within a period of three years after such return to duty or fails to complete the course of study and is thus unable to furnish the certificates as required under Rule 40 he shall be required to refund :— Resignation or retirement after study leave or non-completion of the course of study

the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the University, together with interest thereon at rates for the time being in force on Government loans, from the date of demand, before his resignation is accepted or permission to retire is granted or his quitting service otherwise:

Provided that except in the case of employees who fail to complete the course of study nothing in this rule shall apply to an employee who, after return to duty from study leave, is permitted to retire from service on medical grounds.

(2)(a) The study leave availed of by such employee shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any which cannot be so converted, treated as extraordinary leave.

(b) In addition to the amount to be refunded by the employee under sub-rule (2) he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

(3) Notwithstanding anything contained in this rule, the Executive Council may, if it is necessary or expedient to do so, either in the interest of the University or having regard to the peculiar circumstances of the case or classes of cases, by order waive or reduce the amount required to be refunded under sub-rule (1) by the employee concerned or class of employees.

Amendments

45. Unless there is anything repugnant in the Pondicherry University Act, Statutes, Ordinances any amendments to the Central Civil Services (Leave) Rules, 1972 shall be deemed to be the amendments of the relevant provisions of these rules or any order or adminstrative instructions already issued/ to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders are brought into force by the Central Government.

FORM 1

(*See* Rule 7)

APPLICATION FOR LEAVE OR FOR EXTENSION OF LEAVE

1. Name of Applicant :
2. Post held :
3. Department, office and section :
4. Pay :
5. House rent and other compensatory allowances drawn in the present post :
6. Nature and period of leave applied for and date from which required :
7. Sundays and holidays, if any, proposed to be prefixed/suffixed to leave :
8. Grounds on which leave is applied for :
9. Date of return from last leave, and the nature and period of that leave :
10. I propose/do not propose to avail myself of leave travel concession for the block years.... .....during the ensuing leave :
11. Address during leave period :

Signature of Applicant
(with date)

12. Remarks and/or recommendation of the Controlling Officer.

Signature (with date)
Designation

*13. Orders of the authority competent to grant leave.

Signature (with date)
Designation

*If the applicant is drawing any compensatory allowance, it should also be indicated in the orders on the expiry of leave, the Government servant is likely to return to the same post or to another post carrying similar allowance.

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Form 2 (*See* Rule 15)

FORM OF

LEAVE ACCOUNT

Name of the University employee .. ..

Date of commencement of continuous service .. ..

Permanent employment .. ..

EARNED LEAVE											HALF PAY LEAVE							
Particulars of service in the half year of a calendar year		Completed months of service in the half year of a calendar year	E.L. credited at the beginning of half year	No. of days of E.O.L. availed of and dies-non during the previous calendar half year	E.L. to be deducted (1/10th of the period in col. 5)	Total E.L at credit in days (col. 4 + 11 — 6)	Leave taken			Balance of E.L. on return from leave (col. 7—10)	Completed month of service in the half year of a calendar year	H.P.L. credited at the beginning of half year	No. of days treated as *dies non* during the previous half year	H.P.L. to be deducted (1/18th of period in Col. 14)	Total H.P.L. at credit in days (col. 35 + 13 — 15)	LEAVE Against the earning on half pay		
From	To						From	To	No. of days							From	To	No. of days
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

Date of birth .....

Date of retirement..... / resignation.....

(On Private Affairs and M.C. including Commuted Leave and LND)																
Taken							LND Limited to 360 days in entire service									
Commuted leave on medical certificate on full pay			Commuted leave w/o M.C. for studies certified to be in public interest (Limited to 180 days H.P.L. Converted into 90 days commuted leave			Commuted leave converted into half pay leave (Twice of col. 22 and 25)	On medical certificate			Otherwise than on M.C. limited to 180 days			Total of leave not due (col. 29 32)	Total half pay leave (col. 19 33)	Balance of half pay leave on return from leave (col. 16 34)	Other kinds of leave taken
From	To	No of days	From	To	No. of days		From	To	No. of days	From	To	No of days				
20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36

FORM 3

(*See* Rule 9)

MEDICAL CERTIFICATE FOR LEAVE OR EXTENTION OF LEAVE OR COMMUTATION OF LEAVE

Signature of the Employee: .....

I, ...after careful personal examination of the case hereby certify that Shri/Shrimathi/Kumari..... whose signature is given above, is suffering from.....and I consider that a period of absence from duty of.....with effect from .....is absolutely necessary for the restoration of his/her health.

Authorised Medical Attendant,
.....Hospital/Dispensary
or other Registered Medical
Practitioner.

Dated.....

Note :—1 The nature and probable duration of the illness should be specified.

Note :—2 This form should be adhered to as closely as possible and should be filled in after the signature of the Employee has been taken. The certifying officer is not at liberty to certify that the Employee requires a change from or to a particular locality, or that he is not fit to proceed to a particular locality. Such certificates should only be given at the explicit desire of the administrative authority concerned, to whom it is open to decide, when an application on such grounds has been made to him, whether the applicant should go before a Civil Surgeon or Staff Surgeon to decide the question of his/her fitness for service.

Note :—3 Should a second medical opinion be required, the authority competent to grant leave should arrange for the second medical examination to be made at the earliest possible date by a medical officer not below the rank of a Civil Surgeon or Staff Surgeon, who shall express an opinion both as regards the facts of illness and as regards the necessity for the amount of leave recommeded and for this purpose he may either require the Employee to appear before himself or before a medical officer nominated by himself.

Note 4 :—No recommednation contained in this certificate shall be evidence of a claim to any leave not admissible to the Employee.

FORM 4

(*See* rule 10)

MEDICAL CERTIFICATE OF FITNESS TO RETURN TO DUTY

Signature of University employee .. ..

We, the members of Medical Board

I,.. .. .. Civil Surgeon/Staff Surgeon, / University Medical Officer / Authorised Medical Attendant / Registered Medical Practitioner } of.. .. ..

do hereby certify that we/I have carefully examined Shri/Shrimati/Kumari..... whose signature is given above, and find that he/she recovered from his/her illness and is now fit to resume duties in University service. We/I also certify that before arriving at this decision, we/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our/my decision.

Member of the Medical Board

(1) .. ..

(2) .. ..

(3) .. ..

University Medical Officer / Civil Surgeon/Staff Surgeon / Authorised Medical Attendant / Registered Medical Practitioner

Dated.. .. .. ..

Note: The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority required to issue the above Certificate. For this purpose, the original certificate(s) and statement(s) of the case should be prepared in duplicate, one copy being retained by the University employee concerned.

5. ORDINANCES GOVERNING THE TRAVELLING ALLOWANCE OF THE EMPLOYEES OF THE UNIVERSITY

PRELIMINARY

Short title and commence-ment

1. (1) These rules shall be called the "Pondicherry University (Travelling Allowance) Rules".

(2) These rules shall be deemed to have come into force on the 1st Day of January 1987.

Extent of application

2. These rules shall apply to all employees of this University.

Definitions

3. In these rules, unless there is something repugnant on the subject or context :-

(1) "Pay" means basic pay excluding special pay, personal pay and any other emoluments specially classed as pay, to which the employee is entitled at the commencement of his journey In case of employee who opt to retain the pre-revised scales of pay or continue to draw pre-revised scale on account of non-announcement of revised scale or non-finalisation of revised pay, the 'Pay includes besides pay in the pre-revised scale appropriate Dearness Pay, Dearness Allowance and Interim' Relief thereon at the rate applicable under the orders in force prior to 1-1-1986.

(2) "Day" means a calendar day, beginning and ending at midnight.

(3) "Family" means wife or husband of the employee as the case may be legitimate children, step children, parents, step mother, sisters including widowed sisters and minor brothers residing with and wholly dependent upon the employee.

Note 1 : Children includes adopted child, major sons and married daughters and widowed daughters residing with and wholly dependent upon the employee.

Note 2 : Any family member whose income from all sources does not exceed Rs. 500 p.m. is deemed to be wholly dependent on the employee.

Grades of University Employees

4. Persons in the service of the University shall be classified in grades according to the pay ranges as detailed below for the purpose of TA & Halt Allowance.

Grade I	(a) :	Vice Chancellor
Grade I	(b) :	Rs.16,400 and above
Grade II	:	Rs.8,000 and above but less than Rs.16,400
Grade III	:	Rs.6,500 and above but less than Rs.8,000
Grade IV	:	Rs.4,100 and above but less than Rs.6,500 and
Grade V	:	below Rs.4,100

5. Honorary and part-time employees whose whole-time is not retained for the University service or who are remunerated wholly or partly by fees, or honorary workers rank in such grade as the Vice-Chancellor may with due regard to their status declare.

6. The gradation of re-employed pensioners will be determined on the following basis :

(a) Where the pension is held in abeyance during the period of re-employment, the grade of the re-employed pensioners shall be determined in accordance with the pay actually received from time to time.

(b) Where the pension is allowed to be drawn in addition to pay, the re-employed pensioner should for the purpose of Rule 11 be deemed to be in receipt of actual pay plus the pension, subject to the proviso that if the sum of such pay plus pension exceeds the pay of the post, if it is on fixed rate of pay, or the maximum pay of the post, if it is on a time-scale of pay such excess shall be ignored.

General

7. A University employee is in tour when absent on duty from his headquarters with prope, sanction. Travelling allowance on tour is admissible from duty point at headquarters to the duty point at the distant station and *vice versa*.

8. Transfer means the movement of the University employee from one headquarters station in which he is employed to another such station either to take up the duties of a new post or in consequence of change of headquarters involving change of residence of the employee.

