

Dispur Law College Employees Service Rules, 2024

Whereas Dispur Law College is imparting legal educations and is affiliated to Gauhati University and approved by the Bar Council of India.

AND

Whereas it is expedient to consolidate and constitute the Rules governing the conduct and service conditions of the Employees of Dispur Law College.

It is hereby adopted as follows: -

1(a) These Rules may be called the Dispur Law College Employees Service Rules, 2024

(b) It shall come into force the day the Governing Body adopts it.

2. Definition

(a) College means Dispur Law College.

(b) Governing Body means the body constituted as per provision of the *Ordinance on Permission and Affiliation of Law Colleges, 1998*.

(c) Principal means the academic and administrative head of the College appointed by the Governing Body.

(d) Employee means the full-time as well as the part-time employees of the College and includes the member of the teaching staff, office staff and other employees appointed by the Governing Body.

(e) Full-time employee means an employee who has been appointed as such on a time scale and /or on fixed scale and shall not include the employees who engage in any other occupation, profession, trade or calling in any manner.

(f) Regular employee under the Rules means an employee appointed substantively on completion of the period of probation to a regular post by the Governing Body.

(g) Core Faculty means the full-time faculty appointed having the qualification and norms prescribed by the *Rules Legal Education, 2008 of Bar Council of India*

(g) Part-time employee means an employee appointed as such by the Governing Body on a pay determined by the Governing Body having the qualification and norms prescribed by the *Rules Legal Education, 2008 of Bar Council of India*.

[Signature]
(J.P. Sengupta)
Secretary

[Signature]

[Signature]
2.10.24

[Signature]

[Signature]
21/10/24

3. Recruitment :

The Governing Body shall be the appointing authority for the regular employees.

Principal : The post of Principal shall be filled up either by way of promotion from the post of Vice Principal who must have the qualification for appointment as Core Faculty of law or by direct recruitment. The qualification and criteria for appointment are in accordance with the *Rules of Legal Education, 2008 of Bar Council of India*.

Vice Principal : The post of Vice Principal shall be filled up by way of promotion from the core faculty of the College having 15 years unblemished continuous service in the College as core faculty. The criteria for appointment shall be merit with due regard to seniority.

Core Faculty : The core faculty shall be appointed by direct recruitment. The qualification, criteria and mode of selection in accordance with the *Rules of Legal Education, 2008 of Bar Council of India*.

Part-time/Visiting faculty: The part-time/visiting faculty for teaching Clinical subject may be appointed by direct recruitment. The qualification and criteria shall be in accordance with the *Rules of Legal Education, 2008 of Bar Council of India*

Librarian : The post of librarian shall be filled up by direct recruitment. The qualification, criteria and mode of selection in accordance with the *Rules of Legal Education, 2008 of Bar Council of India and U.G.C.*

Superintendent : The post of superintendent shall be filled up either by way of promotion from the Senior Assistant of the College having 10 years unblemished continuous service in the College or by direct recruitment. The minimum qualification for the post shall be graduate having adequate computer knowledge and skill in office management.

Accountant : The post of accountant shall be filled up either by way of promotion or by direct recruitment. The minimum qualification for the post shall be Graduate in Commerce having skill and adequate computer knowledge.

Senior Assistant : The post of senior assistant shall be filled up either by way of promotion from the post of junior assistant of the College having 15 years unblemished continuous service in the College or by direct recruitment. The minimum qualifications for the post shall be graduate having adequate computer knowledge and skill.

Mr. J.P. Bora
Principal

[Signature]

N. B. Bora
2.10.24

[Signature]
2.10.24

Junior Assistant : The post of junior assistant shall be filled up by direct recruitment. The minimum qualification for the post shall be Graduate having adequate computer knowledge and communication skill.

Grade IV : The post in Grade IV shall be filled up by direct recruitment. The minimum qualification for the post shall be class X pass.

4. Probation

(a) An Employee appointed by the Governing Body against a regular post shall be on probation for a period of one year. The Governing Body may, if it thinks fit, in any case, extend the period of probation.

(b) A probationer shall be liable to be discharged from service with one month's notice in writing or one month's salary in lieu thereof.

(i) If the employee fails to discharge his/her duties satisfactorily even after two warning

(c) If the employee is subsequently found to be unqualified for any reason whatsoever or otherwise renders himself / herself ineligible for the post, the service of the employee can be terminated without initiating the disciplinary proceeding.

5. Confirmation

(a) A probationer shall be confirmed in the post by the Governing Body on completion of the probation period and upon satisfaction of the Governing Body.

