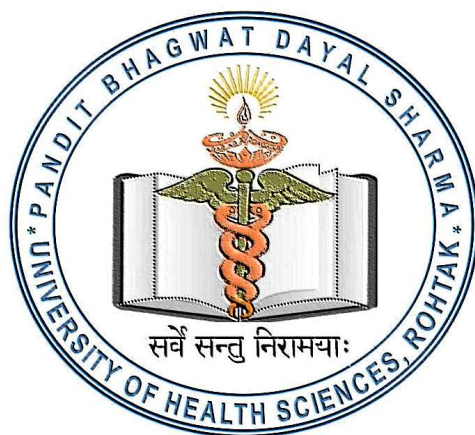


# **UNIVERSITY CALENDAR**

**Volume - III**

## **STATUTES, ORDINANCES, RULES & REGULATIONS**

**(as amended upto August, 2022)**



**PANDIT BHAGWAT DAYAL SHARMA  
UNIVERSITY OF HEALTH SCIENCES  
ROHTAK-124001 HARYANA, (INDIA)**

## INDEX

Sr. No.	Subject	Page No.
1.	<b>Regulations on Conduct of Meetings:</b>	01
	Conduct of Meetings of the Court	03
	Conduct of Meetings of the Executive Council	04
	Conduct of Meetings of the Academic Council	05
	Conduct of Meetings of the Finance Committee	06
	Conduct of Meetings of the Faculties	07
	Conduct of Meetings of the Board of Studies	08
	Conduct of Meeting of the Planning Board	09
2.	Ordinance Regarding Conditions of Affiliation of Colleges & Institutions to the privileges of the University and the withdrawal of such privileges	11-30
3.	Ordinance on Eligibility and Enrolment of Students	31-38
4.	Ordinance on Maintenance of Discipline Among Students	39-46
5.	Ordinance on the Conditions of Residence of Students	47-52
6.	University Employees (Conduct) Regulations	53-80
7.	University Employees (Punishment & Appeal) Regulations	81-106
8.	University Employees (Leave) Regulations	107-130
9.	Ordinance on Conditions of Service Rules for Non-Teaching University Employees	131-156
10.	Ordinance on Holding of Convocation for Conferring Degrees	157-166
11.	Statute for Conferment of Honorary Degree	167-170
12.	Statute for Acceptance and Management of Bequests, donations and Endowments	171-178
13.	Statute for the Institution of Emeritus, Professorship, Visiting Professorship, Fellowship, Scholarship, Studentship, Travel Bursaries, Medals And Prizes, Chairs etc.	179-188
14.	Ordinance on Prevention of Sexual Harassment	189-194
15.	Rules regarding constitution of National Service Scheme Committee	195-201
16.	Rules regarding constitution of Sports Council	202-209
17.	Rules regarding Dr. Radha Krishnan Foundation Fund	210-215
18.	Rules regarding Constitution of the Youth Welfare Committee	216-223
19.	Rules Regarding Youth Red Cross Committee	224-230
20.	Rules for Preservation and Destruction of Record	232-243

**Note: References of Amendments/Insertions have been given at the end of each of the Regulations, Statutes, Ordinances and Rules.**

**ORDINANCE ON MAINTENANCE  
OF DISCIPLINE AMONG  
STUDENTS**

*(Approved by the Executive Council in its  
3rd meeting held on 12.1.2009 vide  
Agenda Item No.7).*





**MAINTENANCE OF DISCIPLINE AMONG STUDENTS**  
**(Ordinance under Sub Clause (g) of Section 31(4)**  
**of the Haryana Act No.26 of 2008)**

1. **Definitions**
  - (1) In this ordinance, unless the context otherwise requires, :-
    - (a) “Act”, “statutes”, “ordinances” and “regulations” mean respectively, The Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak Act No.26 of 2008, the statutes, the ordinances and the regulations of the Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak.
    - (b) “Affiliated colleges and institutions” mean the colleges and institutions affiliated to the Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak.
  - (2) Words and expressions used, but not defined, in these ordinances shall have the meanings assigned to them in the Act and the statutes.
2. **Powers to vest in the Vice-Chancellor/ Director/ Principal of affiliated colleges and institutions.**
  - (1) All powers relating to maintenance and enforcement of discipline among and disciplinary action against the students of the University shall vest in the Vice- Chancellor.
  - (2) The Vice-Chancellor may delegate all or any such of his powers, as he deems proper, to such other officers and authorities of the university as he may specify in this behalf.
  - (3) The Principals/ Directors of affiliated colleges and institutions shall have the authority to exercise all such disciplinary powers over the students in their respective colleges and institutions.
3. **Acts of indiscipline and misconduct**
  - (1) Without prejudice to the generality of the power to maintain and enforce discipline under this ordinance, the following shall amount to acts of indiscipline or misconduct on the part of a student of the University and affiliated colleges and institutions :-
    - (a) physical assault, or threat to use physical force, against any member of the teaching or non-teaching staff of the University or an affiliated college or institution or against any student of the University, an affiliated college or institution.
    - (b) remaining absent from the class, test or examination or any other curricular or cocurricular activity which he is expected to participate in;
    - (c) carrying of, use of or threat to use, any weapon;
    - (d) misbehaviour or cruelty towards any other student, teacher or any other employee of the University, a college or institution;

- (e) use of drugs or other intoxicants except those prescribed by a qualified doctor;
- (f) any violation of the provisions of the Civil Rights Protection Act, 1976;
- (g) indulging in or encouraging violence or any conduct which involves moral turpitude;
- (h) any form of gambling;
- (i) violation of the status, dignity and honour of a student belonging to a scheduled caste or a scheduled tribe;
- (j) discrimination against any student or a member of staff on grounds of caste, creed, language, place of origin, social and cultural background or any of them;
- (k) practising casteism and untouchability in any form or inciting any other person to do so;
- (l) any act, whether verbal or otherwise, derogatory to women;
- (m) drinking or smoking;
- (n) any attempt at bribing or corruption of any manner;
- (o) wilful destruction of the property of the University or an affiliated college or institution;
- (p) behaving in a rowdy, intemperate or disorderly manner in the premises of the University or the college or the institution, as the case may be, or encouraging or inciting any other person to do so;
- (q) creating discord, ill-will or intolerance among the students on sectarian or communal grounds or inciting any other student to do so;
- (r) causing disruption of any manner or description of the academic functioning of the University system;
- (s) indulging in or encouraging any form of disruptive activity connected with tests, examinations or any other activity of the University or the college or the institution, as the case may be.
- (t) truancy and unpunctuality;
- (u) ragging as defined in this ordinance.
- (v) refusal or failure to comply with any order of the Vice-Chancellor or Director/ HOD/ Principal of the college, prohibiting any conduct which he has reasonable cause to believe is likely -
  - (i) to disrupt teaching, study, research or the

administration of the University or colleges maintained/ affiliated by University; or

(ii) to obstruct any officer or employee of the University or colleges maintained/ affiliated by University in the performance of his/ her duties;

(2) The Vice-Chancellor may amend or add to the list of acts of indiscipline or misconduct under sub clause (1).

**4. Penalties for breach of discipline**

Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as deemed appropriate by him,

(1) The Vice-Chancellor and the Directors/ Principals of affiliated Colleges may order upon any student found to be guilty of any of the offences specified in Clause-3 any of the following penalties:-

(a) reprimand:

Provided that such reprimand shall form part of such student's official record for the remainder of his or her studies in the curriculum concerned;

(b) fine of a specified amount of money.

(c) withdrawal of any academic or other University or college privilege, benefit, right or facility other than the right to follow courses of instruction and present himself for examinations

(d) suspension;

('suspension' means the withdrawal of all academic or other University privileges, benefits, rights, and facilities and during the period of suspension the student shall not be entitled to enter or remain on any property or premises of the University)

(e) debar from taking a University examination or examinations for one or more years.

f) expulsion from the University, college or institution, as the case may be, in which case he shall not be re-admitted to the University, college or institution from where he is expelled but it shall not preclude his admission to any other affiliated college or institution with the previous approval of the Vice-Chancellor; or

(f) be not, for a stated period, admitted to a course or courses of study of the University;

(2) the Vice-Chancellor, in exercise of his powers aforesaid or on the recommendations of the Directors/ Principals of the affiliated colleges or institutions, may also order or direct

that the result of the student concerned of the examination or examinations at which he has appeared, be cancelled.

**5. Declaration to be signed by a student**

At the time of admission, every student shall be required to sign a declaration on oath that he shall submit to the disciplinary jurisdiction of the Vice-Chancellor and authorities of the University or of the Director or the Principal of the college or institution, as the case may be.

**6. Prohibition of ragging and penalties thereof**

- (1) Ragging in any form shall be strictly prohibited within the premises of the University, a college or an institution, as the case may be, or in any part of the University system as well as on public transport, or at any other place, public or private.
- (2) Any individual or collective act or practice of ragging shall constitute an act of gross indiscipline and shall be dealt with under the provisions of this ordinance.
- (3) Ragging, for the purposes of this ordinance, shall ordinarily mean any act, conduct or practice by which the dominant power or status of senior students is brought to bear upon the students who are in any way considered junior or inferior by the former and includes individual or collective acts or practices which-
  - (a) Involve physical assault or threat to use physical force;
  - (b) Violate the status, dignity and honour of students, in particular women students and those belonging to a scheduled caste or a scheduled tribe;
  - (c) Expose students to ridicule or contempt or commit an act which may lower their self esteem; and
  - (d) Entail verbal abuse, mental or physical torture, aggression, corporal punishment, harassment, trauma, indecent gesture and obscene behaviour.
- (4) The Dean of the Faculty, Chief Warden, Director of the institution or the Principal of the college, as the case may be, shall take immediate action on the receipt of any information that ragging has taken place or is likely to take place.
- (5) Notwithstanding anything contained in clause (4), the chairman of the Board of Discipline of University and its maintained colleges or the chairman of the Board of Discipline of an affiliated college or institution may also *suo motu* inquire into any incident of ragging or likelihood of such incident and make a report to the Vice-Chancellor or Director/ Principal of the affiliated college/ institution, as the case may be, clearly pinpointing, among other details, the identity of the student or the students who were involved in the incident and the nature of the incident.
- (6) The chairman of the Board of Discipline may also submit an

interim report to the Vice-Chancellor in the case of University and its maintained colleges or to the Principal/ Director of the affiliated colleges, as the case may be, establishing the identity of the perpetrators of ragging and the nature of the incident.

(7) If the chairman of a Board of Discipline is satisfied that for any reason, to be recorded in writing, it is not feasible to hold an inquiry referred to in clauses (4) and (5), he may so advise the Vice-Chancellor or Director/ Principal of the affiliated college/ institution as the case may be accordingly.

(8) Where the Vice-Chancellor or the Director/ Principal in case of affiliated colleges is satisfied, on receipt of a recommendation to this effect or otherwise, that it is not expedient to hold an inquiry into an incident of ragging, he shall order accordingly for reasons to be recorded in writing.