9. If an employee of a vacation Department combines tour with vacation i.e., proceeds on tour and then avails of vacation without returning to headquarters, he will be granted tour travelling allowances under these rules for the onward journey only.

10. A University employee proceeding on leave, other than casual leave, while on tour will not be paid travelling allowance for the return journey.

11. No travelling allowance shall ordinarily be allowed to any person for a journey to join his first appointment.

12. Persons on deputation on foreign service terms serving the University shall be governed by the travelling allowance Rules of their parent department, so far as their transfer travelling allowance is concerned. For other journeys, they will be governed by the University rules, unless otherwise specified in the terms and conditions of their deputation.

13. Unless there is anything repugnant in the Pondicherry University Act, Statutes, ordinances, any amendments to the Central Government Rules relating to travelling allowances shall be deemed to be the amendments of the relevant provisions of these rules, or any order or administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date such amendments/orders are brought into force by the Central Government.

14. An employee on tour will draw the actual fare for journey by rail, sea or air or the revised rates of road mileage, as the case may be, and in addition draw daily allowance for the entire absence from headquarters starting with departure from headquarters and ending with arrival at headquarters to cover both on the way expenses as well as expenses for halt at outstation. For the time spent in journey the daily allowance will be admissible at the rate applicable for ordinary localities. Journey on tour

Note : 1. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by rail within the period for which a return ticket is available.

Note : 2. Tax levied on railway passenger fare and collected by railways in addition to the rail fare by inclusion in the cost of passenger tickets should be reimbursed.

Note : 3. When through booking involves the payment, for part of a journey, if rates for accommodation of a class higher than that to which the University employee is entitled, he may draw a single railway fare for the whole journey at the rate at which he is actually required to pay for the through booking.

15. A mileage allowance is an allowance calculated on the distance travelled which is given to meet the cost of a particular journey. Mileage Allowance: General

16. A journey between two places is held to have been performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short. The shortest route is that by which the traveller can most speedily reach his destination by the ordinary mode of travelling. If an employee travels by a route which is not the shortest, but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used.

17. An employee is required to travel by the class of accommodation for which travelling allowance is admissible to him. If he travels in a lower class of accommodation, he shall be entitled to the fare of the class of accommodation actually used.

18. When a University employee is compulsorily recalled to duty before the expiry of his leave and the leave is thereby curtailed he is entitled to draw mileage allowance for the journey from the place at which the order of recall reaches him, or if the journey involves travelling by sea from the part he lands in India.

19. The employees, when travelling by rail, shall be entitled to accommodation as follows :— Mileage Allowance: for journey by rail

(a) Grade I - Vice-Chancellor - Accommodation of the highest class by whatever name it may be called including air conditioned accommodation provided on the railway by which he travels.

(b) Other employees :-

Pay Range	Travel entitlement
Rs. 5,100 and above	First Class Air Conditioned
Rs. 2,800 and above but less than Rs. 5,100	Air conditioned two Tier Sleeper/First Class
Rs. 1,900 and above but less than Rs. 2,800	First Class/AC Chair-Car.
Rs. 1,400 and above but less than Rs. 1,900	First class/AC Chair-Car.
Rs. 1,100 and above but less than Rs. 1,400	Second Class (Sleeper)
Below Rs. 1,100	Second Class (Sleeper)

Note :- Employees of all grades will be entitled to reimbursement of reservation charges for a seat (for day journeys) and sleeper berth (for night journeys) in addition to the fare for new second class.

Mileage Allowance for journey by air

19 (A) (i) Mileage Allowance

By Sea or by River Steamer:

An employee when traveling by Sea or River Steamer shall be entitled to accommodation as follows:

Pay Range	Entitlement
Rs.8000 and above	Highest class
Rs.6500 and above but less than 8000	If there be two classes only on the Steamer the lower class
Rs.4100 and above but less than 6500	If there be two classes only on the Steamer the lower class. If there be three classes, the middle or the second class. If there be four classes the third class.
Less than Rs.4100	Lowest Class

(ii) An employee's accommodation entitlement for travel between the main land and Andaman & Nicobar Group of Islands and Lakshadweep Group of Islands by ship operated by Shipping Corporation of India Ltd. will be as follows:

Mileage Allowance for journey by road

Pay Range	Entitlement
Rs.8000 and above	Deluxe class
Rs.6000 and above but less than 8000	First/A Cabin Class
Rs.4100 and above but less than 6500	Second/B Cabin Class
Less than Rs.4100	Bunk Class

(B) Other employees

(i) Travel by Rail

Pay Range	Entitlement
Rs.16,400 and above	A/C First Class
Rs.8000 and above but less than 16,400	II AC two Tier Sleeper
Rs.6500 and above but less than 8000	First class/II AC 3 Tier Sleeper/AC Chair Car*
Rs.4100 and above but less than Rs.6500	First Class/AC 3 Tier Sleeper/AC Chair Car*
Below Rs.4100	Second Sleeper

Note*: Employees who are entitled to travel on tour/Transfer by first class/AC-3 tier sleeper/AC chair car may at their discretion travel by AC 2 Tier sleeper where any of the trains connecting the originating and destination Stations concerned by the direct shortest route do not provide these three classes of accommodation.

(ii) Travel by Rajdhani Express Trains

Pay Range	Travel Entitlement
Rs.16,400 and above	A/C First Class
Rs.8,000 and above but less than 16,400	II AC 2 -Tier Sleeper
All others drawing pay below Rs.8,000	AC Chair Car*

Note: Travel by AC 3 Tier Sleeper will be permissible in trains in which AC Chair Car accommodation is not provided.

(iii) Travel by Shatabdi Express Trains

Pay Range	Travel Entitlement
Rs.16,400 and above	Executive Class
All other drawing pay below 16,400	AC Chair Car

Note: Employees of all guides will be entitled to be re-imbursement of reservation charges for a Seat (for day journey) and Sleeper berth (for night journeys) in addition to the fare

20. (i) The Vice – Chancellor may travel by air at his own discretion. Travel by air within the country is permissible on tour in case of Officers in receipt of pay of Rs.16,400/- and above at their discretion, provided that employees drawing pay between Rs.12,300/- and Rs.16,400 may also be permitted to travel by air at the discretion of the Vice- Chancellor if the distance involved is more than 500 kms and journey cannot be performed overnight by direct train service/direct sleeper coach service.

(ii) Vice-chancellor shall be entitled for Travel by air in the case of International Travel by First Class.

(iii) The employees in the cadre of Registrar and equivalent status shall be entitled to Business/Club Class and all others by Economy Class

(iv) All others shall be entitled to travel by Economy Class

(Date of effect : 1.10.1997)

21. A person entitled to travel by air on tour is entitled to mileage allowance equal to one standard air fare for the journey plus daily allowance as admissible under these rules. Provided that if at either end of the journey by Air he had to perform a connected journey by rail or road he may draw the mileage allowance admissible for such journey as laid down in these rules:

Provided further that no mileage allowance may be drawn in respect of the surface transport which forms part of the Air Journey and included in the fare for Air Journey.

22. If available, return tickets at reduced rate should always be purchased when a person expects to perform the return journey by air within the period during which a return ticket is available. The mileage allowance for the forward and the return journeys when such return tickets are available will, however, be the actual cost of return ticket.

23. The rates of Road Mileage will be as given below:

Pay Range	Travel Entitlement
(i) Rs.18,400 and above	Actual fare by any type of public bus, including AC bus (or) At prescribed rates for AC Taxi when the journey is actually performed by AC Taxi (or) At prescribed rates for Auto rickshaw for journeys by Auto rickshaw/own Scooter/motor cycles/Moped etc.
(ii) Rs.8000 and above but less than Rs.18,400	Same as at (i) above with the exception that journeys by AC Taxi will not be permissible
(iii) Rs.6,500 and above but less than Rs.8,000	Same as at (ii) above with the exception that journeys by AC bus will not be permissible.
(iv) Rs.4,100 and above but less than Rs.6,500	Actual fare by any type of public bus other than AC bus; (or) At prescribed rates for Auto rickshaw for journeys by Auto rickshaw/own Scooter/Motor cycle, Moped etc.
(v) Below Rs.4,100	Actual fare by ordinary public Bus only (or) At prescribed rates for Auto rickshaw/Own Scooter/Motor Cycle/Moped etc.
	Note: The Mileage allowance for Road journey shall be regulated at the following rates in places where no specific rates have been prescribed either by Director of Transport of the concerned state or of the neighboring state
	i For journey performed by Own Car / Taxi — Rs.8 per km ii For journey performed by Auto rickshaw, Own Scooter, etc. — Rs.4 per km.

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23 (A) Mileage Allowance for journeys on Foot and the Bicycle;

The Mileage allowance for Journey on foot and bicycle on tour and transfer will be 60 paise per km.

24. Whenever a road journey is performed between places connected by rail, rail being the ordinary mode to travelling, the road mileage prescribed in rule 23 limited to rail mileage will be admissible.

25. When an employee who is supplied with means of conveyance without charge returns to his headquarters on the same day, he will draw daily allowance only and no mileage allowance will be admissible.

26. A daily allowance is a uniform allowance for each day of absence from headquarters which is intended to cover the ordinary daily charges incurred by an employee in consequence of such absence. Daily Allowance

27. Unless in any case, it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour on duty by every employee whose duties require that he should travel and may not be drawn except while on tour.

28. Daily allowance may not be drawn for any day on which an employee does not reach a point outside a radius of eight kilometres (16 kilometres, in the case of those getting conveyance allowance) from the duty point i.e. the place/office of employment at his headquarters or return to it from a similar point.

