



॥ अंतरी पेटवू ज्ञानज्योत ॥

KBCNMU
JALGAON



Handbook of Code of Conducts for Teachers



Kavayitri Bahinabai Chaudhari
North Maharashtra University, Jalgaon

Handbook of code of conducts for University Teachers

1.0 Preamble:

Creation, dissemination and preservation of knowledge is the responsibility entrusted by society on the university and Kavayitri Bahinabai Chaudhari North Maharashtra University, Jalgaon not only understands it but remains highly committed to it. In doing so, it is important that stake holders and contributors to the cause, particularly teachers, remain adhered to high standards of ethical practices. In order to foster and strengthen adherence to the rules, regulations, statutes, ordinances and to achieve stated mission of the University, a model Code of Ethics and Code of Conduct are elaborated below. The document has two parts. The first parts elaborate the ‘Code of Ethics’ while the second parts deals with the ‘Code of Conduct’

2.0 Purpose:

- (a) To uphold the honour and dignity of teaching profession and the University in toto.
- (b) To pursue the efforts towards academic excellence through knowledge, academic integrity and observance of democratic principles in the University ecosystem.
- (c) To assist in establishing the professional standards for the academic programme.
- (d) To protect academic freedom, preserve standards of teaching and advance the mission of the University.
- (e) To strengthen the public trust and confidence in the University.
- (f) To avoid any exploitation, harassment or discriminatory treatment to students.

3.0 The Scope of Code of Conduct:

This Code of Conduct applied to all teachers including adjunct, visiting and contractual of KBCNMU in respect of all activities relating to this University. It must be read in conjunction with the Statutes, Ordinances, rules of the University in accordance with (i) Maharashtra Public Universities Act, 2016, (ii) UGC Regulations, (iii) Government of Maharashtra Resolution No. Misc-2018/CR.56/18/UNI-1; dated 08.03.2019 and (iv) Uniform Statute framed under subsection 10 of section 72 and read with sub-section 20 of section 71 of Maharashtra Public Universities Act, 2016. The University may also exercise jurisdiction over conduct which occurs off campus violating the teachers’ conduct in this handbook, as if the conduct has occurred on campus which shall include any violations of the Sexual Harassment to the victim(s) from campus community / off campus.

4.0 Code of Professional Ethics for Teachers:

It is a document of aspirational nature prepared by the university encompassing core ethical values, principles and ideals of the organization. Code of ethics comprise ethical prescriptions affirming professional ideals and represent objectives towards which the teachers should strive. It has been drawn primarily from Section 22 of Maharashtra Government Resolution no. Misc-2018/C.R.56/18/UNI-1; dated 8 March, 2019.

Responsibilities and accountability of the University teachers towards:

(a) Profession:

The teachers should :

- i. seek to inculcate scholarly standards of their discipline and encourage the free pursuit of learning among students.
- ii. demonstrate respect for students and adhere to proper role as intellectual guides, mentor and counsellors.
- iii. perform duties in the form of teaching, tutorial, practical and seminar work conscientiously and with dedication.
- iv. perform academic related activities in advance of class to ensure adequate delivery of course component assigned to them.
- v. familiarize students with code of conduct and policies related to responsibilities and awareness about appropriate campus evaluation procedures.
- vi. make every reasonable efforts to foster honest academic conduct and assure that their evaluation of students reflect each student's true merit.
- vii. exercise critical self-discipline and judgement in using, extending and transmitting knowledge.
- viii. seek to make professional growth through study and research.
- ix. adhere to conduct and demeanour expected by the community.
- x. maintain their private affairs consistent with the dignity of the profession;
- xi. exercise all those qualities that enable colleagues to have confidence in one another.
- xii. express opinion at professional meetings, seminars, conference etc. towards the contribution of knowledge.

- xiii. maintain active membership of professional organizations.
- xiv. participate in extension, co-curricular and extra-curricular activities including community services.
- xv. not practice under the influence of any alcoholic/narcotic substance which impairs their fitness to teach.
- xvi. not indulge in conflict of interest and scientific misconduct such as plagiarism, falsification and fabrication.
- xvii. demonstrate academic readiness by expanding competence in the subject concern.

(b) Students:

The teachers should :

- i. regard the tutelages of students as trust conferred by society for the promotion of students' learning and professional development.
- ii. discuss students' views with open-mindedness on their intellectual merits.
- iii. treat the student without any exploitation, harassment or discrimination regardless of their religion, colour, caste, political, economic, social, sex, sexual orientation, gender, ethnic origin and physical or mental disabilities etc.
- iv. identify the difference in aptitude and capabilities of students and strive to meet their individual needs.
- v. always discourage any personal relationship such as romantic or sexual, even if consensual that jeopardizes the integrity of educational process.
- vi. encourage the free pursuit of learning among the students.
- vii. encourage students to improve their attainments, develop their personalities thereby contribute to the community welfare.
- viii. promulgate student's scientific outlook and respect for physical labour and ideals of democracy, patriotism and peace.
- ix. not behave in a vindictive manner towards the students.
- x. make available to the students even beyond their class hours and guide students without any remuneration or reward;
- xi. help students to develop an understanding of our national heritage and national goals, and
- xii. desist from inciting students against other students, colleagues or administration.

- xiii. Protect pedagogical relationship with students from activities that can interfere with learning process.

(c) The University:

The teachers should :

- i. treat other members of the profession in the respectful manner and render professional assistance.
- ii. promote and protect the legitimate interests of the University.
- iii. avoid unauthorized use of university resources or facilities on a significant scale for personal, commercial, political, or religious purposes.
- iv. perform the work honestly, competently and fulfil obligations.
- v. refrain from lodging unsubstantiated allegations against colleagues to higher authorities.
- vi. desist from allowing considerations of caste, creed, religion, race or sex in their professional endeavour.
- vii. accept to share their responsibilities for governance of the University.
- viii. observe stated regulations of the University, provided that the regulations do not contravene academic freedom.
- ix. co-operate University to carry out functions relating to the educational affairs and participation in the governance of the University as provided in the act.

(d) University authorities:

The teachers should:

- i. discharge professional responsibilities consistent with the University rules and adhere to procedures and methods prescribed for teaching profession.
- ii. refrain from undertaking any other employment, private tuitions and coaching classes which may interfere with professional responsibilities.
- iii. participate actively in the formulation of University policies.
- iv. operate for preparation of policies of the other institutions.
- v. operate with the University authorities for progress in conformity with dignity of the profession.
- vi. give due notice before a change of job position is made.

