

CHAPTER V

CONDUCT

SECTION 1

44. Interpretation

In this chapter unless the context otherwise requires:-

“members of family” in relation to an employee includes;

- (i) the wife or husband, as the case may be, of the employee, whether residing with the employee or not but does not include a wife or husband, as the case may be, separated from the employee by a decree or order of a competent court;
- (ii) son or daughter or step-son or step-daughter of the employee wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on the employee or of whose custody the employee has been deprived by or under any law;
- (iii) any other person related, whether by blood or marriage, to the employee or to the employee’s wife or husband and wholly dependent on the employee.

SECTION II

Rules

45. General

- (1) Every employee shall at all times -
 - (i) maintain absolute integrity;
 - (ii) maintain devotion to duty; and
 - (iii) do nothing which is unbecoming of an employee of the University/College.
- (2) (i) Every employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority;
- (ii) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior;
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter;
- (iv) An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.
- (v) Unless otherwise stated specifically in the terms of appointment, every whole-time employee may be called upon to perform such duties as may be assigned to him by the competent authority, beyond scheduled working hours and on closed holidays, Saturdays and Sundays.
- (vi) An employee shall observe the scheduled hours of working during which he must be present at the place of his duty.
- (vii) Except for valid reason and/or unforeseen contingencies, no employee shall be absent from duty without prior permission. Where an employee absents himself from duty without prior permission for a continuous period of 90 days, he shall be treated as absconding

from duty and disciplinary proceeding shall be initiated in accordance with the procedure laid down under rule 66 read with rule 63 to terminate his services.

EXPLANATION -

I.- An employee who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause (ii) of sub rule 1.

II.- Nothing in clause (ii) of sub-rule (2) shall be construed as empowering an employee to evade his responsibilities by seeking instructions from, or approval of, a superior officer or authority when such instructions are not necessary under the delegation of powers and responsibilities.

(3) Promptness and Courtesy

No employee shall –

- (a) in the performance of his official duties, act in a discourteous manner;
- (b) in his official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.

(4) Prohibition of sexual harassment of working women

(1) No employee shall indulge in any act of sexual harassment of any woman at her work place;

(2) Every employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place

EXPLANATION -- For the purpose of this rule, "sexual harassment" is defined in Ordinance XV-D of the University Ordinance.

(5) Misconduct

Without prejudice to the generality of the term 'misconduct', the following acts of omission shall be treated as misconduct:--

- (i) Taking or giving bribes or any illegal gratification;
- (ii) Furnishing false information regarding name, age, father's name, mother's name, qualification, ability or previous service or any

- other matter germane to the employment at the time of employment or during the course of employment;
- (iii) Acting in a manner prejudicial or likely to be prejudicial to the interest or the reputation of the University/College;
 - (iv) Willful insubordination or disobedience whether or not in combination with others, of any lawful and reasonable order of superior;
 - (v) Damage to any property of the University/College;
 - (vi) Interference or tampering with any safety devices installed in or about the premises of the University/College;
 - (vii) Drunkenness or riotous or disorderly or indecent behaviour in the premises of the University/College or outside such premises where such behaviour is related to or connected with the employment;
 - (viii) Gambling within the premises of the establishment;
 - (ix) Smoking within the premises of the establishment where it is prohibited;
 - (x) Commission of any act which amounts to a criminal offence involving moral turpitude;
 - (xi) Commission of any act subversive of discipline or good behaviour;
 - (xii) Employment of children as domestic workers or servants below the age of 14 years;

Note: The above instances of misconduct are illustrative in nature and are not exhaustive.

46. Joining of Associations by Employees

(1) No employee shall join or continue to be a member of an association, the objects or activities of which are prejudicial to the interests of the University/College or public order, decency or morality.

(2) No employee shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(3) It shall be the duty of every employee to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be, subversive of the Government or the University/College as by law established and where an employee is unable to prevent a member of his family from taking

part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the University/College.

(4) If any question arises whether a party is political party or whether any organisation takes part in politics or whether any movement or activity falls within the scope of sub-rule 47 (3) the decision of the University/College thereon shall be final.

(5) No employee shall canvass or otherwise interfere with or use his influence in connection with or take part in an election to any legislature or Local Authority.

Provided that-

- (i) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted:
- (ii) An employee shall not be deemed to have contravened the provision of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

EXPLANATION- The display of an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

47. Demonstration and strikes

No employee shall-

- (i) engage himself or participate in any demonstration or strikes which is prejudicial to the interest of the University/College or public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence or;
- (ii) resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other employee.