Note : 1. The term "radius of eight kms" Should be interpreted as meaning a distance of eight kilometres by the shortest practicable route by which a traveller can reach his destination by the ordinary mode of travelling.

Note : 2. "For local journeys (i.e. those beyond 8 kilometres within the same and/or contiguous Municipality, etc. in which the headquarters of the employee is located) an employee will draw, for the journey involved, mileage allowance and in addition draw 50% of daily allowance calculated at the rates laid down in rule 31 i.e. where the absence from headquarters is less than 12 hours but more than 6 hours, he will draw 50% of 70% daily allowance as so on.

29. Daily allowance may also be drawn during halt on tour or on a holiday occuring during a tour.

Note : 1. An employee who takes leave (including casual leave) while on tour is not entitled to draw daily allowance during such leave.

Note : 2. Daily allowance is not admissible for any day, whether Sunday or holiday unless the officer is actually and not merely constructively on camp (i.e. actually spends atleast a portion of the particular Sunday or holiday in camp).

30. Daily allowance is admissible on the following scales

"A" The daily allowance admissible to the Vice-Chancellor shall be as determined by the Executive Council from time to time.

30 (B) When an employee does not stay in a hotel or makes his own arrangement:

Pay Range (1)	*Localities other than mentioned in Col. 3,4 & 5 (2)	B-1 Class Cities & Expensive Localities (3)	A Class Cities & Specially Expensive Localities (4)	A-1 Class Cities (5)
Rs.16400 and above	Rs.135	Rs.170	Rs.210	Rs.260
Rs.8000 and above but less than Rs.16400	Rs.120	Rs.150	Rs.185	Rs.230
Rs.6500 and above but less than Rs.8000	Rs.105	Rs.130	Rs.160	Rs.200
Rs.4100 and above but less than Rs.6500	Rs.90	Rs.110	Rs.135	Rs.170
Below Rs.4100	Rs.55	Rs.70	Rs.85	Rs.105

*As specified by the Government from time to time.

30 (C) When the employee stays in a hotel or other establishment providing board and/or lodging at scheduled tariffs;

Pay Range (1)	*Localities other than mentioned in Col. 3,4 & 5 (2)	B-1 Class Cities & Expensive Localities (3)	A Class Cities & Specially Expensive Localities (4)	A-1 Class Cities (5)
Rs.16400 and above	Rs.335	Rs.425	Rs.525	Rs.650
Rs.8000 and above but less than Rs.16400	Rs.225	Rs.330	Rs.405	Rs.505
Rs.6500 and above but less than Rs.8000	Rs.200	Rs.250	Rs.305	Rs.380
Rs.4100 and above but less than Rs.6500	Rs.130	Rs.160	Rs.195	Rs.245
Below Rs.4100	Rs.65	Rs.85	Rs.100	Rs.125

* As specified by the Government from time to time.

Note : 1.(a) When an employee stays in a hotel or other establishment providing board and/or lodging at scheduled tariffs, subject to production of hotel receipt, the D.A., will be 90% of the standard rate plus the lodging charges (exclusive of breakfast/meal) actually incurred for each calendar day but the total of the two should not exceed the corresponding rate prescribed for stay in hotel.

(b) Where an employee stays in government or public sector guest house and pays lodging charges in excess of 25% of daily allowance admissible to him in the concerned localities under Table (B) above, daily allowance shall be payable as under.

(i) The respective rate of daily allowance for the concerned localities as shown in Table (B) shall be reduced by 25% and the lodging charges (exclusive of breakfast meals) paid by the employee to the Government Public Sector guest house authority for each calendar day shall be added thereto.

(ii) Daily allowance equal to the amount calculated in (i) above shall be admissible to the employee concerned subject to the condition that where it exceeds the hotel rate to which the employee is entitled for the respective locality as per Table (C) above, it shall be restricted to the latter rate.

Note: 2. On day(s) when the employee on tour is provided with free board and lodging he will draw only 1/4 D.A., for that (those) day(s). If he is provided with only free board he will draw 1/2 D.A., for that (those) day(s). If he is Provided with only free lodging he will draw 3/4 D.A., for that (those) day(s).

Note: 3. For the time spent in journey, only ordinary rate of daily allowance as in the Table at (B) will be admissible. When the total absence from the headquarters is partly spent in Journeys/ordinary locality and partly in expensive locality the total number of daily allowance in terms of rule 31 below will first be calculated. From this, the number of daily allowance for halt in the expensive locality for which daily allowance at special rates allowed will be deducted. The remaining number of daily allowance will then be calculated at ordinary rates as prescribed in column 2 of the Table at (B) above.

Note: 4. When an employee returns to headquarters the same day, the daily allowance admissible will be at ordinary rate only irrespective of the journey to an expensive locality.

31. Daily allowance for the entire absence from headquarters will be regulated as follows :—

Full daily allowance may be granted for each completed calendar day of absence reckoned from mid-night to mid-night. For absence from headquarters for less than 24 hours, the daily allowance will be admissible at the following rates :-

(i)	If the absence from headquarters does not exceed 6 hours	Nil
(ii)	If the absence from Headquarters exceeds 6 hours but does not exceed 12 hours.	70%
(iii)	If the absence from headquarters exceeds 12 hours	Full

In case the period of a absence from headquarters falls on two calendar days, it is reckoned as two days and daily allowance is calculated for each day as above. Similarly, daily allowance for days of departure from and arrival at headquarters, will also be regulated accordingly.

32. In case of continuous absence from headquarters, full daily allowance will be admissible for the first 180 days. No daily allowance is payable beyond 180 days.

Journey on transfer

33. (a) (i) An employee on transfer in the interest of the University may draw actual traveling allowance for self and each member of family on the scale admissible, but the claim in respect of dependent children shall be restricted to only two children with effect from 1.1.99.

(ii) This will not be applicable to those employees who have more than two children prior to 1.1.99.

(iii) The restriction of claim to only two children shall not be applicable in respect of those employees who are presently issueless or have only one child and the subsequent pregnancy results in multiple birth as a consequence of which the number of children exceeds two.

(b) For journeys by Rail/Road/Air/Steamer, the admissibility of traveling allowance will be as for journeys on tour both for self and family. Between places not connected by rail, if the journey is performed by public bus, actual bus fare for self and each member of family is admissible. If the journey is performed otherwise than by public bus road mileage at the appropriate rate will be admissible as follows.

One mileage for self or self and one additional member of the family. Two mileages if two members of family accompany, three mileage if more than two members of family accompany.

(c) An employee on transfer is eligible for a composite transfer grant equal to one month's basic pay in the case of transfer involving a change of station located at a distance of/or more than 20 kms from each other. In the case of transfer to station which are at a distance of less than 20 kms from the old station and of transfers within the same city, the composite transfer grant shall be restricted to one third of the basic pay, provided a change of residence is actually involved.

(d) An employee on transfer is eligible for cost of transportation of personal effects as detailed below :

(i) Transportation of personal effects by rail:

Pay Range	Personal Effects that can be carried
Rs.16,400 and above	Full four wheeler wagon or 6000kg by goods train or one Double Container.
Rs.8,000 and above but less than Rs.16,400	Full four wheeler wagon or 6000kg by goods train or one Single Container.
Rs.6500 and above but less than Rs.8000	3000kg by goods train
Rs.4100 and above but less than Rs.6500	1500 kg by goods train.
Below 4100	1000kg by goods train

Note : An employee in receipt of a revised pay of Rs.3,350/- p.m. and above shall be permitted to transport 1500 kg of personal effects by goods train.

(ii) Transportation of Personal effects by Road:

The rates of allowances for carriage of personal effects between places connected by road only shall be as indicated below with effect from 1.10.97

Pay Range (1)	A1/A/B1 Class Cities (Rs. Per Km) (2)	Other Cities (Rs. Per Km.) (3)
Rs. 8000 and above	Rs. 30.00	Rs.18.00
Rs. 6500 and above but less than Rs. 8000	Rs. 15.00	Rs. 9.00
Rs. 4100 and above but less than Rs. 6500	Rs. 7.60	Rs. 4.60
Below Rs. 4100	Rs. 6.00	Rs. 4.00

Note (1) : The allowance at higher rates mentioned in Column (2) will be admissible as at present only for carriage of personal effects from one place to another within the limits of A1/A/B1 class cities.

Note (2) : An employee in the revised pay of Rs. 3350 per month and above shall be entitled to the rates of allowances prescribed for employees in the pay range of Rs. 4100 and above but less than Rs. 6500

Note (3) : In the case of transport by road, an employee can draw the actual expenditure (or) the amount admissible on transportation of maximum admissible quantity by rail and then an additional amount of not more than 25% thereof, whichever is less.

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Personal effects should be transported by goods train at owner's risk between places connected by rail. If transported by road, the actual expenditure or 1 1/4 times of the amount admissible for transport by goods train whichever is less will be admissible.

The higher rate of road mileage is admissible for transport of personal effects between one place and another within the limits of A or B1 class cities.

The lower rate of road mileage is admissible for transport of personal effects between stations not connected by rail.

e) Transport of conveyance:

The scales for transportations of conveyance at University expenses will be as follows with effect from 1.10.97

Pay Range	Entitlement
Rs. 6500 and above	One Motor Car, or one Motorcycle/Scooter, or one horse
Less than Rs. 6500	One Motorcycle/Scooter/Moped or one Bicycle

Transport by rail :

(a) By Passenger train : Actual freight charged by the railway.

(b) By Goods train : Cost of packing, cost of transporting the packed car, motor cycle to and from the goods shed, cost of crating the car, loading and unloading charges cost of ropes, etc. are all reimbursable. Claim to be limited to the amount under (a) above.

