

CHAPTER XVIII

GENERAL CONDUCT AND DISCIPLINE

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CHAPTER XVIII

GENERAL CONDUCT AND DISCIPLINE

1. General Conduct

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| <p>1.1 Every person employed in the Commission or a Higher Educational Institution/ Institute is expected to give his undivided loyalty to the institution to which he is attached at all times and on all occasions when the institution has a claim on his services.</p> | <p style="text-align: center;">Loyalty to the Commission and HEIs</p> |
| <p>1.2 Persons employed in the Commission or a Higher Educational Institution/Institute are required to discharge any duties with diligence and efficiency.</p> | <p style="text-align: center;">Perform the duties assigned</p> |
| <p>1.3 All persons employed in the Commission or a Higher Educational Institution/Institute are required to familiarise themselves with the provisions of the Universities Act. No. 16 of 1978 as amended, the Orders, Ordinances, Rules and Regulations etc. made thereunder, the provisions of this Code and other instructions issued from time to time by the Commission or the Governing Authority of the Higher Educational Institution/ Institute.</p> | <p style="text-align: center;">Familiarisation with Act and other appropriate instruments</p> |
| <p>1.4 A person employed in the Commission or a Higher Educational Institution/ Institute should at all times act in a manner befitting the Commission or the Higher Educational Institution/ Institute and the office he holds.</p> <p style="margin-left: 20px;">1.4.1 Any act by such person which is calculated to bring or which brings the Commission or the Higher Educational Institution/ Institute or the office he holds into disrepute must be reported to the Chairman of the Commission or the Principal Executive Officer of the institution concerned without delay. The report should be made after due verification of the facts.</p> | <p style="text-align: center;">Safeguarding reputation of office of the Commission/ HEIs</p> |

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| 1.5 | A person employed in the Commission or a Higher Educational Institution/Institute should avoid doing anything which will bring his private interests into direct or apparent conflict with his duties or which compromises his office at the Commission or Higher Educational Institution/ Institute. | Conflict of interests |
| 1.6 | Canvassing for appointments, promotions, transfers, etc. in the service of the Commission or a Higher Educational Institution/ Institute whether done directly or indirectly, shall be regarded as an act of misconduct, rendering such person liable for disciplinary action and the candidate shall be disqualified for the relevant post/ transfer. | Canvassing for appointments promotions etc. |
| 1.7 | Persons employed in the Commission or a Higher Educational Institution/ Institute should be courteous towards all those who have dealings with them or visit them in their place of work on business and look into their requirements without unnecessary delay. They should be polite in their official acts and correspondence. | Courtesy |
| | 1.7.1 They should be temperate and restrained in their language in correspondence and in writing reports and minutes. | Restraint in language |
| 1.8 | No steps should be taken by any person employed in the Commission or a Higher Educational Institution/ Institute to institute legal proceedings in personal capacity in connection with matters arising out of the discharge of his duties without prior consent of the Chairman of the Commission or the Vice-Chancellor of a University/ Director of a University College/ Institute/ Centre for Higher Learning as the case may be. The Chairman or the Vice-Chancellor or the Director concerned may seek legal opinion before such consent is given. Campuses /Institutes attached/affiliated to a University should report such matters arising in their institutions to the appropriate Vice-Chancellor for his decision. | Legal action in personal capacity |

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| 1.9 | All persons employed in the Commission or a Higher Educational Institution/ Institute shall deem to be public servants for the purposes of the Penal Code. | Applicability of the Penal-Code |
| 1.10 | The Commission and every Higher Educational Institution/Institute shall deem to be a scheduled institution within the meaning of the Bribery Act. | Applicability of the Bribery Act |
| 2. | Use of Labour, Property and Funds of the Commission and Higher Educational Institutions/ Institutes | |
| 2.1 | No person employed in the Commission or any Higher Educational Institution/ Institute may utilise any labour employed therein on private jobs of any kind, whether during or outside the official hours of work, or put any property belonging thereto to his personal use except with the special sanction of the Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution concerned upon such terms and conditions which they may determine in respect of labour or property coming under their respective purview. In case of Campuses and other Institutes attached/affiliated to a University, such matters should be reported to the Vice-Chancellor of the University concerned for his determination in each case. | Private use of labour and property |
| 2.2 | No person employed in the Commission or any Higher Educational Institution/ Institute may make supplies or sell specimens, etc. to the Commission or to any Higher Educational Institution/ Institute without special sanction of the Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution concerned. Campuses and Institutes attached/affiliated to a University should report such matters arising in their institutions to the Vice-Chancellor of the University concerned for his determination in each case. | Supplies or sale of specimens |

