

UPES Regulations Governing Conduct, Discipline and Appeal, 2017

1. SHORT TITLE AND COMMENCEMENT:

These Regulations shall be called “University of Petroleum and Energy Studies Regulations Governing Conduct, Discipline and Appeal, 2017” (hereinafter referred to as ‘the Regulations’). They shall come into force with effect from January 01, 2018.

2. APPLICABILITY

(1) These Regulations shall apply to all the Employees of UPES or of a constituent college, Regional Centre, Study Centre and Career Academy Centre including faculty and all those who hold a fixed term based post thereunder.

3. DEFINITIONS:

In these Regulations, unless the context otherwise requires:

(a) “UPES” means the University of Petroleum and Energy Studies a University established by Act No. 15 of 2003 of State Government of Uttarakhand and notified through the State Gazette vide Notification No. 830/Higher Education/2003-3(18)2003 dated 01.09.2003.

(b) “Authorities” means Authorities of the UPES as defined under Chapter IV of the University of Petroleum and Energy Studies Act, 2003 (Act No. 15 of 2003 of State of Uttarakhand).

(c) “Officers of the University” means Officers of the UPES as defined under Chapter-III of the University of Petroleum and Energy Studies Act, 2003 (Act No. 15 of 2003 of State of Uttarakhand).

(d) “Appointing Authority” in relation to an employee means the Board of Management and includes:

- i. The authority empowered to make appointments to the post of which the employee is for the time being a member or to the pay scale/pay band or in consolidated emoluments or on a non-graded pay structure in which the employee is for the time being included; or
- ii. The authority empowered to make appointment to the post which the employee for the time being holds; or
- iii. The authority which appointed the employee to such service, pay scale/pay band or in consolidated emoluments or on a non-graded pay structure or post, as the case may be; or

- iv. Where the services of an employee, who has been a member of any other (parent) organization, has been obtained on deputation with the University, the authority which appointed him to that service with the other (parent) organization.
- (e) “Board” means the **Board of Management** of UPES.
- (f) “Competent Authority” in relation to the exercise of powers under these Regulations, means the **Board of Management** of UPES and includes any officer or authority to whom or to which the power is delegated under the Statutes of UPES.
- (g) “Disciplinary Authority” means the appointing authority or equivalent level authority that will be competent under these Regulations to impose on an Employee any of the penalties specified in these Regulations.
- (h) “Government” means the State Government of Uttarakhand.
- (i) “Members of the family” under these Regulations in relation to an Employee, includes;
- (i) the spouse of the Employee whether residing with him/her or not but does not include a spouse separated from the Employee, by a decree or order of competent court;
 - (ii) sons or daughters or step-sons or step-daughters of the Employee, wholly dependent on him/her but does not include a child or step child, who is no longer in any way dependent on the Employee or of whose custody the Employee has been deprived by or under any law;
 - (iii) any other person related, whether by blood or marriage, to the Employee or to such Employee's spouse and wholly dependent on such Employee;
- (j) “Misconduct” without prejudice to the generality of the term 'Misconduct' and the specific provisions made in these Regulations, includes acts and omissions specified in the Schedule I and Schedule II annexed to these Regulations.
- (k) “Service” means service under the UPES.
- (l) “Appellate Authority” means the **Board of Management** or authority that the Disciplinary Authority is subordinate.
- (m) “Inquiring Authority” means the authority appointed under Clause 32 (2) to enquire into the charges framed against the employee of the UPES.
- (n) “Resignation” means the act of resignation by an employee.
- (o) “Removal” means separation of an employee as a penalty imposed under these Regulations. “Termination” however would mean separation of an employee by due notice as per the terms and conditions of the offer of appointment.

- (p) “Chancellor” means the Chancellor of UPES.
- (q) “Vice Chancellor” means Vice Chancellor of UPES
- (r) “Registrar” means the Registrar of UPES.
- (s) “Director (HR)” means Director (HR) of UPES.
- (t) “Habitual” ordinarily means an act of omission or commission of a particular nature taking place more than three times within a period of 1 month in case of a particular employee.
- (u) In these Regulations, Masculine shall refer to Feminine also.

4. GENERAL:

(1) Every employee shall at all times:

- (a) maintain absolute integrity;
- (b) maintain devotion to duty; and
- (c) do nothing which is unbecoming of an employee.

(2) (a) No employee shall in the performance of his official duties or in the exercise of powers conferred, act otherwise than in his best judgement, except when he is acting under the direction of his official superior and shall, where he is acting under such direction, obtain the directions in writing wherever practicable and where it is not practicable to obtain the direction in writing, he shall obtain written confirmation of the direction as soon as thereafter as possible.

Explanation: Nothing in sub- Clause (2)(a) shall be construed as empowering an employee to evade his responsibilities by seeking instructions from or approval of a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers, role and or responsibilities.

(b) Every employee shall at all times conduct him soberly and temperately, while on UPES premises and show proper respect and civility to all concerned and shall use his utmost endeavour to promote the interest of the UPES and to promote and maintain good reputation thereof.

(3) Prohibition of Sexual Harassment of Women at work place

1. No employee shall indulge in any act of sexual harassment of any women at her work place.

2. Every employee who is in charge of a work place shall take appropriate steps to prevent sexual harassment to any women at such workplace.

Explanation: For the purpose of this Clause “Sexual harassment” includes such unwelcome sexually determined behaviour, whether directly or otherwise, as:

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

5. ABSENCE FROM STATION:

(1) Unless otherwise expressly provided, the whole time of an employee shall be at the disposal of the UPES and he shall serve the UPES in its business in such capacity and at such places as he may from time to time be directed by his superior.

(2) An employee shall not absent himself from duty without having obtained the permission of the Competent Authority.