(c) One second class fare by the shortest route between the stations from and to which the car is actualy transported by rail can be drawn for a chauffeur or cleaner

Transport by road :

Rs. 1.30 per Km. for motor car Rs. 0.50 per Km. for motor cycle/scooter, limited to freight rate by passenger train.

Between places connected by rail - Actual cost of transportation, limited to the freight charges by passenger train. Between places not connected by rail, 30 paise per Km.

34.(i) Except on resignation, dismissal and removal from services, an employee, who on retirement from University service settled down at places other than the last station of their duty located at a distance of more than 20 Km. is eligible for composite transfer grant equal to a month's basic pay last drawn.

(ii) In case of employee who on retirement settles at the last station of duty itself or within a distance of less than 20 km. the composite transfer grant is equal to one third of the basic pay last drawn by him subject to the condition that a change of residence is actually involved.

(iii) In the case of transportation of conveyance by employees on their retirement, the expenditure shall be re-imbursable without insisting on the requirement that the possession of the conveyance by them while in service at their last place of duty should have been in public interest.

35. The family of an employee who dies in harness may draw travelling allowance from the last headquarters of the deceased employee to the home town or to another selected place of residence where the family wishes to settle down.

Advance of Travelling Allowance on tour/ transfer

36. Finance Officer may sanction to an employee who is required to proceed on tour/transfer an advance to cover his personal travelling expenses. The Vice-Chancellor may sanction tour advance in his favour.

37. Second advance is not permissible, except under special orders of the Vice-Chancellor until an account has been given of the first advance.

An employee who has taken an advance for any particular journey may not take payment of Travelling Allowance bills before rendering complete accounts of the said advance or any portion of it.

38. The amount of advance granted shall be adjusted within one month from the date of completion of the tour or by 31st March, whichever is earlier. Advances drawn in the month of March, may, however, be adjusted on completion of the tour or by 30th April whichever is earlier.

Miscellaneous

39. No claim of travelling allowance which is not preferred within six months of the completion of journey shall be paid without the specific sanction of the Vice-Chancellor.

40. No revision of travelling allowance, once drawn, shall ordinarily be permissible.

41. All other cases not covered by these rules shall be dealt with in accordance with the general or specific orders of the Vice-Chancellor after considering the corresponding provisions in the Government Rules on the point.

42. Where it is satisfied by the Vice-Chancellor that the operation of any of these rules causes or likely to cause undue hardship to any employee, he may, notwithstanding anything contained in these rules, deal with the case of such employee in such manner as may appear to him to be just and equitable subject to approval of the Executive Council.

T.A. to persons not in the services of the University

43. Members of the University Bodies (Executive Council, High Power Committees, Finance Committees, Court, Board of School, Board of Governor, Boards of Studies, Academic Council and other authorities) are entitled to Travelling Allowance indicated in the following rules :

(i) Journey by rail : Normally, a member should travel by first class by rail. In respect of such journeys, he will be treated at par with Government servant of the First Grade and will be entitled to first class rail fare.

Where, however the Vice-chancellor considers that a non-official should travel by A.C.C., he may, at his discretion, allow A.C.C. travel, where this concession is, in his opinion, justified by fulfilment of one or more of the following conditions :-

1) When a person is required to travel in air-conditioned accommodation on grounds of health or because of very advanced age and/or infirmity.

2) Where a person is or was entitled to travel in air-conditioned coach under the rules of the organisation to which he belongs or might have belonged before retirement.

3) Where the Vice-Chancellor is satisfied the A.C.C. travel by rail is the customary mode of travel by the non-official concerned in respect of journeys unconnected with the performance of Government duty.

Note : Non-official members of University Bodies, etc. will be entitled to travel by Second Class AC. 2 tier sleeper coach while performing journeys to attend meetings of University Bodies. However, this concession would not be available for travel by Second Class AC. 2-tier sleeper coach in Rajdhani Express train.

(ii) **Journey by road :** In respect of journeys by road between places not connected by rail, the member will be entitled to road mileage admissible to an officer of the First Grade under rule 23 above for travel in own car/full taxi or on motor cycle/scooter.

In a case where journey between two places connected by rail, is performed by road, he will be entitled to the prescribed road mileage limited to first class fare by rail.

However, if, in an individual case, the Vice-Chancellor is satisfied that the journey by road was performed in the public interest, full road mileage allowance may be granted without restricting it to rail fare.

(iii) **Journey by sea or by River Steamer :** In respect of journey by sea or by river steamer, a non-official member will be entitled to one fare at the lowest rate (exclusive of diet) of the highest class of accomodation.

The non-official members of the University Bodies will be eligible for daily allowances conveyance allowances at the following rates :

(i) High Powered Committees/Commissions

Classification of cities	Daily allowance (for outstation non-official members) for stay in a hotel	Conveyance allowance (for local non-official members)
'A' Class cities	Rs. 300 per day	Actual conveyance hire charges subject to a ceiling of Rs. 75 per day.
'B' Class cities	Rs. 250 per day	
'C' Class cities	Rs. 200 per day	Actual conveyance hire charges subject to a ceiling of Rs. 50 per day.

If an outstation non-official member does not stay in a hotel, the above rate will be reduced by Rs. 50 per day, according to the classification of the city.

(ii) For routine/less important Committees/Commission

Classification of Cities	Daily Allowance (for outstation non-official members)	Conveyance allowance (for local non-official members)
'A' Class Cities	At a flat rate of Rs. 150 per day if the member stays in a hotel and Rs. 100 per day if the member does not stay in a hotel, irrespective of the classification of the city	Actual conveyance hire charges subject to a ceiling of Rs. 50 per day irrespective of the classification of the city

(iii) When a non-official appointed to a Committee, Commission or Board of Enquiry is allowed free board and lodging at the expense of the Central Government or a State Government or an autonomous industrial or commercial undertaking or

corporation, or a Statutory body or a local authority, in which Government funds have been invested or in which Government have any other interest, he shall be entitled to only one-fourth of the daily allowance admissible to him under these orders. If only board is allowed free, daily allowance shall be admissible at three-fourth of the admissible rates.

The entire absence for calculating the D.A. shall be reckoned from and to the ordinary place of residence of the members.

(iv) T.A. & D.A. to members will be admissible on production of a certificate that they have not drawn any travelling or daily allowance for the same journey and halts from any other source.

(v) The bills prepared and signed by the members will be countersigned by Finance Officer. Payments will not be made earlier than the last date up to which the allowance is claimed. The travelling allowance for onward journey and return journey will be included in the bill and the payment will be treated as final.

(vi) Members are eligible for travelling allowance for the journey actually performed in connection with the meeting of the Committee, etc. to the place of their permanent residence. If any member performs a journey from a place other than the place of his permanent residence to attend a meeting or returns to a place of his permanent residence after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting, whichever is less.

44. Road mileage is admissible to a member @ Rs. 1.30 per km. if he/she travelled by own car/taxi subject to the approval of the Vice-Chancellor.

45. Deleted.

General

46. It shall be the duty of a Controlling Officer before signing or countersigning a travelling allowance bill :—

(a) to scrutinise the frequency and duration of journeys and halts for which travelling allowance is claimed, and to disallow the whole or any part of the travelling allowance claimed for any journey was unnecessary or unduly protracted or that a halt was of excessive duration.

(b) to scrutinise carefully, the distance entered in travelling allowance bill.

(c) to satisfy himself (i) that the mileage allowance for journeys by railways or steamer excluding additional fare or fares allowed for incidental expenses, has been claimed at the rate applicable to the class of accommodation actually used and (ii) that concessional return tickets for the journeys charged for in the bill were purchased wherever and whenever possible.

(d) to observe any subsidiary rules or orders which the Executive Council or the Vice-Chancellor may make for his guidance.

(e) to satisfy himself before permitting a claim under rule 34 that the individual actually bought a through ticket at the rate claimed and that it was not possible for him to get a through ticket at a cheaper rate by paying only for the appropriate class of accommodation over that portion of the journey where accommodation of that class was available.

Amendments Savings Clause

47. Unless there is repugnant in Pondicherry university Act, Statutes, Ordinances, any amendments to Fundamental Rules and Supplementary Rules shall be deemed to be the amendments of the relevant provisions of these rules or any order or any Administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders brought into force by the Central Government.

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6. ORDINANCES GOVERNING THE LEAVE TRAVEL CONCESSION TO THE EMPLOYEES OF THE UNIVERSITY

Short title and commencement

1. These rules may be called the "Pondicherry University (Leave Travel Concession) Rules". They shall be deemed to have come into force on the first day of January 1986.

Extent of application

2. (a) They shall apply to all employees in wholetime employment of this University who have rendered a continuous service of more than one year on the date of commencement of the journey.

(b) Re-employed officers shall be eligible for the concession on completion of one year continuous service and subject to the condition that the succession block of two/four calendar years in the case of such employees shall be reckoned from the actual date of their joining the post under the University and that he is likely to continue to serve under this University for a period of 2/4 years from the date of joining the post in the University.

Definitions

3. Save as otherwise provided in these rules:

(a) "Family" means an employee's wife or husband. As the case may be residing with the employee and two surviving children or stepchildren residing with and wholly dependent upon the employee, whose income from all sources does not exceed Rs. 1500/- p.m. It includes in addition, parents, step mother, unmarried/ divorced/ abandoned/ separated from husbands or widowed sisters, minor brothers and married daughters, who have been divorced abandoned or separated from their husbands, if residing with and wholly dependent upon the employee. Widowed sisters are also included, if residing with and wholly dependent upon the employee (provided their parents either not alive or they themselves dependent on the employee).

