

## **Apeejay Stya University Service and Conduct Rules 2016**

### **Chapter -I**

#### **A. GENERAL: (DEFINITIONS, SHORT TITLES AND COMMENCEMENT)**

1. These Rules shall be known as "Apeejay Stya University Service and Conduct Rules 2016".
2. These Rules shall be deemed to be effective from 1st August 2016 and shall apply to all employees of the the Apeejay Stya University and any other associated establishment set up by it.
3. In these Rules, unless the context otherwise provides, the word:
  - a) 'University' or 'ASU' shall mean the Apeejay Stya University.
  - b) 'The Governing Body' and the 'Board of Management' shall respectively mean the 'The Governing Body' and the 'Board of Management' of the Apeejay Stya University as provided for in accordance with Haryana Private University Act 2006 and any subsequent amendment made thereto.
  - c) 'Management' shall mean the Chancellor and his/her nominee acting on his/her behalf or any other person(s) authorized in this regard or sponsoring body of the University and its nominee(s) acting on its behalf.
  - d) "Employee" shall means any person which includes teaching and non teaching staff to whom letter of appointment is issued by the University but shall not include such person (s) engaged through a contractor/ outsourcing agency;
    - i. 'Non-teaching staff' shall mean the staff engaged in activities other than teaching.
    - ii. 'Administrative staff' shall mean a person working in administrative capacity
    - iii. 'Superannuated staff' shall mean person appointed on contract or retainership basis after having attained superannuation and settlement of account. Such persons shall not have any substantive right to the post and entitled to any other rights/privileges otherwise admissible to other regular permanent employees except casual/sick and earned leave which shall be prescribed specifically for such category of the staff appointed on contract or  
  
retainership.
  - e) 'Salary' shall mean monthly remuneration.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- f) 'ICC' means Internal Complaints Committee constituted under prevention of sexual harassment of women at work place.
- g) "Appointing Authority" in relation to any post under the University means the Pro - Chancellor, or such other officer to whom the power of appointment may be delegated by the University with or without any condition;
- h) "Competent Authority" means the University or any authority to whom relevant powers have been delegated under these rules;
- i) "Disciplinary Authority"  
for imposing minor penalty in respect of all employees (except the Principal) shall be the Principal of the Institution and in respect of the Principal shall be Vice Chancellor and  
for imposing major penalty in respect of all employees including the Principal shall be the Board of Management of Institution;  
Provided, however, if any member of the Board of Management of the Institution is also a witness then such Member will not participate in decision making process though will continue to be a member of the Disciplinary Authority.
- j) "Enquiry Officer" means an officer appointed by the Disciplinary Authority to enquire into the charges against an employee;
- k) "Institution" means the institutions run by the University;
- l) "Appellate Authority" means the Chancellor, to whom an appeal can be made under the provisions of these rules;
4. The University reserves its right to amend, alter, interpret, vary, repeal, modify, remake, rescind, or add to these rules or any supplementary rules issued in connection with these rules, without prior notice of its intention to do so, and the right to give effect thereto from any date, which it may deem fit:  
Provided that, if any rule or order which affects any employee(s) adversely is to be given retrospective effect, suitable protection shall be given to such employee(s). The decision of the University shall be binding on the employees.
5. Without prejudice to the provisions of the "Haryana Private University Act 2006" and subsequent amendments made there under to the Statutes and Ordinances of the University, the Management shall have the right to amend, delete, alter or add at any time the scale of pay and other conditions of service of any post.

### **Apeejay Stya University, Sohna – Palwal Road, Sohna (Gurgaon) Terms and**

### **Conditions of Service for University Teachers**

## **Chapter – II**

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

### **Appointment, Confirmation, Pay-Scales, Allowances, Removal / Termination, Retirement, Working Days and Work-Load Norms, etc.**

#### **1. University Teachers' Appointment / Selection, and Pay Scales:**

- 1.1 For teaching positions in the University the Vice Chancellor will prepare the detailed requirements from time to time and recommend to the Chancellor for sanctioning the positions and/or filling up of the vacancies available in different Schools/Departments of the University and/or requisitioning of faculty from time to time. The Chancellor after assessing the recommendation in consultation with the sponsoring body may sanction the various teaching positions for filling up through proper procedure. If required the Chancellor may suo motto direct the Vice Chancellor to have and/or to fill any teaching position.
- 1.2 For this purpose, the Chancellor may constitute a Screening Committee if required directly or on the recommendation of the Vice Chancellor.
- 1.3 The teaching staff shall be appointed by a Selection Committee constituted by Chancellor in line with the UGC Regulations.
- 1.4 A Selection Committee when constituted shall be required to interview and recommend suitable applicant(s). The Selection committee may be constituted either on one time basis or for fixed tenure.
- 1.5 The Selection Committee will forward its recommendation to the Chancellor for his/her consideration/approval.
- 1.6 The policies, manner and service of the Teaching staff of the University shall be as laid down in the Rules & Regulations with the prior approval of the Chancellor/Sponsoring Body. The terms and conditions of appointment thereon will be as detailed in the

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

appointment letter and the Rules & Regulations of the university.

- 1.7 The Chancellor may also appoint persons of eminence with outstanding academic and research achievements as Professors of Eminence, Professor Emeritus, Distinguished Professors, Adjunct Professors, Industry professionals as Advisors and fellows etc. in the University as may be provided for. The honorarium perks; terms and conditions for these positions shall be such as considered appropriate by the Chancellor.
- 1.8 In addition to full-time teachers, the Chancellor may also direct the Vice Chancellor to engage persons or professional faculty for a fixed period, part-time, Ad hoc, Visiting, Guest, contractual and/or on assignment basis , etc. All such engagements and their terms and conditions will be decided by the Chancellor of the University from time to time.
- 1.9 University teachers/faculty shall include Professors, Associate Professors, Assistant Professors, and such other persons as may be appointed to impart education or undertake research in the university.
- 1.10 Appointments on various teaching positions wherever relevant and applicable shall be made in the pay-scales as recommended / approved by the University Grants Commission (UGC) from time to time.
- 1.11 Every employee shall, on initial appointment, be on probation for a period of two years which may be extended for a further period of 1 year except for such number of positions on which adhoc/temporary/casual/ part time/contractual appointments as can be made under the circumstances given in these regulations.
- 1.12 The Apeejay Styra University follow the best international practices of the reputed foreign university, wherein besides other good practices the appointments and promotions of the teachers are based on merit alone and seniority only comes into play after merit is

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

considered. The appointments are given on fixed time contract basis at a time. A new contract may be given for subsequent period(s) based on sole discretion of the management. This is to ensure continued academic excellence and high standards of education. All regular employees except for those positions where it is not applicable (e.g. appointed over above vacancies, under qualified, new regular employees etc.), will be granted UGC Pay scales, DA, PF, gratuity and Summer & Winter Vacation, Maternity benefits, etc., as provided for.