(3) No employee shall leave the station, where he is posted, without prior permission of the Competent Authority.

6. EMPLOYMENT OF FAMILY MEMBERS OF EMPLOYEES IN ANY OTHER FIRM ENJOYING UPES PATRONAGE:

(1) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in UPES or any other firm.

(2) No employee shall, except with the previous sanction of the Competent Authority permit any member of his family to accept employment with UPES or any other firm with which he has official dealings or with another firm having official dealings with the UPES. Intimation in this regard shall be reported to the Competent Authority forthwith.

Provided that where the acceptance of the employment cannot wait the prior sanction of the Competent Authority, the employment may be accepted provisionally subject to the ultimate sanction of the Competent Authority to which the matter shall be reported forthwith.

(3) No employee shall, in the discharge of his official duties, deal in any matter with or give or sanction any contract to any other firm or any other person if any member of his family is employed in that firm or under that person or if he or any member of his family is interested in such matter or contract and the Employee shall refer every such matter or the contract to the Competent Authority and the matter or the contract shall thereafter be disposed of according to the instructions of the said authority.

NOTE: - For the purpose of this Clause, members of the family would mean and include every member as defined in Clause 3(i) sub Clause (i), (ii) and (iii) hereinabove irrespective of whether such member is wholly dependent on the employee or not.

7. TAKING PART IN POLITICS AND ELECTIONS:

(1) No employee shall take part or subscribe in aid of, or assist in any other manner, any movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established and it shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any such movement or activity and where an employee is unable to prevent a member of his family from taking part in any such movement or activity, he shall make a report to that effect to the UPES.

(2) If any question arises whether any movement or activity falls within the scope of sub-Clause 7 (1), the question shall be referred to the Director (HR) for decision.

(3) No employee shall canvass or otherwise interfere or use his influence in connection with, or take part in, an election to any legislature or Local Authority provided that an employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;

Explanation:

(I) Offering himself as a candidate for election to Local Authority on being permitted by the UPES shall not amount to the contravention of sub- Clause 7(3).

(II) The display by an Employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub- Clause 7 (3).

8. JOINING OF ASSOCIATIONS BY EMPLOYEES:

No employee shall join, or continue to be a member of an association, the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India, public order or morality.

9. DEMONSTRATION AND STRIKES:

No employee shall:

(a) engage himself or participate in any demonstration which involves incitement to an offence.

(b) resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Employee of the UPES.

Explanation:

In this Clause “Strike” shall have the same meaning as in clause (q) of Section 2 of the Industrial Disputes Act, 1947.

10. CONNECTION WITH PRESS, RADIO OR TELEVISION:

(1) No employee shall, except with the previous sanction of the UPES, own wholly or in part or conduct or participate in the editing or management of any newspaper or other periodical publication.

(2) No employee shall, except with the previous sanction of the UPES or any other Authority empowered by it in this behalf, or in the bonafide discharge of his duties, publish a book himself or through a publisher, or contribute an article to a book or a compilation of articles, or participate in a radio or TV broadcast or contribute any article or write a letter to a newspaper or periodical, either in his own name or anonymously or pseudonymously or in the name of any other person in or outside the UPES :

Provided that no such sanction shall be required:

(a) If such publication is through a publisher and is of a purely literary, artistic or scientific character and does not include any scientific, technical or economic data pertaining to the work, plans, business or operations of UPES and for matters connected therewith or pertaining to the areas of the UPES;

(b) If such broadcast, contribution or writing is of a purely literary, artistic or scientific character and does not include any scientific, technical, or economic data pertaining to the work, plans, business or operations of the UPES and for matters connected therewith or pertaining to the areas of the UPES.

Note: If such publications or journals also include advertisements or allied matters, which are inserted with a view to raising funds or sales promotions, no Employee can contribute articles thereto without the previous sanction in writing of the Competent Authority in accordance with the Clause 10 of these Regulations, nor can an Employee be a member of the Editorial/Managing Committee/Board of any such publication or provide, recommend or canvass support of any kind directly or indirectly without prior sanction in writing of the Competent Authority in accordance with the same Clauses as above.

11. CRITICISM OF GOVERNMENT OR UPES OR ANY OF ITS EMPLOYEES OR OFFICERS AND AUTHORITIES OF UNIVERSITY:

No employee shall in any radio broadcast/TV telecast, interview in any electronic media, social media or in any document published under his name or in the name of any other person or in any communication to the press, or in any public utterances, make any statement:

(a) which has the effect of an adverse criticism of any policy or action of the Central Govt. or a State Government or University Grants Commission or Bar Council of India or any other similar body or of the UPES, or any of employees or Officers and Authorities of UPES; or

(b) which is capable of embarrassing the relations between the UPES and public;

Provided that nothing contained in this Clause shall apply to statements or views which are of purely factual nature and are not considered to be of a confidential nature and are made or expressed by an employee duly authorised in his bonafide official capacity or in due performance of the duties already assigned to him;

12. EVIDENCE BEFORE COMMITTEE OR ANY OTHER AUTHORITY:

(1) Save as provided in sub- Clause (3), no employee shall, except with the previous sanction of the UPES give evidence in connection with any inquiry conducted by any person, committee or Authority.

(2) Where any sanction has been accorded under sub- Clause (1), no employee giving such evidence shall criticise the policy or any action of the Central Government or a State Government or the UPES.

(3) Nothing in this Clause shall apply to:

a) evidence given at an inquiry before an Authority appointed by the Central Government, a State Govt., the UPES, Parliament or a State Legislature; or

(b) evidence given in any judicial inquiry; or

(c) evidence given at any departmental inquiry ordered by authorities subordinate/constituent to the UPES; or

(d) evidence given in any inquiry ordered by the Competent Authority under any statute of Central or State Government.