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| 2.3 Persons employed in the Commission or in any Higher Educational Institution/ Institute are strictly prohibited from borrowing money belonging to the Commission or a Higher Educational Institution/ Institute from shroffs /cashiers or any of their assistants. It is considered as a punishable offence under the provisions of Penal Code. | Borrowing money from shroffs, etc. |
| 2.4 Shroffs and cashiers are strictly prohibited from making unauthorised advances and granting loans by using funds belonging to the Commission or a Higher Educational Institution/ Institute to any person or encashing private cheques out of such funds. | Unauthorised advances and encashment of cheques |
| 2.5 The appropriation of funds belonging to the Commission or any Higher Educational Institution/ Institute for private purposes, for however short a period of time, shall be viewed as a very grave offence and render the person guilty of it and liable for prosecution and disciplinary action. | Misappropriation of funds |

3. Collection of Subscriptions

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| 3.1 Persons employed in the Commission or any Higher Educational Institution/ Institute should not take any active part in the collection of funds for public charities etc., from their subordinates, nor should they permit their families to take part in such collection in their places of work. | Collection of funds from subordinates prohibited |
| 3.2 Collection of subscriptions from subordinates to defray the cost of testimonials and presentations to superior officers is prohibited. | Collecting funds to offer presents to superiors prohibited |
| 3.2.1 This rule may be relaxed upon an employee's final relinquishing of service, but only with the permission of the Chairman of the Commission or Principal Executive Officer of the Higher Educational Institution/ Institute as appropriate. | On relinquishing of service |

- 3.3 Collection of subscriptions and circulation of subscription papers for the purpose of making a present to any person employed in the Commission or a Higher Educational Institution/ Institute is prohibited.
- Collecting funds to benefit persons in employment prohibited

4. Pecuniary Embarrassment

- 4.1 Serious pecuniary embarrassment, from whatever cause, is to be regarded as circumstance which impairs the efficiency of an employee and renders him less valuable and worthy of trust than he would otherwise be.
- Debt regarded as impairing efficiency
- 4.2 Such embarrassment occasioned by extravagance, imprudence or other reprehensible cause, shall be regarded as an offence affecting the reputation of the Commission or the Higher Educational Institution/ Institute and the office the person holds, and the degree of confidence which may be reposed in him.
- Reputation of the Commission & HEIs
- 4.2.1 A person who has so conducted himself as to be reduced to such pecuniary embarrassment shall be considered to have forfeited that honourable position which is necessary to give him a claim for promotions or other appointments or for increase in salary for length of service.
- Affects promotions etc.,
- 4.2.2 Due notice should be taken of aggravated cases of this description whenever they become known and such measures should be taken either in the manner referred to above or in a manner more appropriate and serve as the circumstances of each case may appear to deserve.
- Aggravated cases
- 4.3 In the event of a person employed in the Commission or a Higher Educational Institution/ Institute being arrested for debt or being adjudicated an insolvent or entering into a composition with his creditors, he shall forthwith inform the Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution/ Institute as the case may be, of this fact.
- Arrest for debt etc.

4.3.1 He should be dealt with for serious misconduct under the disciplinary rules and suspended from duty and shall not be reinstated unless, after examination of facts, it shall appear that his difficulties have been occasioned by unavoidable misfortune and not by extravagance or culpable improvidence or unless they are characterized by extenuating circumstances.

Misconduct

4.3.2 Any person, who does not immediately on being arrested for debt or on insolvency proceedings being taken against him inform the appropriate authorities referred to above, shall upon its becoming known be removed from service without any expectation of being re-instated.

