

FATHER MULLER CHARITABLE INSTITUTIONS

Father Muller Road, Kankanady, Mangalore - 575002.

REVISED RULES & REGULATIONS OF SERVICE

FOR TEACHING STAFF

OF FATHER MULLER INSTITUTE OF HEALTH SCIENCES

2008

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What was begun as a small Homoeopathic Poor Dispensary way back in 1880 by the well known German Philanthropist and Social Worker **REV. FR. AUGUSTUS MULLER S.J.** at Kankanady, Mangalore with the modest object of providing medical care and relief to the poor by supplying genuine Homoeopathic medicines at low or no cost at all, has over the years grown into a complex of Institutions now including those imparting knowledge in healthcare and education.

Organizational changes in the Institutions with addition of teaching programmes to its existing health care activities have necessitated a further modification of the existing rules and regulation meant for Teaching Staff of Father Muller Charitable Institutions. Hence these **RULES & REGULATIONS OF SERVICE (for Teaching Staff) OF FATHER MULLER INSTITUTE OF HEALTH SCIENCES**, Mangalore which hereinafter are called "Revised Rules & Regulations of Service for Teaching Staff-2008".

1. SCOPE AND APPLICABILITY:

- a) These Rules and Regulations of Service shall come into force from 01-11-2008 and shall apply to all Teaching Staff of Father Muller Institute of Health Sciences - the educational wing of Father Muller Charitable Institutions. They shall supercede in their scope and application the provisions of the Rules & Regulations of Service, (for Teaching Staff) OF FATHER MULLER INSTITUTE OF HEALTH SCIENCES and all other rules and regulations of service and terms of appointment / employment of the said employees to the extent now therein provided.
- b) If terms and conditions agreed upon as set out in an appointment order issued to any individual employee are more beneficial in any manner than the provisions of these Rules & Regulations, such terms and conditions set out in the appointment order already issued to and accepted by the said individual shall continue to be binding.
- c) Terms and conditions not mentioned in such appointment order but which are herein now provided shall be applicable and binding.

2. AMENDMENTS AND MODIFICATIONS:

Notwithstanding anything contained herein or in any Rules which are superceded by these, the Management reserves the right to amend or otherwise deal with any of the provisions of these Rules and Regulations of Service for smooth functioning of the Institutions or any of its units.

3. PUBLICATION AND INTERPRETATION:

- a) These Rules and Regulations of Service will be printed in English and a copy will be provided to each employee who is bound by them.
- b) Any modification or amendment made from time to time and any notices or orders or instructions issued under these Rules will be posted on the notice boards of the Institutions.
- c) Ordinarily the interpretation given by the Director or any other person authorized in this behalf shall prevail.

4. DEFINITIONS:

In these Rules and Regulations, unless there is anything repugnant to the subject or context:

- a) **Institutions** mean Father Muller Charitable Institutions, Kankanady, Mangalore.
- b) **Teaching Unit** means any of the Units/Unit of the Institutions collectively called Father Muller Institute of Health Sciences wherein teaching or educational process is carried out.
- c) **Management** means and includes the Director, Administrators, Asst. Administrators, Dean, Vice Dean, Principals, Vice Principals, Medical Superintendent / Deputy Medical Superintendent, Nursing Superintendent of its constituent teaching units.
- d) **Governing Council** means a body of persons constituted by the Management to govern the activities of each teaching unit of the Institutions.
- e) **Governing Board** means the Governing Board of Father Muller Charitable Institutions.

- f) **Employer** means the Director who is appointed by the Bishop of the Diocese of Mangalore (Ex-Officio President, 'Father Muller Charitable Institutions', a society registered under the Karnataka Societies Registration Act, 1960) as the Chief Executive of the Institutions or any other person or persons authorized by the Director who is entrusted with the affairs of managing the Institutions on his behalf.
- g) **Employee** means the Teaching staff engaged / appointed by the Employer, through a written order in any Teaching Unit of the Institutions, to teach, for hire or reward or payment, but does not include:
 - i) any person whose services are temporarily loaned to the Institutions by any agency, association, congregation or institutions on agreed upon conditions;
 - ii) students or learners or persons serving their internship period and/or any employee getting work experience by being on-the-job-training;
 - iii) any person doing gratuitous work.
- h) Technical Staff appointed under the Teaching category will follow the timings of the non-teaching staff & will be eligible for leave facilities of the non-teaching staff.
- i) Words importing the masculine gender include the feminine.
- j) Words importing singular number include the plural number and vice-versa.

5. CLASSIFICATION OF EMPLOYEES:

Employees are classified as :

- a) Permanent / Regular
 - b) Probationer
 - c) Temporary
 - d) Part-time
 - e) Religious
 - f) Contract/term appointment
 - g) Trainee
- a) **Permanent / Regular Employee** is an employee who after successful completion of his period of probation has been confirmed on a permanent basis in a substantive/Regular post/vacancy through a confirmation letter from the Employer.

- b) **Probationary Employee** is an employee who is provisionally employed in a permanent vacancy and has not been confirmed on a permanent basis through a letter of confirmation. Ordinarily every newly appointed employee will be appointed in the first instance on probation for a period of one year. If satisfactory performance is not shown during the period of probation, either the service will be discontinued even without issuing any notice to him or the period of probation will be extended by such period as deemed fit by the Management. However the maximum period of Probation shall not exceed two years.
- c) **Temporary Employee** is an employee who has been appointed for a limited period for assignment of an essentially temporary nature or who is employed temporarily as an additional employee on a leave vacancy or in connection with temporary increase in work and who has received a temporary appointment letter from the Employer.
- d) **Part-time Employee** is an employee who is appointed for work on a part-time basis.
- e) **Religious Employee** is a member of any religious congregation rendering service in the Institutions as per the agreement between his Superior of the religious congregation and the Director of the Institutions.
- f) **Contract/term appointment Employee** is a person appointed on contractual/term employment for a specified period.
- g) **Trainee** means a person who is so appointment and who will be provided training in the various areas stipulated. Stipend may or may not be given. Only on satisfactory completion of training, he may be employed depending upon availability of vacancy.