13. UNAUTHORISED COMMUNICATION OF INFORMATION:

(1) No employee, whether during the period of his service or after leaving the service of the UPES shall, except with the previous sanction of the Competent Authority, by writing to any person (including any other employee) or by communicating to newspapers, journals or books, or by speech or discussion or in any other manner, disclose or cause to be disclosed any information or documents relating to the activities of the UPES or its constituent college, Regional Centre, Study Centre and Career Academy Centre etc.

(2) No employee shall, except in the ordinary course of his duties, give or cause to be given to any person any advice on matters relating to the activities of the UPES or its constituent college, Regional Centre, Study Centre and Career Academy Centre etc.

(3) No employee shall, except in the ordinary course of his duties, disclose or cause to be disclosed to any person any information of commercial interest, trade secret, business plans and strategic information pertaining to the UPES or its constituent college, Regional Centre, Study Centre and Career Academy Centre etc. or any information regarding contracts entered into or MOUs signed by the UPES or any information regarding settlement of claims by the UPES in or out of courts or any other information, knowledge or matters of trade or business secrets of the UPES or its constituent college, Regional Centre, Study Centre and Career Academy Centre etc.

(4) No employee shall except with the previous sanction of the Competent Authority carry with him or cause to be carried outside the office/UPES premises any papers, books, drawings, photographs, instruments, apparatus, documents or any other property of the UPES or its constituent college, Regional Centre, Study Centre and Career Academy Centre etc., notes or copy thereof.

Provided that this provision shall not apply to Employees who are specially authorised by the Competent Authority to take out of the office/UPES premises any papers, books, documents, etc. for study or other purposes approved by the Competent Authority in writing.

5 (a) Any manuscript, books, or other literary work, drawings, sketches, paintings, photographs or similar papers containing notes or information relating to the business of the UPES shall be the property of the UPES, whether prepared by the employee or otherwise. No royalty shall however, be payable to the employee. Every Employee when called upon by the Competent Authority, shall sign such documents, applications, deeds or other instruments which in the opinion of the said Authority are necessary to vest the property including copyright thereof in the UPES solely and exclusively for its use.

(b) Any invention made by an employee during the course and in connection with his employment with UPES shall be reported forthwith by the employee to the competent authority and the said invention shall automatically become the exclusive property of UPES and UPES shall be at complete liberty to apply and obtain a patent for the same. The employee concerned shall, without any demur, do all that is necessary and is required of him to facilitate UPES applying and obtaining the said patent.

6 (a) No employee shall except in the ordinary course of his duties, in any manner, access, divulge, release, reveal, furnish, disclose or cause to be disclosed or otherwise make known to any unconnected / unauthorised person / employee or outside agency, whomsoever, and shall not destroy, alter, delete any information of a computer resource or diminish its value, utility by any means, of any data generated, stored / available in any form electronically or otherwise.

(b) No employee shall except with the previous sanction of the Competent Authority / authorized personnel, carry with him / transmit or cause to be carried / transmitted by any means, whatsoever, outside the premises in use of the UPES, any such data in any form such as Compact Disc, Hard Disc, Pen Drive, Electronic transmission or written documents etc.

14. SUBSCRIPTION:

No employee shall, except with the previous sanction of the UPES or of an Authority specified in this behalf, ask for or accept contribution to or otherwise associate himself with the raising of, any funds or other collections in cash or in kind in pursuance of any object, whatsoever.

15. GIFTS:

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

Note : In this Clause “gift” shall also include free transport, board, lodging or other service or any other pecuniary advantage provided by any person other than a near relative or a personal friend having no official dealings with the employee.

(b) An employee shall avoid acceptance of lavish hospitality or frequent hospitality from any individual or firm with whom UPES is having any official dealing.

(c) No employee shall avail or receive any Gift, Meal, Entertainment or any other form of business courtesy from any present, past or likely vendor of UPES.

16. DOWRY:

No employee shall:

(i) give or take or abet the giving or taking of dowry; or

(ii) demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Note: For the purposes of this Clause, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (28 of 1961).

17. PRIVATE TRADE OR EMPLOYMENT:

(1) No employee shall, except with the previous sanction of the Competent Authority, engage directly or indirectly in any trade or business or undertake any other employment:

Provided that an employee may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character, subject to the condition, that his official duties do not thereby suffer.

Note: Whenever any dependent of an employee's family gets employment anywhere, he must report the fact immediately to the concerned Competent Authority with details of employment, etc.

(2) No employee shall accept any fee or any pecuniary advantage for any work done by him for any public body or any private person without the sanction of the Competent Authority.

18. INSOLVENCY AND HABITUAL INDEBTEDNESS:

(1) An employee shall avoid habitual indebtedness unless he proves that such indebtedness or insolvency is the result of circumstances beyond his control and does not proceed from extravagance.

(2) An employee who applies to be, or is adjudged or declared insolvent or against whom any legal proceedings for recovery of debt are instituted shall forthwith report the fact to the Competent Authority.

19. FEES AND HONORARIA:

(1) No employee shall undertake part time work for a private or public body or a private person or persons or accept fee there for without the sanction of the Competent Authority, which shall grant sanction only in cases, when it is satisfied that the work can be undertaken without detriment to his official duties and responsibilities.

(2) The Competent Authority may in cases in which it thinks fit to grant such sanction, stipulate the amount of fees received by the Employee for undertaking the work to be paid to the UPES.

20. VINDICATION OF ACTS AND CONDUCT OF EMPLOYEES:

(1) No employee shall, except with the previous sanction of the Competent Authority, have recourse to any court or the press for the vindication of any official act,

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

21. CONVICTION OR ARREST OF AN EMPLOYEE:

An employee convicted by a court of law or arrested shall report promptly the fact of his conviction or arrest to his departmental superiors; and failure to do so shall render him liable to disciplinary action on this ground also.

