



KERALA HEALTH RESEARCH AND WELFARE SOCIETY

Service Rules

(G. O. (MS) No. 200/90/H & FWD
Dated 1-11-1990)

**THIRUVANANTHAPURAM
1990**

**KERALA HEALTH RESEARCH
AND
WELFARE SOCIETY**

**SERVICE RULES APPLICABLE
TO THE STAFF**

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P R E F A C E

The Kerala Health Research and Welfare Society is a Society constituted and registered under the Travancore Cochin Literary, Scientific and Charitable Societies Registration Act XII of 1955. As per G.O. MS 146/73/HD dated 19-6-73, Government have sanctioned a project for the construction of paywards for Government hospitals by the Society with institutional finance. The Society functions on a no profit no loss basis. The Employees of the Society are mainly working in the paywards constructed by the Society attached to the Government medical institutions in the state. No separate service rules to regulate the service conditions of its employees have so far been prescribed. The appointments made in the society till 5-10-87 were by direct recruitment from open market duly approved by the Governing Body of the society. The Governing Body in the meeting held on 5-10-87 resolved that future vacancies be filled up through the Employment Exchange.

The question of laying down a separate set of rules to regulate the conditions of service of the employees of the Kerala Health Research and Welfare Society was engaging the attention for some time past.

Under Rule 10 sub Rule (13)(g), the Governing Body of the Society is competent to make rules regarding the recruitment pay and allowances and other conditions of service of the employees of the Society. Accordingly, a set of Rules have been drawn up. The Governing Body of the Society in its meeting held on 20-4-89 has approved the draft rules submitted by the Managing Director.

Under Rule 21 sub rule (vii), the prior approval of Government is necessary for the Rules.

The Rules in this book are classified into IX chapters and are applicable to all the regular Employees of the Society.

Note: (Any Employee, who notices any error or omission or difficulty in implementing these Rules may bring it to the notice of the Managing Director, Kerala Health Research and Welfare Society, Thiruvananthapuram.)

KERALA HEALTH RESEARCH AND WELFARE SOCIETY

THIRUVANANTHAPURAM

SERVICE RULES APPLICABLE TO THE STAFF

CHAPTER - I

General Scope

- Rule 1. These rules may be called the Kerala Health Research and Welfare Society Service Rules.
2. These rules shall apply to all categories of the staff of the Society except those who are on deputation from Government or Quasi Government institutions.
 3. These rules shall be deemed to have come into force with effect from 1-11-1990
 4. Doubts regarding the interpretation or application of any of these rules, shall be referred to Government and the Government's decision shall be final.
 5. The Managing Director may, subject to the approval of the Governing Body, and so long as the Governing Body may deem necessary, delegate to any officer duly authorised by him in this behalf any of the powers conferred on him by these Rules with the approval of Government.
 6. Notwithstanding anything contained in the rules the Governing Body may make appointments in the interest of the Society by deputation of officers from the State or Central Government Department or other Statutory Bodies.

CHAPTER - II

Rule 7. *Definitions.*

- (1) *Society means* : Kerala Health Research and Welfare Society.
- (2) *Government means* : Government of Kerala.
- (3) *Temporary post* : means a post carrying a definite rate of pay sanctioned for a limited time.
- (4) *Permanent post* : means a post carrying a definite rate of pay sanctioned without limit of time
- (5) *Probation* : A person on probation on a post is one appointed to a post for determining his fitness for eventual substantive appointment to the post.
- (6) *Probationer* : means an employee employed on probation in or against a substantive vacancy in the cadre of the society.
- (7) *Competent Authority* : Competent Authority in respect of an employee in so far as any power delegated under these rules is concerned, unless otherwise stated, means the authority in whom the power to appoint such employee has been or is vested from time to time by the Governing Body.
- (8) *Employee* : means an officer or a servant of the Society.
- (9) *Disciplinary Authority* : means the authority competent to impose penalty on the employee.
- (10) *Joining time* : means the time allowed to an employee to join a new post or travel to or from a station to which he is posted.
- (11) *Duty* : Duty includes
 - (i) Service as a Probationer provided that such service is followed by confirmation.
 - (ii) Joining time.
 - (iii) Performance of work assigned to the categories of staff of the society.
 - (iv) Casual leave, special casual leave or authorised holidays coming between periods of actual work in a post.
- (12) *Month* : means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and odd number of days calculated subsequently.
- (13) *Lien* : means the title of an employee to hold Substantively, either immediately or on termination of a period or periods of absence, a permanent post to which he was appointed

substantively.