- 1.13 All new regular employees except for those positions where Rule 1.10 is not applicable as above will be on provisional appointment and unless otherwise authorized, would be on a consolidated salary up to 3 years.
- 1.14 Every employee shall be required to produce all the certificates as mentioned in the Offer of appointment (Original degree/diploma/certificates along with certificate(s) and necessary documents of experience, if any, with attested photo copies thereof).
- 1.15 An increment to an employee in university cannot be claimed as a matter of right. Grant of increment will be on merit and performance based to encourage the high and optimal level of performance from the employees of the University.
- 1.16 Grant of increment to an employee shall be on the basis of the record of his/her services during the past 12 months or extended period if any from the date when he/she first assumed charge of his/her duties of the post. In case an employee joins during the month on or before 15th, the period of 12 months shall be counted from the 1st of that month; otherwise from the following month.
- 1.17 A member of the teaching staff shall get the full salary for the vacation if he/she has worked for ten months or more preceding the vacation. In case he/she has worked for a shorter period, the salary to be paid shall proportionately be reduced. A teacher shall not

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

be entitled to any vacation pay if he/she has worked for a period less than three months before the vacation. Proportionate summer vacation pay to an ex-employee will be paid after the expiry of the summer vacation on his/her giving a solemn declaration that he/she were not gainfully employed anywhere else during the said period.

1.18 Leave without sanction for a period exceeding 15 days in a year shall not be counted as service for increment and summer vacation pay subject to the discretion of the management.

1.19 An employee shall not automatically acquire any substantive right to the post upon completion of probation period or extended probation period (as the case may be) unless explicitly confirmed in writing by the University after getting approval from the Chancellor or his nominee.

### **2. Termination or Removal from the Service:**

2.1 Services of employees on probation may be terminated without notice during the period of probation or upon completion of period of probation or extended period of probation as the case may be if the work or conduct of the employee during the said period is not in the opinion of appointing authority satisfactory. If the work and conduct of the employee during the period of probation is found to be satisfactory then upon expiry of period of probation or the extended period of probation, as the case may be, confirmed in writing with effect from the date of expiry of said period. Nothing in the said rule shall apply to an employee who has been appointed to fill a temporary vacancy or vacancy for limited period or ad-hoc employees or part time employees or employees appointed for a fixed period.

2.2 Employment in university is subject to being found and remaining medically fit during the period of employment. If at any time during the period of employment an employee is

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

found medically unfit or is on a long ailment he/she may be discharged for the duties. No employee can ever refuse to be medically examined by the doctor appointed by the university. The decision of the Management/ University as to the fitness of such an employee shall be final and conclusive.

2.3 The Chancellor or appointing authority or an authority higher than him/her shall be competent to discharge/terminate the services of an employee also in case of exigencies arising out of abolition, reduction in a class, section, subject, activities/facilities etc. wholly or partially of the University School/Department/Centre/ Section etc. by giving required notice or salary in lieu thereof

2.4 The services of an employee may also be terminated by the Appointing Authority or an Authority higher than him on account of any serious/grave misconduct, insubordination, neglect of duty, repeated under performance as per process and procedure as laid down in the Chapter VIII of this Rules.

### **3. Superannuation**

3.1 A teacher/ employee shall subject to which is stated hereafter be in employment till superannuation at the age of 60 years. However, such continuation shall be subject to good conduct and discipline to the satisfaction of the University/Management. An employee shall stand relieved of his duties on the date of his attaining the age of superannuation.

3.2 At the sole discretion of the management, an employee having superannuated may be given an appointment considering his/her usefulness on consolidated remuneration for a fixed period as may be prescribed subject to prior approval of the Chancellor.

### **4 . Provident Fund:**

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 4.1 A teacher or an eligible employee shall be admitted to PF as may be instituted as per provisions of law.

### **Chapter – III**

#### **Nature of Duties, Placement and Transfer of Service, and Professional Code of Conduct Specific to the Teacher.**

##### **1. Nature of Duties:**

- 1.1 Being a whole-time salaried employee of the university, every teacher shall devote his / her entire official working hours to teaching, research, consultancy, extension work, and conduct / organize Executive / Faculty Development Programmes as approved by the University.
- 1.2 University teachers may, subject to prior permission of the Chancellor, and /or Vice Chancellor undertake such assignments as examination work of other Universities and learned bodies like the Public Service Commissions, or any literary work or publication thereof, deliver radio/ television talks and extension lectures, and / or carry out other external academic work.
- 1.3 It shall be the primary duty of a university teacher to deliver / teach courses assigned for teaching, and actively participate in such other work as course development, revision of curriculum and syllabi, and do the related laboratory / field work, hold tutorials, perform examination and evaluation work, help maintain discipline in the class and on the campus, and look after the general welfare of students in all possible manners.
- 1.4 Apart from delivery of assigned courses of study and doing all other related work, teachers are necessarily expected to actively engage themselves in research, publications, patent



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

development, promotion of academic culture, etc., in the true spirit of the healthy intellectual traditions of a University.

- 1.5 Every teacher shall undertake to participate in such activities and perform such duties in the University as may be required of him/her in accordance with the letter and spirit of the Act, Statutes, Ordinances, and rules as framed and amended from time to time, and as are in force at any given point of time.
- 1.6 They shall be bound by the decisions of the Management/ Chancellor/ Vice Chancellor, Department, Board of Studies, School Board, Academic Council, Board of Management, and Governing Body of the University, and shall act and work under the direction and supervision of their respective Heads of the Departments and Deans of the Faculty / Schools concerned and any other official as may be provided for by the Chancellor/Vice Chancellor.
- 1.7 All University teachers shall be barred, unless specifically permitted by the Chancellor, from engaging themselves, directly or indirectly, in any trade or business whatsoever, any private tuition, consultancy, or any other work to which any payment and/or honorarium is attached. The specific terms and conditions for such cases may be as finalized and as approved by the Management.
- 1.8 All University teachers will proactively be involved and work for developmental activities of the University. Such activities could be Admissions, collaborations, industry associations, brand promotion, Accreditation, Research Publications. This list is only illustrative and not exhaustive and they will carry out such activities as may be assigned from time to time.

## **2. Placement and Transfer of Services:**

- 2.1 Employees' services are liable to be transferred to any of our campuses, / institutions

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

anywhere in India either in existence now or which may coming to existence in future. The services are also liable to be transferred to any territory or area anywhere in India at the sole discretion of the management. The employees' services are also liable to be transferred on deputation or loaned on the present terms and conditions to other organisations/institutions in which the management may have interest. However in case an employee gets any additional benefits not as a service condition for the organization where his services are loaned or placed on deputation the same benefit shall cease automatically when their services are discontinued by that said organization or when their services are returned to the parent organization.

### **3. Professional Code of Conduct:**

- 3.1. Every teacher shall faithfully abide by the Code of Conduct as approved by the University/ Chancellor from time to time and as may be applicable at any given point of time.
- 3.2. All University teachers shall always remain bound by the provisions of the Act, the Statutes, the Ordinances, and the Rules and Regulations of the University as are in vogue from time to time.
- 3.3. No teacher shall act in any manner which shall render him/her guilty, entailing disciplinary proceedings, on account of violation of the code of conduct as given in detail in Chapter VIII.

# APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016

## Chapter – IV

### LEAVE POLICY

#### General Rules

- i.** Leave cannot be claimed as a matter of right. It shall be granted according to the exigencies of service. If so required, the sanctioning authority may refuse or revoke leave whether during the term or vacation.
- ii.** No member of the faculty/staff shall leave station at any time without prior permission of the sanctioning authority.
- iii.** Leave without pay exceeding 15 days in a year shall not be counted as service for calculating any kind of benefits.
- iv.** Any overstay of leave without express approval of sanctioning authority at least one week prior to the termination of the original leave, will be treated as unauthorized. .Unauthorized absence, habitual irregularities, chronic absenteeism without leave will be considered as an act of indiscipline and negligence of duty.
- v.** No faculty/staff on leave must accept any remunerative occupation or undertake professional work except with the permission of the sanctioning authority.
- vi.** The leave year shall be the calendar year, that is, from 1<sup>st</sup> January to 31<sup>st</sup> December. For an employee joining in between the year, his/her leave eligibility shall be calculated on pro-rata basis from the date of joining duties.
- vii.** The leave rules shall apply to all teaching and non-teaching staff as provided in the terms of appointment. All employees willing to proceed on leave shall be required to seek the approval in the prescribed format / leave

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

application form prior to proceeding on such leave. Employees proceeding on emergency leave shall be required to fill the leave application form and seek approval from the competent authority within three days of their resuming duties after which the leave period will be accounted as without pay.