- vii. refrain from taking leave except on unavoidable circumstances and with prior intimation, keeping in view their particular responsibility for completion of academic schedule.

(e) Non-Teaching Staff:

The teachers should

- i. treat the non-teaching staff as colleagues with respect for their professionalism and provide them congenial working environment.
- ii. neither discriminate nor harass colleagues from non teaching staff.
- iii. acknowledge intellectual pluralism and strive to be objective in their professional judgement of colleagues.

(f) Guardians:

The teachers should:

- i. maintain contact with the guardians of their students to keep them informed about wards academic pursuit, conduct and interest in cultural and co-curricular activities periodically.
- ii. meet the student parents in meetings convened for the purpose for mutual exchange of ideas and benefit of the University.

(g) The Community/Public/Society:

The teachers should:

- i. work to improve education in the community and strengthen the community's moral and intellectual life.
- ii. know social problems of society and participate in such activities that lead to the progress of society.
- iii. make public comments on scientific matters with care, precision, without unsubstantiated, exaggerated, or premature statements.
- iv. perform the duties of citizenship, participate in community activities and work for national integration.
- v. refrain from any activities that promote feeling of hatred or enmity among different communities, religions or linguistic groups.

5.0 Code of conduct for teachers:

It is a directional document, originating from the principles outlined in the Code of Ethics and containing specific practices and conduct to be followed or restricted for the teachers. It has been derived from principles, values and behaviour outlined in Code of Ethics.

(a) Academic Freedom:

The teachers shall:

- i. avail civic and political rights as provided by the constitution and not represent as a spokesperson for the University unless authorized to do so.
- ii. not represent any political party or contest election during full time or part time tenure as a teacher.
- iii. be entitled for adequate emoluments, conditions of service and professional independence as per government rules.
- iv. have academic freedom in the classroom to discuss subject content but not introduce any personal or controversial matters which have no relation to the subject being taught.
- v. have freedom in research, publication of the research findings, consultancy, extension work, etc. subject to the relevant conditions stipulated by the University.
- vi. measure the urgency of other obligations in the society in the light of responsibilities towards subject, students, profession, and University.
- vii. listen to fellow colleagues and the students on campus invited to speak and indicate disagreement not by disruptive action designed to silence the speaker, but by reasoned debate and discussion as befits his/ her profession.
- viii. Pay attention against exploitation of his/ her work for objectionable use.
- ix. choose whether or not to join a trade union and whether or not to participate in union activities.
- x. deserve fair and equitable grievance procedures, whenever the teacher has any complaint to make as per grievance redressal procedure.
- xi. have a right to comment publicly in relation to area of professional expertise.
- xii. Ensure that their scientific contributions are thorough, accurate and unbiased.

- xiii. begin each class on time and use allotted instructional time.
- xiv. inform students about the procedure to be followed in the event that their class is cancelled.
- xv. encourage feedback from students regarding the course after completion.
- xvi. disseminate thought providing knowledge to encourage students for innovative research work.

(b) The University:

The teachers shall

- i. be at the disposal of the University for full time.
- ii. take efforts to promote the interest and improve the reputation of the University.
- iii. conform to the provisions of the Act, Statutes, Ordinances, Regulations and Rules and Orders/Decisions of the competent authorities in force and as amended from time to time.
- iv. Work in the University for progressive development keeping in view the interest and dignity of the profession.
- v. participate in academic, co-curricular, extra-curricular and cultural activities of the School/Institute.
- vi. strive to discharge administrative responsibilities assigned on priority basis.
- vii. be the custodians of all the facilities and equipment under their control for efficient and honest use and not for personal purpose, unless prior permission is obtained from the Vice Chancellor.
- viii. use the resources economically, avoid misuse and take prior permission in case of changes, modifications in the facilities and equipment to prevent any damage or/and financial burden on the University.
- ix. have the right to advocate changes in a decent manner commensurate with the teacher profession.
- x. not accept contributions or participate to raise funds nor other collections in cash.
- xi. not accept or permit to accept any member of family or any person acting on his/her behalf any gift in cash for personal benefit from any person including another teacher for a work to be done in connection with the business of the University.

- xii. take prior permission of the Vice Chancellor before applying for a job, post, or scholarship/fellowship, any course of study leading to degree, diploma, certificate, etc. outside the University.
- xiii. take prior permission of the Vice Chancellor for absentia from his/ her duty and intimate the reason for the absence within five days from the first day of absence, failing to do so may be treated as leave of absence without pay and liable to disciplinary action or authority may condone this condition in genuine cases beyond control.
- xiv. not bid directly or indirectly at any auction of the property of the University, (ii) submit any tender/quotation for the supply of any item to the University, or (iii) supply any item to the University against payment from the University.
- xv. avoid use of University property of the University including the residential accommodation allotted to him for conducting any trade, business, coaching classes, private tuitions, etc.
- xvi. not engage with any trade, business, coaching classes, tuition or any other occupation, which is not part of his/ her duties as prescribed nor permitted by the rules of the University.
- xvii. not accept any regular employment/ assignment outside the University without the permission of the Vice Chancellor.
- xviii. not issue an order, circular, notice, statement, memo, institutional information, etc.
- xix. use modest and never practice vulgar, abusive or unparliamentary language in a public place.
- xx. report to the University authorities any matter which is detrimental to the welfare of the University.
- xxi. promote collegiality to achieve the ultimate goals of the University.
- xxii. extend necessary support and cooperation to University authority for prescribed duties.

(c) Teaching Profession:

The teachers shall

- i. act in such a manner as to uphold the honour, integrity and dignity of the profession, and adhere to a responsible pattern of conduct.
- ii. perform academic duties, such as lectures, demonstrations, guidance to research students, tutorials, examinations and assessment, regularly, punctually and effectively.
- iii. take care of students and seek to motivate inspire and celebrate efforts and success.
- iv. maintain absolute integrity in teaching, research, consultancy services.
- v. build professional reputation on merit and never compete unfairly with others.
- vi. always strive for competence and excellence in areas of his/ her expertise, and research.
- vii. participate in academic programmes, such as Seminars, Orientation and Refresher Courses, etc. to improve knowledge and skills, provided such a programme does not affect his/ her duties in the University.
- viii. extend total cooperation to the University in carrying out functions related to admissions, counselling of students, examinations, including supervision, invigilation and evaluation.
- ix. assure that his/ her teaching, research and public service obligations are in tune with the objectives of the University.
- x. publish advertisements or promotional materials with administrative permission, provided the materials do not include any false, misleading, or exaggerated claims and information.
- xi. refrain from using class timing to promote personal, religious, political, social agenda.
- xii. demonstrate respect, patience, and a willingness to guide/mentor during interactions.
- xiii. ensure safety, health and environment of the students and colleagues in the performance of his/ her professional duties.
- xiv. issue public statements only in an objective and truthful manner.