NOTE: Employees covered under Sub Rule 5 c,d,e,f and g are not entitled to benefits provided to a Probationer/permanent employee unless specifically provided in the letter of contract/appointment/engagement.

6. EMPLOYMENT:

- a) All appointments made are subject to the condition that the particulars furnished at the time of recruitment are true and if the said particulars are proved to be false, the appointment order concerned is liable to be considered void at the discretion of the Management.
- b) All appointments shall be made only through a written orders issued by the Employer stating therein the classification and/or category in which the person concerned is appointed with a description of service conditions, particulars with regard to the emoluments and the facilities he is entitled to etc. Further, a copy of these Rules and Regulations of Service shall also be provided to the appointee. The appointments will be subject to the approval of the Statutory Authorities.
- c) Performance & conduct of all newly appointed persons will be appraised periodically through methods deemed fit by the Management.

If satisfactory standards of performance and conduct are not achieved by the employee during the period of their appointment the period of appointment - Training/Probation/ Term shall either be extended for further period at the discretion of the Management or the services shall be discontinued without notice or compensation.
- d) All employees who have satisfactorily completed their period of initial or extended probation shall be confirmed on a permanent basis in writing by the Employer.
- e) Regular annual increments specified in the time scale of pay shall automatically fall due as on the date of joining/promotion but without prejudice to the right of Management to withhold the same for any period to be specified as a form of penalization for inefficiency, misdemeanor or misconduct or due to revision of pay scale in that year.

- f) The Management reserves the right to grant additional increments to the employees for having acquired higher academic qualifications beneficial for the performance of the day to day work in the Institutions or for outstanding performance of work in the Institutions.
- g) When the initial pay of an employee has to be fixed in a different scale consequent to the revision of pay scale or promotion, such initial pay will be fixed at the next higher stage above the pay he was drawing at the time in the existing scale, making allowance for increment due to the employee in the existing scale.
- h) The annual increments of all the employees confirmed in service will fall due every year on the date of joining the Institution or on the date of his promotion or on the date the following year in case of revision of pay scale in that year as the case may be except in case where persons are appointed through a specific contract or Memorandum of Agreement signed by the Employer and the employee concerned.
- i) It shall be the exclusive prerogative of the Management to decide from time to time the number of posts under various cadres and also the mode of filling up any vacant post. If, however, any such vacancies are to be filled up, all other things being equal, preference may be given to an existing employee consistent with his qualification, efficiency and seniority.

7. RETIREMENT/SUPERANNUATION, ABANDONMENT OF SERVICE, TERMINATION ON CONVICTION BY COURT, RESIGNATION, SERVICE CERTIFICATE AND EXCLUSIVE SERVICE:

a) Retirement :

- An employee shall retire or be superannuated from service of the Institutions on his/her attaining 60 years of age. However an employee may be re-employed after retirement or superannuation on yearly basis from time to time up to the age of 65 years at the discretion of the Management on such terms as it thinks fit.

- An employee can seek voluntary retirement either after 25 years of qualifying service in FMCI or after attaining 50 years of age. To avail this benefit the employee must give 3 months notice or 3 months pay in lieu thereof.
- The Management is at liberty to retire any employee, without assigning reasons, any time after 25 years of service in FMCI or after 50 years of age, by giving 3 months notice or 3 months pay in lieu thereof.

b) Abandonment of Service

If an employee remains continuously absent for a period of ten days or remains absent for a period of 10 days beyond the period of leave originally granted, or subsequently extended, he shall be deemed to have resigned on his own accord from service of the Institutions unless he returns within five days after the expiry of the said ten days and explains in writing to the satisfaction of the Employer, the reason for his unauthorized absence.

c) Conviction by Court

If an employee is convicted by a court for an offence involving moral turpitude, his services will be terminated by the Management of the Institutions.

d) Resignation

- i) Any employee desirous of leaving the service of the Institutions shall give three months notice in writing to the Management of his intention to resign or shall pay three months salary in lieu of notice period, unless he has a specific agreement providing for a longer or shorter notice. However, members of the teaching staff shall not ordinarily resign from their posts during the course of an academic year.
- ii) Any leave to the credit of the employee cannot be adjusted towards the period of notice of resignation.
- iii) No resignation shall be complete unless and until accepted in writing by the Employer.
- iv) No leave other than casual leave shall be granted to an employee once notice of resignation is given by him.

e) Service Certificate

Every employee is entitled to a Service Certificate only at the time of his leaving the service. However, Service Certificate may also be issued at any time during service, provided the reason for such certificate is stated, at the discretion of the Management.

f) Exclusive Service

No employee of the Institutions shall work for any other employer in whatsoever manner. Knowledge of such engagement elsewhere shall be sufficient ground for termination of his service from the Institutions.

8. HOURS OF WORK :

- a) The working hours will vary in different departments/units/ colleges of FMCI. Employees may be required to work in split hours/staggered hours with rest intervals and weekly off in the units of FMCI which operate 24 hours a day and 7 days a week.
- b) Employees shall be required to attend to any emergency duties outside their regular hours of work and on Sundays and holidays, if required and if the exigencies of work so demand and such instructions shall be complied with. They are entitled for such work to compensatory "time off" at the discretion of the Management.
- c) Subject to provision of Rule 8 (a) & (b) above, all employees will be required to work 6 days a week. The number of hours they have to work per day inclusive of rest interval/time for meals, but inclusive of not more than 15 minutes break twice daily for tea/coffee, will depend on the shifts. However it will not be less than 8 hours.