- viii.** Late arrival in the office or early departure from office will result in deduction of half-day leave.
- ix.** The hours of work, off days, festivals, holidays may be changed by the University at any time which will be binding.
- x.** Casual, Sick & Earned leave shall be on earned and availed basis. However, in case of contingency, if it is allowed to be availed in advance, the same shall be adjusted in the year itself or amount recovered.
- xi.** The leave account of each employee will be maintained.
- xii.** Half-day casual leave may be allowed in exceptional cases where an employee remains absent, for a part of the day not exceeding half of the working time.
- xiii.** In case an employee has to go out of station for more than a week, he/she shall mention his/her outstation address in the leave application and should hand over charge of his/her seat in the manner directed by the Management to another member of the staff as nominated by the concerned authorities.
- xiv.** The Vice Chancellor or person authorised by him/her shall be the competent sanctioning authority for each leave if it does not involve payment of salary and the leave period does not exceed a month, otherwise all kinds of leave

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

shall be sanctioned by him with the permission of the Chancellor.

**xv.** On an employee having proceeded on any type of leave sanctioned to him/her the Vice Chancellor may cancel the remaining leave period or reduce the same to any limit on account of exigencies of work.

**xvi.** The Chancellor may also suspend the grant of one or more kind of leaves listed below for specified period.

### **1. Leave Rules for Teaching Staff on Regular Basis**

#### **Casual Leave**

- 1.1 **8** days during a year at the rate of **2/3** day per month of service and is not subject to accumulation. It cannot be carried forward and is non-encashable.
- 1.2 Not more than three days at a time.
- 1.3 It cannot be combined with any other leave. It can, however, be combined with leave without pay if applied and got sanctioned before proceeding on leave. However, such casual leave may be combined with holidays including Sundays. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.
- 1.4 The entire leave period will be treated as leave without pay if an employee proceeds on leave and then applies for extension unless this extension is for reasons which could not be anticipated and which are so strong that leave is absolutely necessary and are acceptable to the Management. In case the extension is applied on medical grounds, the application must be supported by a medical certificate acceptable to the Management.

#### **Sick Leave**

- 1.5 They are entitled to **20** days' sick leave on half pay at the rate of 5/3 days per month's

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

service convertible into 10 days at full pay, in a calendar year for sickness and personal circumstances.

1.6 These are non-encashable leaves and would lapse if not availed within the calendar year and would not be carried forward into the next year.

1.7 In case an employee wishes to avail sick leave for more than three days, Medical Certificate of a Doctor having at least MBBS degree is must.

### **Winter Vacation.**

1.8 They will also be entitled to winter vacation as declared by the University for the Teaching Staff from time to time.

### **Summer Vacation**

1.9 They will be entitled to a maximum of **30** days' or less summer vacation or as observed by the University from time to time( if these occur after completion of six months of service and fall within the contractual period), which may be given in a staggering form as per exigencies of functioning of the University.

1.10 Faculty will not be entitled to any earned leave since they avail vacations.

1.11 A faculty member who has not been granted summer/winter vacation be entitled to earned leave for the unavailed period subject to the exigencies of the service and with the approval of the Chancellor on the recommendation of the Vice Chancellor.

### **Maternity Leave**

1.12 Maternity Leave shall be admissible to all women employees who have put in more than one year's service. The grant of maternity leave shall be as per The Maternity Benefits Act.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

1.13 Application duly recommended by a competent medical authority to be submitted one month in advance.

1.14 The leave salary shall be payable after resumption of duty. In case an employee resumes duty simply to receive maternity leave salary and leaves before expiry of one year, the maternity leave salary, if paid, shall become recoverable.

1.15 No maternity leave shall be granted after the second living child and more than twice during the entire service.

### **Paternity Leave**

1.16 The male employees with less than two surviving children are eligible for maximum of 15 days' Paternity Leave, not more than twice in the entire career.

### **Duty Leave**

Duty leave may be granted for any of the following purposes subject to the sole discretion of the Chancellor:

1.17 Attending reputed conferences, congresses, symposia and seminars on behalf of the University;

1.18 Delivering lectures in institutions and universities at the invitation of such institutions or universities as may be received by the University, and accepted by the Chancellor;

1.19 Working in another Indian or foreign University, any other agency, institution or organization, when so deputed by the University;

1.10 Participating in a delegation or working on a committee appointed by the Central Government, State Government, the UGC, a sister University, or any other academic body;

1.11 Attending meetings in the UGC, DST etc. where a teacher invited to share expertise with

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

academic bodies, Government or NGO, and performing any duty for and on behalf of the University.

1.12 The duration of duty leave may be such as is considered necessary by the sanctioning authority, subject to Sub clause 1.1 above.

1.13 Duty leave may be granted on full pay. If the teacher receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she **may** be sanctioned **duty leave** on reduced **pay** and allowances.

### **2. Leave Rules for Non-Teaching Staff on Regular Basis**

#### **Casual /Sick Leave**

2.1 They will be entitled to casual / sick leave at the rate of **1½** days' leave per month on earned and availed basis for sickness and personal commitments.

2.2 The sick leave is subject to the employee remaining outside the ambit of employees' State Insurance Act, 1948. This leave is non-encashable and would lapse if not availed.

2.3 Casual leaves cannot be availed for more than two days at a stretch.

**2.4** In case of Sick leave for more than three days, Medical certificate is a must.

#### **Maternity Leave**

2.5 Maternity Leave shall be admissible to all women employees who have put in more than one year's service. The grant of maternity leave shall be subject to the Maternity Benefits Act.

2.6 The maternity leave should be so regulated / applied that the confinement should fall within the period of leave applied for.



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 2.7 Application duly recommended by a competent medical authority to be submitted one month in advance.
- 2.8 The leave salary shall be payable after resumption of duty. In case an employee resumes duty simply to receive maternity leave salary and leaves before expiry of one year, the maternity leave salary, if paid, shall become recoverable.
- 2.9 No maternity leave shall be granted after the second living child and more than twice during the entire service.

### **Paternity Leave**

- 2.10 The male employees with less than two surviving children are eligible for maximum of **15** days' Paternity Leave, not more than twice in the entire career.

### **Earned Leave**

- 2.11 The employees, other than teaching staff, are entitled to **15** days earned leave in a year at the rate of 1.25 days per month of service. As far as possible, earned leave should be

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

availed during summer vacation. In case any member cannot be spared during summer vacation, the unavailed leave will be carried forward and allowed later on. Unavailed earned leave may be accumulated up to a maximum of 120 days at a time.

2.12. The Leave Rules for other categories of employees if any and if required may be framed from time to time.

### **LEAVE ENCASHMENT:**

As per UGC norms.