- xv. avoid any act tending to promote his/ her own interests at the expense of the integrity, honour and dignity of the profession.
- xvi. not reveal confidential information or findings of any committee as a member.
- xvii. admit own errors when proven wrong and refrain from distorting or altering the facts to justify his/ her decisions.
- xviii. not associate himself/ herself with any illegal organization and any unethical act.
- xix. give proper credit for a work to those whom the credit is due and uphold the principle of appropriate compensation for those engaged in a common venture.
- xx. not deliberately make a false statement about professional position or disclose a fact related to competency and qualifications or misrepresent his/ her professional qualifications.
- xxi. not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attributes.
- xxii. not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
- xxiii. accept personal responsibility for his/ her acts and seek to merit the respect and confidence of the staff and the students of the University.
- xxiv. recognize the effect on the academic programmes in cases of leaves of absence/leaving the University to pursue other opportunity or termination of their service and give due notice to the colleagues or authorities.
- xxv. manage his/ her private affairs consistent with the dignity of the teacher's profession.
- xxvi. maintain active membership of professional organizations.
- xxvii. not raise questions of caste, creed or religions, race or sex in his/ her relationship with the students and colleagues.
- xxviii. not involve in private coaching/ tuitions, writing of question-answer guides, keys, likely questions, cyclostyled or photocopied notes or electronic transfer of such material.
- xxix. neglect or refuse examination work consistently without reasonable grounds.

(d) Outside Consultancy Work:

The teachers shall

- i. perform consultancy related work as per University policy on consultancy and research.
- ii. undertake services only in the areas of his/ her competence and never offer services beyond professional standards of disciplines.
- iii. possess suitable qualifications by education or experience in the specific technical field involved, for engaging in the outside work.
- iv. refrain from assurance for favourable outcomes as a result of his/ her work.
- v. abide by agreements between the teacher and commitments of effort as specified in contractual research agreements and grant applications.
- vi. not falsify or permit misrepresentation of his/ her own or his/ her associates', academic or professional qualifications.
- vii. not misrepresent/exaggerate his/ her degree of responsibility in or for any assignment.
- viii. not associate with/permit the use of his/ her name or the name of the University in business ventures by any person or firm which s/he knows, or engaged in business or professional practices of a fraudulent or dishonest nature.
- ix. not pay or offer to pay, either directly or indirectly, in cash or kind, any commission, contribution, or any other consideration in order to secure any outside work.
- x. not use equipment, chemicals, laboratory or office facilities of the University to carry private work without written consent from the Vice Chancellor.
- xi. not claim/advertise affiliation with the University as an evidence of his/ her competence in teaching and research to keep relationships with clients.
- xii. assure that proposals for research and outside activities are responsibly made, adhered to, and executed.
- xiii. maintain relationships with clients and professionals on a professional level only and avoid any controversy.
- xiv. not request/propose/accept professional commissions on a contingent basis under circumstances, where professional judgments may be compromised, or

when a contingency provision is used as a device for promoting or securing a professional commission.

- xv. treat information derived from consulting services as confidential and secure consent of persons involved before releasing information to other agencies.
- xvi. not misrepresent pertinent facts concerning the University, associates, joint ventures, or past accomplishments with the intent and purpose of enhancing his/her qualifications in any brochures or other presentations.
- xvii. not maliciously or falsely, directly or indirectly, injure the professional reputation, practice or employment of his/her colleague, nor indiscriminately criticize another's work.

(e) Students:

The teachers should

- i. respect the right and dignity of the students and protect their academic freedom to express opinion.
- ii. deal affectionately, impartially and professionally with all the students.
- iii. take reasonable steps in relation to the care of students under his/her supervision and so also ensure safety and welfare.
- iv. work within the framework of relevant legislation and regulations.
- v. acknowledge and respect the uniqueness, individuality and specific needs of students and promote their holistic development.
- vi. seek to develop positive relations with students that are characterized by professional integrity and judgement.
- vii. encourage students to improve their performance and personality.
- viii. inculcate among students the scientific outlook and respect for physical labour.
- ix. not behave in a vindictive manner towards any of the students for any reason.
- x. make available to the students even beyond their class hours if needed and guide students without any remuneration/reward.
- xi. refrain from recruiting a student who is already enrolled, registered, or intent to register with other institution.
- xii. not do or say anything that would undermine the confidence and the respect of his/ her students towards the University.

- xiii. refrain from inciting students against other students, colleagues, University administration, or any ground which is illegal, unethical or unprofessional.
- xiv. encourage the free pursuit of learning in the students and hold before them the best scholarly and ethical standards and adhere to his/ her role as an intellectual guide and counsellor.
- xv. evaluate students' competency through the use of approved validated methods stated in guidelines under academic flexibility and techniques and do the evaluation in an independent and objective manner, as per the standards and norms of the University.
- xvi. refuse any reward or remuneration from any private organization or prospective employer for placement of the students.
- xvii. avoid harassment, or discriminatory treatment to students.
- xviii. acknowledge any significant academic or scholarly assistance from the students.
- xix. not unreasonably restrain the student from independent action in the pursuit of learning.
- xx. not deliberately suppress or distort subject matter relevant to the student's progress.
- xxi. make reasonable efforts to protect the students from conditions harmful to health and safety.
- xxii. not use professional relationship with students for private advantage.
- xxiii. not disclose the confidential information about students unless disclosure serves a compelling professional purpose or is required by law.
- xxiv. refrain from using any tactic which is tantamount to induce the student to join him/ her as a research student.

(f) Colleagues:

The teachers shall

- i. treat every academic employee of the University with respect, courtesy and general goodwill during interactions.
- ii. vacate the classroom in time and refuse to engage in gossip or allied activities that malign a colleague(s).

- iii. show respect for the opinions of colleagues in the exchange of criticism and render assistance if required.
- iv. refrain from making false comments, unsubstantiated allegations, or malicious statements about colleagues including, support staff and also from lodging false complaints against colleagues to higher authorities.
- v. desist exploitation, harassment or discriminate the colleagues on the basis of caste, creed, religion, race or sex in professional endeavour.
- vi. cooperate with colleagues and never display, publicize, circulate rumours or other unsubstantiated derogatory information against anybody.
- vii. not pressurize any employee of the University to take any decision against the rules.
- viii. not disclose any information about colleagues obtained in the course of the professional service, unless disclosure serves a compelling professional purpose or is required by the law.

