

**DIBRUGARH UNIVERSITY**  
**EMPLOYEES' SERVICE CONDITIONS ORDINANCE 2000**

(AMENDED UPTO MAY, 2007)

[(APPROVED BY THE EXECUTIVE COUNCIL, DIBRUGARH UNIVERSITY IN ITS 284<sup>th</sup>  
MEETING HELD ON 14.05.2007 UNDER RESOLUTION NO. (11)]



**DIBRUGARH UNIVERSITY**

Dibrugarh | PIN – 786 004 | Assam

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[(Approved by the Executive Council, Dibrugarh University in its 284<sup>th</sup> Meeting held on 14.05.2007 under Resolution No. (11)]

- Title** 1. This Ordinance shall be called 'Dibrugarh University Employees' Service Conditions Ordinance' 2007.
- Commencement** 2. It shall come into force with effect from the date of its notification.
- Application** 3. It shall be applicable to all Dibrugarh University Employees except Teachers and Registrar for whom there are separate Service Conditions Ordinances.
- Definition** 4. (a) Article means an Article of this Ordinance.  
(b) Employee means an employee appointed in a post in the cadre of Officer / Grade-III / Grade-IV as in the First statutes under Dibrugarh University Act, 1965 and in the post as created by the Executive Council, from time to time.
- Grade and Categories of Post** 5. There shall be following grades and categories of employees in the University.  
(a) Officers as provided in the First Statutes under the Dibrugarh University Act, 1965 and as created by the Executive Council, from time to time.  
(b) All other officers as per in the First Statutes under the Dibrugarh University Act, 1965 and as created by the Executive Council.  
(c) All employees in the Grade-III posts as per list of the First Statutes under Dibrugarh University Act, 1956 and as created by the Executive Council.  
(d) All employees in the Grade-IV posts as per list of the First Statutes under Dibrugarh University Act, 1956 and as created by the Executive Council.

**Qualification,  
Eligibility &  
Fitness for  
Appointment**

6. No one shall be eligible for appointment in any of the non-teaching posts unless

(i) he / she possesses the minimum educational qualification prescribed for the respective post by the appropriate authority.

(ii) he / she is a citizen of India.

(iii) he / she is found medically fit both in mind and body. A certificate duly signed by the District Medical Officer, Dibrugarh District or any competent Registered medical Officer approved by the Vice-Chancellor on his/her medical fitness shall be produced by the person appointed in a post.

(iv) he/she possesses good character as supported by antecedents, a certificate about good character from the Head of the Institution last attended or served shall accompany an application for any post.

(v) a satisfactory Police Verification Report is received for the respective applicant.

**Method of  
Recruitment**

7. Appointment to the post of an Officer, Grade-III or Grade-IV staff may be made by anyone of these methods namely

(a) By direct recruitment,

(b) By promotion,

(c) By deputation,

(d) On contract basis.

**Promotion**

8. (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 the post in next lower grade.

(ii) Every appointment by promotion shall be made by selection on the basis of merit, efficiency and commitment, to be decided by taking Article 33 (i), (ii) [L & 34 of this ordinance into consideration. Due regard shall be paid to seniority, and satisfactory service records as reflected in the confidential Reports for three consecutive preceding years

(where applicable)].

**Procedure for  
Direct  
Recruitment**

9. Appointment by direct recruitment shall be made according to the following procedure, namely
- (a) Any permanent vacancy in any post of officer's grade, other than the promotional ones shall be advertised in more than one News paper having wide circulation; (ii) Any permanent vacancy in any post of Grade-III and Grade-IV other than promotional ones shall be advertised in local news papers with information to the District Employment Officer, Dibrugarh.
  - (b) For the proper selection to a post of Officer, the Registrar may, after scrutiny of the applications, call eligible applicants for interview at such place and time as deemed fit. The Selection Committee formed under Article 29 of the Dibrugarh University Act, 1965 (As amended) shall interview the applicants who appear before it.
  - (c) For the purpose of selection to a post of Grade-III or Grade-IV, the Registrar may, after scrutiny of the applications, call eligible applicants for interview at such place and time as deemed fit. The Selection Committee constituted for the purpose with due approval of the Vice-Chancellor shall interview the applicants including those having the requisite qualification and referred by the District Employment Exchange.
  - (d) The selection Committee shall prepare a panel of names for each vacancy. The Selection Committee shall also indicate the order of preference in the panel of names.  
If none of the candidates is found suitable by the selection committee, the EXECUTIVE COUNCIL shall take appropriate decision as deemed fit on the matter.
  - (e) The Executive Council shall consider the recommendations of the Selection Committee and make appointment to fill up each vacancy of Officer from the respective panel of names.
  - (f) The Registrar shall make appointment to fill up each