**7. Constitution of the Boards of Discipline**

1. The Boards of Discipline at the level of the University and affiliated colleges and institutions shall be constituted by the Vice- Chancellor as follows:-

(a) University:

- (i) Director, PGIMS, Rohtak, chairman
- (ii) Principal, PGIDS, Rohtak, member
- (iii) Two Senior Professors of the University to be nominated by the Vice- Chancellor, members
- (iv) One Senior Professor (Woman) of the University to be nominated by the Vice-Chancellor, member
- (v) Dean/ Deans of the concerned Faculty/ Faculties to which the act of indiscipline or misconduct by a student or students pertains to.

(b) Affiliated colleges or institutions:

- (i) The Director of the institution or the Principal of the college concerned, -chairman
- (ii) Two senior teachers of the institution or the college to be nominated by the Trust or the Society or Head of the Institution running the college/ institution, -member
- (iii) One senior lady teacher of the college or the institution to be nominated by the Trust or the Society or Head of the Institution running the college/ institution, -member.

(2) The nominated members shall hold office for a period of two years and a vacancy occurring in the Board of Discipline shall be filled for the remaining period of the term of the member whose departure has caused the vacancy.

(3) Three members of the Board of Discipline including the Chairman, shall form the quorum.

**8. Functions of the Board of Discipline**

- (4) In the absence of the Chairman, the senior most member of the Board of Discipline shall act as a Chairman.
- (1) The Board of Discipline shall perform the following functions:-
- (i) To consider matters concerning maintenance of discipline among the students in the University teaching department or the college or the institution, as the case may be,
  - (ii) To enquire into the acts of indiscipline or misconduct committed by a student or students whenever such cases are referred to the Board of Discipline by the Vice-Chancellor, Dean of the concerned Faculty or the Principal of a college or Director of an institution and to submit their findings, conclusions and recommendations for the quantum of punishment under the provision of this ordinance to the Vice-Chancellor or the person authorised by the Vice-Chancellor in this behalf/ Director of the institution/ Principal of the college, as the case may be.
  - (iii) To supervise and monitor the disciplinary climate prevailing in the University or the college or the institution, as the case may be.
  - (iv) To take preventive and precautionary steps such as issue of notices, warnings, instructions etc. as the case may be, for the purpose of forestalling acts of individual or collective indiscipline, misconduct and ragging, etc.
  - (v) To maintain liaison with the police authorities and the concerned departments of the Government, neighbouring institutions and the concerned authorities of the University regarding maintenance of law and order in the University or the college or the institution, as the case may be.
  - (vi) To perform such other functions as may be assigned to it by the Vice-Chancellor / Director of the institution/ Principal of the college from time to time.
- (2). The decision in each case shall be conveyed by the chairman of the Board of Discipline concerned communicating the penalty or penalties, if any, imposed on a student or students.
- (3). A student or students who are aggrieved with the penalty imposed upon them, may appeal to the Vice-Chancellor whose decision in this regard shall be final and binding on the parties.

**ORDINANCE ON THE  
CONDITIONS OF RESIDENCE OF  
STUDENTS**

*(Approved by the Executive Council in its  
3rd meeting held on 12.1.2009 vide  
Agenda Item No.6).*





## **THE CONDITIONS OF RESIDENCE OF STUDENTS**

### **(Ordinance under Sub Clause (h) of Section 31(4) of the Haryana Act No. 26 of 2008)**

1. The Executive Council shall appoint a committee to be called as a committee for residence, health and welfare of students. This Committee shall consist of-
  - (i) The Vice-Chancellor (Chairperson)
  - <sup>[1][2]</sup>(ii) Deleted
  - (iii) Director, PGIMS
  - (iv) One Senior Professor to be nominated by the Vice-Chancellor
  - (v) Dean, Student's Welfare
  - (vi) One Principal of University maintained College to be nominated by the Vice-Chancellor
  - (vii) One Principal of University affiliated College to be nominated by the Vice-Chancellor
  - (viii) Chief Warden
  - (ix) Registrar – 'Member Secretary'

Provided that the Chairperson may nominate any other teacher preferably woman in the Committee.

In the absence of the Vice-Chancellor (Chairperson), the officer who will be looking after the duties of Vice-Chancellor will preside over the meeting of the Committee. Three members shall form the quorum.

2. The nominated Members of the Committee shall hold office for two years. Any member who ceases to hold the qualification by virtue of which he/she was appointed to the committee, shall cease to be the member of the committee thereof.
3. The functions of the Committee shall be-
  - (a) to consider reports received from the colleges under this ordinance and to advise them on matters arising out of such reports.
  - (b) to submit to the Academic Council an annual general report as regards residence, health, physical welfare, etc. of students of the University and colleges.
  - (c) to discharge such other duties as are prescribed by the regulation or which may be assigned to it by the Academic Council or by the Vice-Chancellor.
  - (d) to frame rules for recognition of hostels and withdrawal of recognition.

4. Every student of a college or University not residing with his/ her parents or guardians may reside during the teaching sessions -
  - (a) in a hostel of his/ her college in the case of a college student; or
  - (b) in a University hostel in the case of a University student; or
  - (c) in a hostel of any other college; or
  - (d) in a private hostel, or in a lodge/residence approved by the University or by the Principal of the college, as the case may be.
5. For the purpose of residence the term “guardian” shall mean the legal guardian, or a near relative of responsible age and position, or a person declared in writing by the parent to be the student’s guardian, or, in the absence of any of these, a person approved as guardian, by the Principal.
6. In a special case, Director/ Principal of the college may exempt a student from the operation of this ordinance or the regulation framed therein.
7. A student of a post-graduate course may be permitted by the Director/ Principal to select his/ her own place of residence subject to such rules and conditions as may be prescribed by Director/ Principal of the college in this behalf.
8. Every college shall provide residential accommodation for such percentage of its students as the Academic Council may, from time to time, determine.
9. Every college shall make suitable arrangements for the supervision of its students not staying with their parents or guardians or in the College/ University hostel.
10. Every college shall maintain an up-to-date register of the residences of its students.
11. Within one month of the last date of admissions every college shall send to the Registrar, for information of the Committee, a general statement of the residence of its students under different heads.
12. Every college shall make arrangements to look after the health of the students. Every college shall provide medical assistance to the students as and when required.
13. At least once in each academic year, arrangement for conducting medical examination of all students of the college should be made.

A record about the result of the examination of each student should be kept and necessary advice and medical assistance should be given to the students; and
14. Every student on the rolls of a college shall pay an annual medical fee of such amount as may, from time to time, be fixed by the Committee. This fee shall be utilised only for the purpose of medical examination and medical assistance to students.
15. The University shall appoint a whole-time Officer-in-charge of Physical Welfare of men and women students, separately. The affiliated colleges shall also appoint suitable qualified person for the physical welfare of men and women students
16. The duties of the Officer-in-charge of physical welfare shall be as follows:

- (a) to conduct the University tournaments;
  - (b) to act as the Secretary to the University Sports Committee;
  - (c) to assist the colleges in working out the schemes of physical training;
  - (d) to organise the University Athletics Association and the University games, clubs and to exercise administrative control over them;
  - (e) to advise students regarding their physical development;
  - (f) to deliver lectures at the educational centres, according to the programme approved by the committee, on physical education;
  - (g) to be in charge of gymnasium, playgrounds and physical education equipment of the University; and
  - (h) such other duties as may be prescribed by the committee or the Sports Committee,
- 17.** Every student on the rolls of an affiliated College/ Institution, University maintained college/ institution shall pay a sports fee prescribed by the Academic Council of the University from time to time.

## **REFERENCES OF AMENDMENTS/INSERTIONS/SUBSTITUTIONS**

1. Amended/added vide Haryana Act No.7 of 2009
2. Amended by EC in 45<sup>th</sup> meeting held on 27.06.2022 vide Agenda Item No.45.23.

**UNIVERSITY EMPLOYEES  
(CONDUT) REGULATIONS**

*(Approved by the Executive Council in  
its 3<sup>rd</sup> meeting held on 12.01.2009  
vide agenda item No. 11)*

# **UNIVERSITY EMPLOYEES (CONDUCT) REGULATIONS**

**(Regulations under Sub Clause (b) of Section-32(1) of the Haryana Act No.26 of 2008)**

The Haryana Civil Services (Conduct) Rules, 2016 approved by the Haryana Government for its employees vide General Administration Department Notification No. 2/12/2016-2GS-I dated 19.07.2016 have been adopted with amendments from time to time by Pt. B.D. Sharma University of Health Sciences, Rohtak for its Employees vide Agenda Item No.45 approved by the Executive Council in its 35<sup>th</sup> meeting held on 30.12.2019 and further made Regulations under Sub Clause (b) of Section-32(1) of the Haryana Act No.26 of 2008.

## **1. Short title and commencement.—**

- (1) These regulations may be called the University Employees (Conduct) Regulations.
- (2) These regulations shall be deemed to have come into force with effect from 30.12.2019.

## **2. Extent of application.—**

These regulations shall apply to all University employees appointed to any post (Teaching and non-Teaching) in connection with the affairs of the University including—

- (i) employees working on contract basis;
- (ii) employees working on ad-hoc basis;
- (iii) work-charged employees;
- (iv) daily wages employees;
- (v) any other category of University employee to whom the competent authority may by general or special order, direct that these regulations shall apply to them.

Provided that nothing in these regulations shall apply to employees in the service of a State Government or Central Government or a local or other authority or any other autonomous body whose services are temporarily placed at the disposal of the University, who will be governed by the corresponding rules/**regulations** in the parent department.

*Note: If any doubt arises as to whether these regulations apply to any person or not, the decision shall lie **with the Vice-Chancellor and the Executive Council as the case may be.***

### **3. Definitions.—**

In these regulations, unless the context otherwise requires,—

- (a) **"Government"** means the Government of the State of Haryana;
- (b) **"University"** means the Pt. B.D. Sharma University of Health Sciences, Rohtak;
- (c) **"University Employee"** means any person appointed to any civil service or post (Teaching or Non-Teaching) in connection with the affairs of the University.
- (d) **"members of family"** in relation to a **University** employee includes—
  - (i) the wife or the husband, as the case may be, of the **University** employee, whether residing with the **University** employee or not but does not include a wife or husband, as the case may be, separated from the **University** employee, by a decree or order of a competent court;
  - (ii) son or daughter or step son or step-daughter of the **University** employee and wholly dependent on him, but does not include a child or step-child who is no longer in any way dependent on **University** employee or of whose custody the **University** employee has been deprived by or under any law;
  - (iii) any other person related, whether by blood or marriage, to the **University** employee or to the **University** employee's wife or husband and wholly dependent on the **University** employee;
- (e) **"prescribed authority"** means **the Executive Council and the Vice-Chancellor or the authority prescribed by the Executive Council for the**

purpose of these regulations.

**Note:** The terms not defined in these regulations but defined in General Rules/ Regulations governing the University Employees shall have the same meaning for the purpose of these regulations.

**4. General.—**

(1) Every **University** employee shall at all times—

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty;
- (iii) do nothing which is unbecoming of a **University** employee; and
- (iv) act in accordance with the **University's** policies.

***Explanation.**— A **University** employee who habitually fails to perform a 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) above.*

(2) (i) Every **University** employee holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all **University** employees under his control and authority.