(g) Guardians of the Students:

The teacher shall

- i. maintain periodic contact with the guardians of their students.
- ii. be courteous to the guardians of the students and share the information regarding the progress of the students.

(h) Society:

The teachers shall:

- i. strive to keep the public informed of the educational programmes which are provided by the University.
- ii. be aware of the social issues and take part in such activities as would be conducive to the progress of the society.
- iii. work to perforate education in the community and strengthen the community's moral and intellectual life.

(i) Research:

The teachers shall:

- i. observe high ethical standards in the conduct of research and, when relevant, to comply with the obligations imposed by the codes of practice as outlined by the relevant funding bodies, obtain ethical clearances where ever, required,
- ii. recognize the Intellectual Property created by the students working and the colleagues involved in the respective work,
- iii. stipulate equitable returns to the originators of intellectual property as well as to the other stakeholder,
- iv. not disclose any confidential information generated through the course of research contract from private funding agencies and industries under any circumstance for monetary benefits
- v. refrain from indulging in unscientific publication which would tarnish the image of the University,
- vi. assign authorship credit on the basis of appropriate array of significant intellectual contributions including conception, design, performance analysis, interpretation, manuscript preparation, critical editing in intellectual manner.
- vii. ensure originality of work, provide credit for ideas of others upon which their work is built and be responsible for accuracy and fairness of scientific information published.

6.0. General:

The teachers shall:

- i. Maintain absolute integrity, dedication, honesty and impartial in all its academic and administrative dealings.
- ii. be asked to perform such duties as may be assigned to him by the Vice Chancellor beyond scheduled working hours and on closed holidays.
- iii. not engage in acts of sexual harassment/misconduct with any person at work place.
- iv. observe the scheduled hours of working during which he must be present in the school/institute.
- v. not remain absent from duty without prior permission.

- vi. not engage directly/indirectly in any trade/business or undertake any employment outside the University assignments.
- vii. not accept any fee/remuneration for any work done for public body or any private person without the prior approval of Vice Chancellor.
- viii. not use his position/influence directly/indirectly to secure employment of any member of higher family in the University or affiliated college/institute.
- ix. under no circumstances ask unauthorised personnel to teach, dictate notes on their behalf.
- x. update knowledge and skills for proper discharge of their duties assigned.
- xi. not impose/attempt to bring political or outside pressure on the University authority in respect of service matters.
- xii. report to the University of any criminal complaint, action/proceeding lodged in any Police Station/court or forum.
- xiii. not join duties in cases detained in police custody whether on criminal charge or otherwise for a period of more than 48 hours.
- xiv. not have recourse to any court of law or to the press for the vindication of any official act which has been the subject matter of advance criticism or an attack of a defamatory character.
- xv. not sublet, lease or recommend or allow occupation of University accommodation at any other person without permission of respective authorities.
- xvi. abide by law relating to intoxicating drinks/drugs in the University premises and not be under the influence of any intoxicating drinks/drugs during the course of his duty.
- xvii. desist from consuming intoxicating drinks/drugs in a public place as well as chewing tobacco and spitting in the corners of walls.
- xviii. forward his/her case through proper channel when teacher wishes to put forth any claim or seek redressal of any grievance or of any wrong done to him.
- xix. not be signatory to any joint representation addressed to the University authorities for redressal of any grievance or for any other matter.
- xx. not demand directly/indirectly, from the parent/guardian of a bride or bridegroom, as the case may be any dowry (Dowry Prohibition Act, 1961 (28 of 1961)).
- xxi. display identity card at the times in the campus.

- xxii. desist from awarding any physical punishments to students and warn such students or report to Director of the School/Institute.
- xxiii. perform academic duties and work related examinations as assigned and no remuneration is payable for internal examinations conducted by the School/Institute.
- xxiv. not involve in or resort to directly/indirectly any malpractices or unfair means in teaching/examination/administration.
- xxv. use University property, equipment, finances, materials, electronic or other system or other resources only for legitimate purposes.
- xxvi. adhere to the leave rules, code of conduct and agrees to execute the work (academic/administrative) assigned to him by the Vice Chancellor, Director, Head of the Department from time to time honestly and sincerely.
- xxvii. not directly apply or seek another job and take prior permission from the Vice Chancellor.
- xxviii. give one month notice/one month pay in lieu of notice, if teacher wants to leave the service during the probationary period.
- xxix. give three months leave or three months' pay in lieu of the notice, in case a teacher wants to leave the service after completion of probationary period at the end of middle of an academic year.
- xxx. not confine their activities to the classroom teaching and give additional inputs to the students for preparation of NET/SET/GATE/GRE/TOEFEL/ DRDO examinations.
- xxxi. not involve/participate in any organized anti-University activity no promote, abet or motivate groupism or unhealthy activity.
- xxxii. not collect any money under any pretext from any one including students and do not hold any money collected on behalf of University for more than 24 hours.
- xxxiii. settle the advance taken from University within.....days of completion of the academic events.
- xxxiv. Support Head of the Department/Director to enable them to carry out their prescribed duties.

7.0 Research Misconduct including Plagiarism:

The university shall endeavour to upkeep the highest ethical/moral and scientific standards in all its research activities on campus and affiliated colleges. Any research misconduct including plagiarism shall be dealt with as outlined in the “Policy Document on Research Promotion in the University’

8.0. Conflict of Interest:

Conflict of interest refers to situations in the University where potential rewards, financial or other personal considerations may lead to compromise, or appear to be compromising the objectivity in academic, professional and research activities of the teacher. The teachers, therefore, shall

- i. avoid all known **conflicts of interest** and promptly inform to the University about any outside agency, interests, or circumstances that may possibly affect quality of their services.
- ii. not undertake any assignment which would knowingly create a potential conflict of interest between them and outside agency.
- iii. professionally-relate outside activities: consulting, textbook authorship, involvement with professional societies, and participation on review panels, etc. in a manner that it will not raise the issue of conflict of interest affecting their academic credibility.
- iv. not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all the interested parties.
- v. not solicit nor accept financial or other valuable considerations, from material or equipment suppliers for any deal involving the University.
- vi. not solicit nor accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients, or employers in connection with work for which s/he is responsible.
- vii. not participate in considerations or actions with respect to services provided as a member or advisor.
- viii. not solicit nor accept any consultancy contract from a governmental body on which any employee of the University serves as a member.