vacancy of Grade-III and Grade-IV posts from the respective list of names as prepared and recommended by the Selection Committee, and shall apprise the Vice-Chancellor of the same. Provided that the number of candidates interviewed for each vacancy shall not be normally less than three.

(g) The inclusion of the name of any person in the Selection list confers no right on him to claim any post.

**Recruitment on Deputation**

10. The Executive Council may appoint any person as an Officer for a specific period on deputation from any State Government or the Government of India or any other Institution as deemed fit. The terms and conditions of such deputation shall be determined by negotiation with respective Government or Institution.

**Recruitment by Contract**

11. The Executive Council if deemed it necessary may appoint any person as an Officer on contract basis for a limited period of not more than three years at a time, on such terms and conditions as may be determined by negotiation with the person concerned.

**Temporary Appointment**

12. The appointing authority may make a temporary appointment for a period not exceeding 6 (six) months.

**Temporary Promotion**

13. Where in the interest of the University to meet an emergency, it is necessary to fill immediately a vacancy in a post in the University by promotion from the lower category, the appointing authority may promote a person in accordance with this ordinance temporarily, until the vacancy is filled up in accordance with this Ordinance.

**Re-employment of retired persons from service of the University**

14. (i) The Executive Council or the appropriate authority, if deemed it necessary may re-employ a person in the service of the University, who attained superannuation from that service, as per provisions of the D.U. Employees Re-employment Rules 2006.

(ii) The terms and conditions of Service and employments of such re-employed employees shall be in terms of the provisions of the D.U. Employees' Re-employment Rules, 2006.

**Joining in the post**

15. (i) A person appointed to a post shall submit at the time of joining a certificate from the District Health Officer, Dibrugarh or a Registered Medical Officer not below the rank of District Health Officer, that he / she is found fit both in mind and body.
- (ii) Every person appointed to a post either by direct recruitment or by contract shall execute an agreement with the University that he / she shall strictly abide by the provisions of the Act and Ordinance(s).

**Probation and Confirmation**

16. (i) Every person appointed permanently to a post under the University, whether by promotion or by direct recruitment, shall be on probation in such a post for a period of one year, provided that the appointing authority may, in any individual case, extend the period of probation to such extent as it deems necessary.
- (ii) Where a person appointed to a post under the University on probation is found unsuitable for holding that post or has not completed his period of probation satisfactorily, the appointing authority may:
- (a) in the case of a person appointed by promotion revert him to the post held by him immediately before such appointment, and
- (b) In the case of a person appointed by direct recruitment, terminate his / her service under the university without any prior notice.
- (iii) Every person appointed to a permanent post under the University by promotion or by direct recruitment shall, on satisfactorily completing his / her period of probation, be eligible for confirmation in the post.
- (iv) No employee shall be confirmed in any post unless:
- (a) Such post is permanent and no one else has been confirmed in it, and
- (b) The service of the employee under the University is approved by the appropriate authority.

**Seniority**

17. (i) Seniority of employees in a particular grade shall be determined with reference to the date from which their

services in that grade is counted for probation.

- (ii) Seniority of employees in each grade shall be determined according to the date of joining, provided that seniority of employees who join on the same date shall be determined according to the date of birth, i.e. a person older in age will be senior to one younger to him.

**Temporary and permanent service**

18. (i) An employee shall be a temporary employee of the University, until he / she is confirmed in a permanent post under the University.

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

**Counting of past service**

19. Previous service without any break in a cadre shall be counted for promotion or appointment to a higher cadre.

**Scale of pay**

20. The scales of pay for the posts under the University shall be specified from time to time by the Executive Council.

**Initial pay**

21. Matters regarding initial pay fixation, special pay, personal pay, honorarium etc. shall be governed in terms of the rules and decisions of the Executive Council framed and adopted from time to time for the purpose.