Note 1 - The Restriction of two surviving children as indicated above shall not apply in respect of existing children of an employee and a child born within one year of the restriction coming into force and also in case of multiple quilts after ex-child.

Note 2 – Not more than one wife is included in the terms family for the purpose of these rules. However, if a Government servant has two legally wedded wives and 2nd marriage is with the specific permission of the University, the 2nd wife shall also be included in the definition of "Family".

(b) "Home town" means the permanent hometown or village as entered in the service book or other appropriate office record or such other place as has been declared by him duly supported by reasons such as ownership of immovable property, permanent residence of close relative, etc., or the place where the employee would normally reside but for his absence on account of service in the University. Declaration once made shall be final.

(c) "Once in a period of two calendar years" means once in each block of two calendar years commencing from the year 1986 i.e., year 1986 and 1987 constituting one block of two calendar years.

(d) "Once in a period of four calendar years" means a period of four calendar year 1986 i.e., the years 1986, 1987, 1988 and 1989 constituting one block of four years.

(e) "Any place in India" will cover, besides the home town of the employee, any place within the territory of India whether it is on the mainland of India or overseas.

(f) "Shortest route" is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling.

Journey to home-town

4.(1) An employee of this University shall avail leave travel concession for self and famils to visit hometown declared by him/her by the shortest route once in a period of two calendar year-tand he/she shall be eligible for full re-imbursement of the entire actual fare for the journey to home town from headquarters and back limited to the eligible Air/Rail/Road mileage, etc., as on tour:

Provided that the rate of road mileage between places not connected by rail, fare paid for any type of bus including super deluxe, deluxe, express excluding air-conditioned bus.

(2) When the husband and wife are both employees of this University, the couple should be treated as a single family unit and should declare only one place to be their hometown which should be the same place for both of them for all times:

Provided that if, for any reasons the husband and wife are residing separately they can claim the concession independently as two separate employees according to his or own entitlements:

Provided further if the family performs journeys separately there is no objection to an employee presenting separate claims.

(3) When the spouse of an employee employed in an office other than this University where L.T.C. facilities are available or otherwise not so employed, the claim for spouse should be accompanied by an employment/non-employment certificate in respect of the spouse as in Form (PU)1.

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Journey to any place in India

5 (1) (i) An employee of this University shall avail Leave Travel Concession for self and members of his family to visit any place in India once in a block of four years and he shall be eligible for full re-imbursement of the entire actual fare for the journey from head quarters a place of visit in India as declared by the employee in advance and back.

(ii) The actual fare is limited to the eligible Air/Rail/Road mileage as on tour as per entitlement detailed below:

(A) Journey by Air/Rail:

Pay Range	Entitlement
Rs.18,400 and above.	Air Economy (Y) Class by National Carriers or AC First Class by Train, at their option.
Rs.16,400 and above, but less than Rs.18,400.	AC First Class.
Rs.8,000 and above, but less than Rs.16,400	Second AC 2-tier Sleeper.

Pay Range	Entitlement
Rs.4,100 and above, but less than Rs.8,000	First Class/AC 3 – tier Sleeper/AC Chair Car.*
Below Rs.4,100	Second Sleeper.

* All Government servants who are entitled to travel on LTC by First Class/AC 3- tier Sleeper/AC Chair Car may, at their discretion, travel by AC 2-tier Sleeper in cases where any of the trains connecting the originating and destination stations concerned by the direct shortest route do not provide these three classes of accommodation.

Travel by Rajdhani Express Trains:

Pay Range	Entitlement
Rs.16,400 and above.	AC First Class.
Rs.8,000 and above, but less than Rs.16,400	Second AC 2 – tier Sleeper
Rs.4,100 and above, but less than Rs.8,000	AC 3 – tier Sleeper

Travel by Shatabdi Express Trains:

Pay Range	Entitlement
Rs.16,400 and above.	Executive Class.
Rs.4,100 and above, but less than Rs.16,400	AC Chair Car.

NOTE. - Entitlement by Rajdhani/Shatbdi Trains would be applicable in cases where journey is actually undertaken by these trains and not for determining entitlement on notional basis. Both ends of the journey, i.e., place of start of the journey and the destination should be directly connected by Rajdhani/ Shatabdi Express.

(B) Journey by Sea or by River Steamer:

Pay Range	Entitlement
Rs.8,000 and above.	Highest Class.
Rs.6,500 and above, but less than Rs.8,000.	If there are two classes only on the steamer, the lower class.
Rs.4,100 and above, but less than Rs.6,500	If there are three classes, the middle or the second class.
Below Rs.4,100	If there be four classes, the third class. The lowest class.

Accommodation entitlement for travel between the mainland and the Andaman & Nicobar Group of Islands and the Lakshadweep Group of Islands by ships operated by the Shipping Corporation of India Limited will be as follows:

Pay Range	Entitlement
Rs.8,000 and above.	Deluxe Class
Rs.6,500 and above, but less than Rs.8,000	First/'A' Cabin Class.
Rs.4,100 and above, but less than Rs.6,500	Second/'B' Cabin Class
Less than Rs.4,100	Bunk Class.

(C) Journey by Road:

	Pay Range	Entitlement
(i)	Rs. 18,400 and above.	Actual fare by any type of public bus, including air-conditioned bus: OR At prescribed rates for AC Taxi/Taxi (AC Taxi when the journey is actually performed by AC Taxi) for journey to the places not connected by rail, subject to condition that the claim shall be restricted to the bus fare by entitled class or the fare actually paid, whichever is less.
(ii)	Rs.8,000 and above but less than Rs.18,400.	Same as at (i) above with the exception that journeys by AC Taxi will not be permissible.
(iii)	Rs.6,500 and above, but less than Rs.8,000.	Same as at (ii) above with the exception that journeys by air-conditioned bus will not be permissible.
(iv)	Rs.4,100 and above, but less than Rs.6,500.	Actual fare by any type of public bus other than air-conditioned bus: OR At prescribed rate for autorickshaw for journey to places not connected by rail, subject to condition that the claim shall be restricted to bus fare by entitled class or the fare actually paid; whichever is less.
(v)	Below Rs.4,100	As at (iv) above with the condition that the claim shall be restricted to the bus fare by ordinary bus.

NOTE: In all cases of travel by AC Taxi, Taxi or Autorickshaw, production of fare receipt will be necessary.

(2) Journey by road - (i)

(ii) Where a public transport system as aforesaid does not exist the assistance will be regulated as in case of journeys undertaken on transfer.

(iii) Notwithstanding anything contained in sub-rule (1) or Clauses (i) and (ii) of sub-rule (2) where a Government servant traveling by road takes a seat or seats in a bus, van or other vehicle operated by Tourism Development Corporation in the Public Sector, State Transport Corporations and Transport services run by other Government or local bodies to visit any place in India, the reimbursement shall be either the actual hire charges or the amount reimbursable on the journey to the declared place of visit had the journey been undertaken by entitled class by rail by the shortest direct route, whichever is less. Reimbursement shall not be admissible for journey by a private car (owned, borrowed or hired), or a bus, van or other vehicle owned by private operators.

(3) By Air.- The Government servant may travel by air between places not connected by rail, where an alternative means of travel is either not available or is more expensive.

(4) In regard to places in territory of India connected by shipping services, the entitlement of a Government servant to travel by ship will be regulated as in the case of journeys by ship undertaken on transfer.

(5) Travel between places not connected by any other means of transport. – For travel between places not connected by any other means of transport, a Government servant can avail of animal transport like pony, elephant, camel, etc. In such cases mileage allowance will be admissible at the same rate as for journeys on transfer.

Provided that the L.T.C. will not be admissible for journeys performed by private car (owned), borrowed (hired) or in a chartered bus, van or other vehicle owned by private operators. However, if the journey is performed by vehicles operated by Tourism Development Corporations in Public Sector State Transport Corporations and Transport Services run by Government or local bodies, the claim will be restricted to the actual expenses limited to the railway fare by the authorised class of accommodation:

Provided further that between places not connected by rail, where a recognised public transport system exists, the fares actually charged by such a system shall be admissible.

(2) When the employee travels in a higher class, the assistance will be restricted to the fare of the appropriate class and if he/she travels by lower class the assistance will be based on the lower class fare actually paid.

(3) For journeys performed by purchasing a circular tour ticket the claim shall be admissible as between the headquarters and the declared place or visit by the shortest direct route by the class of accommodation actually used or entitled class whichever is less.

(4) For journeys to Port Blair the journey up to the port of embarkation shall be admissible as usual. From the port of embarkation to Port Blair the employee will be entitled to the cost of sea passage by the entitled class which is given below :

(a) First grade Officers drawing pay of Rs. 5,100 (Revised) and above	Deluxe cabin
(b) Other first grade Officers	I Class cabin
(c) Second grade	II Class (A) cabin
(d) Third grade	II Class (B) cabin
(e) Fourth grade	Bunk

However the Vice-Chancellor may permit Grade I Officers to travel from the nearest point in mainland to Port Blair by Air

6. (1) The grade of the employee shall be decided on the date of journey. General

(2) The L.T.C. is ordinarily admissible for the journeys performed during regular or casual leave including special casual leave and maternity leave.

(3) The concession to go to any place in India is in lieu of one of the two concessions to hometown available in a block of four calendar years.

(4) If a University servant's hometown is outside India the assistance is admissible up to the India Railway station or port nearest to hometown.

(5) A child/children of an employee studying at a place other than the hometown residing in hostels he/they shall be eligible for L.T.C. as members of the family of the employee from the place of study to the hometown/any place in India and back or from the headquarters of the employee to the hometown/any place in India and back whichever is less.

(6) The L.T.C. is not admissible to an employee who proceeds on regular leave and then resigns his post without returning to duty.