9.0. Obligations of the University:

The University shall:

- i. believe in the dignity and the potentialities of teachers.
- ii. not make any discrimination of its teacher employees and students with respect to race, colour, caste, creed, religion, gender, age, marital status, age, political beliefs; family, social or cultural background and physical disabled condition with respect to employment, admissions, promotions, evaluations, counselling, instructions, research, consultancy, financial assistance, etc.
- iii. have a Code of Conduct, which will be reviewed from time to time to reflect concerns for ethical practices and policies.
- iv. define its educational objectives and all policies and publicize them through University website, handbooks, booklets, etc.
- v. validate/verify the academic achievements thoroughly after recruitment of the teacher.
- vi. maintain records and make them available judiciously under Right to Information (RTI) Act of the Government, as may be required and ensure that confidentiality and privacy of the records are maintained.
- vii. encourage the teachers to further their education and professional competence, participate in professional bodies, provided it does not affect the duties.
- viii. create an ambience and eco-system conducive for teaching, learning and research
- ix. suitably incentivise quality teaching and research activities of teachers
- x. formulate a suitable policy for promotion of quality research culture.

10.0 Grievances of Teachers:

The Grievances Committee in the University should deal with all types of grievances; except grievances against the State Government including its officials, of teachers and other employees of the university, affiliated and autonomous colleges and recognized institutions, other than those managed and maintained by the State Government, Central Government or a local authority; which are not within the jurisdiction of the University and Tribunal.

The university shall establish a Grievances Redressal Cell headed by the officer of the university not below the rank of the Assistant Registrar for providing administrative assistance to it as prescribed in Maharashtra Public Universities Act, 2016. The grievances of the teachers, if

any shall be redressed as per the guidelines described in it or prepared by the university for the said purpose.

11.0 Inappropriate conduct:

The breach of any of the provisions in the Code of Conduct, or any one or more of the following acts on part of the teacher shall be considered as a misconduct:

- i. any action by the teacher contrary to the provisions of Code of conduct and prescribed in the Act, Ordinances, Regulations, Rules and Directives from the University authorities.
- ii. deliberate negligence of duty in teaching, administration and research.
- iii. intentional harassment (make them fail in exam, sexual or otherwise) of students
- iv. failure to accept charge-sheet, order or other communication served according to the Rules.
- v. providing false or misleading information or misrepresented to the University for employment.
- vi. employment while being on the payroll of the University.
- vii. failing to inform the current status of his/ her job beyond and still holding the lien position.
- viii. incitement of others to disobey rules.
- ix. unauthorize use of University resources and violation of university policy.
- x. commission of criminal act that led to conviction in a court of law.
- xi. use of position to coerce the judgement of student.

12.0 Disciplinary authority and action against misconduct:

The **Disciplinary Authority** in respect of the teachers working in the University shall be the **Vice Chancellor**. The process to be followed and penalty, minor or major, awarded to the teachers has been elaborated in the Annex I of this document.

13.0 Misconduct in the University examination:

Disciplinary action for committing malpractices/misconduct/failure to comply by teachers in the University examination shall be governed by:

- a. Section 48 (5) (a) (b) of Maharashtra Public Universities Act, 2016.

- b. Ordinance 164 of North Maharashtra University, Jalgaon framed under the Maharashtra Universities Act, 1994 and shall be dealt with the provisions made in them.

14.0 Recovery of damage or loss to the University/university property:

Recovery of damage or loss to the University/university property by teacher(s) shall be governed by rules and regulations prescribed by Uniform Statute No. 2 of 2019.

15.0 Participation in private tuitions and coaching classes.

Teachers are prohibited for participation in private tuitions and coaching classes. Participation in private tuitions and coaching classes. Disciplinary action for participation in private tuitions and coaching classes by teachers shall be governed by rules and regulations prescribed under Ordinance 171 of North Maharashtra University, Jalgaon formed under the Maharashtra Universities Act, 1994. In cases where the concerned Principal/Management does not take action upon the directives given by the University, action shall be initiated as per provision 81 (1)(h) of the Act and/or Ordinance 168 and Ordinance 170.

16.0 Non-cooperation in University Examination and University work:

The teacher shall be disqualified for being a member of any authority/body of University for Non-cooperation to undertake University examinations and or University work without valid reasons. This misconduct shall be governed by Ordinance 177 of North Maharashtra University, Jalgaon framed under the Maharashtra Universities Act, 1994.

A teacher appointed by the University with an assignment of Examination work and/or any University work, shall be disqualified for being a member of any authority/body of the University, if he refuses to undertake the University assignment in connection with examination work and/or any University work, without valid reasons and without taking appropriate precautionary measures with a view to see to it that the University schedule of work does not get disturbed/hampered on account of negligence/dereliction of duties on his part. Such a teacher on being proved by the Committee constituted as per the provisions of ordinance 164 to have refused/repudiated to assist in the examination and/or any other University assignment, shall be liable for being disqualified for election to any of the authority/body and also in case of those who are already elected to any

authority/body of the University, their membership shall be liable for being cancelled on the ground of their repudiating the University work without any substantial reason.

17.0 Sexual Misconduct

The sexual misconduct by the University teachers shall be regulated by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

[Refer to No. 18 of 2013 from Ministry of Law and Justice (Legislative Department); dated 23 April, 2013/Vaisakha 3, 1935 (Saka)]

Disciplinary authority and action against misconduct

The **Disciplinary Authority** in respect of the teachers working in the University shall be the **Vice Chancellor**. The process to be followed and penalty, minor or major, awarded to the teachers has been elaborated in this document.

(a) Penalties:

The following penalties commensurate with the severity or gravity of the misconduct committed may be imposed on the teacher found guilty of misconduct.

(b) Minor penalties:

- i. fine.
- ii. withhold increment of pay for a specific period with no effect on subsequent increment(s).
- iii. recovery of pecuniary amounts as may be due from his/ her pay.

(c) Major penalties:

- i. withholding one increment with or without effect on future increments.
- ii. reduction to a lower scale of pay, grade, post or service.
- iii. compulsory retirement from the University.
- iv. termination of service with no disqualification for job in the University.
- v. dismissal from service with no disqualification for employment in the University.
- vi. removal from service with disqualification for future employment in the University.