9. ATTENDANCE:

- a) Attendance of the employees shall be signed/marked in their respective attendance registers maintained in the Administrative Office or at the Department/Sectional Office. The attendance register may be substituted by Punch Card or Bio-metric registration device at the discretion of the Management.

- b) An employee shall be present punctually at the specified time at his allotted place of work. If an employee does not report at his work place punctually, the word "late" will be entered by the HOD/Management against his name.
- c) Employees coming for duty late but within half an hour from the time fixed for commencement of duty in the department/section will be allowed to attend duty only after getting written consent of the HOD concerned or any other person authorized, and the time of arrival will be noted above their initials. If the instances of late coming exceed thrice a month casual leave for one day would be deducted.
- d)
 - i) No employee reporting late by more than half an hour but not later than one hour from the time fixed for commencement of duty in the Department / Section will be allowed to attend duty during that session unless he gets written permission from the Administrator/Director and employee concerned shall hand over such written permission to his Head of the Department before commencing his duty.
 - ii) Employee presenting for duty later than one hour from the time fixed for commencement of duty will not be permitted to attend duty for that session but will be considered as on casual leave or leave on loss of pay for the day.
- e) All employees are expected to be at their place of work throughout their duty timings. They should finish their respective work for the session and emergency work, if any, before leaving their duty place.
- f) Employees on shift shall leave their place of duty only after they are relieved by the respective employee on the next shift and after reporting to their Departmental/ Sectional Heads.

- g) i) Any employee found absent from his place of work during working hours without prior permission of the Head of the Department/Section or as provided for herein above, is liable to be treated as absent during the entire session of such absence.
- ii) In the event the H.O.D. is not available to obtain such permission, the employee concerned shall enter the fact of his temporary absence from the work place in the Movement Register maintained in the Department/Section for the purpose.
- iii) Habitual late attendance will entail disciplinary action. Absence without prior sanction or without valid reason will be treated as 'un-authorized absence' and it will amount to break in service.

10. STANDARD OF CONDUCT AND DISCIPLINE:

- a) All employees of the Institutions at all times have to maintain high standard of conduct and shall always behave in a sober manner, tempered with kindness, friendliness and understanding with all fellow employees. They are to refrain from gossiping, loud talking or any other behaviour that could be disturbing the patients or co-workers.
- b) Employees should always be neatly dressed in clean clothes while on duty. Employees, who have been provided with equipments and / or are required to wear uniforms according to the nature of their work, must wear them or use them only while on duty.
- c) All employees shall carry out their daily duties faithfully under the direction of their immediate superiors and shall obey the instructions and directions, whether written or oral, given to them from time to time. Insubordination and/or willful disobedience of orders of superiors shall be considered as serious misconduct.
- d) Employees shall observe the instructions put up on the notice boards or communicated to them from time to time by their Superiors or Departmental Heads. Such orders

shall be deemed to have been served on the employees for whom they are intended to and hence, every employee shall make himself familiar with the day to day communications displayed on the notice boards of the Institutions.

- e) Employees are required to accept any work, normally falling under the category of employment assigned to them by the Employer/Administrator/Asst. Administratos/Dean/Principal or the Departmental Head/Superior, besides the main routine work allotted to the particular post held by them, keeping in mind that the Institutions are service-oriented, established to serve the suffering humanity and needs the dedicated work of all employees to realize its goals. Such work within working hours will not entitle them for any extra remuneration.
- f) Every incident out of the ordinary or any emergency arising in the Institutions shall be immediately reported to their respective Superiors.
- g) All employees using instruments, equipments and other appliances shall replace them in their proper places, and every breakage and/or damage caused shall be reported immediately to their immediate superior in the Institutions.
- h) Every employee is expected to take sufficient care of the property, stock of medicines and materials, instruments, equipments etc. of the Institutions. Where damage or loss is caused to them by the negligence of/or misuse by the employee, he is liable to make good such loss or damage to the Institutions, besides being liable to be penalized, according to the nature of damage or loss.
- i) No article, except personal belongings, shall be brought in or taken out by an employee from the premises of the Institutions without the permission of the Employer. Any pilferage will be considered as misconduct.
- j) All employees are required to wear their identity card while on duty and produce them when called for.

11. PAYMENT OF WAGES:

- a) Employees shall be paid their salary on the first working day of every succeeding month through the bank counter in the premises of the Institutions. If the first day of the month happens to be a Sunday or a bank holiday, then the salary shall be paid on the succeeding day.
- b) The salaries and allowances, if any, of all employees shall be paid subject to the following deductions:
 - i. statutory deductions.
 - ii. recoveries towards loan/advances.
 - iii. deductions required to be made as per orders of the Government or Court or other competent authorities.
 - iv. deductions for amenities such as house, room, food, laundry etc. provided by the Institutions.
 - v. deductions to make adjustments with salary advances, extra amounts paid earlier by error, if any.
 - vi. deductions to recover the amount of any credit bill standing against the account of an employee.
 - vii. deductions for damage or loss of property, equipments, belongings of the Institutions, or for loss of money which he is required to account for, if the damage or loss is due to his negligence.
 - viii. deductions for absence from duty without permission.
 - ix. penal deductions imposed through a written order by the Employer.