Consequences of not informing

5. **Furnishing of official information to the public**

5.1 No person employed in the Commission or a Higher Educational Institution/ Institute other than the Chairman or Secretary of the Commission and the Vice-Chancellor of a University or a Director of a University College/ Centre for Higher Learning or any other officer authorised in that behalf by the Chairman/ Secretary of the Commission or the Vice-Chancellor of a University or the Director of a University College/Centre for Higher Learning as the case may be, may furnish official information to the press, television or radio or to the public on any matter pertaining to higher educational policy or administration.

On University Policy or Administration

5.2 The Chairman or Secretary of the Commission and the Vice-Chancellor of a University or a Director of a University College/ Institute/Centre for Higher Learning or any other officer authorised in that behalf by the Chairman/ Secretary of the Commission or the Vice-Chancellor of a University or the Director of a University College/

Other matters of public interest

Institute/ Centre for Higher Learning as the case may be, may furnish information regarding the activities of their respective institutions, which are of interest and value to the public.

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| 5.2.1 | Rectors of Campuses may furnish similar information to the public purely on the activities of their institutions. | Information regarding campuses |
| 5.3 | Information to the public should normally be released through the print and electronic media. | Through print and electronic media |
| 5.4 | Information to the public should invariably be confined to facts, statistics etc., and on no account should any expression of opinions be professed. | Facts, statistics etc. |
| 5.5 | No information, even when confined to facts, statistics etc., should be furnished where its publication may embarrass the Government or the Commission or Higher Educational Institutions/ Institutes, as a whole or any particular section thereof. In cases of doubt, the Chairman of the Commission or the Principal Executive Officer of the institution concerned should be consulted. | Embarrassment to Government and HEIs |
| 5.6 | Whenever Chairman or Secretary of the Commission/ Vice-Chancellor of a University/ Director of a University College/ Rector of a Campus/ Director of an Institute/ Centre for Higher Learning or any other officer authorised in that behalf gives information for publicity to the print and electronic media, it should be given as emanating officially from him. | Emanating officially |
| 5.7 | No persons other than those stipulated in sub paragraphs 5.1 and 5.2 above may allow himself to be interviewed by the print and electronic media or communicate with the print and electronic media directly or indirectly on any matter referred to in this paragraph on which he may have gained information in the course of his duties. | Interviews to the press and electronic media |
| 5.8 | No person employed in the Commission or any Higher Educational Institution/ Institute may send any official correspondence he may have had with these institutions for publication in any newspaper without the previous sanction of the | Publication of correspondence with Commission or HEIs |

Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution/ Institute concerned.

- 5.9 No person employed in the Commission or any Higher Educational Institution/ Institute may be an editor of a Newspaper or directly or indirectly take part in the management of it without the previous sanction of the Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution/ Institute concerned.
- Editorship of Newspapers

6. Use of Liquor and Narcotic drugs

- 6.1 A person found drunk or smelling of liquor or to have used narcotic drugs whilst on duty or otherwise within the premises of his place of work or the premises of any other public institution would be considered to have committed a serious act of misconduct. In such an event, the relevant Head of institution or the Disciplinary Authority is bound to take disciplinary action against such person (refer sub-paragraph 2.2.6 of Chapter XIX).
- Use of Liquor and Narcotic drugs
- 6.2 In a disciplinary inquiry into the offence of drunkenness or smelling of liquor, the evidence of two officers of executive grades will be sufficient to establish one's guilt and if he is found guilty by a formal disciplinary inquiry, the Disciplinary Authority may dismiss such person from service or impose on him any other major punishment referred to in sub-paragraph 4.1.2 of Chapter XIX.
- Evidence of two officers will be sufficient
- 6.3 Any person found guilty of an offence mentioned in sub-paragraph 6.2 above for the second time shall compulsorily be dismissed from service.
- compulsory dismissal
- 6.4 Any person suspected of having used narcotic drugs as mentioned in sub-paragraph 6.1 above must be confirmed to have committed such offence by a report made by a Government Medical Officer or a Judicial Medical Officer. In the event that the person is found guilty of having committed such offence by a formal disciplinary inquiry, he shall compulsorily be dismissed from service.
- Confirmed by a GMO/JMO