22. PRESSING OF CLAIM OR SEEKING REDRESS OF A GRIEVANCE IN SERVICE MATTERS:

(1) An employee shall address his immediate superior or such other Authority at the lowest level as may be competent to deal with service matters.

(2) An appeal or representation to higher authorities shall not be made unless the appropriate lower Authority has already rejected the claim or refused relief or unduly delayed the disposal of the case.

(3) No representation, appeal, petition or memorial shall be addressed by an Employee to any outside Authority or an Authority not specified under these Regulations.

(4) No employee shall send a representation or advance copies thereof to higher authorities except through proper channel or send copies of a representation to outside authorities.

Note 1:

An employee can send advance copy of representation directly to the Director (HR) on the matter pertaining to HR.

Note 2:

No employee shall quote or reproduce (in his representation/appeal) from any letter, or from note from any file, or from any document, manuscript and file, any micro film, microfiche and facsimile copy of a document, any reproduction of image(s) embodied in such micro film and any other material produced by a computer or by any other device to which he is not authorized to have an access or to which he is not authorized to keep in his personal custody or for personal purposes.

23. CANVASSING OF NON-OFFICIAL OR OTHER INFLUENCE:

No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service.

24. MARRIAGE:

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

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

Provided that the Competent Authority may permit an employee to enter into, or contract, any such marriage as is referred to in clause (a) or clause (b) if it is satisfied that:

(i) Such marriage is permissible under the personal law applicable to such Employee and the other party to the marriage, and

(ii) There are other grounds for doing so

(2) An employee who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Competent Authority.

25. CONSUMPTION OF INTOXICATING DRINKS AND DRUGS:

An employee of the UPES shall:

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

Note: For the purpose of this Clause 'Public Place' means any place or premises including clubs that are even exclusively meant for members and where it is permissible for the members to invite non-members as guest, bars and restaurants, conveyance to which the public are permitted to have access, whether on payment or otherwise.

26. APPROACHING FOREIGN GOVERNMENTS FOR FINANCIAL ASSISTANCE:

No employee shall, without the prior permission of the Competent Authority, approach directly or indirectly any foreign Government or foreign organisation for financial assistance for visiting a foreign country or attending a course abroad.

27. RETURN OF UPES PROPERTY, EQUIPMENT, TOOLS, ETC.:

- (1) Every employee shall, before leaving the service, return all property or equipment or tools or lap top/computer etc. belonging to the UPES issued or lent to him in connection with his employment in the UPES;
- (2) The cost of such property, equipment or tools or lap top or computer etc. not so returned shall be liable to be deducted from his pay or the amount, if any, due to him.

28. SUSPENSION:

- (1) The Appointing Authority, or any other Authority, to which it is subordinate, or the Disciplinary Authority or any other Authority empowered by the UPES by general or special order to impose a penalty as specified in Clause 28 may place an employee under suspension:
 - (a) Where a disciplinary proceeding against him is contemplated or is pending; or
 - (b) Where, in the opinion of the Authority aforesaid, he has engaged himself in activities prejudicial to the interest or the security of the State; or
 - (c) Where a case against him in respect of any criminal offence is under investigation, inquiry or trial.

(2) Where an employee is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours, he shall be deemed to have been suspended with effect from the date of detention by an order of the Appointing Authority and shall remain under suspension until further orders.

Note: The period of 48 hours referred to in clause 2(b) of this sub- Clause shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent period of imprisonment, if any, shall be taken into account.

(3) (a) An order of suspension made or deemed to have been made under this Clause may at any time, be modified or revoked by the Authority which made or is deemed to have made the order or by any Authority, to which that Authority is subordinate.

(b) An order of suspension made or deemed to have been made under this Clause shall continue to remain in force until it is modified or revoked by the Authority competent to do so.

(c) Headquarter of the suspended employee shall be the station of posting immediately before the order of suspension is issued.

(d) The Competent Authority may change the headquarters of an employee during suspension, if it is in the public/administrative interest.

(4) During the period of suspension, an Employee shall draw subsistence allowance at the rate of 50% of his consolidated monthly wages.

(5) Leave shall not be granted to an Employee under suspension.

(6) If an employee is arrested by the police on a criminal charge and bail is not granted, no subsistence allowance is payable. On grant of bail if the Competent Authority decides to continue the suspension, the employee shall be entitled to subsistence allowance from the date he is granted bail.

29. NATURE OF PENALTIES:

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on an employee, who is found guilty of misconduct or a breach of any Regulations or orders made by the UPES or by any other Authority empowered in that behalf by the UPES, namely;

MINOR PENALTY:

(i) Censure

(ii) Withholding of annual increase for a maximum period of three years.

(iii) Penalty in specified amount in addition to recovery from monthly wages or such other amount as may be due to him, of the whole or part or any pecuniary loss caused to UPES by his negligence or breach of orders.

MAJOR PENALTY:

(iv) Removal from service.

30. DISCIPLINARY AUTHORITY:

The Appointing Authority or equivalent level Authority in the chain of hierarchy may impose any of the penalties specified in Clause 29 on any employee.

31. PROCEDURE FOR IMPOSING MINOR PENALTIES:

(1) No order imposing on an employee any of the penalties specified in Clause 29 shall be made except after:

(a) Informing the employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal:

(b) taking the representation, if any, submitted by the employee under clause (a) and the facts and circumstances on record, and the record notes of the personal hearing, if any, into consideration, and

(c) recording a finding on each imputation of misconduct or misbehaviour.

Provided, however, the Disciplinary Authority wherever feels it necessary in the interest of justice may and allow a personal hearing to the charged employee to enable him present his defence in person before the Disciplinary Authority or his duly appointed representative.