However, the following shall not amount to penalty:

- i. Non-placement of teacher either in Associate Professor or Professor.
- ii. Compulsory retirement of the teacher in accordance with the provision relating to his/ her superannuation or retirement.
- iii. Termination of services of the teacher appointed on probation will be liable to be terminated during or at the end of the period probation in accordance with terms and conditions of his/ her appointment; OR of the temporary teacher in accordance with the norms.

- iv. Termination of service of a teacher appointed under agreement in accordance with the terms and conditions of such agreement.
- v. Termination of the service due to abolition of the post(s).

(d) Suspension

Teacher shall:

1. be placed under suspension by Vice Chancellor where disciplinary proceedings against him are contemplated or are pending and are likely to result into imposing any of the major penalties or where, in the opinion of the Vice Chancellor, s/he has engaged himself/ herself in activities prejudicial to the interests of the University or where there is reason to believe that his/ her continuance in service is likely to cause embarrassment or to tamper with the investigation of the case, or likely to tamper with the official record or document(s) or where a case against him/ her in respect of any criminal offense is under investigation, enquiry or trial in a court of law.
2. be deemed to have been placed under suspension with effect from the date of his/ her detention, in police or judicial custody, on a criminal charge, for a period exceeding 48 hours or with effect from the date of his/ her conviction, if, in the event of a conviction for an offense, s/he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed or compulsorily retired, consequent to such conviction and shall remain under suspension until the order of suspension is modified or revoked by the Vice Chancellor.

The teacher shall :

3. not allow to resign while under suspension
4. not allowed to engage in any private or gainful employment, trade or business under suspension.
5. be deemed to retire if the teacher under suspension attains the age of superannuation but the departmental or judicial proceedings pending against him shall continue even after his/ her retirement.

The Vice Chancellor shall initiate process to appoint the Committee to hold preliminary investigation after receiving a specific complaint/ information regarding a case of misconduct.

Preliminary Investigation:

The Vice Chancellor shall initiate process to appoint the Committee to hold preliminary investigation after receiving a specific complaint/ information regarding a case of misconduct.

Step 1 : Committee:

Chairman

The member

One senior Professor

Step 2 : Inquiry (Preliminary):

The committee, after going through all the documents and evidence(s) shall see whether there is a *prima facie* case against the teacher. During the preliminary inquiry, full opportunity shall be given to the teacher, as the case may be, to defend his/ her case before the Committee.

Step 3 : Report:

The Committee shall prepare their report and submit the same to the Vice Chancellor.

Step 4 :Review of report by Vice Chancellor:

The Vice Chancellor, after scrutinizing the report of the Committee, may – impose a minor penalty or give permission to hold a full-fledged Departmental Inquiry of the Teacher. Provided that the Vice Chancellor after scrutinizing the report does not agree with the findings of the report if the Vice Chancellor, after scrutinizing the report, feels that the report is incomplete or requires some more documents/evidences, then s/he shall call for such additional documents/evidences and place them again before the same committee and, if necessary, may appoint another Committee.

Step 5 : Minor Penalties:

- a. The misconduct committed by the teacher is serious enough to inflict any of the **minor penalties**.
- b. The Vice Chancellor shall issue a notice to the teacher in writing along with the imputation(s) of misconduct and require him/ her to show cause as to why the action proposed be not taken against him/ her.
- c. give reasonable opportunity to the teacher to furnish the explanation;

- d. take into consideration the explanation of the teacher and record findings on each imputation of misconduct;
- e. issue the order imposing one or more minor penalties, or if satisfied, drop the imputation(s) and exonerate him of the charge(s);
- f. the appeal against the minor penalty imposed by the Vice Chancellor shall lie with the Grievance Redressal Committee followed by the Appellate Committee. Provided that, the teacher aggrieved by the decision of these Committees may appeal to the Board.

Step 6 : Departmental Investigation:

Review:

Whenever the Vice Chancellor, after receiving and scrutinizing the report of the preliminary inquiry committee is of the opinion that there are grounds for inquiry into the truth and/or substance of imputation of misconduct on the part of the teacher(s), which may result in major penalty, s/he may appoint an Inquiry Officer not below the rank of District Judge, to enquire into the truth thereof.

Registrar:

The Registrar shall prepare appropriate notice to be issued to the teacher which will contain definite article(s) of charge(s) in connection with imputation(s) of misconduct, relevant facts and documents.

Notice:

The Registrar shall deliver or cause to deliver to the teacher, a copy of the notice and the teacher to submit to him/ her, within fifteen clear days, a written statement of his/ her defence and to state whether s/he desires to be heard in person.

Written Statement:

On receipt of the written statement of defence and on admission of any or all article(s) of charge(s) by the teacher, the Vice Chancellor shall record his/ her findings on each charge admitted.

Record:

On receipt of written statement of defence of any or all of the article(s) of charge(s) by the teacher or on its non-receipt, the Vice Chancellor may further enquire or cause to enquire into the charge(s) not admitted and record the findings.

Investigation:

Where the Inquiry Officer is appointed as per first step, the Vice Chancellor by an order appoint Registrar or another teacher or any other suitable person as Presenting Officer on his/ her behalf to present the case in support of the article(s) of the charge(s) before the Inquiry Officer. The teacher may take assistance of any other teacher or any other suitable person to represent the case on his/ her behalf. Neither side shall ordinarily be represented by a legal practitioner. However, if the Vice Chancellor is represented by a legal practitioner, the Inquiry Officer shall also permit the teacher to engage a legal practitioner, if the teacher so desires.

Documents:

The Registrar shall forward to the Inquiry Officer copies of notice issued to the teacher with all documents produced to the teachers, statement of defence by teacher, all relevant documents and any other information needed by the Inquiry Officer.

Presence:

The teacher shall appear in person before the Inquiry Officer on such day and at such time as the Inquiry Officer may, by notice in writing specify.

Proceeding transfer:

The Vice Chancellor may, *suo moto* or on being moved by the teacher against whom Inquiry is instituted, for just and sufficient reasons, transfer the proceedings to another Inquiry Officer constituted for the purpose.

Record:

If the teacher who has not admitted any of the article(s) of charge(s), in his/ her written statement of defence or has not submitted any written statement of defence, appears before the Inquiry Officer, s/he shall ask the teacher whether s/he is guilty or has any defence to make and if s/he pleads guilty of any of the article(s) of charge(s), it shall be so recorded under the signature of the teacher and of the Inquiry Officer.

Findings:

The Inquiry Officer shall return to the Vice Chancellor the findings in respect of those article(s) of charge(s) which the teacher pleads guilty.