48. Connection with Press or other Media

(1) No employee shall, except with the previous sanction of the University/College, own wholly or in part, or conduct or participate in the editing or management of any newspaper or periodical publication or electronic media.

(2) No employee shall, except with the previous sanction of the University/College, or the prescribed authority or in the bonafide discharge of his duties, participate in a radio broadcast/electronic media or contribute any article or write any letter or a book either in his own name or anonymously, pseudonymously or in the name of any newspaper or periodical:

Provided that no such sanction shall be required if such broadcast/telecast or such contribution or writing is of a purely literary, artistic or scientific character.

(3) An employee publishing a book or participating in a public media shall at all times make it clear that the views expressed by him are his own and not that of the University/College.

(4) No employee shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion which has the effect of an adverse criticism of any current or recent policy or action of the University/College:

Provided that nothing contained in this clause shall apply to bonafide expression of views by an employee as an office bearer of a trade union or association of employees for the purpose of safeguarding the conditions of service of such category of employees or for securing an improvement thereof.

Provided further that nothing in this rule shall apply to statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

48-A. Representation

Whenever an employee wishes to put forth any claim or seek redress of any grievance or any wrong done to him, he must forward his case through proper channel and shall not forward such advance copies of his application to any higher authority, unless the lower authority has rejected the claim, or refused relief, or that the disposal of the matter is delayed by more than three months.

No employee shall be signatory to any joint representation addressed to the authorities or redress of any grievance or for any other matter.

49. Evidence before a Committee or any other authority

(1) Save as provided in sub-rule (3) no employee shall, except with the previous sanction of the University/College, give evidence in connection with any enquiry conducted by any person, committee or authority.

(2) Where any sanction, has been accorded under sub-rule (1) no employee giving such evidence shall criticise the policy or any action of the University/College or the Government.

(3) Nothing in this rule shall apply to-

(a) evidence given at an enquiry before an authority appointed by the Visitor, Vice-Chancellor, Government and Parliament or any State Legislature; or

(b) evidence given in any judicial enquiry; or

(c) evidence given in any departmental enquiry ordered by the authorities of the University/College subordinate to the Vice-Chancellor.

50. Communication of Official Information

Every employee shall, in performance of his duties in good faith, communicate information to a person in accordance with the Right to Information Act, 2005 (22 of 2005) and the rules made thereunder through the Central Public Information Officer (CPIO)/ Public Information Officer (PIO) of the University/College.

Provided that no employee shall, except in accordance with any general or special order of the University/College or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or any part thereof or classified information to any employee or any other person to whom he is not authorised to communicate such document or classified information.

51. Subscription

No employee shall, except with the previous sanction of the University/College or of the prescribed authority, ask for or accept contributions to, or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object whatsoever except for bonafide purpose e.g. for Reception/farewell or for financial assistance to a member of the University/College staff or his family in distress.

52. Private Trade or Employment

(1) Subject to the provisions of sub-rule (2), no employee shall, except with the previous sanction of the University/College:

- (a) engage directly or indirectly in any trade or business, or
- (b) negotiate for, or undertake, any other employment, or
- (c) hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
- (d) canvass in support of any business of insurance agency, commission agency, etc., owned or managed by any member of his family, or
- (e) take part in the registration, promotion or management of any Bank or other company registered or required to be registered, under the Companies Act, 1956 (1 of 1956), or any other law for the time being in force, or of any co-operative society for commercial purposes.
- (f) participate in or associate himself in any manner in the making of--
 - (i) a sponsored media (radio or television) programme; or
 - (ii) a media programme commissioned by Government media but produced by a private agency; or
 - (iii) a privately produced media programme including video magazine;

Provided that no previous permission shall be necessary in case where an employee participates in a programme produced or commissioned by Government media in his official capacity.

- (2) An employee may, without the previous sanction of the University/ College--
 - (a) undertake honorary work of a social or charitable nature, or
 - (b) undertake occasional work of a literary, artistic or scientific character, or
 - (c) participate in sports activities as an amateur, or
 - (d) take part in the registration, promotion or management (not involving the holding of an elective office) or a literary, scientific or charitable society or of a club or similar organisation, the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being force, or
 - (e) take part in the registration, promotion or management (not involving the holding of elective office) of a co-operative society

substantially for the benefit of employee, registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law for the time being in force:

Provided that—

- (i) he shall discontinue taking part in such activities, if so directed by the University/College; and
- (ii) in a case falling under Clause (d) or Clause (e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period of one month of his taking part in such activity, report to the University/College giving details of the nature of his participation.

(3) Every employee shall report to the University/College if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.