- (14) *Foreign Service*: means service in which an employee receives his pay with the sanction of the Society from any source other than the society's funds.
- (15) *Holiday* : means a holiday prescribed or notified by Government and those declared by the Society from time to time.
- (16) *Day* : means a calendar day, beginning and ending at midnight.
- (17) *Officiate* : An employee officiates in a post when he performs the duties of a post in which another person holds a lien. The appointing authority may if it thinks fit, appoint an employee to officiate in a vacant post on which no other employee holds a lien.
- (18) *Honorarium* : means a recurring or non-recurring payment granted to an employee from the Society's funds as remuneration for such special work as may be determined and granted by the Society with approval of Government.
- (19) *Leave Salary* : means the monthly amount paid by the Society to an employee on leave.
- (20) *Pay* : means the amount drawn monthly by an employee as
- (i) the pay, other than special pay or pay granted in view of his personal qualifications which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in cadre, and
 - (ii) personal pay and special pay.
- (21) *Personal pay* : means additional pay granted to an employee.
- (a) to save him from loss of substantive pay in respect of a permanent post due to revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure : or
 - (b) in exceptional circumstances, on other personal considerations.
- (22) *Special pay* : means an addition of the nature of pay to the emoluments of a post of an employee granted in consideration of the following :
- (a) Where a post would call for a higher scale of pay in view of the additional or higher responsibilities attached to it or ;
 - (b) where the nature of work is specially arduous.
- or
- (c) where an employee has to attend to work in addition to normal duties attached to his post.
- (23) *Substantive pay* : means the pay other than special pay, Personal

pay or emoluments classified as pay by the society to which an employee is entitled on account of holding a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

Note : When a special pay is granted in lieu of a higher time scale such special pay will also count as substantive pay provided the officer holds a lien on the post to which the special pay is attached.

- (24) *Time scale of pay :* means pay which subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to maximum. It includes the class of pay known as progressive.
- (25) *Subsistence Allowance :* means a monthly grant made to an employee who is not in receipt of pay or leave salary.
- (26) *Travelling Allowance :* means an allowance granted to an employee to cover the expenses which he incurs on travelling in connection with the affairs of the Society.
- (27) *Public Conveyance :* means a Train, Steamer, Bus, Boat or other conveyance which are regularly used for the conveyance of passengers.
- (28) *Managing Director :* means the Managing Director of the Society.
- (29) *Cadre :* means the strength of a service or part of a service sanctioned as a separate unit.

CHAPTER - III

General Conditions of Service.

8. *Appointing Authority :*

(a) All appointments to the posts, shall be made by the Managing Director subject to Rule 9 of the Rules and Regulations of the Society. All such appointments shall be subject to the approval of the Governing Body or a Committee appointed by the Governing Body for this purpose.

(b) All appointments to posts by deputation from Government Departments and other Quasi Government organisations shall be made by the Managing Director and such appointments shall be subject to restrictions mentioned in sub rule (a).

(c) Appointment to the post of Managing Director shall be made by the Government.

9. *Method of appointment :* Recruitment to the posts are made by

(a) Recruitment through P.S.C. or as prescribed by Government from time to time.

(b) direct recruitment either by means of an advertisement or other methods as approved by the Governing Body.

(c) appointment of employees, borrowed from State or Central Government departments, and other statutory bodies.

10. *Employees absent from duty on leave etc.*

The absence of an employee of the society from duty whether on leave or on foreign service or on deputation, whether his lien in a post borne on the cadre of the Society is suspended or not, shall not render him, if he is otherwise fit, ineligible on his return :-

(a) For re-appointment to a permanent or officiating vacancy in the cadre of post on which he may be on probation.

(b) For promotion from a lower to a higher category in the service, as the case may be, in the same manner as if he had been present. He shall be entitled to all privileges in respect

of appointment, seniority, promotion and confirmation which he would have enjoyed but for his absence subject to his completing satisfactorily the period of probation on his return.

- (c) No permanent employee shall be granted leave of any kind for a continuous period exceeding five years, except leave to take up employment elsewhere
- (d) When an employee does not resume duty after remaining on leave for a continuous period of five years or when an employee, after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which together with the period of the leave granted to him exceeds three years, his lien shall, unless the Governing Body in view of the exceptional circumstances of the case otherwise determines, be deemed to have been terminated and he shall cease to be in the Society's service.

11. *Declaration to be signed by Employees :*

Every employee on being admitted to service of the Society shall sign the declaration form (Form - 1) regarding the conditions of service in the Society signifying his consent to comply with the rules, orders and regulations of the Society. The employees already in the service of the society shall sign and submit to the Managing Director such an undertaking in the prescribed form within two months of implementing the service rule in the society.

12. *Confidential Report :*

A Confidential Report in the prescribed form (Form No. II) shall be recorded countersigned and kept under safe custody annually in respect of all employees by the Managing Director or any officer/officers authorised by the Society in that behalf.

- (a) The objectives in writing the Confidential Report of any employee is to obtain an objective assessment of the work and conduct of an employee and judge his capacity for shouldering such and higher responsibilities. The reporting officer is expected to give a frank, full and unbiased

assessment of the employee's abilities and conduct and to facilitate such frank and unbiased opinion it is imperative to keep his report confidential. Adverse comments, if any therein on the work, conduct of an incumbent shall be communicated to him as an opportunity for self improvement. Explanation if any obtained from the employee shall after due examination be filed as a part of the Confidential Report.

- (b) No Confidential Report will be maintained for Last Grade Employees of the Society.

13. *Acquisition of Movable, Immovable and valuable property :*

1) Every employee shall on his/her first employment in the Society's service and thereafter annually as prescribed by the Managing Director submit a statement of his movable or immovable properties in the prescribed form No III giving full particulars regarding.

- (a) the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any members of his family or relatives or in the name of any other person.
(b) Shares, debentures, cash including bank deposits inherited by him or owned, acquired or held by him.