***Note.**— This sub **regulation** shall be invoked only in cases where there has been a failure on the part of supervisory officer concerned to take all possible steps to ensure the integrity and devotion to duty of all **University** employees under his control and authority.*

(ii) Every **University** employee shall in the discharge of his official duties act in a courteous manner and shall not adopt dilatory tactics in his dealings with the public or otherwise.

(3) (i) No **University** 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.

(ii) The direction of the official superior shall, ordinarily, be in writing. Oral direction to subordinate shall be avoided, as far as possible.



When the issue of oral direction becomes unavoidable, the official shall confirm it in writing immediately thereafter.

- (iii) A **University** 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.

***Explanation** — Nothing in sub-clause (i) above shall be construed as empowering a **University** 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 scheme of distribution of powers and responsibilities.*

#### **5. Act and conduct which amount to misconduct.—**

The following acts and omissions amount to misconduct:-

- (i) wilful insubordination or disobedience, whether alone or jointly with others, to any lawful and reasonable order of a superior;
- (ii) infidelity, unfaithfulness, dishonesty, untrustworthiness, theft and fraud, or dishonesty in connection with the activities of the **University** or handling of its property;
- (iii) strike, picketing, gherao, striking work or inciting others to strike work in contravention of the provisions of any law or rule/**regulation** having the force of law;
- (iv) gross moral misconduct, acts subversive of discipline, riotous or disorderly behaviour during or after the office hours at any place;
- (v) riotous and disorderly behaviour during and after the working hours or in work place;
- (vi) negligence or neglect of work or duty amounting to misconduct;
- (vii) habitual negligence or neglect of work or duty;
- (viii) habitual absence without permission and over-staying leave;
- (ix) conviction by a criminal court.

The act or conduct of an employee may amount to misconduct—

- (i) if the act or conduct is prejudicial or likely to be prejudicial to the interests of the employer/department or to the reputation of the employer/ department;
- (ii) if the act or conduct is inconsistent or incompatible with the due or peaceful discharge of his duty to his employer/department;
- (iii) if the act or conduct of a employee makes it unsafe for the employer to retain him in service;
- (iv) if the act or conduct of the employee is so grossly immoral that all reasonable men say that the employee cannot be trusted;
- (v) if the act or conduct of the employee is such that the employer/department cannot rely on the faithfulness of his employee;
- (vi) if the act or conduct of the employee is such as to open before him temptations for not discharging his duties properly;
- (vii) if the employee is abusive or if he disturbs the peace at the place of his employment;
- (viii) if he is insulting and insubordinate to such a degree as to be incompatible with the continuance of the relation of employer/department and employee;
- (ix) if the employee is habitually negligent in respect of the duties for which he is engaged;
- (x) if the neglect of the employee though isolated, tends to cause serious consequences.

**6. Prohibition of sexual harassment of women.—**

- (1) No **University** employee shall indulge in any act of sexual harassment of any woman at her work place.
- (2) Every **University** employee who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such

work place.

**Explanation.**— For the purposes of this **regulation**, “sexual harassment” includes such unwelcome sexually determined behaviour, whether directly or otherwise, as—

- (a) physical contact and advances;
- (b) demand or request for sexual favours;
- (c) making any sexually coloured remarks;
- (d) showing any pornographic material; and
- (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

**7. Employment of near relatives of University employees.—**

- (1) No **University** employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm.
- (2) No **University** employee shall, except with the prior sanction of the **University**, permit his family member to accept employment in any company or firm with which he has official dealings.

Provided that where the acceptance of the employment may not await prior sanction, the position shall be explained to the prescribed authority with the request of ex-post-facto approval.

**8. Sanction of contract by University employee to near relatives.—**

No **University** employee shall, in the discharge of his official duties, deal with any matter or give or sanction any contract to any undertaking or any other person, if any member of his family is employed in that undertaking or under that person, or if he or any member of his family is interested in such matter or contract in any other manner. The **University** employee shall refer every such matter or contract to his official superior and the matter or contract shall thereafter be disposed off according to the instructions of the authority to whom the reference is made.

**9. Taking part in politics and elections.—**

- (1) No **University** employees shall be a member of, or be otherwise associated with, any political party or any organization, which takes part in politics, nor shall take part in, or subscribe in aid of, or assist in any other manner, any political movement or activity.
- (2) It shall be the duty of every **University** employee to endeavour to prevent any member of his family from taking part in or subscribing in aid of or assisting in any other manner, any movement of, activity which is, or tends directly or indirectly to be subversive of the **University** as by law established, and where a **University** employee is unable to prevent member of his family from taking part in or subscribing in aid of, or assisting in any other manner, any such movement of activity, he shall make a report to that effect to the **University**.
- (3) If any question arises whether a party is a political party or whether any organization takes part in politics or whether any movement or activity fall within the scope of sub-regulation (2), the decision of the **University** thereon shall be final.
- (4) No **University** 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.
- (5) **No University employee shall seek election to Parliament, State Legislature or a Local Body such as Municipal Corporation/Committee, Zila Parishad, Gram Panchayat, except with the previous permission of the Executive Council on the recommendation of the Vice-Chancellor. Further, no employee will be allowed to contest election for any Society or any other such associations.**

Provided that a **University** employee—

- (a) 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;
- (b) shall not be deemed to have contravened the provisions of this sub-regulation by reason only that he has assisted 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 by a **University** 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-regulation.*

**10. Joining of associations.—**

- (1) No **University** employee shall join or continue to be a member of an association, the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality.
- (2) No **University** employee shall be a member/ office bearer of more than one such association at State level and at National level, the aims or objectives of which relate to promotion of sports. However, the employee of the sports department may become member/ office bearer of only one association at State level and one at National level that too in the area of his own specialty/discipline.

**11. Demonstration and strikes.—**

No **University** employee shall—

- (i) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign State, 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 in connections with any matter pertaining to his service or any other **University** employee.

**12. Connection with print or electronic media.—**

- (1) No **University** employee shall, except with the previous sanction of the **University**, on wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or

electronic media.

(2) No **University** employee shall except with the previous sanction of the **University** or the prescribed authority or except in the bona-fide discharge of his duties—

(a) publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles; or

(b) participate in a public media or contribute an article or write a letter to a newspaper or periodical; either in his own name or anonymously or pseudonymously or in the name of any other person:

Provided that no such sanction shall be required—

(i) if such publication is through a publisher and is of a purely literary, artistic or scientific character; or

(ii) if such contribution, broadcast or writing is of a purely literary, artistic or scientific character:

Provided further that the **University** may withdraw at any time, the sanction so granted to a **University** employee, after affording reasonable opportunity of being heard, if, there are reasons to believe that the sanction is being misutilised.

### 13. **Criticism of Government and University.—**

No **University** employee shall, in any radio broadcast or communication over any electronic media or in any document published in his own name or anonymously or 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—

(i) which has the effect of any adverse criticism of any current or recent policy or action of the Government of India, Government of Haryana or any other State Government or the **University**;

(ii) which is capable of embarrassing the relations between the Government

of Haryana and the Government of India or the Government of any other State in India **or the University**; or

- (iii) which is capable of embarrassing the relations between the Government of India or the Government of Haryana and the Government of any foreign State **or the University**:

Provided that nothing in this regulation shall apply to any statements made or views expressed by a **University** employee in his official capacity or in the due performance of the duties assigned to him.

**14. Evidence before committee or any other authority.—**

- (1) Save as provided in sub-**regulation** (3), no **University** employee shall except with the previous sanction of the **University**, give evidence in connection with any enquiry conducted by any person, committee or authority.
- (2) Where any sanction has been accorded under sub-**regulation** (1), no **University** employee giving such evidence shall criticize the policy or any action of the Government of India, Government of Haryana or any other State Government **or the University**.
- (3) Nothing in this **regulation** shall apply to evidence given—
  - (a) at enquiry before an authority appointed by the **University**, Government, Parliament or a State Legislature; or
  - (b) in any judicial enquiry; or
  - (c) at any departmental enquiry ordered by authorities subordinate to the **University**.
- (4) No **University** employee giving any evidence referred to in sub **regulation** (3) shall give publicity to such evidence.

**15. Communication of official information.—**

Every **University** employee shall, in performance of his duties in good faith, communicate to a member of public or any organisation full and accurate information, which is to be disclosed under the Right to

Information Act, 2005 (22 of 2005):

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

**16. Subscriptions.—**

No **University** employee shall, except with the previous sanction of the **University** 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.

**17. Gifts.—**

(1) Save as otherwise provided in these regulations, no **University** employee shall accept or permit any member of his family or any other person acting on his behalf to accept any gift.

***Explanation.—** The expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage provided by a person other than a near relatives and friends having no official dealings with the **University** employee.*

***Note 1.—** A casual meal or other social hospitality shall not be deemed to be a gift.*

***Note 2.—** A **University** employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, Organizations, etc.*

(2) On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious and social practice, a **University** employee may accept gifts from his near relatives or from his personal friends having no official dealings with him, but shall make a report to the **University**, if the value of such gift exceeds—



1. Rs. 7,000/- in the case of a **University** employee holding any Group 'A' post;
  2. Rs. 4,000/- in the case of a **University** employee holding any Group 'B' post;
  3. Rs. 2,000/- in the case of a **University** employee holding any Group 'C' post; and
  4. Rs. 1,000/- in the case of a **University** employee holding any Group 'D' post.
- (3) In any other case, a **University** employee shall not accept any gift without the sanction of the **University**, if the value exceeds—
1. Rs. 1,500/- in the case of a **University** employee holding any Group 'A' & 'B' post;
  2. Rs. 500/- in the case of a **University** employee holding any Group 'C' & 'D' post;
- (4) Notwithstanding anything contained in sub-regulations (2) and (3), a **University** employee, being a member of the Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries, if the market value of gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the **University** in this regard from time to time.

#### **18. Prohibition of dowry.—**

- (1) No **University** employee shall—
- (i) give or take or abet the giving or taking of dowry; or
  - (ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

**Explanation.—** For the purposes of this **regulation**, “dowry” has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961), as amended in its application to the State of Haryana.

- (2) Every **University** employee after his marriage shall furnish a declaration to his Head of Department that he has not taken any dowry. The

declaration shall be signed by his wife, father and father-in-law.

**19. Public demonstration in honour of University employees.—**

- (1) No **University** employee shall, except with the previous sanction of the **University**, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour; or in the honour of any other **University** employee:

Provided that nothing in this **regulation** shall apply to—

- (a) a farewell entertainment of a substantially private and informal character held in honour of a **University** employee or any other **University** employee on the occasion of his retirement or transfer or of any person who has recently quitted the service of any **University**; or
- (b) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions.
- (2) No **University** employee shall exercise pressure or influence of any sort on any **University** employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character.

**20. Private trade or employment.—**

- (1) Subject to the provisions of sub- **regulation** (2), no **University** employee shall, except with the previous sanction of the **University** –
- (a) engage directly or indirectly in any trade or business, or
- (b) negotiate for, undertake, any other employment, or
- (c) hold an elective office, canvass for a candidate 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, except in the discharge of his official duties, in the

registration, promotion or a management of any bank or other company registered under the Companies Act, 2013 (18 of 2013) or any other law for the time being in force, or of any Co-operative Society for Commercial purposes or

- (f) participate in, or associate himself in any manner, in making of—
  - (i) a sponsored media (including radio, televisions) programme, or
  - (ii) a media programme commissioned **by the University or** Government media but produced by an outside agency or;
  - (iii) a privately produced radio or televisions or other media programme including a video magazine:

Provided that no previous permission shall be necessary in case a **University** employee participates in a programme produced by the doordarshan or a subject dealt with by him in his official capacity.