## **Chapter – V**

### **Conduct Rules**

The endeavour of Apeejay Stya University has always been to create and provide a healthy, ethical and professional environment to its employees. A number of fair practices, academic pursuits of excellence and standard administrative norms have been adopted for smooth and efficient functioning of the Institutions.

A person who chooses teaching as a career, assumes the obligation to conduct himself/ herself at all times in accordance with the highest standards of the teaching profession aiming at quality and excellence in his/her work and conduct, setting an example which will command the respect of pupils, parents and his/ her colleagues.

Teaching, in its true sense, is not mere imparting of instruction, but the influence, impression and the impact created by the teacher. The teacher's duty is not merely to communicate knowledge in specific subjects, but also to help children to grow to their fullest stature and unfold their personality. In this responsible task, what matters most is the personal example of the teacher. Similarly, other employees are also expected to maintain high standards of efficiency, morality and integrity.

The following code of conduct should be observed by the teachers/other employees:

- 1.1. Every Faculty/Staff shall at all times - (i) maintain absolute integrity; (ii) maintain devotion to duty; and (iii) do nothing which is un-becoming of an employee of the University. He/she shall also be strictly honest and impartial in his/her official dealings;
- 1.2. Faculty/staff members shall, by precept and example, instil in the minds of students entrusted to their care, love of motherland and respect for law and order;
- 1.3. Faculty/staff members shall organize and promote all activities of the University, which

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

foster a feeling of universal brotherhood/sisterhood, national integration, and religious tolerance;

- 1.4. Faculty/staff members shall cooperate and secure the cooperation of other persons in all activities aimed at improving the moral, intellectual and physical wellbeing of the students placed under their care/guidance;
- 1.5. Faculty/staff members shall be firmly impartial in dealing with students under their care/guidance. Further, they should be sympathetic and helpful to all the students, especially the slow-learners;
- 1.6. Faculty/staff members must remain a learner throughout their life, not only to enrich their own life but also of those who are placed under their care/guidance. They should plan out the work on approved lines and do it methodically eschewing vigilantly all extraneous considerations;
- 1.7. Faculty/staff members shall have an exemplary moral character. They should be temperate and moderate in their habits and should scrupulously avoid undesirable habits at all times, more so during their stay on the campus;
- 1.8. Faculty/staff members shall take pride in their profession and display professional fortitude in conducting their assigned duties;
- 1.9. Faculty/staff members shall maintain personal hygiene and attend the office in neat, sober and dignified attire;
- 1.10. Faculty/staff members shall be punctual in attendance in respect of their class-work/assigned duties;
- 1.11. Faculty/staff members shall avoid monetary transactions among themselves and refrain from using their position towards personal gains;

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.12. Faculty/staff members shall refrain from accepting any gifts from the students or their parents. Faculty/staff members shall not indulge in acceptance of any illegal gratification;
- 1.13. Faculty/staff members shall consider the property and funds of the University as if placed in sacred trust with them and shall exercise the same prudence and care as they would do for their own property and funds;
- 1.14. Faculty/staff members shall not knowingly or will fully neglect their duties assigned by their superiors from time to time;
- 1.15. Faculty/staff members shall not propagate through their teaching or conduct any communal/sectarian outlook or incite or allow the students to indulge in communal or sectarian activities;
- 1.16. Faculty/staff members shall not discriminate against any student on the ground of religion, caste, creed, language, and place of origin, social and cultural backgrounds;
- 1.17. Faculty/staff members shall not be guilty of misbehaviour or cruelty or use of abusive language towards any student, parents or colleagues or superiors. They should not indulge in fighting, vandalism, or any other acts of indiscipline;
- 1.18. Faculty/staff members shall not indulge in or encourage any malpractices connected with examinations or other activities as part of their duties;
- 1.19. Faculty/staff members shall not accept any job of remunerative nature from a source other than the institution where they are employed. Faculty members shall refrain from providing any private tuition to the students of their institution;
- 1.20. Faculty/staff members shall not work as a selling agent or canvass for any publishing firm/trader. No employee shall, except with the previous sanction of the university wholly or in part, conduct or participate in editing of managing any newspaper or any other

## APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016

periodical publication or any such activity;

- 1.21. All faculty/staff are hereby irrevocably assigns to the university, including by way of future assignment, with full title guarantee, absolutely and free from all encumbrances, all his/her right title and interest in any and all intellectual Property Rights in, or relating to any work or material developed by the faculty/staff during the course of his/her employment together with all accrued rights of action in respect of any infringement of any such intellectual Property Rights. The provision of this clause will not be affected by the termination of his/her employment for whatever reason and will continue after it ends;
- 1.22. All employees' will be responsible for safe keeping and retaining in good condition and order all the property, records, books of the University, which may be given to them for safe custody. The same shall be returned to the University immediately when directed by the management irrespective of their employment or not or under suspension or lay off;
- 1.23. No employee shall, in any Broadcast/telecast/social media or in any document published anonymously or in his own name or in the name of any other person, or in any communication to the Press or in any other public utterance, make any statement or express any opinion:
- i. Which has any adverse effect on any decision of University/Management or any current or recent policy or action of the University/Management.
  - ii. Which is capable of embarrassing the relations between the employees / stakeholders in the University
- OR
- iii. Which involves personal attacks and insinuations against his/her colleagues and subordinates/superiors.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.24. No employee shall bring or attempt to bring any political or other outside influence to bear upon any authority to further his/her interests in respect of matters pertaining to his/her services under the university
- 1.25. No employee shall be a member, representative or office-bearer of any association, representing or purporting to represent teachers unless such association satisfies the following conditions:
- i. Its membership is confined to teachers and such associations will be meant for the furtherance of the academic excellence of the university as a whole.
  - ii. Meetings of such an association are held in the premises of the university with the prior permission of the Chancellor/Vice Chancellor
  - iii. The decision taken at such meeting pertaining to the university administration shall be communicated, in writing, to the Vice Chancellor.
- 1.26. No faculty/Staff shall be permitted to enter in to the Private Trade and employment. However Chancellor of the University reserve the right to allow any employee of the University to enter in to the Private Trade and employment if it is in interest of the University
- 1.27. Faculty/staff members shall not give any talk on radio/television or publish any statement or document in own name or anonymously which has the effect of an adverse criticism of any current or recent policy or action of Central or State Government or University or sponsoring body.
- 1.28. Faculty/staff members shall not ask for or accept contribution to or otherwise associate themselves with the raising of funds or other collections in cash or kind for any purpose connected to the institution without written permission of the Vice Chancellor and

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

Chancellor. Faculty/staff members shall not appear in or prepare for any examination without the prior written permission of the Vice Chancellor/Chancellor.

1.29. Faculty/staff members shall not cause or incite any person to cause destruction or damage to the property or records of the University, or indulge in any theft, fraud and act of dishonesty in connection with the property of the University or the Sponsoring body.

1.30. Faculty/staff members shall not behave or incite any other person to behave in disorderly and undisciplined manner in the premises of the University or any other place of duty or indulge in any act of irresponsibility.

Faculty/staff members shall not resort to carry any banners or placards of any kind within radius of 50 meter of the University Campus.

1.31. Faculty/staff members shall not while being in the institution absent himself/herself from place of classroom/place of duty resulting in shirking from assigned duties.

1.32. Faculty/staff members shall not organize or attend meetings during the working hours except when required or permitted to do so by the Head of Department/Vice Chancellor as the case may be.