Provided further, the Disciplinary Authority wherever feels that the case is likely to be concluded in imposition of major penalty i.e. removal from service, may hold an inquiry in the manner as laid down under Clause 32, before making any order imposing on the employee the penalty of removal from service.

(2) The record of the proceedings in such cases shall include:

(a) a copy of the intimation to the employee of the proposal to take action against him,

(b) a copy of the statement of imputation of misconduct or misbehaviour delivered to him.

(c) his representation, if any,

(d) the evidence produced during and the record notes of the personal hearing, if any,

- (e) the findings on each imputation of misconduct or misbehaviour, and
- (f) the orders on the case together ,with the reasons there for.

32. PROCEDURE FOR IMPOSING MAJOR PENALTY:

- (1) An order imposing the major penalty of removal from service shall be made after an inquiry, held as far as may be in the manner hereinafter provided.
- (2) Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an Employee, it may itself inquire into or appoint under this Clause an Authority senior to the charged employee or Board to inquire into the truth thereof.

Provided that where there is a complaint of sexual harassment within the meaning of Clause 4 (3), the Internal Complaints Committee for inquiring into such complaints, shall be deemed to be the inquiring authority appointed by the Competent Disciplinary Authority for the purpose of these Regulations and the Internal Complaints Committee shall hold the inquiry as far as practicable in accordance with the procedure laid down in these Regulations.

NOTE: Where the Disciplinary Authority itself holds the inquiry, any reference to the Inquiring Authority in sub- Clause (8), sub- Clauses (9) to (15) and sub- Clauses (17) to (21) shall be construed as a reference to the Disciplinary Authority.

(3)Where it is proposed to hold an inquiry against a charged Employee under this Clause the Disciplinary Authority shall draw up or cause to be drawn up:

- (a) the substance of imputation of misconduct or misbehavior into definite and distinct articles of charges.
- (b) a statement of the imputation of misconduct or misbehavior in support of each article of charge, which shall contain :
 - a statement of all relevant facts including any admission or confession made by the charged Employee;
 - a list of documents by which, and a list of witnesses together with their respective statements, if any by whom, the articles of charge are proposed to be sustained.

(4)The Disciplinary Authority shall deliver or cause to be delivered to the charged Employee, a copy of the articles of charge, the statement of imputation of misconduct or misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the charged Employee to submit, within such time as may be specified, a written statement of his defence.

NOTE: If the charged Employee concerned demands the inspection of listed documents he may be allowed to inspect the documents to submit a written statement of his defence.

(5) (a) On receipt of the written statement of defence, the Disciplinary Authority may itself

inquire into such of the articles of charge as are not admitted or, if it considers it necessary so to do, appoint under sub- Clause (2), an Inquiring Authority for the purpose; and, where all the articles of charges have been admitted by the Charged Employee in his written statement of defence, the Disciplinary Authority shall record its findings on each article of charge after taking such evidence as it may think fit and shall act in the manner laid down in Clause 33.

(b) If no written statement of defence is submitted by the Charged Employee, the Disciplinary Authority may itself inquire into the articles of charge or may if it considers it necessary so to do, appoint under sub- Clause (2), an Inquiring Authority for the purpose.

(c) Where the Disciplinary Authority itself inquires into any articles of charge or appoints an Inquiring Authority for holding an inquiry into such charge, it may, by order, appoint an Employee or legal practitioner or any other employee to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

(6) The Disciplinary Authority shall, where it is not the Inquiring Authority, forward to the Inquiring Authority;-

- a) a copy of the articles of charge and the statement of imputations of misconduct or misbehavior;
- b) a copy of the written statement of defence, if any , submitted by the charged Employee;
- c) a copy of the statement of witnesses, if any, referred to in sub- Clause (3);
- d) evidence proving the delivery of the documents referred to in sub- Clause (3) to the charged Employee; and
- e) a copy of the order appointing the "Presenting Officer".

(7)The charged Employee shall appear in person before the Inquiring Authority on such day and at such time after the receipt by him of the articles of charge and the statement of the imputation of misconduct or misbehavior, as the Inquiring Authority may, by notice in writing specify in this behalf or within such further time, not exceeding ten days, as the Inquiring Authority may allow.

(8)The charged Employee may take the assistance of any other Employee, other than an Employee who is under suspension or against whom disciplinary proceedings are pending, to present the case on his behalf, but may not engage a Legal Practitioner for the purpose unless the Presenting Officer appointed by the Disciplinary Authority is a legal practitioner, or the Disciplinary Authority having regard to the circumstances of the case so permits

NOTE:-When on behalf of Disciplinary Authority, the case is presented by a practicing advocate the Disciplinary Authority may for good and sufficient reasons, permit the charged Employee to be assisted by a Law Officer of UPES as referred to herein above or by a legal practitioner. In case a legal practitioner is permitted, it will be at the cost of the Charged Employee.

Provided further the Employee who undertakes to render such assistance shall have to obtain approval in writing from his immediate superior for his absence from duty for the purpose of

rendering the assistance to such an Employee. The immediate superior may not permit the Employee to render assistance in the pending disciplinary proceedings;

(i) If the Employee is already conducting/assisting in one or more pending disciplinary proceedings, or

(ii) If office work will suffer in the absence of the Employee, or,

(iii) He is of the opinion that the Employee has made it an independent field of practice to render such an assistance, or,

(iv) For any other administrative reason to be recorded.

(9) If the charged Employee who has not admitted any of the articles of charge in his written statement of defense or has not submitted any written statement of defense appears before the Inquiring Authority, such Authority shall ask him whether he is guilty or has any defense to make and if he pleads guilty to any of the articles of charge, the Inquiring Authority shall record the plea, sign the record and the charged Employee shall sign such record.

(10) The Inquiring Authority shall return a finding of guilt in respect of those articles of charges to which the Charged Employee pleads guilty.