12. PROVIDENT FUND:

Eligibility to the statutory Provident Fund and related schemes shall be determined as per the Provident Fund Act and Rules in force from time to time.

13. GRATUITY:

All employees, except retired and re-employed, shall be eligible for gratuity as per the provisions of the Payment of Gratuity Act, 1972.

14. LOANS:

Requests for advances against salary will not be entertained except in very exceptional cases.

15. LEAVE FACILITIES:

- a) All permanent employees, subject to the following conditions, are eligible for the following leave facilities:
 - i) Casual Leave 12 days
 - ii) Special Casual leave 15 days
 - iii) Earned Leave 24 days
 - iv) Half pay leave 20 days (Commuted)
 - v) Maternity Leave
 - vi) Study Leave
 - vii) Leave Without Pay
- b) Leave facilities for categories of employees other than permanent shall be mentioned in their respective letter of appointment.

Staff working on Institutional Holidays are permitted to take Compensatory Off.

i. CASUAL LEAVE

- a) Permanent employees are eligible for 12 days Casual Leave with full pay in a calendar year. Casual Leave could be availed for a maximum of 6 days at a time.
- b) Employees who are confirmed during the Calendar year shall be eligible for Casual Leave proportionate to the remaining period of the year.
- c) The Casual Leave may be combined with Sundays or other authorized holidays provided that the resulting period of absence from duty does not exceed 10 days. But in

calculating the total leave, the Holidays and Sundays will not be taken into account. When applying for Casual Leave combined with Sunday or other authorized Holidays, mention must be made of the Holidays and permission to avail the same must be sought if the employee is required to be on call duty on such holiday.

- d) Employees can avail Casual Leave for half day.
- e) Casual Leave can be combined with any other type of leave.
- f) Casual Leave not applied for or availed in the calendar year will be credited to the Commuted Leave account.

ii. SPECIAL CASUAL LEAVE:

- a) An employee may be permitted to take Special Casual Leave to attend conference, workshops, CME programmes, present papers in the respective field of their study of specialization for which he is appointed in the Institutions or to go as an examiner to RGUHS for the period required to conduct the necessary examinations. Special Casual Leave will be granted for and shall be inclusive of both for the journey and attending the programmes mentioned above.
- b) Absence of employees from Institutions for the purposes mentioned here below shall be treated as 'on duty':
 - 1) When an employee is summoned to serve as an assessor or to give evidence before a Court in the Indian Union as a witness in the civil or criminal cases in which his private interests are not involved.
 - 2) Employee summoned to give evidence in medico-legal cases pertaining to the Institution.
 - 3) Employee summoned to give expert evidence before any Court of law.

- c) Whenever an employee is offered Exam duty in any University, he should first obtain permission from the Management before accepting the same.
- d) Special Casual Leave may be combined with Casual Leave only in cases where the employee applying for such combined leave is proceeding for examination duty or for attending All-India or State medical conferences. In all other cases Special Casual Leave can be combined with Casual Leave only with prior permission of the Sanctioning Authority.
- e) The Special Casual Leave that can be granted to an employee for the above purposes is restricted to 15 days in a calendar year.
- f) Whenever an employee avails Special Casual Leave for any of the purposes mentioned under these rules, the same should be supported by appropriate attendance certificates which should be submitted for processing his leave.

iii. PRIVILEGE / EARNED LEAVE

- a) All permanent employees are eligible for 24 days of Privilege or Earned leave in a calendar year. Privilege Leave will accrue at the rate of 2 days for every completed month of service provided the employee concerned has worked for a minimum of 25 days in that month including the period of sanctioned leave with pay. The period under Leave Without Pay will not be considered as service period for calculation of Privilege Leave.
- b) Employees confirmed during the calendar year shall be eligible for Privilege leave proportionate to the remaining period of the calendar year from the date of their confirmation.
- c) Privilege Leave must be availed for a minimum of 3 days at a time. Application for Privilege Leave must be made at least 15 days in advance.

- d) Privilege Leave can be accumulated for a maximum period of 180 days. All leave beyond this period will automatically lapse.
- e) All permanent employees are permitted to encash Privilege Leave @ the basic pay as terminal benefits upto 180 days at the time of retirement.
- f) Employees are permitted to encash 30 days of Earned/ Privilege Leave once in a block period of 2 years.
- g) Employees are advised to avail their Earned leave in proper time, according to the convenience of their Departmental routine and they are expected to co-operate with the Departmental Heads in the preparation of the Departmental Leave rosters at the beginning of every calendar year.
- h) Privilege Leave admissible shall be inclusive of all holidays occurring during the period. But if holidays precede or follow the sanctioned Privilege leave, they will not be considered as days of leave.

iv. COMMUTED LEAVE (HALF PAY LEAVE)

- a) All permanent employees are eligible for 20 days of leave on half pay, commutable to 10 days on full pay during a calendar year to be availed in case of sickness & to attend to personal work.
- b) Employees confirmed in service during the calendar year shall be eligible for Commuted Leave proportionate to the remaining period of the year.
- c) Accumulation of Commuted Leave including the leave of current year is permissible to the maximum of 180 days at half pay or 90 days with full pay.
- d) Any employee suffering from any communicable, contagious, infectious diseases on the advice of the Staff Medical Officer may be sent on compulsory leave. If any Privilege or Commuted Leave is due to him, the same will be adjusted in accordance with the leave rules of the Institutions. If no leave is due, the same will be treated as Leave without Pay.