6. Seniority

(a) The seniority of the Core Faculty shall be determined on the basis of acquiring the prescribed requisite qualification if at the time of appointment, the employee did not have the prescribed requisite qualification for that particular post. The seniority of other employees shall be determined on the basis of date of joining as regular employee.

(b) On and after confirmation, increment according to pay scale shall be allowed as it becomes due.

7. Service Book

Service Book and Annual Confidential Report of all the regular employees shall be duly maintained by the Principal with full records of the period of service. The same may be verified by the Governing Body or any other person authorised by the Governing Body. In case of Principal, the Annual Confidential Report shall be maintained by the President.

Mr. P. S. Choudhary

Principal

N. S. Saini
2.10.24

8/11/24

8. Superannuation

An employee of the College including the core faculty shall superannuate from service on attaining the age of 60 years. The Governing Body may extend the period of service of any faculty till 65 years on satisfactory evaluation of the past service rendered by the employee.

9. Leave

Leave not being a right as such, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it depending upon the exigencies of the service so required. Any kind of leave under this Rule may be granted in combination with or in continuation of any other kind of leave. The authority which grants leave can commute it retrospectively into leave of different kind.

- (a) The regular employees of the College are entitled to 12 (twelve) days casual leave in a year.
- (b) Earned leave may be granted to a regular employee for a period of 30 (thirty) days at a time. Earned leave shall be credited to the leave account to a maximum of 7 (seven) days in a year after confirmation. A maximum of 180 (one hundred and eighty) days of earned leave can be credited to the account of an employee.
- (c) All regular women employees are entitled to 6 (Six) months maternity leave. The employee seeking maternity leave required to submit the application tentatively before 3 months of seeking the leave. The employee is entitled to 3 (three) months of maternity leave with full pay and 3 (three) months maternity leave can be availed without pay. The maternity leave can only be availed twice in the service period of an employee.
- (d) The regular employee shall be entitled to Extraordinary leave for a period of 3 (three) months without pay in special circumstance such as while pursuing the Ph.D. However such leave can be granted by the Governing Body in its discretion.
 - (i) When no other leave is applicable
 - (ii) When other leave is applicable but the employee concerned applies in writing for the grant of extraordinary leave.
- (g) The regular employee is entitled to medical leave to a maximum period of 10 days on the production of necessary certificate prescribing for the same with pay in a year.

Dr. S. P. Sami
Bardoli

Dr. S. P. Sami

N. Sankar
2.10.24

Dr. S. P. Sami

Dr. S. P. Sami

10. Conduct

(a) No Full Time employee of the College shall engage himself/herself in any whole time or part time trade, profession or business. Notwithstanding any provision contained in this/her Rule, the full time teaching staff shall discharge the duties of Zonal Officer, Assistant Zonal Officer, Examination Centre in charge, Assistant Examination Centre in Charge, Examiner, Paper Setter, Scrutinizer, Tabulator etc of Gauhati University, other UGC recognised University and Statutory Body.

(b) A Full Time Employee of the College may undertake honorary work of social and charitable nature with prior permission of the Governing Body subject to the condition that the normal duty of the college is not affected.

(d) No employee shall offer himself/herself as a candidate of any legislative or local Body election without relinquishing the post.

11. Management

The Governing Body is responsible for the management of the College and the appointing authority for all regular employees.

12. Suspension

(1) The Appointing Authority or any other authority empowered by the Governing Body of the college in that behalf may place an employee under suspension;-

(a) When a disciplinary proceeding against the employee is contemplated or is pending or

(i) Where in the opinion of the authority aforesaid, the employee has engaged himself in activities prejudicial to the interest of the College

(ii) Where a case against him in respect of any criminal offence is under investigation, enquiry or trial.

(2) An employee who is detained in custody whether on a criminal charge or otherwise for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of such detention and shall remain under suspension until further orders.

(3) An order of suspension passed or deemed to have been passed may at anytime be revoked by the authority which passed or is deemed to have passed the order.

4. During the period of suspension the employee may be paid subsistence allowance @ 50% of the basic pay.

Handwritten signature
Bordoloi

Handwritten signature

Handwritten signature
N. Saikia
2.10.24

Handwritten signature

Handwritten signature
21/10/2024

5. The period of suspension may be treated as period spent on duty if the employee is honourably exonerated of the charges for which she/he was suspended, otherwise the period may be treated in such a manner as the Governing Body may deem fit and proper.

6. The period of suspension may be extended by the Governing Body till the completion of the disciplinary proceedings.

13. **Discipline:** The Governing Body is the Disciplinary Authority in respect of all employees of the College.