(11) The Inquiring Authority shall, if the charged Employee fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding 30 days, after recording an order that the Charged Employee may, for the purpose of preparing his defense:

(a) inspect, within 5 days of the order or within such further time not exceeding 5 days as the Inquiring Authority may allow, the documents specified in the list referred to in sub- Clause (3),

NOTE: If the Charged Employee applies orally or in writing for the supply of copies of the statement of witnesses mentioned in the list referred to in sub- Clause (3) the Inquiring Authority shall furnish him with such copies as early as possible and in any case not later than 3 days before the commencement of the examination of the witnesses on behalf of the Disciplinary Authority.

(b) submit a list of additional documents required for his defense and a list of witnesses to be examined on his behalf.

(c) and give a notice within 10 days of the order or within such further time not exceeding 10 days as the Inquiring Authority may allow, for the discovery or production of any documents which are in the possession of the UPES but not mentioned in the list referred to in sub- Clause (3).

NOTE: The Charged Employee shall indicate the relevance of the documents required by him to be discovered or produced by the UPES.

(12) The Inquiring Authority shall, on receipt of the notice for the discovery or production of documents or copies thereof, forward the same to the charged employee in whose custody or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition:

Provided that the Inquiring Authority may, for the reason to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion not relevant to the case.

(13) On receipt, of the requisition referred to in sub- Clause (12), every employee having the custody or possession of the requisitioned documents shall produce the same before the Inquiring Authority;

Provided that if the employee having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the interest of UPES it shall inform the Inquiring Authority accordingly and the Inquiring Authority shall on being so informed communicate the information to the Charged Employee and withdraw the requisition made by it for production or discovery of such documents.

(14)(a) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charges are proposed to be proved shall be produced by or on behalf of the Disciplinary authority.

(b)The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the Charged Employee.

(c)The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross examined, but not on any new matter, without the leave of the Inquiring Authority.

(d) The Inquiring Authority may also put such questions to the witnesses, as it thinks fit.

(15) (a) If it appears necessary before the close of the case on behalf of the Disciplinary Authority, the Inquiring Authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the charged Employee or may itself call for new evidence or recall and re-examine any witness and in such case the charged Employee shall be entitled to have if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned.

(b)The Inquiring Authority shall give the charged Employee an opportunity of inspecting such documents before they are taken on the record.

(c)The Inquiring Authority may also allow the charged Employee to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice.

NOTE: New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence and such evidence may be called for only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(16)(a)When the case for the Disciplinary Authority is closed, the charged Employee shall be required to state his defense, orally or in writing, as he may prefer, if the defense is made

orally, it shall be recorded and the charged Employee shall be required to sign the record.

(b) In either case, a copy of the Statement of defense shall be given to the Presenting Officer, if any appointed.

(17)(a) The evidence on behalf of the charged Employee shall then be produced and the charged Employee may examine himself in his own behalf if he so prefers.

(b) The witnesses produced by the charged Employee shall then be examined and liable to examination, cross-examination, reexamination by the Inquiring Authority according to the provisions applicable to the witnesses for the Disciplinary Authority.

(18) The Inquiring Authority may, after the charged Employee closes his case, and shall if the charged Employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the charged Employee to explain any circumstances appearing in the evidence against him.

(19) The Inquiring Authority may, after the completion of the production of the evidence, hear the Presenting Officer, if any, appointed and the charged Employee or permit them to file written briefs of their respective cases if they so desire within such reasonable period as may be fixed by the Inquiring Authority.

(20) If the charged Employee to whom a copy of the articles of charge has been delivered does not submit the written statement of defense on or before the date specified for the purpose or does not appear in person before the Inquiring Authority or otherwise fails or refuses to comply with the provisions of this Clause, the Inquiring Authority may hold the inquiry ex-parte.

(21) Whenever any Inquiring Authority, after having heard and recorded the whole or any part of the evidence in an inquiry, ceases to exercise jurisdiction therein and is succeeded by another Inquiring Authority which has, and which exercises such jurisdiction the Inquiring Authority so succeeding may act on the evidence so recorded by its predecessor or partly recorded by its predecessor and partly recorded by itself:

Provided that if the succeeding Inquiring Authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross examine and reexamine any such witnesses as hereinbefore provided.

(22) (a) The evidence of persons deposing at the inquiry shall be got signed by the persons deposing and the charged Employee against whom the inquiry proceedings are being taken.

(b) If any one of them refuses to sign the deposition, the fact shall be recorded by the Inquiring Authority recording the evidence.

(23) (a) After the conclusion of the inquiry, a report shall be prepared which shall contain:-

(i) the articles of charge and the statement of imputations of misconduct or misbehavior;

(ii) the defense submitted by the charged Employee in respect of each article of charge;

(iii)an assessment of the evidence in respect of each article of charge;

(iv)the findings on each article of charge and the reasons therefor.

NOTE: If in the opinion of the Inquiring Authority the proceedings of the inquiry establish any articles of charge different from the original articles of charge, it may record its findings on such articles of charge;

Provided that the findings on such articles of charge shall not be recorded unless the charged Employee has either admitted the facts on which such articles of charge are based or has had a reasonable opportunity of defending himself against such articles of charge.

(b)The Inquiring Authority, where it is not itself the Disciplinary Authority, shall forward to the Disciplinary Authority, the records of inquiry which shall include,

(i)the report prepared by it under clause (a).

(ii)the written statement of defense, if any, submitted by the charged Employee,

(iii)the oral and documentary evidence produced in the course of the inquiry,

(iv) written briefs, if any, filed by the Presenting Officer or the charged Employee or both during the course of the inquiry, and

(v)the orders if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry.