- (g) involve or engage himself in the registration, promotion, management of other kinds of activities of any non-Government organisation (NGO) if the same is aided by the Central Government, State Government or an international organization or agency.

(2) A **University** employee may, without the previous sanction of the **University** —

- (a) undertake honorary work of a social or charitable nature; or
- (b) undertake occasional work of literary, artistic or scientific character; or
- (c) participate in sports activities as amateur; or
- (d) take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society, or of a club, or similar organisation, the aims or objectives of which relate to promotion of sports, cultural, or

recreation activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force; or

- (e) take part in the registration, promotional or management (not involving the holding of elective office) of a Co-operative Society substantially for the benefit of **University** employee, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force in any State:

Provided that—

- (i) he shall discontinue taking part in such activities if so directed by the **University**; and
- (ii) in a case falling under clause (d), or clause (e) of this sub-regulation, 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** giving details of the nature of his participation.

***Explanation I.**— A “Co-operative Society” means a society registered, or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law relating to Co-operative Societies for the being in force in any State.*

***Explanation II.**— Canvassing for a candidate for an elective office referred to in the second proviso shall be deemed to be breach of this sub-regulation.*

- (3) Every **University** employee shall, if any member of his family is engaged in a trade or business, or owns or manages an insurance agency or commission agency, report that fact to the **University**.
- (4) No **University** employee shall accept any fee for any work done for any public body or for any private person without the sanction of the prescribed authority.

**Explanation: The term 'Fee' has been defined in General Rules/Regulations governing the university employees.**

**21. University accommodation.—**

- (1) The **University** accommodation allotted to a **University** employee shall not be sublet or leased out or used otherwise.
- (2) A **University** employee shall, after the cancellation of his allotment of **University** accommodation vacate the same within the time limit prescribed by the competent authority.

**22. Investment, lending and borrowing.—**

**(A) Transactions in sale and purchase of shares and debentures etc.—**

- (1) On investment in stock, share, debenture, etc. an intimation shall be sent to the prescribed authority in the form as given below:-
  - (i) Group 'A' and 'B' employees – If the total transaction in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 50,000/- during the financial year; and
  - (ii) Group 'C' and 'D' employees – If the total transactions in shares, securities, debentures or mutual funds scheme etc. exceeds Rs. 25,000/- during the financial year.

If an individual transaction exceeds the amount prescribed in sub **regulation** (3) of **regulation** 24 the intimation to the prescribed authority shall still be necessary. The intimation prescribed in sub **regulation** (1) shall be in addition to this, where cumulative transaction(s) i.e. sale, purchase or both in shares, securities, debentures or mutual funds etc. in a year exceed the limits indicated in sub **regulation** (1).

***Form for giving intimation for transactions in shares,***

**securities, debentures and investment in mutual fund schemes, etc.**

1.	<i>Name and designation</i>	
2.	<i>Scale of pay and present pay</i>	
3.	<i>Details of each transaction made in shares, securities, debentures, mutual funds scheme, etc., during the financial year.</i>	
4.	<i>Particulars of the party, firm with whom transaction is made—</i>	
	<i>(a) Is party related to the applicant?</i>	
	<i>(b) Did the applicant have any dealings with the party in his official capacity at any time or is the applicant likely to have any dealings with him in the near future?</i>	
5.	<i>Source or sources from which financed—</i>	
	<i>(a) Personal savings</i>	
	<i>(b) Other sources giving details</i>	
6.	<i>Any other relevant fact which applicant may like to mention.</i>	

**DECLARATION**

*I hereby declare that the particulars given above are true.*

*Station: \_\_\_\_\_ Signature: \_\_\_\_\_*

*Date: \_\_\_\_\_ Designation: \_\_\_\_\_*

- (2) No **University** employee shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties. For this purpose any purchases of shares from out of the quotas reserved for Directors or their friends and associate shall be deemed to be an investment which is likely to embarrass the **University** employee.

(3) If any question arises whether any transaction is of the nature referred to in sub- **regulation** (1) or sub- **regulation** (2), the decision of the **University** thereon shall be final.

**(B) Lending and borrowing.—**

(1) No **University** employee shall save in the ordinary course of business with a bank or a firm of standing duly authorized to conduct banking business, either himself or through any member of his family or any other person acting on his behalf:-

(a) lend or borrow money as principal or agent, to or from any person within the local limits of his authority or with whom he is likely to have official dealings, or otherwise place himself under any pecuniary obligation to such person, or

(b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid:

Provided that a **University** employee may, give to, or accept from, a relative or a personal friend purely temporary one of a small amount free of interest or operate a credit account with a bonafide trade man or make an advance of pay to his private employee but such amount shall not exceed twelve months basic pay for the construction of house or purchase of built up house and six months basic pay for the purchase of conveyance and other purposes.

Provided further that a **University** employee may, with the previous sanction of the **University**, enter into any transaction referred to in sub- clause (a) or sub-clause (b).

(2) When a **University** employee is appointed or transferred to a post of such nature as shall involve him in the breach of any of the provisions of sub-**regulation** (A)(2) or sub-**regulation** (B)(1), he shall forthwith report the circumstances to the prescribed authority and shall there after act in accordance with such order as may be made by such authority.

**23. Insolvency and habitual indebtedness.—**

- (1) A **University** employee shall so manage his private affairs as to avoid habitual indebtedness, or insolvency.
- (2) A **University** employee against whom any legal proceedings are instituted for recovery of any debt due from him or for adjudging him as an insolvent shall immediately report the full facts of the legal proceeding to the **University**.
- (3) The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the **University** employee may not have foreseen, or over which he had no control, and had not proceeded from extravagant or dissipated habits, shall be upon him.

**24. Movable, immovable and valuable property.—**

- (1) Every **University** employee shall submit—
  - (i) declaration of property on his first appointment to any service or post;
  - (ii) annual property return as on 31st March of every financial year; and
  - (iii) property return as and when he is directed by the prescribed authority, showing particulars in detail, in the prescribed Forms appended to these **regulations** at Annexure A and B, regarding
    - (a) immovable property inherited, owned, acquired or held on lease or mortgage, by him or his spouse or any member of his family, either in their own name or in the name of any other person; and
    - (b) movable property.

**Explanation.—** For the purpose of this **regulation** the expression “movable property” includes—

- (i) cash, bank balance, deposits, loans and advances;
- (ii) investments in shares, securities, debentures, bonds etc.;
- (iii) jewellery and insurance policies;



- (iv) vehicles, any other means of conveyance;
- (v) any electric, electronic goods or household items such as refrigerators, air conditioner, LCD, LED, computers, washing machines, furniture etc.;
- (vi) debts and other liabilities incurred directly or indirectly by him or his spouse or any other member of his family; and
- (vii) any other movable property owned, acquired or inherited by him or his spouse or any other member of his family.

**Note 1.**— *The moveable/immoveable properties either acquired by the members of the family of the employee from their own funds or inherited by them shall not attract the provisions of this **regulation**.*

**Note 2.**— *In all returns the value of items of movable property costing less than Rs. 50,000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery, books, etc., shall not be included in such return.*

- (2) No **University** employee or any dependent member of his family shall except with the previous knowledge of the prescribed authority, 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 dependent member of his family:

Provided that the previous sanction of the prescribed authority shall be obtained by the **University** employee if any such transaction is—

- (i) with a person having official dealings with the **University** employee; or
  - (ii) otherwise than through a registered dealer.
- (3) Where a **University** employee enters into a transaction in respect of movable property either in his own name or in the name of the member of his family, he shall, within one month from the date of such transaction, report the same to the prescribed authority, if the value of such property exceeds two months' basic pay of the **University**

employee:

Provided that the previous sanction of the prescribed authority shall be obtained if any such transaction is—

- (i) with a person having official dealings with the **University** employee; or
  - (ii) otherwise than through a registered dealer.
- (4) The **University** or the prescribed authority may at any time, by general or special order, require a **University** employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him 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** or by the prescribed authority, include the details of the means by which, or the source from which, such property was acquired.

**25. Vindication of acts and character of University employees.—**

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

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

- (2) Nothing in this **regulation** shall be deemed to prohibit a **University** 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 **University** employee shall submit a report to the prescribed authority regarding such action.

**26. Canvassing of non-official or other influence.—**

- (1) No **University** employee shall bring or attempt to bring any

political or other influence to bear upon any superior authority to further his interests in respect of a matter pertaining to his service under the **University**.

- (2) **No University employee shall approach any member of Court/ Executive Council/ Academic Council/ Finance Committee/ Selection Committee/ Establishment Committee with a view:-**
- (i) **to have a question put or resolution or motion moved on a matter connected which his/her condition of service or any disciplinary action against him/her; or**
  - (ii) **to further any object which is capable of embarrassing the University; or**
  - (iii) **to seek favour in the selections during the interviews.**
- (3) **Direct communication to or a personal interview with a higher authority and/or members of the Court/ Executive Council/ Academic Council/ Finance Committee/ Selection Committee/ Establishment Committee without permission of the Vice-Chancellor shall be treated as contravention of the discipline of the University.**

**27. Restriction regarding bigamous marriage.—**

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

Provided that the **University** may permit a **University** employee to enter into, or contract, any such marriage as is referred to in sub- **regulation** (1) or sub- **regulation** (2), if it is satisfied that—

- (a) such marriage is permissible under the personal law applicable to such **University** employee and the other party to the marriage; and
  - (b) there are other grounds for so doing.
- (3) A **University** employee who has married or marries a person other than of Indian nationality shall forthwith intimate the **University**.

- (4) Every **University** employee shall in his personal capacity observe strictly, the existing policies regarding age of marriage.

**28. Consumption of intoxicating drinks and drugs.—**

A **University** employee shall—

- (a) strictly abide by any law, relating to intoxicating drink 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;
- (c) not consume any intoxicating drinks, drugs or smoking in public place;
- (d) not appear in a public place in a state of intoxication;
- (e) not be present on duty in a state of intoxication; and
- (f) not use any intoxicating drinks or drugs to excess.

***Explanation.**— For the purposes of this **regulation**, “public place” means any place or premises (including conveyance) to which the public have or are permitted to have, access whether on payment or otherwise.*

**29. Prohibition of child labour.—**

No **University** employee shall employ any child below the age of 14 years as domestic help.

**30. Power to interpret, amend and relax.—**

- (1) **Any question relating to the interpretation of these regulations shall be decided by the Vice-Chancellor.**
- (2) The power to amend and relax these **regulations** shall vest in the **Executive Council**.

**31. Delegation of power.—**

The **Executive Council** may, by general or special order, direct that any power exercisable by it or **Vice-Chancellor** under these **regulations** (except the powers under **regulation** 30) 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.