Provided that if an employee / officer is appointed to a new post and if pay scale in the said post is higher than the scale of pay which he / she was drawing before, then the pay of the employee shall first be increased by one increment in the lower scale and then fixed in the higher scale at the stage, next above.

**Annual increment of pay**

22. (i) An increment shall ordinarily be drawn as a matter of course unless it is withheld by the Executive Council / Vice-Chancellor or the Registrar as the case may be.

- (ii) An increment may be withheld, if the conduct of the employee has not been good or his work has not been satisfactory as reflected in the confidential report of his / her controlling officer.

- (iii) Where an efficiency bar is prescribed in the time scale, the increment next above the bar shall not be given to an employee without specific sanction of the authority

empowered to withhold increments.

- (iv) The Executive Council may in recognition of exceptional meritorious service of an officer / employee, grant such advance increments to him / her as it deems fit.

**Counting of service for increments**

23. The following service shall be counted for increments in the time scale of a post:

- (i) duty in that post or in any other post of the same or higher grade, whether continuous or not.
- (ii) duty in an equivalent or higher post in foreign service and
- (iii) leave, other than extraordinary leave.

**Pay and allowance for holding additional charge of post**

24. (i) An employee placed in charge of the current duties of a higher post for a continuous period of 15 days or more shall receive, in addition to his / her own pay, an allowance equal to 10% (ten percent) of the minimum of the scale of pay applicable to the higher post.

(ii) When an employee holding one post is placed in charge of the current duties of a post equivalent status of his own substantive post for a continuous period of 15 days or more, the employee concerned shall receive an additional allowance of 10% (ten percent) of the minimum of his scale of pay.

(iii) An employee placed in charge of the full duties of a post of status equivalent to his own basic post shall receive allowance at 20% (twenty percent) of the minimum of the scale of the post.

(iv) An employee holding one post when placed in charge of the current duties of a lower post for a continuous period of 15 days or more shall receive an additional allowance of 10% (ten percent) of the minimum of his / her scale of pay.

**Pay during suspension**

25. An employee under suspension, shall, during the period of suspension be entitled to subsistence allowance as are prescribed below:



at six months, 50% of the basic pay plus allowances in full.

- (ii) After the first six months 75% of the basic pay plus admissible allowances in full if the case is not settled for administrative reasons.
- (iii) If the employee is exonerated in the proceeding then the balance of his / her pay shall be paid to him / her in full.
- (iv) If an employee is imposed on him / her as a result of disciplinary proceeding, then the Executive Council, the Vice-Chancellor or the Registrar, as the case may be, may either refuse him / her the entire balance of his / her pay or grant part of the balance of his / her pay as it deems fit depending on the gravity of the offence and degree of punishment.

**Termination of service**

26. (i) The services of a temporary employee may be terminated by the appointing authority without assigning any reasons:
- (a) during the period of probation following the first appointment, at any time without notice, and
  - (b) after such period of probation, at any time by a notice of one month in writing given by the appointing authority to the employee or at any time without notice on payment of one month's pay.
- (ii) The services of a permanent employee may be terminated by a notice of three months or on payment of pay of such period as the notice falls short of three months or without notice on payment of three months pay, if the post in which he / she was confirmed is abolished.
- (iii) If an employee has been declared to be physically or mentally unfit for performing his normal duties by a Medical Officer, Specialist in the branch to which the disability relates as decided by the authority or by a Medical Board constituted under the direction of the Executive Council with at least one specialist in the branch to which the disability relates then on payment of 4 (four) months pay (last Basic Pay + D.A. + Medical Allowance), he / she shall be instantly released from service of the University.
- (iv) The services of an employee on contract service, may be

terminated on the expiry of the period of contract or at any time on one month's notice, or on payment of one month's notice.

**Compulsory Retirement**

27. An employee may be given compulsory retirement from the University service by the appointing authority-
- (i) On being declared medically unfit for service appointed for by a Medical Board or a Medical Officer appointed by the appropriate authority / the appointing authority.
  - (ii) On the imposition of the penalty of compulsory retirement.