2) No employee shall, except with the previous sanction of the Managing Director, acquire or dispose of any immovable property by lease, mortgage, purchase sale, gift or otherwise either in his/her own name or in the name of his/her wife/husband/children.

14. (a) Unless in any case it be otherwise, distinctly provided, the whole time of any employee is at the disposal of the society and he/she may be employed in any manner required by proper authority, without claim for additional remuneration. No member shall engage directly or indirectly in private practice or trade or business or occupation.

(b) In the light of the orders contained in G.O. M.S. 103/88/GAD. dated 11-3-88 :-

"where an employee unauthorisedly absents himself from duty on account of participation in any strike, how the period of such

absence is to be treated, will be decided by the Governing Body with the specific approval of Government."

15. Unless in any case it be otherwise provided, in the rules, an employee on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired in any other post.

16. Unless his lien is suspended or transferred under Rule 17 an employee holding substantively a permanent post retains a lien on that post.

- (a) while performing the duties of that post.
- (b) while on Foreign Service or holding a temporary post, or while officiating in another post.
- (c) during joining time on transfer to another post unless he is transferred substantively to a post of lower pay in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post.
- (d) while on leave.
- (e) while under suspension, and
- (f) while under training.

17. (a) The Governing Body shall suspend the lien of the employee on permanent post which he holds substantively if he is appointed in a substantive capacity to a permanent post outside the cadre on which he is borne.
- (b) The Governing body may suspend the lien of an employee on a permanent post which he holds substantively, if he is transferred to Foreign Service or in circumstances not covered by clause (a) of this rule, is transferred, whether in a substantive or officiating capacity to a post in another cadre and there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

18. Employees are whole time employees of the society and shall not while in service of the society engage in any other trade, contract, business or any other job under another employer whether on remuneration or not.

19. Probation and confirmation

- (1) Every person appointed to any of the categories shall from the date on which he joins duty, be on probation ;
 - (i) if recruited direct or by transfer from another service, for a total period of two years on duty within a continuous period of three years, and
 - (ii) if appointed by promotion, for total period of one year on duty within a continuous period of two years.
- (2) Where a person appointed to a post under the Society on probation is, during his period of probation, found unsuitable for holding that post or has not completed his period of probation satisfactorily, the appointing authority may :
 - (i) in case of a person appointed by promotion revert him to the post held by him immediately before such appointment.
 - (ii) in case of a person appointed by direct recruitment terminate his service under the society without notice, and
 - (iii) extend his period of probation to the extent necessary as specified in sub rule (1) above.
- (3) Every person appointed to a permanent post under the society, by promotion or by direct recruitment shall, on satisfactorily completing the period of his probation, be eligible for confirmation on that post.
- (4) No employee shall be confirmed in any post unless :
 - (i) such post is permanent and no one else holds a lien on the post.
 - (ii) the service of the employee under the society is approved by the appointing authority.

20. Seniority :

The seniority of employees of the society in each category shall be determined by the order of the merit in which they were selected for appointment to the grade in question. Those selected on an earlier occasion will be ranked senior to those selected, later

21. *Promotion*

Based on merit and ability, seniority being considered only where merit and ability are approximately equal.

22. *Temporary and Permanent Service :*

- (1) An employee shall be temporary employee of the society until he is confirmed in a permanent post under the society.
- (2) An employee confirmed in permanent post under the society shall be a permanent employee of the society.

23. *Termination of Service :*

- (1) The services of a temporary employee may be terminated by the Managing Director if found unsuitable.
 - (i) during the period of probation following the first appointment, at any time without notice; and
 - (ii) if the post is temporary, 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 months' pay.
- (2) The services of a permanent employee may be terminated by a notice of three months or on payment of pay for such period as the notice falls short of three months, or without notice, on payment of three month's pay, if the post in which he was confirmed is abolished.
- (3) An employee who is given notice of termination of service under clause (2) may be granted, during the period of notice, such earned leave, as may be admissible to him and where the leave so admissible, and granted is more than three months, his services shall be terminated on the expiry of such leave.

24. *Retirement*

- (a) The age of retirement of the staff shall be 55 years.
- (b) An employee shall be retired :-
 - (i) on his being declared medically unfit for service by a standing Medical Board constituted by the Government.
 - (ii) on the imposition of the penalty of compulsory retirement.

25. It is not in the interest of the society to retain an unwilling employee in service. Resignation from service shall therefore be accepted only after setting the liabilities outstanding against the incumbent except in the circumstances indicated below :-

Where the employee concerned is engaged in a work of importance and it would take time to make alternate arrangements for filling the post, the resignation should not be accepted straight away but only when alternative arrangements for filling the post have been made.

26. The appointing authority in respect of each category of post is the authority competent to accept the resignation of the members of the staff of the society.

27. *Resignation :*

Subject to the acceptance of resignation by the competent authority, a permanent/temporary employee may, by notice of three months/one month in writing addressed to the appointing authority resign from service of the society

Provided the appointing authority may, if it deem proper in any case permit a permanent/temporary employee to resign from the service on notice of less than three months/one month.

