

# **ASSOCIATION OF PHYSICIANS OF INDIA**

## **EMPLOYEE SERVICE RULE**

These regulations shall apply to all employees of The Associations of Physicians of India and its journal. The governing body shall be competent authority to add, alter, amend, delete or change any of these regulations from time to time. Hon. General Secretary shall exercise power of the administrative authority in respect to all employee.

### **1. APPOINTING AND CONTROLLING AUTHORITY**

The Governing Body shall be appointing and controlling authority in respect of all employees in the office of Association, its journal and other departments subject to such directions as may be issued by Governing Body from time to time.

### **2. WORKING HOURS**

The working hours of the office of the Association and its employee shall ordinarily will be from 10:00 a.m. to 5:00 p.m. on weekdays with weekly off on Sunday. Working hour can be extended as per the need by the controlling authority.

Employee working on holiday/Sunday shall get compensatory off in lieu of working on holiday. This compensatory off will not be cumulative

### **3. PUNCTUALITY**

Every employee shall observe strict punctuality in attending office according to the working hours shall sign attendance register and Punch his/her attendance in the biometric machine indicating time of arrival and departure and be present in his/her seat during working hours and employee who does not sign the attendance register and Punch the biometric machine at the time of arrival shall be marked Absent from duty

Late attendance of or earlier departure maybe permitted to an employee by the head of office subject to exigencies of work. If an employee attends office without permission more than one hour late or leaves office more than one hour earlier on more than three occasion in a month one day's leave shall be deducted

#### **4. GENERAL CONDUCT**

Every employee shall obey and perform such duties as may be assigned and entrusted to him/her from time to time by the superior authority in accordance with the policies, rules and by laws of the Associations and shall maintain fullest devotion to duty and shall serve the Association honestly, faithfully and diligently.

An employee shall be fully responsible for the duties assigned to him/her and shall be liable to explanation and disciplinary action for any negligence or delay in proper discharge of the duties.

Every employee shall always endeavour to promote the interest of the Association and shall strictly observe courtesy, politeness, office decorum, etiquette and discipline in the dealing with the office bearers and members of the Association other employees and person with whom he/she come into contact in the discharge of duties and responsibilities.

No employee shall use the name of the Association or any of its property for his/her own purpose or benefit.

#### **5. PAY AND ALLOWANCES**

**Pay scale** - The pay scale of all full time employees in the office of the Association and their classification as officers, supervisory and subordinate shall be as may be prescribed by the governing body of API from time to time.

**Allowances** - The employee shall be granted allowances as may be sanctioned by the Governing Body from time to time. Annual increment to the salary shall be applicable as per the directive and approval of financial committee.

Employee attending APICON shall get Rs. 5000/- as conference allowance

**Bonus** – Based on the performance a bonus will be given once in a year to all employees equivalent to one month salary or Rs 75000/-, whichever is less.

**Group Insurance** – Options of group insurance for the employees will be explored and implemented

## **6. CONDITIONS OF SERVICE**

### **Production of certificate of age and qualifications**

Every person shall be required to produce original certificate in support of his educational qualification, age, past experience and character and the medical certificate of fitness at the time of appointment. The original matriculation certificate or school leaving certificate and Aadhar Card must be produced in support of age but in the case of those not possessing the certificate are not being matriculates alternative satisfactory proof of age may be accepted at the discretion of the administrative authority.

### **Probation**

Every person appointed to a post shall be on probation for a period of 2 years.

During the period of probation the services of an employee may be terminated at any time by the appointing authority without assigning any reason thereof by giving 7 days' notice and employee may also leave service at anytime during probation by giving 7 day's notice

An employee on probation shall be eligible for completion of probation and confirmation only if his/her work and conduct have been found to be satisfactory failing which his/her service shall be liable to be terminated.

### **Termination of service**

The services of a temporary contractual or a full-time confirmed employee may be terminated or he/she may be released at any time by the appointing authority and/or administrative authority after giving one month notice or one month salary in lieu. No such notice or salty shall be admissible in case of termination/ removal or dismissal from service as result of disciplinary action.

A confirmed employee may resign from the service of the Association at any time on his/her own volition upon giving one month notice in writing of his/her intention to do so.

## **Employees are not to take up any other employment**

No employee whether on probation, temporary or confirmed shall take up any other employment, whether paid or honorary while in service of the Association except after obtaining prior written permission of the administrative authority. Such permission may be given only if the administrative authority is satisfied that the employment shall not adversely affect the efficiency and availability of the employee for performance of duty in the Association. The refusal of permission or permission so granted may be withdrawn at any time without assigning any reason therefore.

## **Promotion to a higher post**

A confirmed employee will be eligible for promotion and appointment to a higher post on the basis of a merit - cum seniority if he/she possesses requisite qualification and experience for such higher post and is found suitable by a selection committee constituted by the administrative authority and duly approved by the finance committee or governing body.

## **Holidays**

All bank holidays in Mumbai shall be admissible as holidays for employee.

## **Leave**

Leave cannot be claimed as a matter of the right and may be refused or revoked by the authority competent to grant leave in exigencies of service of the Association.

Leave may be allowed if the services of an employee can be conveniently spared but the leave sanctioning authority may regulate the date of return of the employee from leave to suit administrative convenience.

Leave would be subject to availability of a person to look after the job of the person going on leave

Those going out of Mumbai should take out station leave permission

## **Application for leave**

Except in an emergency or in unavoidable situation an employee shall get his/her leave sanctioned by the administrative authority prior to proceeding on leave, absence of which shall be considered wilful absence liable to disciplinary action.