- e) Commuted Leave may be combined with Casual and Earned Leave provided the employee has actually served for complete one year excluding all periods of absence, if any.
- f) Commuted Leave cannot be encashed.
- g) Commuted Leave cannot be availed once notice of resignation is given.

v. MATERNITY LEAVE

- a) Female employees are eligible for maternity leave and benefits as per the provisions of the Maternity Benefit Act 1961. Provided that such benefit shall be restricted to first two deliveries only.
- b) No Casual leave or Privilege leave will accrue during the period of Maternity leave.

vi. STUDY LEAVE:

If the Management deputed any employee for any study programme such an employee will be granted 'Special Study Leave' on full, part or no payment of his salary as per the circumstances and at the discretion of the Employer.

Study Leave can also be in the form of:

- A. Short Term Fellowship
- B. Long Term Fellowship
- C. Sabbatical Leave.

A. SHORT-TERM FELLOWSHIPS:

With the permission of the Employer, Short Term Fellowships may be used by an employee for visits to academic centers for clinical, research or for teaching activities in the field of his specialization for which he is appointed in the Institutions.

The following conditions will apply:

- i. Only confirmed employees at the level of Assistant Professor or higher will be eligible provided they have put in a minimum of three years of service in FMCI.
- ii. The period of fellowship may extend up to three months.
- iii. Only Privilege leave available can be made use of for this purpose. The applicant must have the necessary leave accumulated in his account.
- iv. There would be no financial commitment on the part of the Institutions.
- v. In case of more than two eligible candidates, the senior applicant will be accorded priority.
- vi. The applicant shall be entitled to maintain his inter-se seniority while on leave.

B. LONG TERM FELLOWSHIPS

Long Term Fellowships are to be utilized by an employee at the discretion of the Management for obtaining advanced training in the field of his specialization for which he is appointed in the Institutions, which may or may not lead to a degree or diploma.

The following conditions will apply:

- i) Employee should have put in a minimum service of 5 years in the Institutions.
- ii) Normally Leave up to one year will be allowed for Long Term Fellowship. However in special cases, it can go up to two years in case the employee goes for higher studies.
- iii) Neither will the employee be entitled for any emoluments during this period nor will this period be considered for any increments and / or promotions.
- iv) Employee applying for Long Term Fellowship Leave will have to execute a two year service bond for every year of leave. A failure to carry out the said terms, the employee is liable to pay a sum equivalent to his one year's emoluments at the last drawn rate of salary to the Institutions and in this regard he shall provide a bank guarantee for the said amount.

- v) Long Term Fellowships will not earn any leave to one's credit.
- vi) There must be a clear gap of five years between two spells of Long Term Fellowships.
- vii) Leave on Loss of Pay exceeding one month shall not be reckoned as service for this purpose.

C. SABBATICAL LEAVE

Sabbatical Leave is to be utilized for the purpose of engaging in academic and/or professional pursuit at an Institution of outstanding academic merits subject to the following conditions:

- a) Sabbatical Leave of one year will be permissible for any ten years of service as faculty member in FMCI.
- b) In special cases, a maximum of two years Sabbatical Leave may be granted for 15 years of service as faculty member in the Institutions.
- c) The Governing Council shall be the Sanctioning Authority for Sabbatical Leave.
- d) A service bond to serve the Institutions for a period of at least 2 years after his return from such leave will have to be given by the Faculty concerned. The amount of the bond will be equivalent to one-year emoluments and in addition a sum of Rs 15,000 as penalty, which may be revised from time to time.
- e) Faculty on Sabbatical Leave will receive only the basic pay admissible to him without any allowances.
- f) Faculty on Sabbatical Leave will be required to rejoin his post in the Institutions immediately on expiry of his leave.
- g) Sabbatical Leave may be combined with Privilege leave of the employee standing to his credit. However, grant of Privilege leave in continuation of Sabbatical Leave is at discretion of the Governing Council who will take into consideration the teaching arrangements.

- h) If the faculty on Sabbatical Leave returns to duty in the Institutions without utilizing the full period of leave, he may avail the balance of Sabbatical Leave after completing a further service in the Institutions for a period of at least 3 years.
- i) The Governing Council may sanction Sabbatical Leave on the recommendation of the Principal.
- j) Sabbatical Leave does not earn any leave to one's credit.
- k) Not more than one Faculty member will be permitted to go on Sabbatical Leave at a time in a department.

vii. LEAVE WITHOUT PAY:

- a) When no other kind of leave is at the credit of an employee, "Extra-Ordinary Leave Without Pay" may be granted to him, if the Employer or any other person authorised by the Employer to grant such leave, is satisfied of the necessity for the grant of the same.
- b) An employee, remaining absent for ten days without permission beyond the period for which Leave Without Pay was granted to him will be deemed to have abandoned his service and his appointment will automatically cease on the 11th day.

16. LEAVE RULES:

- a) Leave of any kind cannot be claimed as a matter of right but may be availed of only/after due sanction by the Employer/Sanctioning Authority or the person authorized in this behalf.
- b) Normally not more than 1/3rd of employees can avail of any leave in any Department at a time.
- c) Grant of leave will be governed by exigencies of service and the arrangement that can be made by the Department/Sectional Head concerned for efficient discharge or the duties of the absentee, during the period of his leave.
- d) Leave of any kind shall be applied for in the prescribed form made available through their Sectional/Departmental Heads.

- e) Every leave application should be forwarded to the Leave Sanctioning Authority through proper channel.
- f) Application for leave for 2 days or less shall be made at least 24 hours prior to the time from which the leave is required, except in cases of exceptional circumstances beyond the control of the employee. Application for such leave shall be cleared as early as possible, but not later than 12 hours from its submission.
- g) Application for leave for any period beyond 3 days shall be made at least 15 days prior to the day from which leave is to commence. Application for such leave shall be cleared within 2 days of its submission.