28. *Date from which resignation becomes effective:*

The authority competent to accept resignation should decide the date from which the resignation should become effective. The date may be that with effect from which alternative arrangements can be made for filling up the post. Where an employee is on leave, the competent authority should decide whether he will accept the resignation with immediate effect or with effect from the date following the termination of the leave. There is also no objection to an employee on leave being permitted to resign his post without re-joining duty after leave, provided the appointing authority so decides with due regard to the administrative convenience of the Society. Where period of notice is prescribed which an employee of the Society should give when he wishes to resign from service, the

competent authority may decide to count the period of leave towards the notice period. In other cases also it is open to the competent authority to decide whether the resignation should become effective immediately or with effect from some prospective date. In the latter case, the date should be specified.

29. Authority competent to permit withdrawal of resignation.

A resignation becomes effective when it is accepted and the employee relieved of his duties. Where a resignation has not become effective and the employee wishes to withdraw it, it is open to the authority which accepted the resignation either to permit the employee to withdraw the resignation or to refuse the request for such withdrawal. Where however a resignation has become effective, the employee is no longer in the service of the society.

30. Service books and Character Rolls

- (1) The society shall maintain a service book in respect of each employee.
- (2) The entries in the service book of an employee shall be authenticated by the Managing Director or any other officer duly authorised by the Managing Director.

31. Contributory Provident Fund Scheme.

Contributory Provident Fund Scheme for the employees of the society will be introduced. Necessary rules for the same will be issued separately with the approval of the Governing Body.

31. A. Formation of Service under the Society

The Service will be formed after the approval of the rules by the Governing Body, with the persons who are working in the society, whose appointments are regularised by the Governing body.

CHAPTER-IV

Pay

32. Except in the case of personal pay, the pay of an employee shall not be increased so as to exceed the pay sanctioned for the post.

33. An employee shall, on his appointment to a post on a time scale, draw pay at the minimum of the time scale, unless the appointing authority decides that he shall draw pay at any higher stage.

34. Where an employee holding a post in a substantive temporary or officiating capacity is promoted or appointed in substantive, temporary or officiating capacity to another post carrying a higher time scale of pay, his initial pay in the higher time-scale of pay shall be fixed at the stage next above the pay notionally arrived at in the lower time-scale of pay by increasing the actual pay drawn by him in the lower time scale by one increment. A refixation of pay will be allowed whenever there is a change of pay in the lower time scale.

Provided that the provision of this rule shall not apply to promotion from posts carrying a scale of pay, the minimum of pay of which exceeds Rs. 1300/-.

Provided also that where an employee is immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time scale of the lower post his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time scale of the lower post.

Note :- The provisions of this rule will not apply to cases of revision of scales of pay referred to in the following rules.

35. The holder of a post, the pay of which is changed or revised, shall be treated as if he were transferred to a new post on the pay, provided that he may at his option retain his old pay until the date on which he had earned his next or any subsequent increment in the old scale, or until he vacates his post or ceases to draw pay in that time scale. The option once exercised shall be final.

36. Unless otherwise mentioned in the orders of Government sanctioning revision of the scale of pay, the following principles will be followed for fixation of pay when the scale of pay, of a post is revised.

- (a) If the pay drawn in the previous scale is less than the minimum of the revised scale, then the pay in the revised scale may be fixed at the minimum.
- (b) If the pay drawn in the previous scale is a stage in the revised scale, the pay in the revised scale may be fixed at that stage.
- (c) If the pay drawn in the previous scale is not a stage, then the pay in the revised scale may be fixed at the next stage.

37. In the case of persons joining the society on deputation from Government departments the terms and conditions of deputations may be regulated as per the rules applicable to them in Government service from time to time.

38. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from an employee by the competent authority if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of the increment, the withholding authority shall state the period for which it is withheld whether the post-ponement shall have the effect of postponement of future increments.

39. Where an efficiency bar is prescribed in a time scale, the increment next above the bar shall not be given to an employee without the specific sanction of the authority empowered to withhold increments.

40. The following provisions prescribes the conditions on which service counts for increments in a time scale :

- (a) All duty in a post on a time scale counts for increments in that time scale.
- (b) All leave except leave without allowances taken otherwise than on Medical Certificate count for increments in the time scale applicable to a post.

41. Good service entries, incentive awards and advance increments can be awarded in recognition of meritorious service rendered by the employees of the Society.

42. All proposals for the grant of incentive award and advance increments in recognition of the meritorious work will be considered by the Governing Body and decisions taken on the merits of each case.

43. The Governing Body shall have powers to revert an employee as a penalty for misconduct or inefficiency from a higher to a lower grade or post or to a lower stage in his time scale. He may be allowed to retain his earlier pay if it is less than the maximum of the lower scale of pay, otherwise he will be given the maximum of the lower scale of pay.

44. (a) If an employee is, on account of misconduct or inefficiency, reduced to a lower grade or post or to a lower stage in his time scale the competent authority shall state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments, and if so, to what extent.

(b) The whole time of an employee is at the disposal of the society; hence there shall ordinarily be no question of extra remuneration for additional work performed.

CHAPTER - V

Leave Rules

45. In these rules:-

- (a) Leave includes "Earned leave", "Half-pay leave", "Commuted leave", "Leave without allowance", "Leave not due", "Maternity leave" and
- (b) "Half-pay leave" means leave earned in respect of completed years of service calculated according to the rules herein after contained.
- (c) "Completed years of Service" means continuous service of the specified duration under the society.