1.33. Faculty/staff members shall not divulge confidential/secret matters relating to the University.

1.34. Faculty/staff members shall not be guilty of late or irregular attendance.

1.35. Faculty/staff members shall not be absent from duty without sanctioned leave or overstay the sanctioned leave.

1.36. Faculty/staff members shall not indulge in drinking alcohol, taking narcotics, smoking, chewing tobacco or conduct themselves in the manner that is unbecoming of Faculty/Staff



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

of the institution.

- 1.37. Faculty/staff members shall not slow down or incite others to slow down, strike work, indulge in sit-down or stay-in strike or incite others to do the same.
- 1.38. Faculty/staff members shall not indulge in any act of insubordination or disobedience of orders issued by the superior/Head of the institution.
- 1.39. Faculty/staff members shall not be guilty of or encourage violence, indulge in any type of conduct, which involves moral turpitude or criminal act.
- 1.40. Faculty/staff members shall not make false accusations or assault either provoked or otherwise.
- 1.41. Faculty/staff members shall not indulge in disrespectful behavior, rumour mongering and character assassination.
- 1.42. Faculty/Staff members shall not defame the University and shall not indulge in any activities which shall bring disrepute to the University or sponsoring body.
- 1.43. Faculty/staff members shall not obstruct/prevent their colleagues from performing their duties and shall not indulge in any agitation to threaten the usual functioning of the institution. The faculty member shall not commit any act which amounts to any misconduct or offence or an act otherwise prohibited by law, irrespective whether such acts have been mentioned in the foregoing paragraphs or not.
- 1.44. Faculty/Staff at all-time be courteous in his dealings with other members of staff, students and members of the public and shall not in his official dealings with the public or otherwise adopt dilatory tactics or will fully cause delays in disposal of the work assigned to him.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

1.45. No Faculty/Staff shall indulge in any act of sexual harassment of any person at his/her work place and every employee who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any person at such work place.

For the purpose of this rule, "sexual harassment" includes such unwelcome sexually determined behavior, whether directly or otherwise, as-(i) physical contact and advances;(ii) demand or request for sexual favours;(iii) sexually coloured remarks (iv) showing any pornography; or (v) any other unwelcome physical, verbal or non- verbal conduct of a sexual nature.

1.46. No faculty/staff of the University shall sublet, lease or otherwise allow occupation by any other person of University accommodation which has been allotted to him. Faculty/Staff shall, after the cancellation of his allotment of University accommodation vacate the same within the time limit prescribed by the allotting authority.

1.47. Faculty/Staff who gets involved in some criminal proceedings shall immediately inform the competent authority through the Head of the Department/ Division/ School/Centre to which he is attached, irrespective of the fact whether he has been released on bail or not. A Faculty/Staff who is detained in police custody whether on criminal charge or otherwise for a period longer than 48 hours shall not join his duties in the University unless he reports the same to, and obtains written permission to that effect from the Vice-Chancellor/Chancellor.

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

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.49. All faculty/staff shall avoid habitual indebtedness or insolvency. An employee who becomes the subject of legal proceedings for insolvency shall forthwith report the full facts to the Vice Chancellor/Chancellor.
- 1.50. No Faculty/Staff shall bring or attempt to bring any outside influence to bear upon the authorities of the University to further his interest in respect of matters pertaining to his service in the University.
- 1.51. Faculty/staff members shall not carry weapons/explosives and other objectionable material in the premises of the University.
- 1.52. All faculty/staff shall strictly adhere to the IT Policy/Rules of the University and take all necessary steps to ensure that emails ID issued to them is not misused in any manner.
- 1.53. All faculty/staff shall not use the social media in a manner detrimental to the interest of the University.

Any violation or breach of the Code of Conduct shall be viewed seriously and necessary disciplinary action shall be initiated in accordance with the provisions of the statutes/ordinances and Rules/Regulations of the University as applicable.

**Chapter – VI**

**Disciplinary Action/Punishment and Appeal**

The Disciplinary Action shall be governed by the provision as provided for under the Statutes/Ordinances/Rules and Regulation of the Apeejay Stya University.

**1. The condition which entails the direct termination/dismissal/removal from the service:**

**MISCONDUCT:**

Any conduct of an employee which is inconsistent with the relationship of master and servant and discipline of the University shall be considered to be a "Misconduct" and without prejudice to the general meaning of misconduct, the following acts or omissions on the part of an employee which is illustrative but not exhaustive shall also amount to misconduct:

- 1.1. Willful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of Management/Manager or any person so authorized.
- 1.2. Cessation of work or refusal to perform normal duties or attempt to incite, intimidate, instigate or coerce other workmen to strike work without exhausting remedies provided by law.
- 1.3. Willful slowing down in performance of work or abatement or instigation thereof.
- 1.4. Fraud or dishonesty in connection with the university / establishment's business, products, process, process & flow diagrams, technical information, marketing & promotional inputs, properties, financial & other matters.
- 1.5. Refusal of work in the allotted department/section/work place or working in other department/section/work place not allotted.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.6. Threatening, assaulting, intimidating, harassing, misbehaving or causing any loss with/to any officer of the university / establishment or fellow employees, whether within or outside the University premises or incitement or abetment thereof.
- 1.7. Refusal to accept charge sheet, order or any other official communications issued/served in by the Management.
- 1.8. Submission of any false information or reports or irregularity in submission of any information or reports concerned with university establishment's business/interest or terms and or conditions of employment of a workman.
- 1.9. Conviction by any court of law for any offence.
- 1.10. Tempering data in the computer in any manner.
- 1.11. Disclosing or sending data of the company in the computer to any unauthorized person.
- 1.12. Passing derogatory or insulting remarks or ridiculing about University, management, any officer of the university or colleague which tarnishes the image or results in humiliation.
- 1.13. Deliberately making false, vicious or malicious statements, public or otherwise against the university, or any employee of the university.
- 1.14. Drunkenness or attending duty under influence of alcoholic or narcotic or intoxicating substances or riotous, disorderly or indecent behaviour on the premises of university.
- 1.15. Theft/stealing of any property of the university or that of fellow workman or embezzlement, misappropriation or mischief.
- 1.16. Carrying of any sharp edged or lethal article or weapon, which may cause bodily injuries or loss of properties.
- 1.17. Refusal to display Identity card or to be searched physically including any bag, baggage,

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

box, personal belongings, etc. either at gate or any other place in the university premises.