**32. Repeal and saving.—**

- (1) Any regulations corresponding to these regulations in force immediately before the commencement of these regulations and applicable to the employees to whom these regulations apply are hereby repealed:
- (2) Anything done or any action taken under the regulations so repealed shall be deemed to have been done or taken under the corresponding provisions of these regulations.

\*\*\*\*\*

**ANNEXURE-A**

(See *regulation 24*)

For the period from.....to.....

**DECLARATION FORM FOR MOVABLE PROPERTY HELD BY UNIVERSITY EMPLOYEE AND HIS/HER  
FAMILY MEMBERS UNDER REGULATION 24 OF THE UNIVERSITY EMPLOYEES (CONDUCT)  
REGULATIONS.**

Name & Designation of the **University** employee : .....

Address .....

Statement made on.....

- (1) Cash, jewellery, deposits, insurance policies, share, securities and debentures;
- (2) Loans and advances by such University employee whether secured or not;
- (3) Motor-cars, motor-cycle, horses, or any other means of conveyance; and
- (4) Refrigerators, radiograms and other electronic goods.

**Description: (a)**

- (i) Cash, jewellery, deposits, insurance policies, share, securities and debentures;
- (ii) Motor-cars, motor-cycle, horses, or any other means of conveyance; and
- (iii) Refrigerators, radiograms and other electronic goods.

Sr. No.	Description of item	Value	Name of member of the University employee's family and Benamidar (if any in whose name the assets is held)	Date and manner of fresh acquisition during the year	Remark
1	2	3	4	5	6

**Description: (b)**

- (iv) Detail of Loans

Sr. No.	Amount of Loan	If loan is a secured one, nature of the security with appropriate value	Name of member of the University employee's family who has advanced loan	Name with description of the loanee	Date with other particulars of the loan.	Remarks
1	2	3	4	5	6	7

**Note.**— Members of a **University** employee's family are those as mentioned in **regulation 3(c)** of the **University Employees (Conduct) Regulations**.

Dated: \_\_\_\_\_

Signature of the University employee.

**ANNEXURE-B**

(See *regulation 24*)

For the period from.....to.....

**DECLARATION FORM FOR IMMOVABLE PROPERTY HELD BY UNIVERSITY EMPLOYEE  
AND MEMBERS OF HIS FAMILY UNDER REGULATION 24 OF THE UNIVERSITY EMPLOYEES  
(CONDUCT) REGULATIONS.**

Name & Designation of the **University** employee : .....

Address.....

Statement made on.....

- Note:** (i) All interest in land of a permanent nature whether ownership, mortgage or hereditary occupancy, should be entered also dwelling houses in State, District, Village or City.
- (ii) Members of a **University** employee's family are those as mentioned in **regulation 3(c)** of the **University Employees (Conduct) Regulations** and in showing the holding of each, if a holding is Benami, the name of the Benamidar should also be mentioned.

Sr. No.	Type of Property	Name of State, District, Sub-Division & Village or city in which property is located	Plot/Agriculture land	Building
	A. Type of land area/ plot size (Residential/Institutional/ Commercial/Agricultural/ etc.)  B. Building with plot size (Residential/Institutional/ Commercial/Agricultural etc.)		(i) Cost of land (ii) Year of acquisition	(i) constructed area (ii) No. of floors (iii) cost of construction/ building
1	2	3	4	5

Sr. No.	Mode of acquisition (Whether by purchase/ lease/Mortgage/ inheritance/gift etc.)	Details of person/ authority from whom property acquired	Whether held in own name of employee or dependent (name & relation) and name of Benamidar (if any)	Annual Income from each property in A & B category
1	6	7	8	9

Dated: \_\_\_\_\_

Signature of the **University** Employee.

\*\*\*\*\*

## **REFERENCES OF AMENDMENTS/INSERTIONS/SUBSTITUTIONS**

1. Amended by EC in 42<sup>th</sup> meeting held on 21.05.2021 vide Agenda Item No.42.23.



**UNIVERSITY EMPLOYEES  
(PUNISHMENT & APPEAL)  
REGULATIONS**

*(Approved by the Executive Council*

*in its 3<sup>rd</sup> meeting held on 12.01.2009*

*vide Agenda item No. 13)*

# **UNIVERSITY EMPLOYEES (PUNISHMENT & APPEAL)** **REGULATIONS**

**(Regulations under Sub Clause (b) of Section-32(1) of the Haryana Act No.26 of 2008)**

The Haryana Civil Services (Punishment & Appeal) Rules, 2016 approved by the Haryana Government for its employees vide General Administration Department Notification No. 2/12/2016-2GS-I dated 19.07.2016 have been adopted with amendments from time to time by Pt. B.D. Sharma University of Health Sciences, Rohtak for its Employees vide Agenda Item No.45 approved by the Executive Council in its 35<sup>th</sup> meeting held on 30.12.2019 and further made Regulations under Sub Clause (b) of Section-32(1) of the Haryana Act No.26 of 2008.

## **1. Short title and commencement.—**

- (1) These regulations may be called the University Employees (Punishment & Appeal) Regulations.
- (2) These regulations shall be deemed to have come into force with effect from 30.12.2019.

## **2. Application.—**

- (1) These **regulations** shall apply to every **University employee (Teaching and non-Teaching)**, but shall not apply to—
  - (a) any member of the All India Services/Haryana Civil Services;
  - (b) any person in casual employment;
  - (c) any person subject to discharge from service on less than one month's notice;
  - (d) any employee appointed on deputation from Central Government or any other State Government **or other Universities/Autonomous Bodies**.
- (2) Notwithstanding anything contained in sub-regulation(1), these **regulations** shall apply to every **University** employee temporarily transferred to a service or

post coming within clause (d) of sub- **regulation** (1) to whom, but for such transfer, these **regulations** shall apply;

**Note:** *If any doubt arises as to whether these regulations apply to any person or not, the decision shall lie with the Vice-Chancellor and the Executive Council as the case may be.*

### 3. **Definitions.—**

(3) In these **regulations**, unless the context otherwise requires,-

(a) "**Appointing Authority**" means,-

- (i) the authority empowered to make appointments to the service of which the **University** employee is for the time being a member ; or
- (ii) the authority empowered to make appointments to the post which the **University** employee for the time being holds ; or
- (iii) the authority which appointed the **University** employee to such service, pay structure or post, as the case may be; or
- (iv) where the **University** employee having been a permanent member of any other service or having held any other post, has been in continuous employment of the **University**, the authority which appointed him to that service or to that post whichever authority is the highest authority;

(b) "**Punishing Authority**" shall be the appointing authority unless otherwise provided for in these regulations or respective service rules to impose any of the penalties specified in **regulation 4** on a **University** employee.

(c) "**Chancellor**" means the Chancellor of Pt. B.D. Sharma University of Health Sciences, Rohtak;

(d) "**Government**" means the Government of the State of Haryana;

(e) "**Executive Council**" means the Executive Council of the University;

(f) "**University**" means the Pt. B.D. Sharma University of Health Sciences, Rohtak;

- (g) **"University employee"** means any person appointed to any civil service or post (Teaching or Non-Teaching) in connection with the affairs of the **University**;
  - (h) **"Prescribed Authority"** shall be **Vice-Chancellor for Group-A and B University employees and the Registrar for Group-C and D University employees**;
  - (i) **"Services"** means the civil services under the administrative control of the **University** classified as **Group-A, Group-B, Group-C and Group-D**.
  - (j) **"Dismissal"** means removal from service of a **University** employee by way of punishment on account of any grave misconduct on his part or serious criminal charge against him. The dismissal shall be a disqualification for future employment under the **University**;
  - (k) **"Removal"** means removal of a **University** employee from service. It is one of the major punishments awarded under these *regulations*. However, the removed person is not debarred for future employment under the **University**;
  - (l) **"Censure"** means expression of severe displeasure. It is one of the minor penalties imposed under these *regulations*;
  - (m) **"Charged person"** means a **University** employee against whom disciplinary proceedings under these regulations have been instituted;
  - (n) **"Compulsory retirement"** means retirement from service of a **University** employee as a measure of punishment under these *regulations*, irrespective of age or length of service of such employee;
  - (o) **"Termination"** means discharge from service on whatsoever reason by the competent authority but not by way of removal or dismissal from service;
- (4) The words and expressions not defined in these regulations but defined in the **General Rules/Regulations governing the University employees** shall have the

same meaning respectively for the purpose of these *regulations*.

**4. Penalties.—**

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a **University** employee, namely—

**(a) Minor Penalties:-**

- (1) warning with a copy in the personal file;
- (2) censure;
- (3) withholding of promotion for a specified period upto one year;
- (4) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders, to the **University**; and
- (5) withholding of increment(s) without cumulative effect.

**(b) Major Penalties:-**

- (1) withholding of increment(s) with cumulative effect;
- (2) withholding of promotion for a specified period more than one year;
- (3) reduction to a lower stage in the pay band or pay scale for a specified period, with the specific directions as to whether normal increment shall be admissible or not during the currency of the specified period of reduction, and further, whether on the expiry of the period of reduction his pay is to be restored or not.
- (4) reduction to a lower pay structure, post or service for a period of more than one year from which he has been promoted which shall ordinarily be a bar to the promotion of the **University** employee to the pay structure, post or service from which he was reduced, with or without further directions regarding conditions of restoration to the pay structure, post or service from which the **University** employee was reduced and his seniority and pay on such restoration to that pay structure, post or service;
- (5) compulsory retirement;

- (6) removal from service;
- (7) dismissal from service.

**Explanation.**— *The following shall not amount to a penalty within the meaning of these regulations, namely:-*

- (i) *withholding of increments of a **University** employee for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment;*
- (ii) *non-promotion of a **University** employee, whether in a substantive or officiating capacity, after consideration of his case, to a service, pay structure or post for promotion to which he is eligible;*
- (iii) *withdrawal or non-grant of ACP Pay structure on foregoing promotion;*
- (iv) *reversion of a **University** employee officiating in higher pay structure, post or service to a lower pay structure, post or service on the ground that he is considered to be unsuitable for such higher pay structure, post or service on any administrative grounds but not connected with his conduct;*
- (v) *reversion of a **University** employee, promoted or appointed to any service, post or pay structure during or at the end of the period of probation, in accordance with the terms of his appointment or the rules and orders governing such probation;*
- (vi) *retirement on superannuation on attaining the maximum age of retirement;*
- (vii) *termination of the service—*
  - (a) *of a **University** employee appointed on probation, during or at the end of the period of probation in accordance with the terms of appointment or the rules and orders governing such probations; or*
  - (b) *of a temporary **University** employee appointed otherwise than under contract, on the expiration of the period of the appointment, or on the abolition of the post or before the due time in accordance with the terms of appointment; or*

(c) of a **University** employee employed under an agreement in accordance with the terms of such agreement.

**Note 1.**— Punishing authorities shall notify in the **University** reasons for dismissal where such notification is considered desirable in the public interest.

**Note 2.**— In order to guard against the inadvertent re-employment of person dismissed, from the **University** service, the authority passing an order of dismissal shall intimate to the Head of Criminal Investigation Department in the Police Department, Haryana, Deputy Commissioner and the Superintendent of Police of the District of which the person concerned is a permanent resident, the name of such a person and any other particulars required for purposes of identification, unless the dismissal has been notified in the **University** or Haryana Government Gazette. Similarly, if a person happens to be a resident of another State, the aforesaid officers of that State shall be informed accordingly.