Exceptions may be made of unusual circumstances at the discretion of the Sanctioning Authority.

- h) No leave shall be considered as granted unless sanctioned in writing by the Sanctioning Authority.
- i) In case of unforeseen emergency, such as sudden illness or death of a near relative, leave may be availed of in anticipation of sanction, provided concurrent information is given through the Dean/Principal/Medical Superintendent as the case may be and/or the Personnel Officer stating the reason thereof. It shall be the duty of the employee concerned to apply for leave at the earliest opportunity and substantiate his absence through valid reasons. If the reasons and circumstances stated are found to be frivolous or false, such an act shall be considered as misconduct and, in addition, the period may be treated as absence.
- j) No employee on leave shall take up service of any kind anywhere during his period of Leave without obtaining due sanction in writing from the employer.
- k) Extension of leave already granted is ordinarily not allowed. If however, extension of leave is needed, application for extension of leave must be submitted and approved by the Sanctioning Authority before the expiry of leave already sanctioned.

- l) All employees must specify their address during leave period in the leave application form so as to enable the Sanctioning Authority to communicate with him in case of need or emergency. Any subsequent change in such address shall also be intimated to the Sanctioning Authority. After availing any leave, which exceeds more than 10 days, the employees shall give a joining report in writing in the prescribed form, which is appended hereto while rejoining duty.
- m) Overstay of the sanctioned leave will be treated as Leave Without Pay and will constitute a break in service.
- n) Employees applying for leave are required to mention the name of the person who will be responsible in their absence and also take their signature in the prescribed Leave Application Form.
- o) Employees applying for leave have to ascertain that the person responsible will attend to his duties in his absence and not take leave. If the person responsible himself is on leave (this will be allowed only in case of emergency) then the employee who had applied for leave will have to cancel his leave and report back for duty. (shall be called back by the Management).

17. LEAVE SANCTIONING HAVE AUTHORITY:

All leave application should be applied through proper channel i.e. HOD, Dean/Principal for sanction to the Sanctioning Authority. The Sanctioning Authority will be the Administrator of the respective College.

In case of non-availability of the Sanctioning Authority, his nominee or his superior officer may sanction, refuse or revoke leave.

18. HOLIDAYS:

All employees are eligible for holidays as declared by Institutions from time to time subject to the provisions of Rule 16 (b)

19. MEDICAL BENEFITS AND RULES:

I. Employees are eligible for medical benefits subject to the following conditions:

- i) Employees will be provided with a Health-Record-File to be kept in the Medical Records Section to be produced at any medical or surgical consultation.
- ii) Employees desiring to consult the Doctors will ask for his Health Record File from the Medical Records Section and will have to sign on the register for having received and returned the same.
- iii) Only orders written in the case sheet filed in the - Health Record for any investigations, services and drugs by the Medical Officers of the Institutions will be honoured.
- iv) It is the responsibility of the employee concerned to see that the Health Record is returned to the Medical Records Department on the same day along with all the investigation reports, except when the person is hospitalized.

II. For the purpose of availing medical benefit the staff and employees of the entire Institutions are divided into three categories. They are as follows:

Category:

- A. Sweepers, Attenders, Nursing Orderlies, Gardeners, Helpers, Cobbler, Farm and General Workers, Hospital Aides, Drivers, Cleaners, Leather Technicians, Tailor.
- B. All other Non Teaching Staff Excluding Officers.
- C. Administrative Officers and all Teaching Staff.

III. Medical Facilities:

OUT PATIENT

Category :	Amount of Concession		
	A	B	C
Consultation, Lab and X-ray, OPD investigations and procedures	100%	100%	100%
USG, Lab investigations Such as profiles and hormones, Physiotherapy, Neurological investigations	75%	75%	50%
Drugs and materials	50%	50%	50%

CT, MRI, Cathlab, Dialysis, Special footwear, Audio Logical testing and any other specialized treatment on out patient basis, General Ward charges are applicable for all categories.

IN PATIENT

Category :	Amount of Concession		
	A	B	C
Type of room	General Ward	Semi Private	Private
Bed charges, Service charges, Doctors charges, OT charges, Post operative charges, Anaesthesia, Surgery, Treatment, Investigations, Procedures, Casualty charges, Oxygen, MICU	100%	100%	100%
Drugs and materials (including Surgery materials, OT materials) Special instrument charges	50%	50%	50%
USG, Lab investigations such as profiles and hormones, Physiotherapy, Hormone treatment, Neurological investigations	75%	75%	50%
Diet	100%	nil	nil
Vaccines, Tonics, Vitamins etc	nil	nil	nil

CT, MRI, Cathlab, Dialysis, Ventilator care, ICCU, Special footwear, Audio Logical testing and any other specialized treatment as inpatient, General Ward charges are applicable for all categories.

1. Drugs normally available in the Hospital Medical Stores will be issued to the employee as per their eligibility when prescribed by the Staff Medical Officer or by the referred Medical Officer. If the drugs prescribed by the Staff Medical Officer are not available at the time, exchange of prescription to some equivalent drug should be sought. Only in case of absolute necessity and when the drug could not be had from the Hospital Medical Stores, the person concerned may buy it from any pharmacy outside, after obtaining written permission from the Employer and produce the bill for reimbursement. Tonics, only when prescribed as a supportive with antibiotics, shall be issued subject to however, the same conditions applicable to the issue of drugs.
2. When the employee is to be admitted in the Hospital, they shall avail the bed they are eligible for. If the employee occupies a bed other than he is eligible for, the differential charges will have to be borne by him.
3. The Management will not be responsible for the treatment of the employees, if such treatment is sought from doctors not employed by the Institutions, or to bear the expense of any employee who undergoes inpatient treatment in other hospitals.
4. In case the employee avails treatment from outside, the Institution will not reimburse the expenditure incurred for such treatment.
5. The Institutions will not provide medical facilities to employees in the event of accidents or injury caused due to their negligence, drunkenness, quarrelling or fighting either inside or outside the premises of the Institutions.
6. The said rules are applicable to Homoeopathic Treatment.