- 1.18. Unauthorized occupation or possession of university's building/properties.
- 1.19. Performance of employee below the minimum level of work efficiency and effectiveness expected of him.
- 1.20. Offenses involving moral turpitude.
- 1.21. To wear or display black badges or strip of such or similar material as a mark of protest within the university premises or any other place where a meeting/seminar/conference of the university is going on.
- 1.22. Refusal or failure to put on stipulated uniform.
- 1.23. To obstruct ingress or egress of university materials or vehicle or employees or management officials or any visitor.
- 1.24. Bringing personal consumables or obscene literature in the University premises.
- 1.25. To hold any meetings or pasting or distribution of any literature, pamphlets or bill or notices or shouting of slogans in the university and within a radius of 50 meter of university campus.
- 1.26. Disregard of any operational or maintenance or housekeeping instructions or carelessness in the performance of operational, maintenance and housekeeping jobs.
- 1.27. Conduct in private life, which is prejudicial to the reputation of the university.
- 1.28. Making obscene gestures.
- 1.29. Eating at work place during working hours or at lunch break.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.30. Whistling or making odd sounds or singing any obscene, inciting song or rhymes.
- 1.31. Any other act or acts, which in the opinion of the Management is/are detrimental to the smooth working or general interest of the university.
- 1.32. Willful refusal or failure to follow various Standing Operating Procedures and Practices norms directed by the Management from time to time.
- 1.33. Failure or refusal to maintain decorum at workplace.
- 1.34. Blackening or spitting on another person within or outside the university premises.
- 1.35. Contempt of rules and disrespect of authority and general affront to the Management including failure to show consideration or attention to officers or students.
- 1.36. Failure to deposit any lost article found in the university's premises to the Registrar.
- 1.37. Failure to notify the change of address to the Management in writing.
- 1.38. Failure to comply with rules and regulation regarding upkeep of workstations and cabins.
- 1.39. Not being properly dressed and properly groomed in areas as earmarked for ensuring quality assurance viz stores, production, quality control laboratory, etc. or any other areas as directed by the Management from time to time.
- 1.40. Non-observance of hygienic conditions including personal cleanliness.
- 1.41. Deliberately making false statements before the Management/Manager/ Officer or forging the signature of the Management/Manager/Officer.
- 1.42. Impersonation.
- 1.43. Non-return of the university's properties on or before the stipulated period.
- 1.44. Speculation in any investment or commodity within the premises of the university.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.45. Fighting or quarreling with fellow employees who may have subversive effects on discipline in the premises of university or causing bodily harm/injury to employee or person in the industrial establishment.
- 1.46. Expectorating, spitting or urinating at places other than those specified for the purpose.
- 1.47. Seeking election to any legislative or local body without specific prior permission of the Management in writing.
- 1.48. Cyber misconducts.
- 1.49. Obtaining leave of absence by false pretenses.
- 1.50. Disturbing others or making noise.
- 1.51. Securing undue benefit by giving false information.
- 1.52. The sale or canvassing for the sale of any commodity or ticket or chances in lotteries or raffle within the premises of the university.
- 1.53. To commit any act of sexual harassment to any female employee or any other female in the university.
- 1.54. Not informing the Management of any act or action prejudicial to the interest of the university on the part of any other workman, which may come to the knowledge of a workman during the period of employment with the industrial establishment.
- 1.55. Any other act not mentioned herein which is in breach of good conduct or terms of employment or university's rules and regulations and subversive of discipline, public morale, and common good behaviour, against public ethic and probity and integrity and which is prejudicial to the Management's interest, etc.
- 1.56. Any material mis-statement or deliberate withholding of any relevant information in the



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

application for employment.

- 1.57. Habitual absence without permission.
- 1.58. Habitually leaving the university before the stipulated time, or habitually reaching late without permission.
- 1.59. Obtaining or attempting to obtain leave of absence by false pretence or by feigning sickness, or any abuse of any leave privilege, concession or benefits.
- 1.60. Entering or attempting to enter, leaving or attempting to leave the university except by way of entrance and exit specified for such purpose, or refusal to show on demand the EC while entering or leaving or while inside the premises of the university.
- 1.61. Failure to report to the Medical Officer nominated by the University or the Government Medical Officer for medical check when and as asked to do so by the university in connection with absence on medical grounds.
- 1.62. Carrying lethal weapons, fighting, quarreling, using abusive language, assaulting or attempting bodily injury to any person in the establishment or in connection with work of university.
- 1.63. Attempting theft, fraud or dishonesty or theft in connection with the university's business or property or a theft of another person's property within the establishment.
- 1.64. Improper behaviour in the canteen, restrooms, medical centre or any other places provided by the university for the purpose of recreation, rest, get-together etc.
- 1.65. Spreading false rumors or giving false information, which may bring into disrepute the establishment or its employees.
- 1.66. Insolence, impertinence or rude behaviour to superior officers, clients, visitors or public

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

servants, whether the act is committed inside the establishment or outside where such acts relate to the working of the university or superiors or colleagues.

- 1.67. Refusal to be searched by the security personnel or by a person authorised to do so by the university.
- 1.68. Failure to observe duly notified safety instructions on equipment installed within the establishment.
- 1.69. Impersonation or forgery or being an accessory thereto.
- 1.70. Conviction by any court of law for any criminal offence involving moral turpitude or any other offenses punishable by law whether the offenses be committed inside or outside the establishment.
- 1.71. Disclosing to any person any information pertaining to the university, which that person is not entitled to receive in the course of his normal work.
- 1.72. Damage to any property of the university whether willful or due to irresponsible action or negligence or carelessness.
- 1.73. Willful falsification, defacement or destruction of any records of the university whether maintained by himself or by any other employee.
- 1.74. Misuse of any amenities and facilities provided by the university.
- 1.75. Carrying unauthorized persons in the university's vehicles or allowing unauthorised persons to operate the university's vehicles or equipment.
- 1.76. Breach of driving rules or the Motor Vehicles Act.
- 1.77. Breach of the health, security and safety regulations in force from time to time.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.78. Restraining or detaining or gheraoing any superior or employee of the university either inside or outside the university's premises or at their residences.
- 1.79. Acts or omission (including laziness or carelessness), which lower the quality.
- 1.80. Unclean or un-presentable appearance while on duty.
- 1.81. Trading in the facilities provided by the university to its employees, such a credit facility or misusing such facilities with a view to gain pecuniary advantage or any other advantage or favour.
- 1.82. Giving of false information for obtaining any benefit.
- 1.83. Accepting gifts of any value or quantity from any other persons or entities connected with the business of the university.
- 1.84. Willful insubordination or disobedience whether alone or in combination with another or other of any lawful or reasonable order of superior.
- 1.85. Giving false information regarding name, age, father's name residential address or previous experience, qualification or any other information at the time of employment.
- 1.86. Habitual negligence or neglect of duty or work.
- 1.87. Refusal to receive any communication.
- 1.88. Sleeping while on duty.
- 1.89. Causing damage or loss to the work in process or to the university's property, production, reputation in any way.
- 1.90. Participating or making others to participate in motivation detrimental to the university's interest.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.91. Refusal to perform overtime or to go to another shift or to proceed on out station duty or to carry out assigned work at any other place or refusal to carry out order to transfer.
- 1.92. Deceptive or corrupt practice in connection with the work of the university.
- 1.93. Drunkenness, fighting or riotous or disorderly or indecent behaviour or any act subversive to discipline or decency within the university premises or on the university gate.
- 1.94. Violations of any Standing Orders or any rules, regulations orders instructions and the like issued from time to time.
- 1.95. Gambling within the university's premises or acts of immorality.
- 1.96. Refusal to work on another job or another machine in same section or in another section of the Management.
- 1.97. Holding meeting inside the university premises without the previous sanction of the Management.
- 1.98. Abetment or attempt to commit any act of misconduct.
- 1.99. Punching or attempting to punch another employee's attendance card or making entries in his own card or in another card when not authorised to do so or in any other way interfering with the record of attendance or means of recording attendance of himself or any other employee or falsification, defacement or destruction of any records of the university.
- 1.100. Creating disturbance or confusion or agitation of any nature whatsoever in the university or at university gate or interfering with other's work for any reasons or by any means whatsoever.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.101. Showing any kind of impertinence, immorality, disgrace insult, indecency by any act or gesture to any other employee or any guest of the Management.
- 1.102. Disgracing, defaming and degrading the Management in the eyes of the public by any nature.
- 1.103. Refusal to give evidence or to give false evidence when any investigation or enquiry is conducted by authorities/officers appointed by the university for said purpose or refusal to sign any statement recorded in his presence or answer for the question put to him or recorded during the course of such inquiry/investigation proceedings when acting as a witness or otherwise.
- 1.104. Making false complaints or giving, false statements, anywhere or before any authority, which is likely to bring the Management, the university and the officers of the university to degrade in the eyes of the law or others.
- 1.105. Making any false or mischievous statement or complaint against any co-worker, which is likely to be treated as an act of the misconduct or may cause grievous harm to the employee or person in the establishment.
- 1.106. Violating or inciting to violate any agreement, settlement or award applicable and binding on the Company and the workmen of the concern.
- 1.107. Habitual repetition of any act of commission for which a fine may be imposed.
- 1.108. Preaching of or inciting violence likely to jeopardize safety of the establishment or employees.
- 1.109. Refusal to undergo training in first aid or air raid precautions or any other training for improvement of performance.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- 1.110. Taking out of university any article or material belonging to the university without a gate pass issued by the university.
- 1.111. Hiding away or attempting to hide away any article or material.
- 1.112. Engaging in private work or trade within or outside the university or engaging in other employment or studies whilst still in the service of the university without the permission of the Manager.
- 1.113. Making or giving a false statement before a superior or forging the signatures of the superior or another employee.
- 1.114. Removing or attempting to remove or temper notices from the notice board or spoiling university's property in any way.
- 1.115. Gambling or playing cards during working hours.
- 1.116. Causing willful damage to or loss of University's goods or property or sabotage.
- 1.117. Participating in strike, hunger strike, dharna, stay in strike, slow down or gherao or abetting/inciting instigation or acting in furtherance thereof whether alone or in combination with others without giving exhaustion of remedies provided by law.
- 1.118. Blocking or obstructing gate or gates of the establishment, preaching or inciting, fighting, abusing, violence, threatening or intimidating any employee in connection with the employers business either inside or outside the university.
- 1.119. Riotous, disorderly, disrespectful, unmannerly or rude behaviour or use of offensive words towards any officer, colleague, university's clients or visitor or customer concerning the university affairs within or outside the university while on duty or off duty.
- 1.120. Fraud, breach of trust, embezzlement, mis-appropriation or mischief in connection with