**Note 3.**— Deleted.

**Note 4.**— The discharge of a person appointed to hold a temporary appointment, otherwise than in accordance with the provisions of Explanation (vii) (b) to **regulation 4** amounts to removal or dismissal and is, therefore, appealable under these **regulations**.

**Note 5.**— The distinction between censure, the withholding of promotion and non-selection to a selection post, is of considerable importance. Both censure and the withholding of promotion are appealable under these regulations. On the other hand non-selection for a selection post is not appealable.

If a **University** employee because of unsatisfactory record and unfavourable confidential reports, is not selected for a selection post and some other **University** employee junior to him is selected in preference, this does not amount to the withholding of promotion. If any inquiry is held against a **University** employee and an order of censure is passed on him, it is open to him to appeal. If he does not appeal or his appeal is rejected, and if subsequently

*because of the existence of this censure in his record, he is not selected for a selection post, and some other **University** employee junior to him is selected in preference, this also does not amount to the withholding of promotion. If, however, an enquiry is held against a **University** employee, and an order is passed that he shall not be promoted to a selection post for a definite period or until he has obtained good reports, this order shall amount to the infliction of the penalty of withholding promotion. This distinction between non-selection for a selection post and the withholding of a promotion may be summed up as being, that in the former case the **University** employee in question is considered for selection but some other **University** employee is preferred on his merits, while in the latter case the **University** employee in question has been declared before hand, as a disciplinary measure, to be ineligible for selection, irrespective of the merits of the other **University** employees available.*

**Note 6.**–(i) *While reduction of seniority as an independent penalty is not provided for in **regulation 4**, and shall not be imposed as such. The loss of seniority as a result of an order of reduction to a lower post or pay structure, being inherent in the order of reduction shall not be avoided.*

(ii) *The seniority, on re-promotion of a **University** employee reduced to a lower post or pay structure, shall be determined by the date of such re-promotion in accordance with the orders issued by the competent authority. Such **University** employee shall not be re-stored to his original position unless this is specifically laid down at the time of order of punishment is passed, or revised on appeal.*

**Note 7.**– *Unauthorized desertion of post by a public employee in the face of enemy action, or threat of enemy action clearly amounts to grave misconduct and shall, therefore, constitute a good and sufficient reason within the meaning of **regulation 4**, for removal or dismissal in addition to any penalty provided in the Haryana Essential Service (Maintenance) Act, 1974. Forfeiture of past service towards pension shall then follow automatically by virtue of the provisions in **Pension Rules/Regulations governing the University Employees** or forfeiture of*



*University contribution in the account of University employee who are covered under the New Defined Contributory Pension Scheme, 2008.*

**5. Suspension and withholding of emoluments.—**

**(1) The prescribed authority will have the power to institute disciplinary proceedings against a University employee. The prescribed authority may place a University employee under suspension where—**

- (a) a disciplinary proceeding against him is contemplated or is pending, or
- (b) a case against him in respect of any criminal offence is under investigation, inquiry or trial: or
- (c) in the opinion of the authority aforesaid, he has engaged himself in activities prejudicial to the interest of the security of the State/  
**University:**

Provided that where a **University** employee against whom disciplinary proceedings are contemplated is suspended, such suspension shall not be valid, where the disciplinary proceedings are not initiated against him before the expiry of a period of ninety days from the date from which the employee was suspended:

Provided further that the competent authority in the matter may, at any time before the expiry of the said period of ninety days and after considering the special circumstances for not initiating disciplinary proceedings, to be recorded in writing and after seeking the approval of next higher authority allow continuance of the suspension beyond ninety days but not beyond one hundred eighty days without the disciplinary proceedings being initiated;

**Note 1.—** *The order of suspension shall stand revoked, being invalid, unless the punishing authority obtains the approval of next higher authority and informs the University employee under suspension the specific period of extension of suspension before the expiry of period of ninety days or extended period of another ninety days, as the case may be.*

**Note 2.**— *Where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made.*

- (2) A **University** employee shall be deemed to have been placed under suspension by an order of the appointing authority—
- (a) with effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours;
  - (b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

**Explanation.**— *The period of forty-eight hours referred to in clause (b) of this sub-regulation shall be computed from the commencement of imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.*

- (3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a **University** employee under suspension is set aside on appeal or review under these **regulations** and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- (4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a **University** employee is set aside or declared or rendered void in consequence of or by a decision of a court of law, and the punishing authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegation on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the **University** employee shall be deemed to have been placed under suspension by the

appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders:

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the Court has passed an order purely on technical grounds without going into the merits of the case.

- (5) An order of suspension made or deemed to have been made under this **regulation** shall continue to remain in force until it is modified or revoked by the competent authority.
- (6) Where a **University** employee is suspended or is deemed to have been suspended, whether in connection with any disciplinary proceeding or otherwise, and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by it in writing, direct that the **University** employee shall continue to be under suspension until the termination of all or any of such proceedings.
- (7) An order of suspension made or deemed to have been made under this **regulation** may at any time be modified or revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate.
- (8) When a **University** employee is suspected of being concerned in the embezzlement of **University** money, and is placed under suspension, the authority competent to order his dismissal may direct, that unless he furnishes security for the reimbursement of the said money to the satisfaction of his immediate superiors, the payment of any sum due to him by the **University** on the date of his suspension, shall be deferred until such time as the said authority passes final orders on the charges framed against him:

Provided that **University** employee shall be entitled to the payment of a subsistence allowance in respect of the period for which the admissible emoluments, if any, are withheld.

**6. Authority to impose punishment.—**

Subject to the provisions of clause (1) of article 311 of the Constitution of India, the authorities competent to impose any of the penalties specified in **regulation 4** upon the persons to whom these **regulations** apply, shall generally be the appointing authority until and unless specified otherwise in any Rules or Ordinance or Regulations.

**7. Procedure for imposing major penalty.—**

**(A) Inquiry before imposition of major penalty—**

- (1) No order of imposing a major penalty shall be passed against a University employee to whom these **regulations** are applicable unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.
- (2) Whenever the punishing authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a **University** employee, it may itself inquire into, or appoint under this regulation an authority to inquire into the truth thereof:

Provided that where there is a complaint of sexual harassment within the meaning of **regulation 6** of the **University Employees (Conduct) Regulations**, the complaints committee established in each department or officer for inquiring into such complaints shall be deemed to be the inquiry officer appointed by the punishing authority for the purpose of these regulations and the complaints committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassment, the inquiry as far as practicable in accordance with the procedure laid down in these **regulations**.

- (3) Where it is proposed to hold an inquiry against a **University** employee under this **regulation**, the punishing authority shall draw up or cause to be drawn up—
  - (i) the substance of imputation of misconduct or misbehaviour into

- definite and distinct statement of charges;
- (ii) a statement of imputation of misconduct or misbehaviour in support of each statement of charge, which shall contain–
    - (a) a statement of all relative facts including any admission or confession made by the **University** employee;
    - (b) a list of documents by which and a list of witnesses by whom, the statement of charges are proposed to be sustained.
- (4) The punishing authority shall deliver or cause to be delivered to the **University** employee, a copy of the statement of charges, the statement of the imputations of misconduct or misbehaviour and a list of document and witness by which each statement of charge is proposed to be sustained and shall require the **University** employee to submit, within such time as may be specified (not more than 45 days), a written statement of his defence and to state whether he desires to be heard in person.
- (5) In case the competent authority is satisfied with the written statement of defence given by the charged person, it may drop the charge-sheet without resorting to the procedure of conducting enquiry. Similarly, if the competent authority after considering the written statement of defence of the charged person is of the opinion that awarding of minor punishment shall meet the end of justice, then the authority competent may award minor punishment without following the procedure of conducting the enquiry.
- (6) Subject to the provisions of sub-**regulation** (5), on receipt of the written statement of defence, the punishing authority may–
  - (i) itself inquire into such of the statement of charges as are not admitted; or,
  - (ii) if it considers it necessary so to do, appoint under sub-**regulation** (2), an inquiry officer for the purpose; and

- (iii) where all the statement of charges have been admitted by the **University** employee in his written statement of defence, the punishing authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in **regulation 7(C)**;
- (7) If no written statement of defence is submitted by the charged person within the specified period or extended period, if any, allowed by the punishing authority after due consideration, the punishing authority may itself inquire into the statement of charges or may, if it considers it necessary to do so, appoint under sub-**regulation (2)**, inquiry officer for the purpose.
- (8) Where the punishing authority itself inquires into any articles of charge(s) or appoints an inquiry officer for holding an inquiry into such charge(s), it shall by an order appoint a **University** employee or a legal practitioner, to be known as the 'Presenting Officer' to present on its behalf the case in support of the statement of charges.
- (9) The punishing authority shall, where it is not itself the inquiry officer, forward to the inquiry officer–
  - (i) a copy of the articles of charge(s) and the statement of the imputation of misconduct or misbehaviour;
  - (ii) a copy of written statement of defence, if any submitted by the charged person;
  - (iii) a copy of the statement of witnesses, if any, referred to in sub-**regulation (3)**;
  - (iv) evidence proving the delivery of the documents required to be delivered to the charged person under sub-**regulation (4)**;
  - (v) a copy of the order appointing the Presenting Officer.
- (10) The charged person shall appear in person before the inquiry officer on such day and at such time within ten working days from date of receipt

by him of the statement of charges and the statement of the imputations of misconduct or misbehaviour as the inquiry officer may, by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiry officer may allow.

- (11) The inquiry officer appointed to conduct enquiry shall serve maximum two notices to the charged person to appear before him for presenting his case. In case the charged person does not appear after the service of two notices, the inquiry officer shall be competent to proceed ex-parte in the matter. However, after considering the circumstances to be recorded, the inquiry officer may serve third notice also.
- (12) If the charged person refuses or omits to plead, the inquiry officer shall require the Presenting Officer to produce the evidence by which he proposes to prove the statement of charges, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the charged person may for the purpose of preparing his defence—
- (i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-**regulation** (3);
  - (ii) submit a list of witnesses to be examined on his behalf;
  - (iii) apply orally or in writing for the supply of copies of the statements, if any recorded, of witness mentioned in the list referred to in sub-**regulation** (3), in which case the inquiring authority shall furnish to him such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the punishing authority; and
  - (iv) give a notice within ten days of the order or within such further time not exceeding ten days, as the inquiring authority may allow for the discovery or production of any documents which is in the possession of **University**, but not mentioned in the list referred to in sub-**regulation**(3) and the **University** employee shall also

indicate the relevance of the document required by him to be discovered or produced by the **University**.

- (13) The person against whom a charge is being enquired into, shall be allowed to obtain the assistance of a **University** employee or a retired **University** employee if he so desires, in order to produce his defence before the inquiry officer. If the charge or charges are likely to result in the dismissal of the person from the service of the **University**, such person may, with the sanction of the inquiry officer, be represented by counsel:

Provided that if in any enquiry, counsel is engaged on behalf of **University**, the person against whom the charge or charges are being enquired into, shall also be entitled to engage counsel:

Provided further that the assistance of a particular **University** employee shall be allowed only if the inquiry officer is satisfied that he is of such rank as is appropriate in the circumstances of the case and that he may be spared by the department concerned for that purpose.