Failure to appear:

If the teacher fails to appear within the specified time or refuses to plead or admits to plead, the Inquiry Officer shall ask the Presenting Officer to produce the evidences by which s/he proposes to prove article(s) of charge(s), and shall adjourn the case to a later date not exceeding fifteen days, after recording the order that the teacher may, for the purpose of his/her defence.

- a. to inspect within five days of the order the documents submitted by the Presenting Officer, other than those provided to the teacher earlier, if any.
- b. to submit a list of witness(es) to be examined on his/ her behalf.
- c. to give a notice within ten days of the order or the discovery or production of any document(s), indicating the relevance of such document(s).

Witness examination:

The teacher may apply in writing, for supply of copies of the statements of witness(es), examined on behalf of the Vice Chancellor, if any, and the Inquiry Officer shall furnish him/her such copies as early as possible, and in any case not later than three days before the commencement of the examination of the witness(es).

Request for documents:

- (a) The teacher, by a notice to the Inquiry Officer, may request the copies of certain document(s) in possession of any functionary/ officer and related to the case. In that case, the Inquiry Officer shall forward the request to the Registrar, with a requisition for the production of the document(s) by a specified date.
- (b) On receipt of the requisition, the Registrar, shall produce the same before the Inquiry Officer. Provided that, the Inquiry Officer may, for reasons to be recorded in writing, decline the requisition of any such documents, as are not relevant in the case and the Inquiry Officer may withdraw the requisition or press for the same. Provided further that, if the Authority having the custody or possession of the requisitioned document(s), is satisfied, for the reasons, to be recorded in writing that the production of all or any of such document(s) would be against the public interest, it shall inform the Inquiry Officer and the Inquiry Officer shall, on being so informed, withdraw the requisition and communicate the same to the teacher.

Continuation of Inquiry:

- (a) The Inquiry shall commence on the date fixed by the Inquiry Officer and shall continue thereafter on the dates as may be fixed from time to time.
- (b) The oral evidence shall be recorded or caused to be recorded by the Inquiry Officer in a question-answer form, on the completion of which it shall be read out to be correct and signed and dated by the teacher concerned, witness, the Presenting Officer and the Inquiry Officer. Copies of the proceeding with copies of all relevant documents shall be handed over by the Inquiry Officer to the teacher and the Presenting Officer.
- (c) The oral and documentary evidence by which the article(s) of charge(s) are proposed to be proved shall be produced by the Presenting Officer. The witness(es) may be examined by the Presenting Officer and cross-examined by the teacher. The Presenting Officer shall be entitled to re-examine the witness on any point(s) on which s/he has been cross-examined by way of clarifications.

Evidence:

Before the close of the case by the Vice Chancellor, the Inquiry Officer may allow the Presenting Officer to produce any fresh evidence on record in the Inquiry on application by the Vice Chancellor with a copy of the fresh evidence to the teacher. Provided that, the Inquiry Officer is satisfied that the evidence could not have been produced earlier at the material time. Provided however that the Inquiry Officer shall give the teacher an opportunity of inspection of document(s) before they are taken on record.

New Evidences:

When the case of the presenting officer is closed, the teacher shall state his/ her defence orally and/or in writing. The teacher may examine himself/ herself and the witness(es) may be cross-examined by the Presenting Officer, re-examined by the teacher and examined by the Inquiry Officer. The Inquiry Officer may also allow the teacher to produce new evidence, if it is necessary in the interest of natural justice.

Explanation:

After the teacher closed his/ her case, the Inquiry Officer may generally question him/ her on the circumstances appearing against him/ her, for the purpose of enabling the teacher to explain any circumstances appearing in the evidence against him/ her.

- (g) The Inquiry Officer may, after the completion of production of evidence, hear the Presenting Officer and the teacher and/ or permit them to file written statements of argument of their respective case.

Written statement:

If the teacher does not submit a written statement of defence on or before the date specified or does not appear in person before the Inquiry Officer or otherwise fails or refuses to comply, the Inquiry Officer may hold the inquiry *ex-parte*.

Evidence record:

Wherever the Inquiry Officer, after having heard and record the whole or part of the evidence, ceases to exercise jurisdiction thereon and is succeeded by another Inquiry Officer, it shall act on the evidence so recorded by its predecessor and partly recorded by itself. Provided that, if the succeeding Inquiry Officer is of the opinion that further examination of any of the witnesses, already recorded, is necessary in the interest of natural justice, s/he may permit such witnesses to be recalled, examined, cross-examined and re-examined by the parties

Step 7 : Common Proceedings:

Inquiry Report:

Where two or more teachers are concerned in any case, the Vice Chancellor may hold a joint investigation. After conclusion of the inquiry, the Inquiry Officer shall prepare an inquiry report. Such report shall contain –

- (a) article(s) of charge(s) and the statement of imputation(s) of misconduct;
- (b) the defence of the teacher in respect of each article of charge;
- (c) assessment of the evidence in respect of each article of charge; and
- (d) the findings on each article of charge and the reasons thereof.
- (e) the oral and documentary evidence produced in the enquiry;
- (f) the written statements of argument filled by the Presenting Officer and the teacher, if any, and
- (g) the orders made by the Vice Chancellor and the Inquiry Officer in regard to the inquiry.

The Inquiry Officer shall forward the inquiry report to the Vice Chancellor.

Step 8 : Action on the inquiry report:

Findings:

The Vice Chancellor shall consider the report and record his/ her findings on each charge.

Disagreement with report:

If the Vice Chancellor disagrees with the Inquiry Officer on any article (s) of charge (s), s/he shall record reasons for such disagreement and proceed further in the matter.

Decision about report:

If the Vice Chancellor, having regard to the findings on the charge, comes to the decision that no penalty be imposed or that the teacher be exonerated, it shall so order and inform the same to the Board in its next meeting.

Penalty:

If the Vice Chancellor, having regard to the findings, comes to the conclusion that any of the minor penalties be imposed on the teacher, s/he shall notwithstanding anything, determine what penalty shall be imposed, and shall so order.

Major Penalty: Reason for disagreement:

If the Vice Chancellor, having regard to its findings on all or any of the articles of charge, comes to the conclusion that any of the major penalties be imposed on the teacher, s/he shall furnish to the teacher, a copy of the Inquiry Report and his/ her findings on each article of charge, expressly stating whether s/he agree with the findings of the Inquiry Officer or otherwise, together with brief reasons of his/ her disagreement, if any; and

Notice:

given to the teacher a notice in the form appended stating the penalty proposed to be imposed on him/ her in respect of each of the article(s) of charge(s) by calling upon him/ her to submit within fifteen days of receipt of the notice, such representation as s/he may wish to make on the proposed penalty and the causes as to the why the penalty be not imposed on him/ her.