(7) The L.T.C. can be combined with journeys on transfer or tour.

(8) In the case of an employee who is under suspension, the L.T.C. is admissible to his/her family only.

(9) An employee can change the declared place of visit before the commencement of the journey with the approval of the Registrar.

(10) The employee or members of his family visit either the same place or different places of the choice under the scheme to visit anywhere in India.

(11) The L.T.C. admissible for a particular block of two/four years which is not availed of during the block may be availed of in the first year of the next block by the employee and the family independently of each other.

(12) The right of an employee for re-imbursement of Leave Travel Concession shall stand forfeited or be deemed to have been relinguished if the claim for it is not preferred within six months of the date of completion of the return journey.

(13) All other cases not covered by these rules shall be dealt with in accordance with the general or specific order of Vice-Chancellor after taking into consideration the corresponding provisions in Government Rules on the subject.

(14) The Registrar of the University shall be competent to grant advance to the employees of the University to enable them to avail themselves the L.T.C. The amount of such advance shall be limited to 4/5 of the estimated amount which the University would have to re-imburse in respect of the cost of journey both ways.

(15) If the family of these employees travel separately the advance may also be drawn separately to the extent admissible.

(16) An employee can draw advance for LTC journey for his family members 65 days before the proposed date of onward journey. However he should produce the outward railway tickets within 10 days of the drawadl of advance to the competent authority to show that he has actually utilized the amount to purchase the ticket. The advance drawn for the purpose should be refunded in full if the onward journey is not commenced within 65 days of the grant of advance

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(17) An employee who has taken an advance for L.T.C. should submit the adjustment bill within one month of the completion of return journey.

(18) If the onward journey is not commenced within one month from the date of sanction of advance or if the adjustment bill is not presented within one month of the completion of the return journey or if any of the rules for granting advance for L.T.C. has been violated, a penal interest @ 2 ½ over and above the rate of interest for purchase of conveyance shall be charged.

Amendments

7. Unless there is anything repugnant in the Pondicherry University Act, Statutes and Ordinances any amendments to the orders regarding the grant of travel concessions to Government servants during regular leave shall be deemed to be the amendments of the relevant provisions of these rules or any order or administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders are brought into force by the Central Government.

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7. ORDINANCES GOVERNING THE REIMBURSEMENT MEDICAL EXPENSES TO THE EMPLOYEES OF THE UNIVERSITY

Short title and extent of application

1. These rules may be called the "Pondicherry University (Medical Attendance) Rules". They shall apply to all employees of the University both teaching and non-teaching including those who are on re-employment. They shall not apply to those who are on deputation from Government Departments Central or State.

Definitions

2. In these rules unless there is anything repugnant in the subject or context :—

(i) "Authorised Medical Attendant" means the Medical Officer appointed by the University.

(ii) "Employee of the University" means all officers and employees of the University under its administrative control and employees of the various centres under the control of the University but will not include a part-time employee, piece-worker, casual daily labourer and employees on contract basis.

(iii) "Medical Attendance" means Attendance in the consulting room of the Authorised Medical Attendant or Government Hospital or any other hospital recognised by the University or at the residence of the employee, including such pathological, bacteriological, radiological or other methods of examination for the purposes of diagnosis as are available in the hospital or consulting room and are considered necessary by the Authorised Medical Attendant and such consultation with a Specialist or other Medical Officer as the Authorised Medical Attendant certifies to be necessary to such extent and in such manner as the Specialist or the Medical Officer may, in consultation with the Authorised Medical Attendant, determine.

(iv) "A Specialist" means a Medical Officer in the service of the Government or in private practice who has obtained special proficiency in a particular branch of the science of medicine.

(v) "Treatment" means the use of all medical and surgical facilities available at the University recognised hospital or any other Government hospital in which the employee is treated and includes;

(a) The employment of such pathological, bacteriological, radiological or other methods as are considered necessary by the Authorised Medical Attendant.

(b) The supply of such medicines, vaccines, sera or other therapeutic substances as are ordinarily available in the hospital.

(c) The supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available as the authorised medical attendant may certify in writing to be essential for the recovery or for the preventation of serious deterioration in the condition of the employee except in items mentioned below, namely :—

1. preparations which are not medicines but are primarily foods, tonics, toilet preparations or disinfectants; and

2. expensive drugs, tonics, laxatives or other elegant and proprietary preparations for which drugs of equal therapeutic value are available.

Note : Sales tax paid by the employees while purchasing medicines from the market is refundable. Packing and postage charges paid by employees for purchasing special medicines from outstations are not refundable.

(d) Such accommodation as is ordinarily provided in the hospital and is suited to his status and such nursing as is ordinarily provided to in-patients by the hospital.

Medical attendance

3. (1) A University employee shall be entitled, free of charge to medical attendance by the Authorised Medical Attendant of the University or at the University recognised hospital or at the Government hospital or at his/her residence when in the opinion of the Authorised Medical Attendant, such employees is unable to attend the hospital.

(2) Where an employee is entitled, free of charge, to receive medical attendance, any amount paid by him on account of such medical attendance shall, on production of a certificate in writing by the authorised medical attendant in this behalf be reimbursed to him by the University:

Provided that the Finance Officer shall reject any claim if he is not satisfied with its genuineness on facts and circumstances of each case. While doing so, he shall commun cate to the claimant the reasons, in brief, for rejecting the claim and the claimant may submit an appeal to the Vice-Chancellor within a period of forty-five days of the date of receipt of the order rejecting the claim.

(3) If the Authorised Medical Attendant is of the opinion that the case of an employee is of such a serious or special nature as to require medical attendance by some other Medical Officer or Specialist he shall, with the permission of the Vice-Chancellor, refer the patient to such other Medical Officer or Specialist, appointed by the University as may be available in the station for such attendance. In case no other Medical Officer or Specialist appointed by the University is available in the station or the Medical Officer available is not competent to render assistance or advice of the special type required by the employee or facilities are not available for the special treatment, the Authorised Medical Attendant may apply to the Vice-Chancellor for permission to refer the patient to a Specialist at another station or call him from other station. The fee and Travelling allowance of the Specialists (in station or outside) and the cost of medicines prescribed by him and purchased by the employee shall be reimbursed to him from the Authorised Medical Attendant. In emergent cases when the Vice-Chancellor is out of station any delay is likely to lead to serious impairement of the health of the patient the Medical Attendent may call in a Specialist or summon a Medical Officer from outstation in anticipation of the sanction of the Vice-Chancellor and will report such cases immediately to him for approval

Medical treatment

4. (i) A University employee shall be entitled free of charge to treatment :

(a) in the University recognised hospital or any other Government hospital at or near the place where he falls ill as can, in the opinion of the Authorised Medical Attendant, provide the necessary and suitable treatment or

(b) if there is no such hospital as is referred to in sub-clause (a), in such hospital other than a Government hospital at or near the place as can, in the opinion of the Authorised Medical Attendant, provide the necessary and suitable treatment.

(ii) Where an employee is entitled, free of charge, to treatment in hospital, any amount paid by him on account of such treatment shall, on production of a certificate in writing by the Authorised Medical Attendant in this behalf, be reimbursed to him by the University.

Note: 1. Expenses incurred by an employee or a member of his family on treatment for "Venereal Diseases" and "Delirium Tremens" should be regarded as reimbursable.

Note: 2. Reimbursement of expenditure incurred on account of treatment of sterility will be admissible.

Note: 3. Expenses incurred on medical termination of pregnancy is reimbursable provided the medical termination of pregnancy has been performed at Government or other institutions/hospitals/institutions approved under the Medical Termination of of Pregnancy Act, 1971:

Provided that the Finance Officer shall reject any claim if he is not satisfied with its genuineness on facts and circumstances of each case. While doing so, he shall communicate to the claimant the reasons, in brief, for rejecting the claim and the claimant may submit an appeal to the Vice-Chancellor within a period of forty-five days of the date of receipt of the order rejecting the claim.

Treatment at residence.

5. (1) If the Authorised Medical Attendant is of the opinion that owing to the severity of the illness, an employee cannot move to the hospital, he may receive treatment at his residence.

(2) Such employee receiving treatment at his residence shall be entitled to receive towards the cost of such treatment incurred by him a sum equivalent of the cost of such treatment as he would have been entitled to receive had he been treated in the University recognised hospital or any other Government Hospital.

(3) Claims for sums admissible under sub-clause (2) shall be accompanied by a certificate in writing by the Authorised Medical Attendant stating his reasons for the treatment at the residence of the patient and the cost of similar treatment in the hospital.

Special treatment

6. In special cases, the Vice-Chancellor may sanction treatment of a University employee or his/her family at special hospital/clinic/nursing home. In such case, the extent of reimbursement over and above the expenses admissible under these rules will be decided by the Vice-Chancellor.

Concession for families

7. Families of the University employees are entitled to medical attendance and/or treatment on the scale and conditions allowed to the employees themselves, subject to such exceptions or restrictions specified in these rules.

Definition of Family:

"Family" means wife or husband as the case may be, parents, children and step-children wholly dependent upon the University employees.

Explanations :

(a) The term "Family" does not include any other dependent relations such as brother, sister, widowed sister, etc. The term "Parents" does not include "Step-parents". The term "Children" will include children adopted legally.

(b) The husband or wife of the employee, as the case may be, employed under the Government or any other corporation, bodies financed partly or wholly by the Central or State Government local bodies and private organisations which provide medical facilities provided by the organisations in which he/she is employed.