46. *Right of leave:*

Leave cannot be claimed as a matter of right. When the exigencies of service so demand, the leave of any description can be refused or revoked by the leave sanctioning authority.

47. *Earning of leave:*

Except as otherwise provided in these rules, leave shall be earned by period spent on duty only.

48. *Commencement and termination of leave:*

- (a) Leave begins from the date on which leave is actually availed of and ends on the day preceeding the day on which duty is resumed.
- (b) Sundays or other holidays may be prefixed or suffixed to the leave

49. *Return to duty on expiry of leave:*

Except with the permission of the authority which granted the leave no person on leave may return to duty before the expiry of the period of leave granted to him.

50. Combination of leave :

Except otherwise provided in these rules any kind of leave other than casual leave under these rules may be granted in combination with or in continuation of any other kind of leave.

51. Grant of leave beyond the date of retirement :

No leave shall be granted beyond the date on which an employee must ordinarily retire.

52. Any leave granted under these rules may be retrospectively, commuted into any other kind of leave admissible to the employee at the time the original leave was granted.

Provided that earned leave shall not be commuted into leave of a different kind.

53. Rejoining of duty on return from leave on Medical Grounds.

A person who has been granted leave on Medical Certificate will be required to produce before resuming duties a Medical Certificate of fitness in such manner and form as may be prescribed be prescribed.

54. Leave should always be applied for and got sanctioned before it is availed of except in case of emergency and for satisfactory reasons.

55. Earned leave :

- (a) The earned leave admissible to an employee shall be on-eleventh of the period spent on duty. In respect of first year of service, the earned leave admissible is one-twenty-second of the period spent on duty.
- (b) An individual shall cease to earn leave when earned leave accumulated totals to 180 days.
- (c) The maximum earned leave that can be granted to an individual at a time shall be 120 days.

- (d) Earned leave may be granted to an individual for a period exceeding 120 days if the entire leave so granted or any portion thereof is spent outside India, provided that where earned leave exceeding a period of 120 days is granted under this sub-rule, the period of such leave spent in India shall not in the aggregate exceed 120 days.

56. Half pay leave :

The Half-pay leave admissible to a person in respect of each completed year of service shall be 20 days. The Half-pay leave may be granted to a person on Medical Certificate or on private affairs.

57. Commuted leave: Commuted leave not exceeding half the amount of half-pay leave at credit may be granted on medical ground to the permanent employee of the society subject to the following conditions.

- (a) When commuted leave is granted, twice the amount of such leave shall be debited to the half-pay leave.
- (b) Commuted leave should be sanctioned only if the sanctioning authority is satisfied that there is a reasonable chance of the incumbent rejoining duty after the expiry of the leave.

58. Leave without allowances

- (a) Leave without allowance shall always be without pay and may be granted upto a maximum of 5 years for permanent employees only when no other kind of leave is admissible.
- (b) Leave without allowance does not count for increment or gratuity unless it is on Medical grounds.

59. Leave not due :

Leave under this rule shall be sanctioned only when no other leave with allowances is available at the credit of the employee. Save in the case of leave preparatory to retirement, leave not due may be granted on half-pay to an employee in permanent employment for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on Medical Certificates. This will be debited against

the half-pay leave which the employee earns subsequently. Leave not due shall be granted only if the sanctioning authority is satisfied that there is a reasonable prospect of the employee returning to duty on the expiry of the leave and earning an equal amount of half-pay leave thereafter.

60. Maternity leave :

- (a) Competent authority may grant to a female employee Maternity leave on full pay for a period for 90 days from the date of its commencement.
- (b) Such leave shall not be debited to the leave account but no earned leave will be earned for the period.
- (c) Maternity leave may be combined with leave of any other kind but leave applied for in continuation of the former may be granted only if the request is supported by a Medical Certificate.

Note : Maternity leave may also be granted in cases of miscarriage including abortion subject to the condition that the leave applied for does not exceed six weeks and the application for leave is supported by a Medical Certificate.

61. Casual leave :

- (a) Casual leave is not recognised as leave. Technically therefore an employee on casual leave is not treated as absent from duty and his pay and allowances are not intermitted.
- (b) The amount of casual leave admissible is 20 days in a calendar year subject to the condition that the period of absence on casual leave shall not exceed 10 days at a time.
- (c) Casual leave may be combined with Sundays and other authorised holidays however the total period of absence shall not exceed 15 days.
- (d) When the period of continuous absence exceeds 15 days, the entire period of leave shall be treated as either earned leave, half-pay leave, commuted leave or leave without allowances.
- (e) A casual leave register should be maintained to record the casual leave taken.

- (f) No person may, except under unavoidable circumstances like sudden illness, avail himself of casual leave unless it has been sanctioned previously by the competent authority.
- (g) With regard to person who join the society in the middle of a calendar year, the superior authority competent to grant such leave will have the discretion to grant either the full quota of 20 days or only proportion thereof after taking into account all the circumstances of the case.

62. *Holidays:*

The society will have the same holidays as declared by Government for the Government employees.