## **Casual leave**

An employee will be entitled to 10 days casual leave in a calendar year, which will be non-cumulative. Ordinarily casual leave will not be sanctioned for more than 5 days at a time except in special circumstances with the approval of head of office.

## **Sick leave**

An employee shall be entitled to 10 days sick leave in a Calendar year.

## **Maternity Leave**

A confirmed female employee shall be entitled of maternity leave on full emoluments for a period of 180 days from the date of its commencement on production of a medical certificate.

## **Maintenance of leave account**

A leave account shall be maintained for each employee by the leaves sanctioning authority

## **7. PROVISIONS RELATING TO RETIREMENT AND EMPLOYMENT AFTER RETIREMENT**

### **Age of Retirement**

Every employee shall retire from the service of the Association on the last date of the calendar month in which he/she attains the age of 60 years. In case of an employee who attain 60 years of age on 1<sup>st</sup> of the month the retirement shall take an effect from the last date of the previous month

Notwithstanding the provisions the head of office may compulsorily retire any employee before the age of 60 years, if he/she is found to be medically unfit or incapable of performing his/her duties satisfactory or if his/her works and conduct has been unsatisfactory.

## **Voluntary retirement**

An employee has option to retire voluntarily on completion of 20 years of service by giving three months notice which requires acceptance by appointing authority

Retirement will take effect on expiry of notice period.

Notice can be withdrawn with permission of appointing authority not less than 15 days before the intended date of retirement

The appointing authority at its discretion can accept a notice of less than 3 months.

## **Reemployment of retired person**

A retired employee may be re-employed by the administrative authority for a period not exceeding one year at a time for a maximum period of 5 years, on a fixed pay and allowances as may be considered appropriate subject to his/her being physically fit and mentally alert. Permission for the same has to be taken from finance committee.

On re-employment an employee shall be treated as a fresh appointee for all purposes and could not be employed at his past pay scale.

## **Record of service**

Employee's service register - a service record shall be maintained by the head of office in respect of every employee recording therein the full particulars of his/her date of birth, education qualification, post held, pay drawn, leave transfers, penalties imposed etc in the employee service register

## **Gratuity**

Every confirmed employee on retirement/otherwise leaving service on resignation or termination as the case maybe after he has rendered continuous service for not less than 5 years shall be entitled to a gratuity. As per the payment of Gratuity Maharashtra Rule 1972, Gratuity shall be calculated at the rate of 15 days wages for each completed year of service subject to a maximum of rupees 20 lakh.

## **8. CONFIDENTIALITY**

Every employee shall maintain strict secrecy in regard to the affairs of the Association and shall not divulge directly or indirectly any information in any person or member of the public or to the press except under written instructions from the Head of Office/HSG or unless required to do so by judicial authority.

## **9. DISCIPLINARY PROCEEDINGS**

### **1) General Provisions:**

Violation of any of the provisions of these regulations and terms of appointment, disobedience of orders and instructions, any act of misconduct, indiscipline, negligence in work, dishonesty and lack of devotion to duty or misdemeanour of any kind, shall render an employee liable to disciplinary action.

### **2) Suspension:**

- a) An employees may be suspended by the Head of Office/HSG if any disciplinary proceedings are contemplated against him or pending an enquiry into any allegations and charges framed against him/her.
- b) Any employees who is arrested for criminal offense and remains in custody for more than 24 hours, shall be liable to be suspended from the date of his/her arrest and shall remain suspended till further orders of the Administrative Authority or till the termination of the criminal proceedings against him/her in a court of law.
- c) When an employee is under suspension, he/she shall furnish his/her address during the period of suspension to the Head of Office.
- d) An employee under suspension shall be allowed only a subsistence allowance equal to 1/3rd of his/her pay and allowances admissible thereon, for so long as he/she remains under suspension. In the event of the suspended employee being fully exonerated of the charges framed against him/her or being honorably acquitted by the Court, the period of suspension shall be treated as duty and he/she will be paid full pay and allowances to which he/she would have been entitled but for his/her suspension
- e) An employee who is convicted of a criminal offense by a court of law shall be dismissed forthwith.

### **3) Penalties to be imposed:**

The Head of Office, hereinafter referred to as disciplinary authority, may for good and sufficient reasons and after due enquiry and giving reasonable opportunity to a delinquent employee to defend himself/herself against the allegations and charges framed against him/her, impose any of the following penalties: -

- i) Censure;
- ii) Withholding of promotion
- iii) Reversion to a lower post or reduction in pay to a lower stage in the scale of pay of the post;
- iv) Recovery from pay or otherwise the whole or part of the pecuniary loss caused to

the Association by the delinquent employee and

v) Removal or dismissal from service

## **10. DECLARATION BY EMPLOYEES**

Every employee at the time of his/her appointment in service of the Association and those already in service on the date on which these regulations come into effects shall make the following declaration in writing.

I hereby declare that I have read and understood the API employee service rules and thereby subscribe and agree to abide and be bound by the said regulations.

Witness by

Signature

Name of Witness	Name of Employee
Occupation	Nature of Appointment
	Aadhar Card Number (Attached)
Address	Address
Date	Date

### **Provisions for part time employees**

Part time employees - any person engaged on a fixed renumeration whether daily, weekly, fortnightly or monthly for performing a specific service or work which is casual and/or of intermittent character shall be treated as a part time employee.

The head of office shall be appointing authority of a part time employee

**Working hours** - the hour of work of a part time employee shall be determined by the head of office.