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

the university's business or property or property of the university's employees or customers or visitors.

1.121. Money lending within the university or to borrow money from others.

1.122. Threatening intimidating, coercing, assaulting interfering with or quarrelling within the university premises.

1.123. Omission to perform legitimate duty, which he is supposed to perform, or has been performing in the past.

1.124. Tampering with record.

1.125. Any other act subversive of discipline and which is otherwise a misconduct under general laws or is not connected with his employment.

## **2. Prohibition of sexual harassment of working women or girl students-**

2.1 No employee shall indulge in any act of sexual harassment of any woman at her work place or girl students at an institution run by the University.

2.2 Every officer/employee, who is Incharge of a work place, if brought to his cognizance shall take appropriate steps to prevent sexual harassment to any woman at such work or to any girl student at such institution.

Explanation.—for the purpose of this sub-rule, "sexual harassment" includes such unwelcome sexually determined behaviour, whether directly or otherwise as:--

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- (i) physical contact and advances;
- (ii) demand or request for sexual favours;
- (iii) sexually coloured remarks;
- (iv) showing any pornography;
- (v) messages on Mobile or through Internet/telephone;
- (vi) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

### **2.3 Internal Complaint Committee**

- i) Keeping the above guidelines in view, the University has constituted a committee consisting of:

Faculty of the level of Professor / Associate Professor – Convener

Faculty of the level of Professor / associate Professor – Member Secretary

External Expert (01) – External Expert

Faculty Members (\_\_\_\_) – Members

Staff representative ( ) – Member

Student representatives (\_\_) – Members

- ii) Objectives/Responsibilities of the Committee:

- To prevent discrimination and sexual harassment against women by promoting gender amenity at their place of work.
- To bring awareness of the rights of female employees by prominently notifying the guidelines created by the Supreme Court.
- To deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment.
- To recommend appropriate punitive action against the guilty party to the Management.



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

### **2.4 Redressal Process:**

1. Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of incident.
2. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation
3. The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.
4. At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
5. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an "Enquiry" shall be conducted and concluded.
6. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management

### **3. Nature of Penalties**

## APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016

The following penalties may, for good and sufficient reasons, and as hereinafter provided be imposed on all employees for misconduct:

### 3.1. Minor Penalties

- i) Warning
- ii) Censure;
- iii) Withholding of one or more promotion/increments without cumulative effect;
- iv) Recovery from pay of the whole or part of any pecuniary loss caused to the Institute;
- v) Suspension for 3 days.

### 3.2 Major Penalties

- i) Reduction to a lower grade or post or a stage in a time scale or to a lower stage in the time scale;
- ii) Compulsory retirement;
- iii) Removal from service;
- iv) Dismissal from service.
- v) Withholding of one or more promotion/increments with cumulative effect;

## **4. The following shall not amount to a penalty within the meaning of these rules, namely:**

- (i) Withholding of increments or pay of an employee on his failure to pass any departmental, and or qualifying examination if any, in accordance with the rules or orders governing the post or the terms of his appointment;
- (ii) Non-promotion of an employee whether in a substantive or officiating capacity after consideration of his case to a grade or post for promotion to which he is eligible;

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- (iii) Reversion of any employee on probation in a higher grade or a post to a lower grade or post, on the ground that he is considered after trial to be unsuitable for such higher grade or post; Reversion of any employee, from a post to which he is appointed on urgent/temporary basis, on availability of a duly selected person;
- (iv) Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or any other mode of retirement or the case may be;
- (v) Termination of the services:
  - a) of an employee appointed on probation during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation;
  - b) of a temporary employee whose services are terminated within a period of one year of his appointment;
  - c) of an employee appointed under an agreement, in accordance with the terms of such agreement;
  - d) of an employee appointed on urgent/temporary basis on availability of a duly selected person; and
  - e) of a temporary employee on account of abolition of a post or reduction in establishment or a part time teacher at the end of an academic year.

### **5. IMPOSITION OF PENALTIES**

5.1. Procedure for Imposing Major Penalties.— No order imposing any of the penalties specified in rule 3 shall be made except after an enquiry is held as far as may be in the manner herein-after provided:

- (1) Where looking to the gravity of charges it is proposed to hold an enquiry for one of the major penalties against an employee the disciplinary authority shall draw up or cause to be drawn up definite charges on the basis of the allegations, on which

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

the enquiry is proposed to be held. Such charges together with the statement of the allegations on which they are based shall be communicated in writing to the employee and he/she shall be required to submit within such time (not less than 15 days) as may be specified by the Disciplinary Authority, a written statement indicating whether he/she admits, the truth of all or any of the charges; if not, what explanation or defence, if any, he has to offer and whether he desires to be heard in person.

- (2) The employee shall, for the purpose of preparing his defence be permitted to inspect and take extracts from such official records as he/she may specify, provided that such permission may be refused, if for the reasons to be recorded in writing, in the opinion of the Disciplinary Authority, such records are not relevant for the purpose or it is against the interest of the Institute to allow him access thereto.
- (3) On receipt of the written statement of defence or if no such statement is received within the time specified, the Disciplinary Authority may itself enquire into such of the charges, as are not admitted or if he considers it necessary to do so, appoint an Inquiry Officer for the purpose.
- (4) The Disciplinary Authority may nominate any person (not a legal practitioner) to present the case in support of the charges before the Enquiry Officer. The delinquent employee may present his/her case with the assistance of any other employee of the Institute or approved by the Disciplinary Authority, but may not engage a legal practitioner for the purpose.
- (5) The Enquiry Officer shall in the course of the enquiry consider such oral evidence as may be relevant or material in regard to the charges. The delinquent employee shall be entitled to cross-examine witnesses examined in support of the charges

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the delinquent employee and the witness examined in his defence.