- (14) If the charged person, who has not admitted any of the statement of charges in his written statement of defence, or has not submitted any written statement of the defence, appears before the inquiry officer, such officer shall ask him whether he is guilty or has any defence to make. If he pleads guilty to any of the articles of charge(s), the Inquiry Officer shall record the plea, sign the record and obtain the signature of the charged person thereon.
- (15) The Inquiry Officer shall give to the charged person a finding of guilt in respect of those statement(s) of charges to which the charged person pleads guilty.
- (16) The persons charged shall, subject to the conditions described in sub-regulation (3) be entitled to cross examine the witness, to give evidence in person and to have such witness called, as he may wish; provided that the officer conducting the enquiry may for reasons to be recorded in



writing, refuse to call any witness. The proceedings shall contain a sufficient record of the evidence and statement of the findings and the grounds thereof:

Provided that it shall not be necessary to frame any additional charge when it is proposed to take action in respect of any statement of allegation made by person charged in the course of his defence:

Provided further that the provisions of the foregoing sub-**regulation** shall not apply where any major penalty is proposed to be imposed upon a person on the ground of conduct which has led to his conviction on a criminal charge; or where an authority empowered to dismiss or remove him, or reduce him in rank is satisfied that, for some reasons to be recorded by him in writing, it is not reasonably practicable to give him an opportunity of showing cause against the action proposed to be taken against him, or wherein the interest of the security of the State **or University** it is considered not expedient to give to that person such an opportunity.

- (17) As per the provisions of the Punjab Departmental Enquiries (Powers) Act, 1955 (Punjab Act 8 of 1955), the officer conducting enquiry under these regulations shall be competent to exercise the same powers for summoning of witnesses and for compelling the production of documents as are exercisable by a commission appointed for an enquiry under the Public Servants (Inquiries) Act, 1850 (Act 37 of 1850);
- (18) If any question arises whether it is reasonably practicable to give to any person an opportunity to defend himself under sub-**regulation** (2), the decision thereon of the punishing authority shall be final.
- (19) Where any person has made a statement on oath, in evidence before any criminal or civil court, in any case, in which charged person was party and had full opportunity to cross-examine such person and where it is intended to prove the same facts as deposed to by such person in such

statement in any inquiry under the **Public Servants (Inquiries) Acts, 1850**, shall not be necessary to call such person to give oral evidence in corroboration of that statement. The certified copy of the statement previously made by him in any such case may be read as part of the evidence:

Provided that the officer conducting the inquiry shall, in interest of justice order the production of witness in person either for further examination or for further cross-examination by persons charged.

- (20) The charged person shall not be allowed, except at discretion of the inquiry officer, to be exercised in the interest of justice to call as a witness in his defence any person whose statement has already been recorded and whom he has had opportunity to cross-examine, or whose previous statement has been admitted in the manner herein provided.

**Note 1.**— *Charges need not necessarily be framed in relation only to specific incidents or acts of misconduct. When reports received against an officer or a preliminary enquiry show that his general behaviour has been such as to be unfitting to his position, or that he has failed to reach or maintain a reasonable standard of efficiency he may be charged accordingly, and a finding of such a charge may be valid ground for the infliction of any authorized punishment, which may be considered suitable in the circumstances of the case. It shall be necessary to communicate the charges of misbehaviour or of inefficiency or of both as the case may be, to the officer/official concerned but statement which is to be communicated to the officer/official in support of the charges need not specify particular acts of misconduct. It shall be sufficient in the statement to give the list of the report on the basis of which misbehaviour or inefficiency is alleged.*

**Note 2.**— *Any person compulsorily retired from service in accordance with the procedure prescribed by this **regulation** shall be granted such compensation, pension gratuity, or Provident Fund benefits as may have been admissible to him had he been discharged from service due to the abolition of his post without*

*any alternative suitable employment being provided, under the rules applicable to his service or post on the date of such retirement.*

**(B) Submission of inquiry report—**

- (1) After the close of the enquiry, the inquiry officer shall prepare his report which inter-alia indicate the following:-
  - (a) statement of charges and the allegations framed against the **University** employees;
  - (b) his explanation, if any;
  - (c) oral and documentary evidence produced in support of the charges;
  - (d) oral and documentary evidence led in defence;
  - (e) findings on the charges.
- (2) The inquiry officer shall give clear findings on each of the charges so that the **University** employee shall know from the findings on what ground he has been found guilty. Each finding shall be supported by evidence and reasons thereof. The findings are in the nature of a report to the competent authority to enable it to pass final orders. Such findings are to assist but do not bind him. He himself alone has to come to a final decision. Moreover, the inquiry officer shall not in any case recommend or propose any penalty.
- (3) The inquiry officer, where it is not itself the punishing authority, shall forward to the punishing authority the records of inquiry which shall include—
  - (a) the report prepared by it under **regulation 7(B)(1)**;
  - (b) the written statement of defence, if any, submitted by the charged person;
  - (c) the oral and documentary evidence produced in the course of the inquiry;

- (d) written briefs, if any, filed by the presenting officer or the charged person or both during the course of the inquiry; and
- (e) the orders, if any, made by the punishing authority and the inquiry officer in regard to the inquiry.

**(C) Action on inquiry report—**

- (1) After the enquiry against a charged person has been completed, the punishing authority shall forward or cause to be forwarded a copy of the enquiry report, and where the punishing authority does not agree with the enquiry report or any part thereof, the reasons for such disagreement shall be communicated alongwith the enquiry report, to the charged person who may submit, if he so desires, a written representation to the punishing authority within a period of one month from the date of such communication.
- (2) The punishing authority shall consider the representation, if any, submitted by the charged person and record its findings before proceeding further in the matter as specified in **regulation 4**.

**8. Procedure for Imposing minor penalties.—**

Without prejudice to the provisions of **regulation 7**, no order for imposing a minor penalty shall be passed on a **University** employee unless he has been given an adequate opportunity of making any representation, that he may desire to make, and such representation has been taken into consideration:

Provided that this condition shall not apply in a case where an order—

- (i) based on facts has led to his conviction in a criminal court; or
- (ii) has been passed superseding him for promotion to a higher post on the grounds of his unfitness for that post on account of the existence of unsatisfactory record:

Provided further that the requirements of this **regulation** may, for sufficient reasons to be recorded in writing, be waived where it is not practicable to observe them and where they can be waived without injustice to the **University** employee concerned.

**9. Right of appeal.—**

Every University employee to whom these **regulations** apply, shall be entitled to appeal against an order imposing upon him any of the penalties, as hereinafter provided, to the appellate authority as mentioned hereunder—

- (a) imposing upon him any of the penalties specified in **regulation 4**;
- (b) discharging him in accordance with the term of his contract, if he has been engaged on a contract for a definite, or for an indefinite periods and has rendered, under either form of contract, continuous service for a period exceeding five years at the time when his services are terminated;
- (c) reducing or withholding the amount of pension admissible under the rules/**regulations** governing pension;
- (d) termination of service;
- (e) an order which denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules/**regulations** or by agreement.
- (f) premature retirement from service in public interest before attaining the age of superannuation.

**Appellate Authorities**

**Vice-Chancellor** – In case where punishment has been awarded by the Registrar or any other subordinate authority.

**Executive Council** – In case where punishment has been awarded by the Vice-Chancellor.

**Chancellor** – Any University employee, who is aggrieved by the decision of the Executive Council in respect of any disciplinary action taken against him, may address a memorial to the Chancellor in such manner as may be prescribed and the decision of the Chancellor shall be final.

**10. Period of limitation of appeal.—**

No appeal preferred under this regulation-9 shall be entertained unless such appeal is preferred within a period of forty-five days from the date on which a copy of the order appealed against is delivered to the appellant:

Provided that the appellate authority may entertain the appeal within next

forty five days, if it satisfied that the appellant had sufficient cause for not preferring the appeal in time.

**11. Order which may be passed by the appellate authority.—**

(1) In the case of appeal against an order under **regulation 9** or any penalty specified in **regulation 4**, the appellate authority shall consider whether the—

- (a) facts on which the order was based have been established;
- (b) facts established afford sufficient ground for taking action; and
- (c) penalty is excessive or adequate and after such consideration, shall pass such order as it thinks proper:

Provided that no penalty shall be increased unless opportunity is given to the person concerned to show cause why such penalty may not be increased.

(2) An authority, against whose order an appeal is preferred, shall give effect to any order passed by the appellate authority.

**12. Second appeal where penalty is increased.—**

In every case in which an appellate authority increases the penalty inflicted by an authority subordinate to it upon a University employee to whom these **regulations** apply, such person shall be entitled to submit a second appeal within sixty days to the authority prescribed in the regulation-9.

**13. Right of revision.—**

After an appeal or the second appeal provided in **regulation 12** has been rejected, a person to whom these **regulations** apply, may apply for revision to such superior authority as may be prescribed in the **regulations** regulating his condition of service:

Provided that the powers of revision shall be exercised only—

- (a) if the appellate authority is one other than **Chancellor**; and
- (b) on the ground of material irregularity in the proceedings of the inquiry officer

or appellate authority, or on the discovery of new and important matter of evidence, which after the exercise of diligence was not within the knowledge of the petitioner, or could not be produced by him when the orders were passed against him or on account of some mistake or error on the face of the record.

**14. Power of superior authority to revise the proceeding of an inferior authority.—**

- (1) The **appellate authority** may call for and examine the records of any case in which a subordinate authority passed any order under **regulation 9** or has inflicted any of the penalties specified in **regulation 4** or in which no order has been passed or penalty inflicted and after making further investigation, if any, may confirm, remit, reduce to any or subject to provisions of sub-**regulation (1)** of **regulation 11**, increase the penalty or subject to provisions of **regulation 7** and **8** inflict any of the penalties specified in **regulation 4**.
- (2) The **University** may, at the time of consideration of memorial, submitted under its general or special instructions published from time to time, by the **University** employee on whom a penalty is imposed, review any order passed by the **University** under these **regulations**:

Provided that the penalty already imposed shall not be enhanced unless an opportunity has been given to the **University** employee who has submitted memorial to show cause why it may not be enhanced.

**15. Prohibition as to collective appeal.—**

Every person preferring an appeal shall do so separately and in his own name.

**16. Common proceedings.—**

- (1) Where two or more **University** employees are concerned in any case, the **Executive Council** or any other authority competent to impose the penalty of dismissal from service on all such **University** employees may make an order directing that disciplinary action against all of them may be taken in a common proceedings.
- (2) If the authorities competent to impose the penalty of dismissal on such **University** employees are different, an order for taking disciplinary action in a

common proceeding shall be made by the highest of such authorities.

- (3) Any order under sub-**regulation** (1) shall specify the authority competent to do so under the relevant service rules, which may function as the punishing authority for the purpose of such common proceedings.

**17. Manner of the presentation of appeal or application for revision.—**

Every appeal or application for revision preferred under these **regulations** shall contain material statements and arguments relied upon by the appellant or applicant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal or application for revision shall be submitted through the Registrar.