33. ACTION ON INQUIRY REPORT:

(1) The Disciplinary Authority, if it is not itself the Inquiring Authority, may, for reasons to be recorded by it in writing, remit the case to the Inquiring Authority for further inquiry and report and the Inquiring Authority shall thereupon proceed to hold the further inquiry according to the provisions of Clause 32, as far as, may be.

(2) On receipt of the report of the Inquiring Authority, a copy thereof shall be made available to the charged employee requiring him to submit his representation if any within a specified period as may be decided by the Disciplinary Authority.

(3) On receipt of the representation of the charged Employee or otherwise in the event the charged employee has not responded the disciplinary authority shall if it disagrees with the Inquiring Authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge if the evidence on record is sufficient for the purpose.

Provided, where the findings of the Inquiry Officer are that the charges are not established and the Disciplinary Authority disagreeing with the findings of the Inquiry Officer records its reasons for such disagreement which results into establishing the charges, such reasons shall be communicated to the charged Employee, whose representation thereon shall be called.

(4) On receipt of the representation referred to in sub- Clause (2) and (3) above, if the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in Clause 28 should be imposed on the charged Employee, it shall make an order imposing such penalty notwithstanding anything contained in Clause 31 and it shall not be necessary to give the charged Employee any further opportunity of making representation on the penalty proposed to be imposed.

34. COMMUNICATION OF ORDERS:

Orders made by the Disciplinary Authority or Appellate Authority, as the case may be, containing its findings shall be communicated to the charged employee concerned in writing by Director - HR.

35. SPECIAL PROCEDURE IN CERTAIN CASES:

(a) Notwithstanding anything contained in these Regulations,

(i) where the employee has been convicted on a criminal charge, the Disciplinary authority may on the basis of the said conviction or on the strength of facts or conclusions arrived at by a judicial trial, pass such orders thereon as it deems fit, or

(ii) where the Disciplinary Authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these Regulations, the Disciplinary Authority may consider the circumstances of the case and pass such order as it deems fit.

36. ORDERS AGAINST WHICH NO APPEAL LIES:

Not with standing anything contained in Clause 35, no appeal shall lie against any order of interlocutory nature passed by the Disciplinary Authority or its duly appointed representative in the course of proceedings under these Regulations.

37. ORDERS AGAINST WHICH APPEAL LIES:

Subject to the provisions of Clause 36, an employee (including one who has ceased to be such) may prefer an appeal against all or any of the following orders, namely;

(a) an order of suspension made or deemed to have been made under Clause 28;

(b) an order imposing any of the penalties specified in Clause 29, made by the Disciplinary Authority;

(c) an order enhancing any penalty, imposed under Clause 29;

(d) an order:

(i) determining the subsistence and other allowances to be paid to him for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof,*

(ii) determining his consolidated wages,*

*for the period of suspension, or for the period from the date of the removal from service

(iii) determining whether or not the period from the date of his suspension or from the date of his removal or shall be treated as a period spent on duty for any purpose.

38. APPELLATE AUTHORITIES:

An employee including a person who has ceased to be in the service of the UPES, may prefer an appeal against all or any of the orders specified in Clause 37 to the Appellate Authority who will be the next higher authority to the Disciplinary Authority in the reporting line.

39. PERIOD OF LIMITATION FOR APPEALS:

No appeal under these Regulations shall be entertained unless it is submitted within a period of 45 days from the date on which the appellant received a copy of the order appealed against:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

40. FORM AND CONTENT OF APPEALS:

- (1) Every person submitting an appeal shall do so separately and in his own name.
- (2) (a) The appeal shall be addressed to the authority to which the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against.

(b) The appeal shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.
- (3) The authority which made the order appealed against shall, on receipt of a copy of the appeal, forward the same with its comments, if any, thereon together with the relevant records to the Appellate Authority without any avoidable delay, and without waiting for any direction from the Appellate Authority.

41. CONSIDERATION OF APPEALS:

- (1) In the case of an appeal against an order of suspension, the Appellate Authority shall consider whether in the light of the provisions of Clause 28 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.
- (2) In the case of an appeal against an order imposing any of the penalties specified in Clause 29 or enhancing or reducing a penalty imposed under the said Clause, the Appellate Authority shall consider:
 - (a) whether the procedure herein prescribed in these Regulations had been complied with and the principles of natural justice observed.

(b) whether the findings of Disciplinary Authority are warranted by the evidence on the record; and

(c) Whether the penalty or the enhanced or reduced penalty imposed is adequate, inadequate or severe; and pass orders:

(i) setting aside, reducing confirming or enhancing the penalty; or

(ii) remitting the case to the authority which imposed or enhanced or reduced the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that no order imposing an enhanced penalty shall be passed unless the appellant is given a reasonable opportunity of making any representation which he may wish to make against such enhanced penalty; and

(3) In the case of an appeal against any order specified in Clause 37, the Appellate Authority shall consider all the circumstances of the case and pass such orders as it may deem just and equitable.

42. IMPLEMENTATION OF ORDERS IN APPEAL:

The Authority which made the order appealed against shall give effect to the orders passed by the Appellate Authority.

43. SERVICE OF NOTICES, ORDERS ETC.

(1) Any order, notice, communication, letter or other document or process made or issued under these Regulations to be served on an employee shall be served on such employee:

(a) by delivering it to that employee; or

(b) if it cannot be so delivered or tendered, by affixing a copy on the outer door or some other conspicuous part of the house in which that employee ordinarily resides and the serving officer shall then return the original to the authority from which it was issued with a report endorsed thereon or annexed thereto stating the he has affixed the copy and name and address of the person (if any) in whose presence the copy was so affixed; or

(c) by forwarding it by registered post addressed to the employee at the place where he ordinarily resides and also at his last known address.