(1). **Nature of penalties:**

The following penalties made for good and sufficient reason and as herein after provided, be imposed on an employee,

- i) Censure, warning
- ii) Withholding of increments and/or promotion,
- iii) Recovery from pay of any pecuniary loss caused by negligence or breach of orders of the authority.
- iv) Reduction to a lower grade or post
- v) Dismissal from service.

14. **Disciplinary Authority:**

The Governing Body of the College is the authority to impose the penalties specified in the Rule.

15. **Procedure for imposing penalties:**

1. No order imposing any of the penalties specified in the Rule shall be passed except after an enquiry, held as far as may be in the manner herein after provided.

Provided that this clause shall not apply –

(i) Where a person is dismissed or reduced in rank on the ground or conduct which had led to his/her conviction on a criminal charge.

(ii) When the Governing Body finds that for special circumstances beyond the control of the Governing Body and extra ordinary reasons recorded in writing that it is not reasonably practicable to give the person an opportunity of reasonable hearing in the interest of the College.

2. The disciplinary authority shall frame definite charges on the basis of the allegations on which the enquiry is proposed to be held. Such charges, together with a statement of the allegations on which they are based, shall be

Handwritten signature: P. V. Ram
Handwritten signature: Boradabai

Handwritten signature: A. H. R.

Handwritten signature: N. S. K.
21/10/24

Handwritten signature: S. R.
21/10/2024

communicated in writing to the employee and he shall be required to submit, within such time as may be specified by the disciplinary authority which shall not be more than 30 (Thirty) days, a written statement of his/her defence and also to state whether he desires to be heard in person.

At the time of delivering the charges, the disciplinary authority shall invariably furnish to the employee the list of documents and witnesses by which article of charges is proposed to be sustained.

3. On receipt of the written statement of defence or if no such statement is received within the specified period, the disciplinary authority may itself enquire into such charges or if it considers it necessary so to do, appoint for that purpose an enquiry committee or enquiring officer.

4. The disciplinary authority may nominate any person to present the case in support of the charges before the authority enquiring into the charges.

5. The enquiring authority shall in the course of the enquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross-examine the witnesses, examine in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the employee and the witnesses examined in his/her defence.

6. At the conclusion of the enquiry, the inquiring authority shall prepare a report of the enquiry, recording its finding on each of the charges together with reasons therefore.

7. The record of enquiry shall include:

- i) The charges framed against the employee and the statement of allegations furnished to him.
- ii) Written statement of defence, if any.
- iii) The oral evidence taken in the course of enquiry
- iv) The documentary evidence considered in the course of enquiry
- v) The orders if any made by the disciplinary authority/Enquiring authority in regard to the enquiry
- vi) Report of the findings on each charge and reason therefore.

16. Communication of Enquiry Report:

Enquiry Report submitted by the Disciplinary Authority/Enquiring Authority shall be communicated to the employee asking him to submit a reply as to why the appropriate penalties shall not be imposed on him.

[Signature]
[Signature]
 2-10-24

[Signature]

[Signature]
 2-10-24

[Signature]

[Signature]
 2-10-24

17. Communication of Orders:

Enquiry report along with the statement of the employee if any shall be placed before the Governing Body of the college who shall take a decision on the report of the enquiry and if the Governing Body is not accepting the report of the enquiry authority the Governing Body is at liberty to make de-novo enquiry.

If on the basis of the enquiry report, the Governing Body has decided to impose any of such penalties, the Governing Body by a specific resolution shall take a decision and the decision of the Governing Body shall be communicated to the employee.

18. Review:

The Governing Body may review the order of suspension and any of the order imposing any of such penalties imposed to an employee for a good and sufficient reason if the delinquent employee submits an application for review of the decision of the Governing Body within a period of 30 days from the date of communication of the decision of the Governing Body. The Governing Body on its own motion may review of its own decision within a period of 60 days.

19. Provident Fund

Full Time employees who have been confirmed in service by the Governing Body on completion of the probation period shall be entitled to the Employees Provident Fund as adopted by the Governing Body.

20. Amendment

In case of any ambiguity or contradiction of the provisions of the Rules, the decision of the Governing Body shall be final and binding on all concerned.

21. Relaxation

Where the Governing Body is satisfied that the operation of any of these rules cause undue hardship in any particular case, it may relax the particular requirement of that rule to such an extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner without hampering the interest of the College.

(Signature)
2.10.24

-----0-----

(Signature)

(Signature)
2.10.24

(Signature)

(Signature)
2.10.24