**Resignation**

28. (i) A permanent employee may, by notice of 03 (three) months and a temporary employee by notice of 01 (one) month in writing addressed to the appointing authority, resign from the service of the University.

Provided that no resignation shall be effective unless it is accepted by the appointing authority / appropriate authority.

- (ii) The appointing authority / appropriate authority may, if it feels proper in any special circumstances, permit an employee to resign from the service of the University on shorter notice.

**Voluntary Retirement**

29. An employee may, by giving not less than 03 (three) months notice in writing to the appointing authority, voluntarily retire for University Services after he / she has completed 25 years with retirement benefits.

- (i) An employee opting for voluntary retirement in addition to his / her retirement benefits shall be entitled to the gringo benefit of an amount @ 30 days' salary (last Basic + D.A.) for each year of remaining service period.

**Retirement**

30. The date of retirement of an employee of the University is the last day of the month in which he / she attains the age of 60 (sixty) years or such age as may be fixed by the Executive Council, from time to time.

**Leave, Leave Salary, Provident Fund, Gratuity, Medical Benefits, Group Insurance**

31. Leave, Leave Salary, Provident Fund, Gratuity, Medical Benefits, Group Insurance for the University employee shall be governed by separate Ordinance and Rules of the University framed and adopted for the purpose.

**Procedure  
Disciplinary  
Proceeding**

In any disciplinary proceeding, the following procedure be duly followed :

- (i) The Hon'ble Vice-Chancellor may suspend an Officer after being satisfied that there is a prima-facie case against him / her and there is sufficient ground requiring such suspension pending disciplinary proceedings. The Hon'ble Vice-Chancellor shall support such suspension to the Executive Council in the next sitting.
- (ii) The Registrar may when he deems it necessary according to the gravity of the allegation(s) suspend an employee of Grade – III / Grade – IV cadre. The Hon'ble Vice-Chancellor shall be apprised of the same accordingly.
- (iii) In case of an Officer the Executive Council shall cause due investigation of the allegation reported by the Hon'ble Vice-Chancellor and shall frame the charges. The Executive Council shall appoint an Enquiry Committee preferably consisting of 3 (three) members. The impugned person shall be intimated in writing about the constitution of the Enquiry Committee and about the charges against him / her within a period of 2 (two) months from the date of suspension, and shall be given not less than three weeks' time to submit his / her explanation in writing.

However, composition of the Enquiry Committee and the time frame prescribed above for intimation of charges and submission of written explanation by an officer who is not suspended, may be reduced by the Executive Council depending on the merit of each case.

- (iv) In case of an employee of Grade – III / Grade – IV cadre, the Registrar, with the approval of the Hon'ble Vice-Chancellor shall appoint an Enquiry Committee consisting of such number of members as the Hon'ble Vice-Chancellor may decide for investigation of the allegation. However, there shall be a provision of inducting an observer in the sitting of the Enquiry Committee in case the impugned person so desires.

In case the observer shall be a member if the University community as suggested by the impugned person. The impugned person shall be intimated in writing about the charges against him / her within 2 (two) months from the

sion and shall be given not less than 3  
time to submit his / her explanation in  
writing.

However, the time frame prescribed above for intimation of charges and submission of written explanation by an employee who is not suspended may be reduced by the Hon'ble Vice-Chancellor depending on the merit of each case.

- (v) The Committee shall hear the Officer / Grade – III / Grade – IV employee, if he / she wants and take such evidence as it considers necessary. The employee shall, if he / she desires, be given opportunity of seeing all relevant documents. In case of an Officer, the Committee shall after conclusion of the enquiry submit a report to the Hon'ble Vice-Chancellor for consideration of the Executive Council stating its findings clearly. In case of an employee of Grade – III / Grade – IV staff, the action on the report of the Committee shall be taken by the Registrar. The Hon'ble Vice-Chancellor shall be duly apprised of the same.
- (vi) In case of an Officer, the Executive Council and in case of an employee of Grade – III / Grade – IV staff, the Registrar may, on being satisfied that the charges have been duly proved, impose any one or more of the following penalties according to the gravity of the charges :
  - (a) Censure
  - (b) Withholding of increment
  - (c) Recovery of the money proved to be misappropriated
  - (d) Payment of the admissible subsistence allowance only during the period of suspension, i.e. deprived from getting full salary. (Treated the period of suspension as dies non)
  - (e) Withholding promotion
  - (f) Demotion / Reduction of rank
  - (g) Compulsory retirement
  - (h) Removal
  - (i) Dismissal

Provided that, in case of imposition of any of the penalties mentioned at (g), (h) and (i) above, the employee shall be

given not less than 3 (three) weeks' time to show cause against the proposed penalty.