(4) Unless otherwise provided by general or special orders of the University/College, no employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority

EXPLANATION -- The term 'fee' used here shall have the meaning assigned to it in Rule 4 (vii) of these rules.

52-A. Subletting and vacation of University/College accommodation

(1) Save as otherwise provided in any other law for the time being in force, no employee shall sublet, lease or otherwise allow occupation by any other person of University/College accommodation which has been allotted to him.

(2) An employee shall, after the cancellation of his allotment of University/College accommodation vacate the same within the time-limit prescribed by the University/College.

52-B Immovable property

1 (i) Every employee shall on his first appointment to any University/College service or post submit a return of his assets and liabilities in such form as may be prescribed by the University/College, giving the 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 member of his family or in the name of any other person;

Note 1- Sub-rule (1) shall not ordinarily apply to erstwhile Group D employees but the University/College may direct that it shall apply to any such employee or group of such employees.

Note 2- Where an employee already belonging to a service or holding a post is appointed to any other civil service or post, he shall not be required to submit a fresh return under this clause.

(ii) Every employee belonging to any service or holding any post included in Group A or Group B shall submit an annual return in such form as may be prescribed by the University/College in this regard giving full particulars regarding 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 member of his family or in the name of any other person.

2. No employee shall, except with the previous knowledge of the University/College, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:

Provided that the previous sanction of the University/College shall be obtained by the employee if any such transaction is with a person having official dealings with him.

3. The University/College may, at any time, by general or special order, require an employee to furnish, within a period specified in the order, a full and complete statement of such immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the University/College, include the details of the means by which, or the source from which, property was acquired.

4. The University/College may exempt any category of employees belonging to Group C or erstwhile Group D from any of the provisions of this rule except sub-rule 3. No such exemption shall, however be made without the concurrence of the Executive Council.

Explanation – For the purpose of this rule 'lease' means, except where it is obtained from, or granted to, a person having official dealings with the employee, a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

5. Restrictions in relation to acquisition and disposal of immovable property outside India and transactions with foreigners etc.

Notwithstanding anything contained in sub-rule (2), no employee shall, except with the previous sanction of the University/College:

- (a) acquire by purchase, mortgage, lease, gift or otherwise either in his name or in the name of any member of his family, any immovable property situated outside India;
- (b) Dispose or by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of the family;
- (c) Enter into any transaction with any foreigner, foreign Government, foreign organisation or concern:-
 - (i) for the acquisition by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, of any immovable property.
 - (ii) for the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

53. Insolvency and habitual indebtedness

An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the University/College.

Note.- The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise or ordinary diligence, the employee could not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon the employee.

53-A. Consumption of intoxicating drinks and drugs

An employee shall—

- (a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;
- (b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug:
- (bb) refrain from consuming any intoxicating drink or drug in a public place:

- (c) not appear in a public place in a state of intoxication;
- (d) not use any intoxicating drink or drug to excess.

EXPLANATION—For the purpose of this rule '*public place*' means any place or premises (including a conveyance) to which the public have, or are permitted to have, access, whether on payment or otherwise.

54 Vindication of acts and character of employees

(1) No employee shall except with the previous sanction of the University/ College, have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

Provided that if no such sanction is received by the employee within a period of three months from the date of receipt of his request by the University/ College, he shall be free to assume that the permission as sought for has been granted to him.

(2) Nothing in this rule shall be deemed to prohibit any employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the prescribed authority regarding such action.

55. Canvassing of non-official or other outside influence

No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the University/College.

56. Restriction regarding marriage

(1) No employee shall enter into, or contract, a marriage with a person having a spouse living; and

(2) No employee having a spouse living, shall enter into, or contract, a marriage with any person:

Provided that the Vice-Chancellor may permit an employee to enter into, or contract, any such marriage as is referred to in Clause (1) or Clause (2), if he is satisfied that—

- (a) such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and
- (b) there are other grounds for so doing.

(3) An employee who has married or marries a person other than of Indian nationality shall forthwith intimate the fact to the University/College.

56-A. Dowry

No employee shall-

- (i) give or take or abet the giving or taking of dowry; or
- (ii) demand directly or indirectly, from the parent or guardian of a bride or bridegroom, as the case may be, any dowry.

EXPLANATION- For the purpose of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

57. Interpretation

If any question arises relating to the interpretation of these rules, it shall be referred to the Executive Council whose decision thereon shall be final.

58. Delegation of Powers:

The Executive Council may by general or special order, direct that any power exercisable by it under these rules except the powers (under rule 57 of these rules) shall, subject to such conditions, if any, as may be specified in the order be exercisable also by such officer or authority as may be specified in the order.