7. Any employee under category 'A' desiring to avail in-patient facility under category 'B' or 'C' and an employee under category 'B' desiring to avail in-patient facility under category 'C' is permitted to do so on condition:-
- i. that the difference in room rent and service charges are paid by him/her.
 - ii. that he/she is willing to pay other charges as applicable to the category he/she has opted for.

In case an employee wishes to avail in-patient facility from Fatima Ground Floor, Asha Kiran I, II and III Floors because of special/additional facilities, he/she is required to pay the difference in room rent and service charges applicable as per our schedule specific to in-patient facility in these floors. Other benefits are as provided for category 'C'. There is no concession on Doctors' professional charges.

21. MISDEMEANOUR:

- i) Without meaning to be exhaustive, the following acts of commission or omission may be treated as misdemeanour:
 - a) Discourtesy to patients and/or outsiders.
 - b) Habitual uncleanness.
 - c) Careless work.
 - d) Laziness and inefficiency.
 - e) Negligence of duty.
 - f) Smoking in areas where it is prohibited.
 - g) Non-observance of departmental duty hours.
 - h) Loitering in the Institutional premises.
 - i) Committing nuisance in the Institutional premises.
 - j) Absence without leave from the appointed place work.
 - k) Quarrelling with others within the premises of the Institutions.

- 1) Sleeping while on duty.
- m) Not wearing uniform while on duty and wearing uniforms provided by the Institutions while not on duty.
- n) Not wearing one's identity card while on duty.
- ii) An employee found guilty of misdemeanour may:
 - a) be warned or censured; and/or
 - b) have an adverse remark entered in his personal record.

22. MISCONDUCT:

Without meaning to be exhaustive, the following acts of commission or omission shall be considered as misconduct:

1. Wilful insubordination or disobedience to the orders of the Superior, whether alone or in combination with others.
2. Striking work, either alone or with other employees, in contravention of the provisions of any central or state legislation.
3. Inciting other employees to strike work in contravention of the provisions of any central or state legislation.
4. Collection of money within the premises of the Institutions, for purposes not sanctioned by the Employer.
5. Distribution of any hand bills, pamphlets, posters etc., inside the premises of the Institutions and/or exhibiting them on compound walls of the Institutions without previous written permission of the Employer.
6. Threatening, intimidating or abusing colleagues or superiors while on duty.
7. Insubordination, malingering, loitering or deliberate delay in performance of duty or in carrying out orders of the Superiors.
8. Holding meetings inside the premises of the Institutions without prior written permission of the Employer.
9. Wilful slowing - down in performance of work, or inciting others to slow down.

10. Promotion of discontentment and disloyalty among the employees towards the Institutions.
11. Canvassing for any political activities, while on duty or while in the premises of Institutions.
12. Posting or removing any bulletin from the Notice Board without the prior written sanction of the Employer or person authorised for the purpose.
13. Refusing to obey orders of transfer.
14. Refusing to acknowledge any communication from the Management.
15. Indulging in heated arguments with co-employees, visitors or patients in the premises of the Institutions.
16. Refusal to offer himself for questioning by the Employer or by any other person in charge of the Institutions in the absence of the Employer.
17. Wrongful confinement of an Officer or Officers of the Institutions in order to make him yield to demands or disputes.
18. Possession of lethal weapons, except the tools required for the performance of duty.
19. Refusal to sign any documents, forms or registers kept or maintained for the purpose of daily record of routine matters.
20. Wilful non co-operation with co-employees in proper discharge of duties.
21. Writing or publishing any article affecting adversely the reputation of the Institutions.
22. Theft, fraud or dishonesty in connection with Institutions' business or property.
23. Demanding, taking or giving bribes, tips or gifts or any illegal gratification whatsoever, and / or supplying intoxicants to the patients.

24. Absence without leave for more than ten consecutive days or habitual absence without leave or overstaying sanctioned leave without sufficient ground or proper satisfactory explanation.
25. Habitual late attendance.
26. Habitual breach of any rules, regulations or work norms prevalent in the Departments or of Rules & Regulations of Service of the Institutions.
27. Carrying on money lending or any other private business within the premises of the Institutions.
28. Drunkenness or riotous or disorderly behaviour during working hours in the premises of the Institutions or commission of any act subversive of discipline within the Institutions premises.
29. Habitual negligence of duty.
30. Habitual repetition of any act or omission for which fine may be imposed.
31. Wilful breakage or damage to the properties of the Institutions.
32. Unauthorised use or occupation of hospital quarters and refusal to vacate the same when called upon to do so by the Employer.
33. Indiscipline or habitual breach of regulations regarding smoking, absenting on self from place of work and the use of abusive or obscene language.
34. Gambling within the premises of the Institutions.
35. Tampering with records, attendance registers, disclosing to any unauthorized persons confidential facts or figures about the Institutions' activities.
36. Any act of immorality within the Institutions' premises.
37. Taking away any item or article belonging to the Institutions, or any such pilferage by an employee.