63. *Special Casual leave:*

Special casual leave not counting against ordinary casual leave may be granted to an employee in the following circumstances:-

- (1) When he is ordered by the head of his office to absent himself from duty on the certificate of a Medical Officer or sanctioning authority on account of presence of infectious disease in his house, provided no substitute is appointed and no extra cost to the society is involved. If however, a substitute is necessary ordinary leave debitable to the leave account of the employee shall be granted.

Note: (i) The following diseases are treated as infectious diseases for the purpose of grant of special casual leave.

- (a) Small-pox
- (b) Plague
- (c) Cholera
- (d) Diphtheria
- (e) Cerebro-spinal meningitis

- (ii) Leave under this head shall not ordinarily be granted for a period exceeding 21 days, but in exceptional cases it may be granted upto 30 days.

- (iii) (1) When the employee himself catches any of the infectious diseases listed above, he should produce a certificate from a Medical Officer not below the rank of an

Assistant Surgeon as proof and he will be granted only eligible leave.

- (2) When he is summoned to give evidence before a Court as a witness on the Government side in civil or criminal cases in which his private interests are not at issue, the leave to cover the total period of absence is necessary.
- (3) When he is bitten by a rabid animal, or if it becomes necessary to undergo anti-rabic treatment due to infection during postpartum examination or other similar causes, leave to cover the actual period required for treatment (14 days) and for the journeys to and from the nearest anti-rabic treatment centre.
- (4) When an employee in the last grade is temporarily incapacitated on account of typhoid and cholera inoculation leave for one day.
- (5) Special casual leave will be allowed to employees for undergoing sterilisation operation for a period not exceeding 6 days for men and 14 days for women including holidays subject to production of a certificate issued by a Medical Officer. This will be recorded in the Service Book to avoid repetition or misuse.
- (6) Women employees who undergo IUCD insertion will be granted special casual leave for the day of insertion subject to production of necessary certificate.

64. *Leave Salary :*

- (a) A person on earned leave and commuted leave is entitled to pay and allowances at the rate as on the day before the leave commences.
- (b) A person on half-pay leave is entitled to leave salary equal to half the pay at the rate as on the date before the leave commences. During half-pay leave employees drawing pay upto Rs. 605/- will be eligible for full D.A. House rent allowance will be admissible only for the first four months of leave.
- (c) A person on leave without allowance is not entitled to any leave salary.

65. All leave except leave without allowances taken otherwise than on Medical Certificate will count for increment.

66. A leave account shall be maintained for each employee.

67. *Surrender of Earned leave :*

Employees of the Kerala Health Research and Welfare Society will be allowed to surrender earned leave as allowed in the case of Government servants.

Note : Wherever specific mention is not made regarding any of the conditions in the above rules, the rules in the K.S.R.s will apply.

CHAPTER - VI

Travelling Allowance

68. Classification of employees under the Society and the payments of Travelling expenses to them shall be governed by the provisions of the rules in part II K.S.R.

69. The claims towards T.A. are to be finally admitted by the Managing Director. For the journeys outside the State, sanction from the Government shall be obtained.

70. The Managing Director is the executive head of the society and hence the privileges concessions enjoyed by similarly placed organisations fully owned by Government, will be allowed to the Managing Director also as regards to journeys performed for the purpose of the society.

CHAPTER VII

Gratuity Scheme

11. This shall apply to all employees of the Kerala Health Research and Welfare Society from 1.1.1985.

Definition :

72. In this scheme, unless repugnant to the context 'employees' means those whose names are on the registers of the society.

73. 'Salary' means the basic pay and does not include any allowance and denotes the average of the monthly basic pay of the employee reckoned from the date of termination to the previous twelve months.

74. Gratuity shall be payable to the employees on termination of service in the Society according to the scale mentioned in the schedule below.

75. A minimum service of five years is required to make an employee eligible for gratuity under this scheme.

76. No gratuity shall be payable if the employee is dismissed or removed from service for official irregularities or misconduct.

77. Completed years of service do not denote calendar year, but number of years counted backward from the date of termination of services.

SCHEDULE

Scale of Gratuity payments.

1. On the death of an employee while in service of the Society or on his physical or mental disability to continue further in service.

One month's salary for each completed year of service subject to a maximum of 20 months' salary to be paid to his assignees or heirs or nominees or to the disabled employee as could be proved from the available records in respect of the service would alone count for calculating gratuity.

2. On voluntary retirement or resignation of an employee :

(a) After fifteen years of continuous service :

Gratuity at the same rate as above

(b) After 10 years of continuous service.

3/4 of a month's salary for each completed year of service.

(c) After 5 years of continuous service

1/2 month's salary for each completed year of service.

3. On termination /retirement/resignation of his service by the Society.

(a) On completion of 10 years of continuous service and over

One month's salary for each completed year of service, but not more than 20 month's salary

(b) On completion of 9 years of continuous service.

7 month's salary

(c) On completion of 8 years of continuous service.

6 month's salary.

(d) On completion of 7 years of continuous service.

5 month's salary.

(e) On completion of 6 years of continuous service.

4 month's salary.

(f) On completion of 5 years of continuous service.

3 month's salary.