If the Enquiry Officer declines to examine any witness on the ground that his/her evidence or material is not relevant, it shall record its reasons in writing,

- (6) At the conclusion of the inquiry, the Enquiry Officer shall prepare a report of the enquiry, recording its findings on each of the charges together with reasons thereof. If in the opinion of the Enquiry Officer, the proceedings of the inquiry establish charges different from those originally framed, it may record findings on such charges; provided that findings on such charges shall not be recorded unless the delinquent employee has admitted the facts constituting them or has had an opportunity of defending himself against them.
- (7) The record of the inquiry shall include –
  - I. The charges framed against the employee and the statement of allegations furnished to him under sub-rule (1);
  - II. His written statement of defence, if any;
  - III. The oral evidence, if any, taken in the course of the enquiry;
  - IV. The documentary evidence considered in the course of the enquiry;
  - V. The orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry; and
  - VI. A report setting out the findings on each charge and the reasons thereof.
- (8) The Disciplinary authority shall if he is not the Inquiring Authority, consider the record of the inquiry and record his findings on each charge.
- (9) The disciplinary authority shall forward a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

inquiring authority a copy of the report of the inquiring authority to the employee who shall be required to submit, if he/she so desires, his/her written representation or submission to the disciplinary authority within fifteen days,

- (10) The disciplinary authority shall, if he/she disagrees with the findings of the inquiring authority on any article of charge, record the reasons for such disagreement and also record his own findings on such charge(s) if the evidence on record is sufficient for the purpose and the same to be forwarded to the employee for his representation along with a copy of the report of the inquiry.
- (11) The disciplinary authority shall consider the representation, if any, submitted by the employee before proceeding further in the manner specified in sub-rules (12) and (13).
- (12) If the disciplinary authority having regard to its findings on all or any of the articles of charges is of the opinion that any of the penalties specified in clauses (i) to (v) of rule 3.2 should be imposed on the employee, it shall, make an order imposing such penalty:

### **Clarification**

It is hereby clarified that only one penalty out of the penalties as specified under rule 3.2, shall be imposed on the employee in one case, provided that in case where any pecuniary loss has been caused to the Institute by the said employee, the Disciplinary Authority shall be competent to order recovery of such amount or part thereof from the salary or other amounts payable to him.

- (14) Orders passed by the Disciplinary Authority shall be communicated to the employee.

### **5.2. Procedure for imposing Minor Penalties.—**

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- (1) When it is proposed to impose any of the minor penalties specified in Rule 3.1 on any employee
  - (a) he shall be informed in writing of the proposal to take action against him and of the allegations or charges on account of which it is proposed to be taken and to give him an opportunity to make any representation he may wish to make within a specified period not exceeding 15 days;
  - (b) such representation and evidence, if any, submitted by the employee under clause (a), and the record of enquiry, if any, held under clause (b), is taken into consideration by the Disciplinary Authority;
  - (c) an opportunity of personal hearing is given by the Disciplinary Authority to the employee to explain his case, if so desired by him
- (2) The record of the proceedings in such cases shall include:
  - I. copy of the intimation to the employee of the proposal to take action against him;
  - II. A copy of the statement of allegations and/or charges communicated to the employee;
  - III. The representation and evidence, if any, furnished by the employee;
  - IV. The evidence produced during the enquiry;
  - V. The findings of each allegation;
  - VI. The findings of, and the order passed by the Disciplinary Authority, together with the reasons thereof.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

- (3) Where the penalty of withholding of increment or promotion etc. is imposed on an employee, the Disciplinary Authority shall state the period for which it will be effective, and where increment is withheld, it will be granted on the expiry of the period without effecting the normal date of increment in future, unless the order indicates that the stoppage of increment will have cumulative effect,

### **C. Joint Enquiry**

Where two or more employees are connected in any case, the authority competent to impose the penalty of dismissal from service on all such employees may make an order directing that disciplinary action against all of them may be taken in a common proceedings.

6. Special Procedure in cases of sexual harassment of working women at work places or girl students at the institutions.— Notwithstanding anything contained in rule 5, if there is a complaint of sexual harassment, the ICC as the case may be established in each institution/ department/Office for enquiring into such complaint, shall be deemed to be an enquiry authority and the report of the said committee shall be deemed to be an enquiry report for the purpose of these rules. The Disciplinary Authority will act on the said enquiry report in accordance with these rules.

### **7. Suspension:**

An Appointing Authority or an Authority on his/her behalf, may suspend an employee where disciplinary proceedings against him/ her are contemplated in the event of any breach of Code of Conduct. An employee under suspension shall, in relation to the period of suspension, be entitled to a subsistence allowance amounting to half the rate of 50% of the pay last drawn by him, pending the finalization of any inquiry/ disciplinary action against him/her, and subject to the furnishing of a certificate/ solemn declaration by him/her that he/she has not been gainfully



## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

employed elsewhere during the period of suspension. An Appointing Authority or an Authority on his/her behalf, may take all appropriate action to conclude the disciplinary proceeding ordinarily within the 6 month.

In case the prolongation of suspension is directly attributable to the employee, the subsistence allowance may be reduced by suitable amount as per the discretion of the An Appointing Authority or an Authority on his/her behalf. In case of suspension is prolonged not attributable to the employee, management may increase subsistence allowance beyond 50% at its discretion but not beyond total of 75% of his last pay.

### **8. Right to Appeal**

The employee may appeal against an order imposing upon him any of the penalties specified in rule 5 to the Appellate Authority, whose decision shall be final. No further appeal shall lie to any other authority.

#### **8.1. Conditions which an appeal should satisfy—**

- I. Every employee submitting an appeal shall do so separately and in his own name.
- II. Every appeal preferred under these rules shall contain all material statement and arguments relied upon by the appellant and shall contain no dis-respectful or improper language and shall be complete in itself.

#### **8.2. Period of limitation for appeals — The appeal under this part shall be entertained unless it is submitted within a period of thirty days from the date on which the appellant receives a copy of the order appealed against.**

#### **8.3. Submission of Appeals.--Every appeal shall be submitted to the Appellate Authority through the authority which made the order appealed against:**

Provided that a copy of the appeal may be submitted directly to the Appellate Authority.

## **APEEJAY STYA UNIVERSITY SERVICE AND CONDUCT RULES 2016**

8.4. Transmission of Appeal.-The authority which made the order appealed against shall, without any delay transmit to the Appellate Authority every appeal together with his comments thereon and the relevant records.

8.5. Consideration of appeals

In the case of an appeal against an order imposing any of the penalties specified in rule 5, the appellate authority shall consider –

(a) whether the procedure prescribed in these rules has been complied with and if not, whether such non-compliance has resulted in violation of any provisions of Constitution of or in failure justice;

(b) whether the facts on which the order was passed have been established;

(c) whether the facts established afford sufficient justification for making an order;  
and

(d) whether the penalty imposed is excessive, adequate or inadequate, and after giving a personal hearing to employee to explain his/her case, if he/she desires so, pass order

I. setting aside, reducing, confirming the penalty; or

II. remitting the case to authority which imposed the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case.