**18. Withholding of appeals and applications for revision.—**

**(1) An appeal or application for revision may be withheld, if—**

- (a) it is an appeal or application for revision in a case in which under these **regulations**, no appeal or application for revision lies; or
- (b) it does not comply with the provisions of **regulation** 17; or
- (c) it is an appeal and is not preferred within the prescribed period; or
- (d) it is a repetition of a previous appeal or application for revision and is made to the same appellate or revisionary authority by which such appeal or application for revision has been decided and no new facts or circumstances are adduced which afford ground for a reconsideration of the case:

Provided that in every case in which an appeal or application for revision is withheld, the appellant or applicant shall be informed of the fact and the reasons for it and a copy thereof forwarded to the appellate authority, if any together with a copy of the appeal or application for revision so withheld:

Provided further that an appeal or application for revision withheld on account only of failure to comply with the provisions of **regulation** 17 may be resubmitted at any time within one month of the date on which the appellant or applicant has been informed of the withholding of the



appeal or application and if resubmitted in a form which complies with those provisions, shall not be withheld.

- (2) Any appellant or revisional authority may call for the record of any appeal or application for revision withheld by an authority subordinate to it, which under these **regulations** may be made to it and may pass such order thereon as it considers fit.

**19. Power to interpret, amend and relax.—**

**(3) Any question relating to the interpretation of these regulations shall be decided by the Vice-Chancellor.**

(4) The power to amend and relax these **regulations** shall vest in the **Executive Council**.

**20. Repeal and Saving.—**

- (1) Any regulations corresponding to these regulations in force immediately before the commencement of these regulations and applicable to the employees to whom these regulations apply are hereby repealed:
- (2) Anything done or any action taken under the regulations so repealed shall be deemed to have been done or taken under the corresponding provisions of these regulations.

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## **REFERENCES OF AMENDMENTS/INSERTIONS/SUBSTITUTIONS**

1. Amended by EC in 42<sup>th</sup> meeting held on 21.05.2021 vide Agenda Item No.42.23.

**ORDINANCE ON PREVENTION  
OF SEXUAL HARASSMENT.**

*(Approved by the Executive Council in  
its 3rd meeting held on 12.1.2009 vide  
Agenda Item No.8).*

**ORDINANCE ON PREVENTION OF SEXUAL HARASSMENT.**

<p><b>1.</b></p>	<p><b>Definition</b></p>	<p>“Sexual Harassment” includes such unwelcome sexually determined behaviour (whether directly or by implication) as</p> <ul style="list-style-type: none"> <li>(a) Sexually offensive physical contact or advances;</li> <li>(b) A demand or request for sexual favours.</li> <li>(c) Sexually colored remarks;</li> <li>(d) Showing Pornography; and</li> <li>(e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.</li> </ul>
		<p>Sexual harassment also includes unwelcome:</p> <ul style="list-style-type: none"> <li>• Loaded comments having sexually offensive connotations.</li> <li>• Remarks or jokes having sexually offensive connotations;</li> <li>• Obscene, e-mails or phone calls having sexually offensive connotations</li> <li>• Sexual physical gestures, lewd stares;</li> <li>• Physical contact having sexually offensive connotations and stalking;</li> <li>• Exhibition of pornography;</li> <li>• Making of sounds having sexually offensive connotations;</li> <li>• Playing of music or songs having sexually offensive connotations.</li> <li>• Relating sexually explicit anecdotes;</li> <li>• Threat to take vindictive action for denial of sexual favours;</li> <li>• Singing lewd songs;</li> <li>• Any act or behaviour that is sexual, based on sex or on sexual orientation, towards a person, that has the aim or affect of compromising that person’s right to dignity, equality in employment, and to working conditions that are respectful of that person’s dignity, their moral or physical integrity, their right to receive ordinary services offered to the public in full equality.</li> <li>• The act or behaviour can notably take the form of: pressure (pressions), insults, remarks, jokes based on sex, touching, assault, all sexual exhibitionism, all unwelcome implicit or explicit sexual solicitations, all threats or all sexual blackmail.</li> </ul>

		<ul style="list-style-type: none"> <li>• Any pressure, constraint of sexual nature carried out through words, gestures, threats, promises, writing, drawings, sending of objects, all sexually discriminatory remarks, targeting a person during a hire or while conducting his professional activity.</li> <li>• Any behaviour is unacceptable if <ul style="list-style-type: none"> <li>(a) Such conduct is unwanted, unreasonable and offensive to the recipient</li> <li>(b) A person’s rejection of, or submission to, such conduct on the part of employers or workers (including superiors or colleagues) is used explicitly or implicitly as a basis for a decision which affects that person’s access to vocational training, access to employment, continued employment, promotion, salary or any other employment decisions; and /or</li> <li>(c) Such conduct creates an intimidating, hostile or humiliating work environment for the recipient; and that such conduct may, in certain circumstances, be contrary to the principles of equal treatment within the meaning of Articles 14, 15, 16 and 21 of the Constitution of India.</li> </ul> </li> <li>• Act or conduct creating sexually hostile and intimidating environment.</li> </ul>
2.	<b>Who Can Make a Complaint?</b>	<p>(a) A person who is –</p> <ul style="list-style-type: none"> <li>(i) A student of this University/ affiliated colleges/ institutions;</li> <li>(ii) An employee in this University/ affiliated colleges/ institutions;</li> <li>(iii) A member of the staff of this University or Affiliated colleges/institutions;</li> </ul> <p><b>Subject to the condition that :</b></p> <p>Where a complaint instituted before the Complaints Committee is found to be frivolous or vexatious, the Committee shall, for reasons to be recorded in writing, dismiss the complaint and make an order that the complainant shall pay a fine of minimum Rs.5000/- (five thousand rupees).</p>
3.	<b>The Complaint Committee</b>	<p>There shall be a ‘University Complaint Committee’ and a ‘College/Institute Complaint Committee’.</p> <p>(i) <b><u>University Complaint Committee:</u></b> The University Complaints Committee shall be constituted by the Vice-Chancellor, comprising of 5 members including Chairperson. At least half of the</p>

		<p>members of the Committee shall be women. The Chairperson of the Complaints Committee will be nominated by the Vice-Chancellor and shall be a woman. Committee may have co-opted members in addition to above. Three members shall form the quorum.</p> <p><b>(ii) <u>College/ Institute Complaint Committee:</u></b> The College/ Institute Complaint Committee shall be constituted by the Principal/ Director of the college/ institute, comprising of 3 members including Chairperson. At least two members of the Committee shall be women. The Chairperson of the College/ Institute Complaint Committee shall be nominated by the Director / Principal and shall be a woman. Presence of all members in the meeting shall be essential.</p>
<b>4.</b>	<b>Eligibility for Membership of the Committee</b>	<p><b>(i) <u>University Complaint Committee:</u></b> A person employed as Senior Professor or Professor or in an equivalent grade in the University shall be appointed as Members of the Committee. In appointing members, the Vice-Chancellor may take into account the seniority, ability and background of the member.</p> <p><b>(ii) <u>College/ Institute Complaint Committee:</u></b> A person employed as a teacher or in equivalent grade shall be appointed as members of the Committee, taking into consideration their seniority, ability and background. The Committees as (i) and (ii) above, may co-opt as many members as are necessary to make an informed, reasonable and expeditious decision. Students, Staff, NGO's or other relevant persons can be co-opted as members.</p>
<b>5.</b>	<b>Jurisdiction</b>	<p>All members of staff; teaching or non-teaching and all students whether studying in the Pandit Bhagwat Dayal Sharma University of Health Sciences Campus or in any affiliated college are subject to the jurisdiction of this ordinance.</p> <p>The territorial jurisdiction of the University Complaints Committee shall extend to acts of sexual harassment committed in the Pandit Bhagwat Dayal Sharma University of Health Sciences Campus, while that of Institute Complaint Committee to the Institute campus. The campus shall also include hostels, guesthouses, car parks and other properties owned, maintained or under the control of the University/ institute.</p> <p>In the case of sexual harassment of a third person by a student or staff of this University or of any affiliated college or institution, the</p>

		Complaints Committee may in its discretion provide information regarding the student or staff to facilitate a proper determination of the third person's complaint.
<b>6.</b>	<b>Conducting Enquiry by the Compliant Committee</b>	<ul style="list-style-type: none"> <li>(i) Any person aggrieved shall prefer a complaint before the Complaints Committee at the earliest point of time and in any case within 15 days from the date of occurrence of the alleged incident.</li> <li>(ii) The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravenor and the complaint shall be addressed to the Complaints Committee</li> <li>(iii) If the complainant feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the Vice Chancellor / Director or Principal of the concerned college/ institute and hand over the same in person or in a sealed cover. Upon receipt of such complaint the Vice Chancellor / Director or Principal of the concerned college/ institute shall retain the original complaint with himself and send to the Complaints Committee a gist of the complaint containing all material and relevant details, other than the name of the complainant and other details, which might disclose the identity of the complainant.</li> <li>(iv) The Complaints Committee shall take immediate necessary action to cause an enquiry to be made discreetly or hold an enquiry, if necessary.</li> <li>(v) The Complaints Committee shall after examination of the complaint submit its recommendations to the Vice Chancellor/ Director or Principal of the concerned college/ institute recommending the penalty to be imposed.</li> <li>(vi) Vice Chancellor / Director or Principal of the concerned college/ institute upon receipt of the report from the Complaints Committee shall after giving an opportunity of being heard to the persons complained against, confirm with or without modification the penalty recommended after duly following the prescribed procedure</li> <li>(vii) In cases, pertaining to the officer holding the posts of Asstt. Registrar / Teachers or above, the case shall be submitted to the Executive Council/Governing body of the college, which shall with or without modification confirm the penalty recommended, after duly following the prescribed procedure.</li> </ul>

7.	<b>Disciplinary Action</b>	<p>Where the conduct of an employee amounts to misconduct in employment as defined in the conduct rules, appropriate disciplinary action in accordance with the relevant rules shall be initiated.</p> <p>In the case of an employee of an affiliated institution, the matter will be referred to the management of the institution for appropriate disciplinary action.</p> <p>Where the conduct of a student amount to misconduct, appropriate disciplinary action in accordance with the relevant ordinance on ‘Maintenance of discipline amongst students’ shall be initiated by the competent authority.</p>
8.	<b>Third Party harassment</b>	<p>Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and the persons Incharge shall take all steps necessary and reasonable to assist the affected persons in terms of support and preventive action.</p>
9.	<b>Annual Report</b>	<p>The Complaints Committees shall prepare an Annual Report giving full accounts of its activities during the previous year and forward a copy thereof to the Vice Chancellor who shall in turn put up report to the Executive Council.</p>
10.	<b>Saving</b>	<p>Nothing contained in this code shall prejudice any rights available to the employee or prevent any person from seeking any legal remedy under the National Commission for Woman Act 1990, Protection of Human Rights Commission Act 1993 or under any other law for the time being in force.</p> <p>Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the University shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.</p> <p>In particular, it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassments. The victims of sexual harassments should have the option to seek transfer of the perpetrator or their own transfer.</p>