(g) The maximum gratuity payable under this shall not exceed Rs. 4,000/- in case of termination of service.

CHAPTER VIII

Conducts/Disciplinary Rules

78. *Lift :*

The lift provided in the paywards will operate round the clock.

79. *Equipment :*

Employees must take care and caution in the use of society property and must not attempt to use any equipment unless they have been previously instructed and approved by the Regional Engineer or Civil Engineer to use or operate it.

80. *Attendance and late coming :*

All employees shall report for work at the time scheduled for various offices/institutions under the society and also according to the duty quota fixed for them from time to time. All employees shall be at their work spot for the entire duration of their duty time.

81. *Obligations during working hours :*

- (a) Every employee shall carry out the work for which he has been employed to the best of his ability and in accordance with the instructions given by the superiors.
- (b) Each employee is responsible for and shall take proper care of his/her work area and equipment in her/his charge.
- (c) If an employee remains absent beyond the period of leave originally granted or subsequently extended, he/she shall lose his lien on his/her appointment unless he/she returns within 7 days of the expiry of the leave or he/she explains to the satisfaction of the superior his/her inability to return after the expiry of his/her leave.

82. The Managing Director shall have the right to effect disciplinary action for misconduct which shall consist of the following acts of commission and commissions in respect of all categories of employees for which he is the appointing authority. In respect of all other categories the Governing Body of the society is the appointing authority and the decisions taken by the Governing Body shall be final.

- (a) Theft, fraud or misappropriation in connection with society's property.
- (b) Wilful damage to society's property.
- (c) Taking or giving bribes or any illegal gratification.
- (d) Discourtesy or unbecoming conduct towards patients and visitors.
- (e) Drunkenness, riotous or disorderly behaviour within the premises of the Society paywards or any act subversive of discipline.
- (f) Habitual absence without leave or continuous absence without leave for more than 7 days.
- (g) Habitual break of law or rules applicable to the society.
- (h) Addiction to drug.
- (i) Wilful insubordination or disobedience whether alone or in combination with another or others of any reasonable orders of a superior.
- (j) Frequent repetition of acts of negligence or neglect of work.
- (k) Overstay of leave without proper authority or satisfactory explanation.
- (l) Engaging in a trade, money lending or any other business within the premises of the Society.
- (m) Exhibition within the society premises of any bills or posters without the permission of the Civil Engineer/Regional Engineer/Managing Director
- (n) Refusal to work on any other job as may be required by his superior for bonafide reasons.
- (o) Holding or attempting to hold meeting within the premises of the Society's buildings/ without the sanction of the head of office.
- (p) Sleeping while on duty.
- (q) Gambling within the premises of the Society's buildings.
- (r) Intimidating, assaulting or threatening any person within

- the Society's premises.
- (s) Conviction by a Court of law for a criminal offence involving normal turpitude or entailing punishment by imprisonment.
 - (t) Furnishing false information at the time of employment in respect of details about himself, parent, age, qualifications, previous experiences etc.
 - (u) Divulging of information regarding the Society except to proper authorities in the Society.
 - (v) Any other misconduct which will be against the interest of the Society.

83. *Administrative procedure to deal with misconduct :*

No order or punishment shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him and in every case of dismissal or where circumstances appear to warrant it, the Managing Director will institute independent enquiries before dealing with the charges of misconduct against the employees. An employee may be suspended without salary pending enquiry into the charges against him. An order of suspension pending enquiry into alleged misconduct shall be in writing and will take effect immediately on delivering to the employee. The above order shall set out in detail the alleged misconduct and the employee shall be given an opportunity of explaining the circumstances alleged against him. If on enquiry the order is confirmed, the employee shall be deemed to have been absent from duty for the period of suspension and shall not be entitled to any remuneration for such period. If however the order is rescinded, the employee shall be deemed to have been on duty during the period of suspension and shall be entitled to the same salary benefits as would have been received if he/she had not been suspended. Such enquiry may be commenced as early as possible and completed within two months.

In awarding punishment, the competent authority shall take into account the gravity of misconduct, previous record if any of the employee and any other extenuating circumstances that may exist. A copy of the order passed by the authority shall be supplied to the employee concerned.

The superior officers shall have the right to require, for bonafide reasons, an employee to do any work other than the work on which he/she is usually engaged.

If a particular employee has any grievances arising out of his/her usual employment, he/she must inform the same to his/her immediate superior. If he/she does not get relief or reply within a fortnight he/she is at liberty to represent the matter to the next higher authority.

During the period of suspension the employee shall be paid subsistence allowance at an amount equal to the leave salary which the officer would have drawn had he been on leave on half-pay leave on the date of suspension, but the benefit of any increase in pay due to increment falling due during the period of suspension will not be admissible during the period.

Note : In all cases not specifically mentioned under this rule, the provisions of Kerala State Civil Service Classification Control and Appeal Rules will be binding on the employee of the Society.

CHAPTER - IX

Employees Medical Benefit Rules

Rules applicable to the Government Servants of Kerala State, for the medical benefit, will be made applicable to the society staff from time to time.

84. *Title :*

These rules shall be called the Kerala Health Research and Welfare Society Employee's Medical Benefit Rules.

85. *Extent :*

These rules shall come into effect with immediate effect.