The Vice Chancellor shall consider the representation, if any, made by the teacher and determine the quantum of penalty imposed on him/ her on the basis of the evidence adduced.

Final Order:

The final order made by the Vice Chancellor for communication to the teacher and the Inquiry Officer.

Step 8 : Appeal

Order:

Notwithstanding anything contained in act/statute/ordinance no appeal shall lie against – any order of an interlocutory nature or of the nature of a step-in aid or the final disposal of a disciplinary proceeding, other than an order of suspension any order passed by an Inquiry Officer.

Appeal against sanctions:

The teacher may prefer an appeal against all or any of the following orders namely: (a) an order of suspension or deemed suspension, (b) an order imposing any of the penalties, by the Vice Chancellor, (c) an order which denies or varies to his/ her disadvantages his/ her pay, allowances or any other conditions of services or denies placement to which s/he is otherwise eligible according to the recruitment rules or interprets to his/ her disadvantages the provisions of any Ordinance/Statutes or reverts him/ her while officiating in a higher service, to a lower service grade or post, otherwise than as a penalty or reduces or withholds the post – retirement benefits if any or determines the subsistence and other allowances to be paid to him/ her for the period of suspension or for the period during which s/he is deemed to have been under suspension or for any portion thereof or determines his/ her pay and allowances, for the period of suspension or for the period of this dismissal, removal or compulsory retirement from service or from the date of his/ her reduction to a lower service, grade, post, time–scale or stage in a scale of pay to the date of his/ her reinstatement or restoration to his/ her service grade of post as the case may be or determines nature of the period from the date of his/ her suspension or from the date of the dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, scale of pay or stage, in a scale of pay or from the date of his/ her reinstatement or restoration to his/ her service, grade or post, etc.

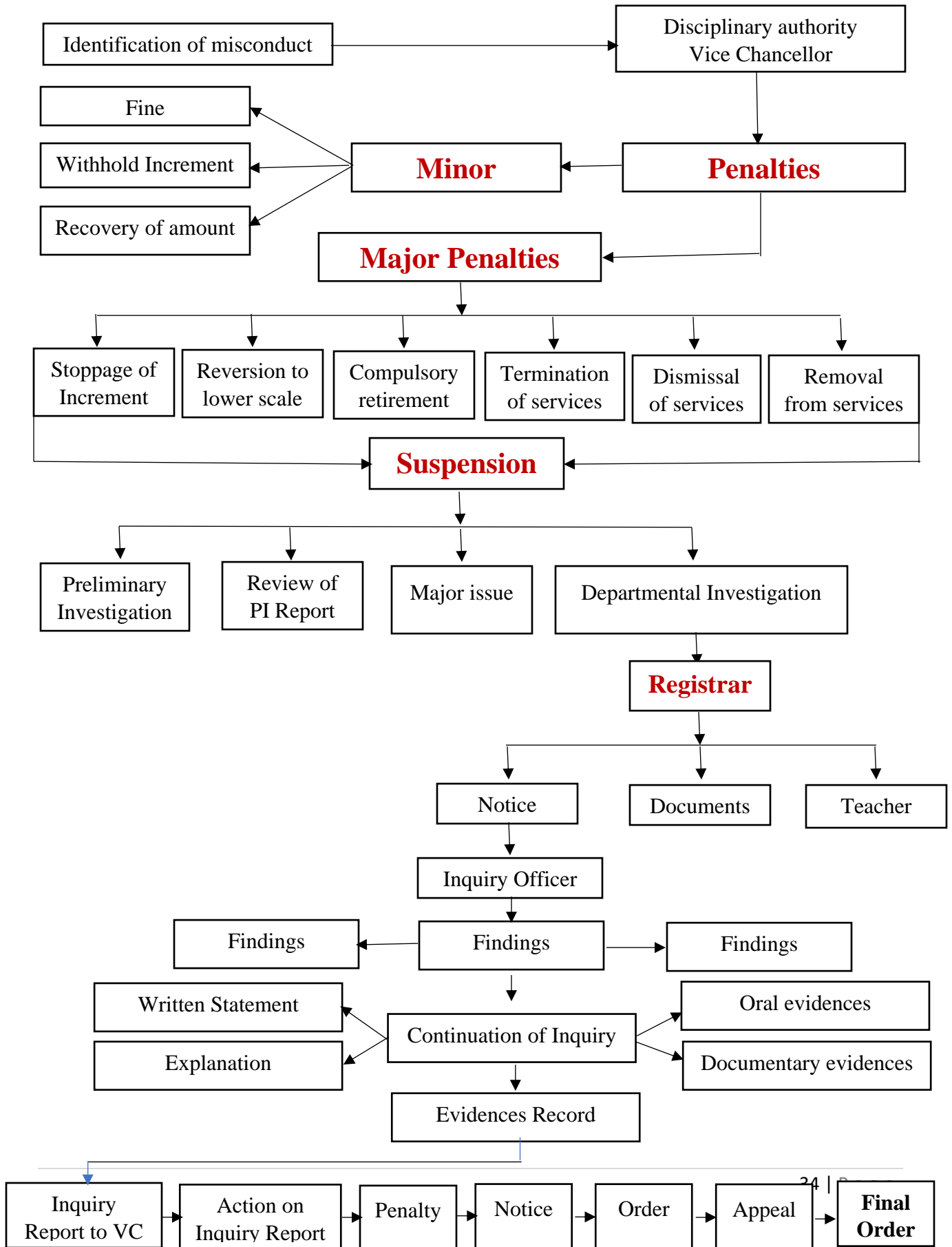
Step 9 : Appellate Authority:

Service of Orders, Notice, etc. Every order, notice and other process made or issued shall be served in person on the teacher concerned or shall be communicated to him/ her by registered post. In case the registered post is not effectively served once, the notice shall be communicated to him/ her by registered post once more and published in at least one leading local news-papers.

Step 10 : Records:

Records of complaints and decision shall be kept by the unit in which accused teacher has a primary academic appointment.

Disciplinary Process



For approval purpose

- History of Document: Issued with approval of Vice Chancellor.

| Approved by | Date | Resolution No. |
|-------------------------|-------------|-----------------------|
| (i) Academic Council | 04.12.2020 | AC A-79/2020 |
| (ii) Management Council | | |