38. Withholding of information regarding any changes that affect the employee from the time of joining duty, such as change of address, marital status, dependency, such and so forth.
39. Wasteful or negligent practices in the use of Institutions' property/facility.
40. Violation of established safety practices on the premises of the Institutions.
41. Unauthorised usage of drugs, or medicines.
42. Fighting or quarrelling inside the Institutions.
43. Inefficiency or habitual mistakes in work.
44. Concealment of any facts which would have prevented an employee being employed initially.
45. Carrying on private practice within the premises of the Institutions except when permitted in writing by the Employer.
46. Breach of any of the provisions of these Rules & Regulations of Service.

23. PUNISHMENT:

- i) An employee found guilty of misconduct may after due enquiry as provided herein:
 - a) be dismissed from service; or
 - b) be demoted to lower cadre; or
 - c) suspended for any period not exceeding four days without wages or salary; or
 - d) be Fined; or
 - e) have his increment stopped for a period not exceeding a year; or
 - f) be warned or censured or have an adverse remark entered in his personal record; or
 - g) have his misconduct condoned or he be discharged.

- ii) While inflicting any of the above punishment, gravity of misconduct proved and also the past record of the employee shall be taken into consideration by the Employer.

24. DISCIPLINARY PROCEDURE:

- a) i) An employee against whom disciplinary action is proposed to be taken shall be given a charge-sheet by the Employer, clearly setting forth the circumstances of misconduct, if any, and a written explanation within 3-7 days of the receipt of the charge-sheet shall be given by the employee concerned.
- ii) He shall also be given an opportunity to answer the charges at the time of an enquiry before an Enquiry Officer appointed by the Employer, the date and time being fixed with sufficient notice to him to prepare and give explanation and also to produce any evidence that he wishes to tender in his defence.
- iii) Any notice, order, charge-sheet or communication which is meant for a charge-sheeted employee should be in English. In the case of an absentee employee, notice shall be sent to him by registered post with acknowledgement due to the address provided by the said employee as per rules. If an employee refuses to accept any communication in connection with the disciplinary proceedings when it is sought to be served on him, exhibiting of the said communication on the notice board will be deemed as sufficient service of the same on the employee concerned.
- iv) If the employee concerned fails to appear before the Enquiry Officer at the appointed time and place without showing sufficient cause for his absence to the satisfaction of the Enquiry Officer, then the enquiry will be held exparte.
- v) During the enquiry, the employee shall be permitted to produce witnesses in his defence, and cross examine any witness that may be examined in support of the charge.

- vi) The employee concerned may be permitted to take the assistance of his co-employee, if he so desires in writing.
 - vii) The employee on whom punishment is imposed consequent to disciplinary proceedings conducted against him as provided herein, may appeal to the Governing Board of the Institutions within thirty days from the communication of the order of punishment. The intended appeal shall be forwarded through the Employer and the Government Board or any member or members thereof delegated in this respect shall dispose of the appeal within, three months of the date of the receipt of such appeal.
- b) Enquiry is not necessary if and when the employee makes a voluntary admission of his guilt in reply to the aforesaid charge-sheet. However, if the employee concerned requests a hearing regarding the nature of the punishment such a hearing may be given.
- c) **Suspension-pending enquiry**
- i). When the misconduct is of a very serious nature the Employer may suspend the employee from duty till the disciplinary proceeding conclude. During such period of suspension, the employee concerned shall not leave station, except with the written permission of the Employer.
 - ii) During the suspension period, the employee shall be paid a subsistence allowance amounting to 50% of his basic salary during the first 90 days. If, however, the period of suspension exceeds beyond 90 days, the rate of subsistence allowance shall be increased to $\frac{3}{4}$ th of his basic salary. Provided that where the disciplinary proceedings are prolonged on account of any reasons attributable to the employee concerned and therefore the suspension period exceeds the first 90 days, then the rate of subsistence allowance for the period

exceeding the said 90 days shall be only $\frac{1}{4}$ th of basic salary of the employee concerned.

- iii) If the employee is exonerated of the charges made against him, he shall be entitled for his total salary from the date of his suspension. In the event of his dismissal the same shall become effective from the date of the order of dismissal and he will not be eligible for any other payments except the subsistence allowance already paid to him.

25. GRIEVANCE PROCEDURE :

- a) Grievances/complaints, if any, arising out of employment may be submitted in writing by an employee addressed to the Employer.
- b)
 - i) Normally such grievances/complaints shall be forwarded through the 'proper channel' i.e. through the respective Head of Department by the employee concerned.
 - ii) However, if the grievance has anything to do with superior official of the employee, then it could be channelised through the next higher official.
 - iii) On receipt of such grievance, the employee concerned shall be issued an acknowledgement by the recipient official.
 - iv) If he so desires, simultaneously with handing over the grievance as provided for above, the employee may also send an 'advance copy' to the Employer.
- c) The grievance/complaint shall be forwarded immediately by the recipient official through the proper channel, and while doing so comments concerning the subject of complaint may be set out by the higher officials in a sheet to be attached to the complaint.
- d) The Employer may in his discretion either himself attend to the grievance or entrust it either to a committee or any other person to investigate and report.

- e) i) Normally the decision of the employer shall be communicated to the employee concerned in writing at the earliest but not later than one month from date of its receipt.
- ii) Provided in exceptional cases/circumstances, communication of the decision may be delayed beyond the month's period at his discretion by the Employer, for reasons to be noted.
- iii) Provided further that decision of the Employer so rendered shall be final and binding.

Dated: 01-11-2008

Rev. Fr. Patrick Rodrigues
DIRECTOR

Date :

Place : **FMCI**

From :

To :

Through Proper Channel

Dear

I have joined for duty on _____ after
availing _____ leave for _____ days.

This is for your kind information.

Thanking you,

Yours faithfully