86. *Definitions :*

Employees means a whole time employee of the Kerala Health Research and Welfare Society. Authorised Medical Attendant means the Head of Medical Institutions notified by the Society for the purpose from time to time.

Note : Notified by the society means all Government Hospitals.

Family means and includes the wife or husband, children and parents wholly dependent upon the employee.

87. *Medical Attendance :*

Means the professional advice and care during sickness of injury at a Government/Institution. It includes such surgical treatment as is available at the above centres as also any clinical investigations available at these institutions.

88. Medicines: do not include proprietary preparation for which equally effective alternative preparations are available, primary foods, tonics etc. Reimbursement will be permissible only if the hospital is unable to procure the drug.

89. Persons entitled to free Medical Attendance and extent of Medical Attendance

- (a) Employees are entitled to free medical attendance irrespective of whether they are on duty or leave, any where within the State.
- (b) Family members of employees are entitled to medical attendance free of charge to the same extent as the employee himself/herself.
- (c) If hospitalisation is considered necessary, free medical attendance will be admissible exceeding 3 days and not more than 30 days for self and family members. This benefit will be admissible for maternity purposes also.

90. Applicability to other systems of Treatment :

Free Medical attendance under these rules is available either under Allopathic systems or under other systems of medicine like Homoeopathy, Ayurveda etc. But no person will be entitled to free Medical attendance under more than one system simultaneously. Claims for reimbursement of medical expenses under these rules shall be accompanied by a declaration in the form given below in addition to all other documents prescribed under the rules for the claim.

"I employed under Kerala Health Research and Welfare Society and (name and relationship) of mine/have/has been under treatment at the Hospital Dispensary at my/his residence during the period of treatment from to and I/he/she have/has received the benefit of only one system of treatment and not taken advantage of more than one system simultaneously".

Signature of the Employee
Name and Designation

FORM OF ESSENTIALITY CERTIFICATE

I certify that Sri/Smt. employed at the Kerala Health Research and Welfare Society has been under treatment at this Hospital/Dispensary as in/out patient for the period from to and that the under mentioned medicines prescribed by me in this connection were essential for the recovery/the prevention of serious deterioration in the condition of the patient. They do not include proprietary preparations for which cheaper substances of equal therapeutic value are available nor preparations which are primary foods, tonics, toilet preparations etc. and not issued in out patient department.

Name of medicines
with description and price of each.

Signature of the Medical
Officer in Charge.

All bills must be attached with this certificate, duly countersigned by the authorised Medical Attendant.

92. Reimbursement of cost of medicine purchased.

(1) Employees who are allowed free medical attendance at their own residences or in the consulting rooms of the authorised Medical Attendant are entitled to free supplies of medicines prescribed from Government hospitals/dispensaries/health centres.

(2) If drugs essential for the effective treatment of a patient entitled to free Medical attendance are not available in the Government Medical Institutions they may be purchased from the open market and the cost of medicines including sales tax incurred thereon reimbursed to the employee. No employee shall claim under this provision reimbursement of cost of medicine including sales tax on account of purchase of items which are not "medicines" as defined in Rule 88.

(3) Claims in this respect should be preferred by the employee concerned before the expiry of three months, shall be accompanied by vouchers and an Essentiality certificate as above signed by the Medical Officer prescribing the medicines concerned, and countersigned by the Authorised Medical Attendant in token of having administered the medicine.

(4) The vouchers shall include cash bills and credit bills. In the case of credit bills, the employee shall produce the cash bills within one month of reimbursement, failing which the amount reimbursed will be recouped from the pay of the employee.

(5) The Medical charges incurred by a society employee entitled to free Medical attendance in connection with his treatment shall in the event of his death, be reimbursed to his/her legal heirs.

(6) The Medical reimbursement will be limited to one month's basic salary per annum.

FORM - I

(Vide Regulation No. II)

Declaration

I hereby declare that I have read and understood staff regulations of the Kerala Health Research and Welfare Society and I subscribe and agree to be bound by the said Regulations and amendments thereto made from time to time.

1. Name in full.
2. Designation.
3. Permanent Address.
4. Signature.
5. Witness.
(Signature with Name & Address)
6. Date.
7. Station.

FORM - II

(See Regulation No. 13)

Annual Confidential Report on Employees of the Kerala Health Research and Welfare Society, Trivandrum for the year.

1. Name of employee. :
2. Appointments held during the year :
(with date) and pay and scale of pay.
3. Total period including the period :
under report, that the Employee has
worked under the reporting Officer.
4. General qualifications for post held :
including any special or technical
and professional attainments.
5. Punishments/special awards during :
the period under report.
6. Fitness for promotion.
7. Give an assessment of the work and :
efficiency of the officer during the
period under report (vide extract of
Regulation No. 13(a) reproduced below.

Reporting Officer
(Name in block letters)

Designation.

GENERAL

Opinion of the Managing Director if any (when not reporting Officer) on conduct and efficiency of employee reported on.

Managing Director.

NB. The objective in writing the Confidential Report of any employee is to obtain an objective assessment of the work as conduct of an employee and his capacity for shouldering such and higher responsibilities. The Reporting Officer is expected to give a frank full and unbiassed assessment of the employee's ability and conduct.