(c) For this purpose, every employee should give a declaration at the commencement of these rules or immediately after appointment whether his wife or her husband is employed or not. If employed a joint declaration should be furnished as to who will prefer the claim for reimbursement of medical exponses incurred on the medical attendance and treatment in respect of wife/husband and the children. The above declaration should be submitted in duplicate. It will remain in force till such time as it is revised on the express request in writing by both the husband and wife.

(d) Such parents should be regarded as "Wholly/mainly dependent" upon an employee who normally reside with the employee concerned and whose total monthly income does not exceed Rs. 500 p.m.

Guiding Principles for regulating medical claims

8. (a) For the purpose of medical attendance, up to four consultations at the rate of one consultation a day completed within a period of ten days from the date of commencement of treatment is allowed in respect of one single and continuous spell of illness/disease.

(b) There should be a reasonable gap between the closing of first spell of illness from one disease and recurrence of the same disease for a second time to justify a fresh claim in respect of medical attendance.

(c) The employees may be required to produce the original prescriptions by the claimants, if considered necessary in order to verify the prescribed ceilings on the number of consultations/visits, etc. and in order to satisfy about the genuineness of the claims.

(d) In cases which are definitely not prolonged, treatment (limited to the administration of injections only) prescribed, while medical attendance is received, may be taken at the consulting room of the Authorised Medical Attendant or at the residence of the patient, spread over a period not exceeding ten days. In such cases, normally ten injections in a period of ten days should suffice. These limits may be exceeded slightly (not exceeding five) *viz.*, 15 injections spread over a period of 10 to 15 days depending on the condition of ailment of the patient as in the opinion of the Authorised Medical Attendant is essential for the recovery of the patient, charges for injections will be payable at the prescribed rate.

(e) (i) Every consultation after the first in respect of the same patient should be treated as "subsequent consultation" and charged for at the prescribed lower rates irrespective of the interval between the two consultations provided that the patient has been under the treatment of the same doctor.

(ii) Where a patient after being cured of a particular illness develops a "fresh" illness and consults the same doctor that consultation should be regarded as a "fresh consultation" and may be charged for at full rates and

(iii) Where a patient consults the same doctor in regard to the super-imposition of another disease during the course of treatment of one disease, that consultation should be regarded as "fresh consultation" and charged for at full rates.

Note : If at the time of consultation the medical officer consulted also administers injections he will be entitled to charge fees both for the consultation and for the injection at the prescribed rates. However if at a later stage the medical officer administers injections prescribed at the previous consultation, fees should be charged for injections only.

(f) (i) Diet-charges paid to hospitals and T.B. Sanatoria, etc. by the University employees and members of their families during the course of their in-door treatment will be reimbursed in full in case where the pay of the employees concerned is not more than,

I) Rs. 400 per month (pre-revised) in the case of patients suffering from diseases other than T.B. and mental ; and

II) Rs. 640 per month (pre-revised) in the case of patients suffering from T.B. and mental diseases.

(ii) In the case of reimbursement of medical expenses incurred by University employees on hospitalisation for themselves and members of their families in hospitals the tariffs of which indicate a flat rate inclusive of diet charge, the diet charges should be regulated as follows :

(a) Where the flat charge made by the hospital includes

(1) diet (2) accommodation, (3) ordinary nursing and (4) medical and surgical services 20% of the flat charges will be reckoned as diet charges ; and

(b) Where the flat charge made by the hospital includes

(1) diet (2) accommodation, (3) ordinary nursing only, but not (4) *viz.*, charges for medical and surgical services, 50% of the flat charge will be reckoned as diet charges.

Cash Memo and essentiality certificate

9. Cash memos for purchase of medicines must be countersigned by the doctor prescribing the medicines and the essentiality certificate must contain the names of all the medicines prescribed and the amount incurred on the purchase of each medicine.

Time limit for medical claims

10. The final claims for reimbursement of medical expenses of University employees and their families in respect of a particular spell of illness should ordinarily be preferred within 3 months from the date of completion of treatment as shown in the Essentiality Certificate issued by the Authorised Medical Attendant.

Consultation/ visiting fees and injection fees

11. The present rates of consultation/visiting fees are as follows :

Fees for medical attendance/Specialist

	Fees for visit	
	For first consultation	For subsequent consultation
	Rs.	Rs.
a) Civil Surgeon/Senior Specialist ..	16.00	6.00
b) Junior Specialist ..	5.00	2.00
c) Assistant Surgeon ..	2.00	1.50

Fees for Specialist

	For first consultation	For subsequent consultation
	Rs.	Rs.
a) Senior Specialist	16	10
b) Junior Specialist	5	3
c) Assistant Surgeon	3	2

Fees for injections

Injection	For Civil Surgeons (per injection)	For Assistant Surgeons (per injection)	For Sub-Assistant Surgeons (per injection)
	Rs.	Rs.	Rs.
Intra-venus	5	3	2
Intra-muscular	3	3	2
Subcutaneous	2	2	2

Maintenance of Sub-register in respect of individual employees

12. The pay bill section should maintain a register in the form given below in respect of individual University employees claiming reimbursement of medical expenses and claims regarding medical attendance/treatment should be entered therein and attested by the Section Officer.

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Sl. No.	Name of the patient	Relationship with the employee	Name of disease	Name of the doctor	Consultation fee
(1)	(2)	(3)	(4)	(5)	(6)

Injection fee	Total	Period of claim	Name of the medical shop	Cost of medicine purchased	Pathological charges
(7)	(8)	(9)	(10)	(11)	(12)

Amount passed for payment	Progressive Total	Remarks
(13)	(14)	(15)

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Amendments

13. Unless there is anything repugnant in the Pondicherry University Act, Statutes, Ordinances, any amendments to the Central Civil Services (Medical Attendance) Rules, 1944 shall be deemed to be the amendments of the relevant provisions of these rules or any other or administrative instructions already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders are brought into force by the Central Government.

8. ORDINANCES GOVERNING THE CODE OF CONDUCT AND DISCIPLINE FOR PROTECTION OF WOMEN AGAINST SEXUAL HARASSMENT

Preamble:

Sexual harassment is a serious criminal offence which can destroy human dignity and freedom. In order to provide an academic and working environment free of sexual harassment, intimidation or exploitation, the Pondicherry University has framed this code of conduct (following the guidelines on the prevention and deterrence of sexual harassment in the workplace laid down by the Supreme Court of India in its 13 August 1997 judgment on the writ petition (criminal) Vishaka vs. State of Rajasthan), to deal with complaints of sexual harassment lodged by students or staff, against a person who may either be a student or a staff or a resident or a service provider or an outsider.

1. Short Title and Commencement:

(i) These rules may be called the "Pondicherry University rules for protection of women against sexual harassment"
(ii) These rules shall come into force with immediate effect.
(iii) These rules shall replace the existing rules on the subject in the Ordinances governing Administrative matters.

2. Definitions:

(i) Under these rules, unless the context otherwise requires :-

(a) "University" means the Pondicherry University and includes all places vested, controlled and/or administered by the University.

(b) "Aggrieved person" means any female person/persons, whether major or minor, who alleges that she/they have been subjected to sexual harassment.

(c) "Employee" means both the teaching includes research post and non-teaching employees of the University and includes those employed on full time, part-time temporary, deputation, contract, ad-hoc or daily wage basis, either directly or by or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called;

(d) "Student" means all the students of the Pondicherry University

(e) "Resident" means any person who is temporary or a permanent resident occupying any accommodation or premises managed and/or allotted by the University

(f) "Service provider" means any person who runs or manages commercial enterprises, or provides services on the campus.

(g) "Sexual Harassment" means:

commission of any verbal, physical or other conduct including comment, gesture or conduct of sexual nature, individually or collectively by men against women and includes

(i) eve teasing
(ii) unwelcome remarks
(iii) jokes causing or likely to cause awkwardness or embarrassment
(iv) innuendos and tauntry
(v) gender based insults or sexually coloured remarks or demand / request for sexual favours
(vi) unwelcome sexual overtone in any manner such as over telephone and the like
(vii) touching or brushing against the body, and the like
(viii) displaying pornographic or other offensive or derogatory picture, cartoons, pamphlets or sayings
(ix) forcible physical touch or molestation
(x) physical confinement against one's will and other acts tending to violate one's privacy
(xi) denial of equal opportunity in pursuit of education/career development or
(xii) otherwise making the study/work environment hostile or intimidating for students/employees

(h) "Sexual Harassment of Students" means the use of authority by any person to exploit the sexuality or sexual identity of a student to harass in a manner which prevents or impairs that student's full utilization of educational benefits, climate or opportunities. It includes behaviour that covertly or overtly uses the power inherent in the status of a person of authority as a teaching or a non-teaching staff, to affect adversely a student's educational experience or career opportunities on the basis of sexual identity and or to threaten, coerce or intimidate a student to accept sexual advances or risk reprisal in terms of loss of a grade, a recommendation, a professional growth opportunity or a job.

(i) "Sexual Harassment of Employee" means use of an authority by any person to exploit the sexuality or sexual identity of a subordinate employee or a colleague to harass in a manner which prevents or impairs the employee's full utilization of employment benefits, climate or opportunities. It includes behaviour of employer / fellow staff/ non-teaching staff that covertly or overtly uses the power inherent in their office to affect negatively an employee's work experience or career opportunities on the basis of sexual identity and or to threaten, coerce or intimidate an employee (Teaching Staff/Non-Teaching Staff) to accept sexual advances or making employment decision affecting the individual or create an intimidating, hostile or offensive working environment.

(j) "Committee" means the Sexual Harassment Prevention Committee which is also the Internal Complaints Committee of the University.

(k) "Complaint" means complaints of sexual harassment made by aggrieved persons to the University or to the Committee under these rules.