Provided further that an appeal be preferred within 30 (thirty) days of the receipt of order imposing any of the penalties of compulsory retirement, removal or dismissal to the Chancellor in case of Officer and to the Hon'ble Vice-Chancellor, in case of Grade - III and Grade - IV employee.

**Code of Conduct**

33. (i) Every employee shall at all times contribute towards the growth of administrative and academic life and atmosphere in the University and shall attend to his / her duties as specified by competent authority.
- (ii) Every employee shall (a) maintain punctuality, discipline, absolute integrity, honesty and devotion to duty, (b) sincerely and regularly perform his / her official duties, (c) strictly follow the rules of the University.
- (iii) An employee who is habitually late in attendance shall, in addition to such other penalty as the competent authority may impose, forfeit one day's casual leave for every 3 (three) days of late attendance. Where such an employee has no casual leave at his / her credit, the period of leave to be so forfeited shall debited to earned leave.
- (iv) No employee shall transmit directly or indirectly any information or document obtained by him / her in course of his official duties to any other employee or person to whom he / she is not authorized to transmit.
- (v) No employee shall contribute to the media any matter connected with the University, which may adversely affect the image of the University, without previous sanction of the competent University authority.
- (vi) No employee shall solicit, seek or accept any outside employment, stipendiary or honorary or engage in any trade, business, vocation, profession or calling in his own name or benami, as a whole-time or part-time occupation.

Provided that an employee may take up occasional work of literary, artistic, athletic or scientific character (including broadcast talk) or honorary office of a charitable nature with the knowledge of the University authority and without

ing his / her normal duties.

Employee shall enroll himself as a regular student in any college or other educational or research institution or register himself as a non-collegiate or a private candidate in any University examination without prior permission of the competent University authority.

- (viii) No employee shall offer himself / herself as a candidate for election to Local Body / Legislative Assembly / Lok Sabha or Rajya Sabha or for holding office of any political organisation without prior permission of the competent University authority. Provided, further that an employee may seek election as a candidate for a Local Body with prior permission of the Executive Council but shall not be entitled to accept any office there under.

Provided, further that an employee seeking election to a Legislative Assembly / Lok Sabha or Rajya Sabha shall be on leave as admissible under the rules from the date of filing his / her nomination paper till the announcement of the results of the election if he / she happens to be defeated in election. In case he / she is elected to such Legislative Body then he / she shall be on leave till the termination of the period of membership of such a Legislative Body. Such employee however shall not be allowed to retain lien on his / her post for a period exceeding 6 (six) years at a time.

- (ix) No employee shall engage himself / herself or participate in any demonstration which is prejudicial to the growth and community of the University.
- (x) No employee shall abstain from duties without prior / proper information to the competent University authority.
- (xi) Contravention of any provision of this Article (Article 33) shall be treated as misconduct.

#### **Accountability**

34. Annual Confidence Report (A.C.R.) of every employee shall be submitted by his / her controlling Officer in prescribed proforma to the Registrar at the end of the Calendar Year. For employees other than the fourth grade ones, the A.C.R. will be prepared on the basis of the quarterly performance-appraisal reports submitted by each employee.

Adverse remarks / reports, if any, shall be communicated in writing to the employee concerned for rectification.

35. If the appointing authority is satisfied that in any particular case, the enforcement of any of these Articles has caused undue hardship to an employee then it may relax the operation of that Article to such extent and under such conditions as it deems fit and proper.

**Interpretation**

36. The Executive Council shall have the right to intercept any of these Articles whenever circumstances so deemed.

**Validity of past decision**

37. Decisions prior to the commencement of this Ordinance in respect of any matter which is dealt with in this Ordinance but for which there were no rules previously shall be deemed valid.