(l) "Defendant/Respondent" means a person against whom an allegation of sexual harassment is made.

(m) "Other persons engaged / employed by the University" means a person employed for any work directly, or by or through any agency (including a contractor), with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied, and any person employed as a temporary, contract, casual, badli, piece-rated or contract worker, or by any

other name called; and includes a domestic servant employed in a house or dwelling place.

(n) "Proceedings" means enquiry proceedings carried out by the Committee.

3. Prohibition of Sexual Harassment:

(1) No employee or student, within the University or in any place away from University, if such place has a relevance or any bearing on the relationship as employer/employee/student/etc. of the University, shall be subjected to sexual harassment including unwelcome sexually determined behavior, physical contact, advances, sexually coloured remarks, display of pornographic material, sexual demand, request for sexual favours or any other unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions, which may include, -

(i) implied or overt promise of preferential treatment for sexual favours; or
(ii) implied or overt threat of treatment detrimental to one's position, career or educational prospects if sexual advances are resisted or
(iii) implied or overt threat about the present or future employment status;
(iv) Conduct which interferes with work or creates an intimidating or offensive or hostile work environment; or
(v) humiliating conduct constituting health and safety problems.

The University shall, having regard to the location, environment and the like, of the University take every step within his/her means to initiate action to identify spots or places and spheres of activity which are prone to harassment whether between students, or between students and employees (teaching and non-teaching staff) of the University or between employees themselves etc. and shall make adequate arrangements with the view to prevent sexual harassment.

4. Sexual Harassment Prevention Committee [Committee for short]:

The University shall constitute a Sexual Harassment Prevention Committee which shall also function as the Internal Complaints Committee, consisting of the following members namely

(i) A Woman Professor / Woman Reader in the University who shall be the Chairperson
(ii) One male member of the employees on the teaching side
(iii) One male member of the employees on non-teaching side
(iv) One female student
(v) One female representative of non-governmental organizations actively engaged either in the welfare of women or in the field of Education
(vi) One female member from Non-teaching side (and)
(vii) An officer of the level of Deputy Registrar shall be the Member Secretary

(a) The members of the Committee shall be nominated by the University
(b) The term of office of the Chairperson and the members shall be two years from the date on which they assume office and they shall be eligible for one more term
(c) Any casual vacancy in the Committee or absence without written intimation for three consecutive meetings or for two months, whichever is more, shall be filled up by the University from the concerned category

(d) It will not be open to the complainant or the defendant to question the composition of the Committee or any member of the Committee on the ground of employment seniority / hierarchy.

5. **Complaint and enquiry by Sexual Harassment Prevention Committee:**

(a) Any person aggrieved by any contravention of these rules, shall lodge a complaint of sexual harassment with the Committee in writing at the earliest point of time and preferably within 15 days from the occurrence of the alleged contravention:

Provided that where such complaint cannot be made in writing, the Chairperson or any member of the Committee shall render all reasonable assistance to the woman making the complaint to state the same in writing.

(b) The complaint shall contain all the material and relevant details concerning the alleged contravention including the names of the contravener and the complaint shall be addressed to the chairperson of the Committee.

(c) If the complainant so prefers for reasons of discretion, the complaint may be addressed to the Vice-Chancellor and handed over in person, or sent in a sealed cover. Upon receipt of any such complaint, the Vice-Chancellor shall retain the original complaint with himself/herself and send a gist of the complaint containing all material and relevant details to the Committee, indicating the complainant's preference for anonymity and a very discrete enquiry.

(d) The Committee upon receipt of complaint shall conduct an enquiry discreetly by providing reasonable opportunity to the complainant and the defendant for presenting and defending her/his case and keeping in view the sensitivity and safety of the complainant.

(e) The Committee shall have the right to call any person to appear as witness and seek any official paper or document for purpose of enquiry and also have the right to summon, as many times as required, the defendant/complainant/witnesses for purpose of supplementary testimony and/or clarifications.

(f) The Committee shall have the right to terminate the enquiry proceedings and give an ex-parte decision on the complaint, if the defendant fails, without valid ground, to present himself for three consecutive hearings or the defendant refuses to cooperate with the Committee in the conduct of the inquiry.

(g) The Committee shall not permit any behaviour of the defendant during the inquiry that subjects the complainant to mental and physical trauma.

(h) a) The minutes of all the meetings of the Committee shall be maintained.

b) The statements of all the witnesses shall be recorded.

6. PENALTIES:

Any employee, student, service provider, resident or outsider found guilty of sexual harassment shall be liable for penalties / disciplinary action.

The penalties listed below are indicative and shall not constrain the University authorities from considering other penalties in accordance with the rules governing the conduct of employees and students in practice at the time and in accordance with law.

(1) In Case of Teaching Staff:

a. Warning, reprimand, or censure or written apology or bond of good behaviour.
b. Removal from an administrative position at the Centre, School and/ or University levels.
c. Debarring from holding an administrative position at the Centre /Department, School and/or University levels.
d. Stopping of increments/promotions.
e. Reversion/Demotion.
f. Suspension from service for a limited period.
g. Compulsory retirement.
h. Dismissal from service.

Further, the penalty awarded shall be recorded in his/her Confidential Report.

(2) In Case of Non-Teaching Staff:

a. Warning, reprimand, or censure or written apology or bond of good behaviour.
b. Stopping of increments/promotions.
c. Reversion/Demotion.
d. Suspension from service for a limited period.
e. Compulsory retirement.
f. Dismissal from service.

Further, the penalty awarded shall be recorded in his/her Confidential Report.

(3) In Case of Students:

a. Warning or reprimand or written apology or bond for good behaviour.
b. Suspension for a specific period of time
c. Withholding results and certificates.
d. Debarring from exams/cancellation of exams.
e. Debarring from holding positions in student bodies.
f. Debarring entry into hostel or transfer to another hostel or withdrawal of hostel accommodation for a limited or the entire period of study.
g. Rustication for a specific period or permanently.
h. Expulsion.

Further, the penalty awarded shall be recorded in his/her Personal File.

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(4) **In Case of Outsiders:**

a. Warning, reprimand, or censure.
b. A letter communicating her/his misconduct to her/his institution of education, employment or residence.
c. Declaration of the campus as out of bounds for her/him for all purposes.
d. Any other action as may be necessary.

(5) **In Case of Service Providers**

a. Warning, reprimand, or censure.
b. A letter communicating her/his misconduct to her/his place of employment.
c. Termination of the agreement/contract of engagement to provide the services.
d. Declaration of the campus as out of bounds for her/him.
e. Withdrawal of the right to run/manage/work in any commercial enterprise, or to provide services, on the campus.
f. Any other action as may be necessary.

In addition to the various penalties specified under (1) - (5) above, the person may be advised to undergo counseling and gender sensitization, and to give a written and/or public apology to the complainant.

(6) **Penalty in Case of a Second Offence:**

A second or repeated offence, may, on the recommendation of Committee normally attract a major penalty like dismissal, expulsion, termination of contract etc.

7. False Complaint/Deposition:

Where the Committee as the case may be, has evidence of the complainant or any of the witnesses having produced forged documents in the inquiry, it may recommend to the University to take action against the person who produced the forged document, in accordance with the provisions of the service rules applicable to her or him or where no such service rules have been made, in such manner as may be prescribed.

8. Protection against Victimisation:

a. If the complainant is a student and the defendant(s) is a teacher, during the investigation and enquiry, and even after such an enquiry if the teacher is found guilty, the defendant(s) shall not normally be allowed to supervise any academic activity of the student, including but not limited to, evaluation and examination, re-examination, and supervision of research.

b. If a witness named by the complainant is a student and the defendant(s) is a teacher, during the duration of the investigation and enquiry, and even after such an enquiry if the teacher is found guilty, the defendant shall not normally be allowed to supervise any academic activity of the student, including but not limited to, evaluation and examination, re-examination, and supervision of research.

c. If both the complainant and the defendant(s) are members of the academic and/or non-teaching staff of the University, during the duration of the investigation and enquiry, and

even after such an enquiry if the defendant is found guilty, the defendant shall not write the Confidential Reports of the complainant, if she/he is otherwise so authorized for the period specified by the competent authority.

d. If witnesses named by the complainant and the defendant(s) are members of the academic and/or non-teaching staff of the University, the defendant shall not write the Confidential Reports of the complainant, if she/he is otherwise so authorized for the period specified by the competent authority when the enquiry is in progress and even after the conclusion of the enquiry, if the defendant is found guilty.

e. If the defendant(s) is an outsider, the defendant shall not be allowed to enter the campus when the enquiry is in progress, except for the purpose of attending the present enquiry for the period specified by the competent authority. If the defendant is found guilty, he may be debarred from entering the University campus.

f. If the defendant(s) is a resident/service provider, the defendant shall not be allowed to enter the campus when the enquiry is in progress, except for the purpose of attending the present enquiry for the period specified by the competent authority. . If the defendant is found guilty, he may be debarred from entering the University campus.

9. Notwithstanding the above, the university may lodge a complaint straightaway with the police in respect of any act amounting to an offence under the Law.

10. The University shall maintain confidentiality in matters concerning complainants and persons against whom the complaints are made, in instances of sexual harassment, in view of the extreme personal sensitivity of issues involved. This shall in no way preclude any statistical report of such incidents as may be required by any local or state agency.

11. The contents of the complaint, the identity and addresses of the aggrieved woman, defendant and witnesses, any information relating to the enquiry proceedings, recommendations of the Committee, and the action taken by the University under the provisions of these rules may be withheld as per relevant provisions of the Right to Information Act.

12. The earlier administrative ordinance 8 stands repealed and replaced by this new ordinance