(2) An endorsement by the serving officer that the employee refused to accept service or an endorsement by a postal employee that the Employee refused to take delivery or that he could not be found or that he was absent shall be deemed to be prima facie proof of such service.

44. INTERPRETATION

In case of any doubt regarding any of the provisions of these Regulations, the matter shall be referred to the Director (HR) through concerned HR formation in consultation with Legal for decision.

SCHEDULE I

ACTS AND OMISSIONS CONSTITUTING MISCONDUCT: (See Clause 3(j))

1. Insubordination or disobedience, either alone or in combination with others of any lawful order of a superior.
2. Use of insolent or impertinent or un-parliamentary language in any official correspondence or in any representation including appeal.
3. Bribery, illegal gratification, sabotage, damage, theft, fraud or dishonesty in connection with the business or property of the UPES.
4. Non-observance of UPES “zero tolerance practice towards bribery and corruption”.
5. Resorting to any overt or covert attempt seeking illegal gratification, whether in cash or in kind from any one whosoever.
6. Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter germane to the employment, at the time of employment or during the course of employment.
7. Habitual late attendance or irregular attendance, neglect of duty, sleeping while on duty under any pretext whatsoever, malingering, wilful or habitual absence from duty, absence without leave, overstaying the sanctioned leave without sufficient cause, or absence from the appointed place of work without permission or sufficient cause.
8. Approaching higher authorities for any personal favour or gain through other people.
9. Spreading false rumours or giving false information which tends to bring into disrepute the UPES or its employees or spreading panic among them.
10. Gambling within the premises of the establishment.
11. Sexual harassment of woman at workplace.
12. Commission of any act subversive of discipline or of good behaviour.

13. Disclosing to any unauthorised person or persons any information in regard to the working or business of the UPES which comes into the possession of the employee during the course of his work.
14. Carrying on money lending, canvassing in support of the business or insurance agency, commission agency etc. owned or managed by his spouse or any other member of his family or engaging in any trade or business without taking permission of the Competent Authority.
15. Habitual indebtedness or insolvency.
16. Writing of anonymous or pseudonymous letters or associating oneself in writing such letters.
17. Striking work alone or in combination with other employees, or inciting them to strike work in contravention of the provisions of any law or Regulations having the force of law.
18. Shouting of defamatory or disrespectful slogans or issuing or distributing pamphlets and hand bills or levelling malicious or false allegations.
19. Threatening, intimidating, abusing, or assaulting any employee of the UPES or any visitor or bonafide person on the premises of UPES.
20. Drunkenness, riotous or disorderly or indecent behaviour in the premises of the UPES or outside such premises, where such behaviour is related to or connected with the employment.
21. Commission of any act which amounts to criminal offence involving moral turpitude.
22. Causing wilful damage to the work in progress/process or any property or asset of the UPES or of property of another person within the premises of the UPES either wilfully or through negligence.
23. Refusal to accept, warning/ notice/ charge sheet/memo or any other communication issued by the Management.
24. Breach or violation of any "Terms and Conditions" relating to occupation of residential accommodation provided by the UPES or refusal to vacate any of its premises owned/hired when required by the UPES.
25. (i) Interference or tampering with any safety device installed in the premises.
(ii). Any deliberate violation/bypassing of laid down safety practices/equipment.
26. Smoking within the premises of the establishment.
27. Misuse of any advance or non-compliance with the provisions or the Regulations for grant of any advance.

28. Collection without the permission of the competent authority of any money within the premises of the UPES except as sanctioned by any law of the land for the time being in force or Regulations of the UPES.
29. Publication of any article, journal, paper or book on any subject prejudicial to the UPES or connected with any work of the UPES without the prior permission of the competent authority.
30. Possession of any lethal weapon in the UPES premises or within its precincts without the prior permission of the competent authority.
31. Conviction in any court of law for any criminal offence.
32. Acting in a manner prejudicial to the interest of the UPES.
33. Any act or omission punishable under the Law.
34. Breach of any Regulations applicable to the UPES.
35. Abetment of or attempt at abetment of any act which amounts to misconduct.
36. Misconduct committed by an employee in the previous or earlier employment if such misconduct was of such nature as has a rational nexus with his present employment and renders him unfit and unsuitable for continuance in service.
37. Misusing official E-Mail, Internet or other Electronic Equipment or facilities provided by the UPES including Outlook mail service etc.
38. Desertion from duty against the Service Regulations, unauthorized absence from
39. Any act of physical or mental abuse (including bullying and exclusion) targeted at a student (fresher or otherwise) on the ground of colour, race, religion, caste, ethnicity, gender (including transgender), sexual orientation, appearance, nationality, regional origins, linguistic identity, place of birth, place of residence or economic background.
40. Any conduct in relation to academic work that is dishonest or unfair and includes, but is not limited to:
 - i. plagiarism;
 - ii. unauthorized collaboration;
 - iii. cheating in assessment;
 - iv. theft of another student's work; and/or
 - v. making a false declaration about the material submitted for assessment
41. Knowingly or unknowingly present as one's own work the ideas or writings of another without appropriate acknowledgment or referencing. This may include, but is not limited to:
 - i. paraphrasing or copying text without acknowledgment of the source; and/or

- ii. copying, whether identically or in essence, the text of another student's assignment or other students' assignments; and/or
- iii. copying, whether identically or in essence, of visual representations (for example cartoons, line drawings, photos, paintings and computer programs).

Note : The above are only illustrative and not exhaustive acts/omissions.

SCHEDULE - II

CODE OF PROFESSIONAL ETHICS FOR TEACHING FACULTY (As prescribed in the UGC Regulations) (See Clause 3(j))

In addition to the 'Code of Conduct prescribed for UPES Employees' under Clause above, the teaching faculty in addition shall be required to abide by the following 'Code of Professional Ethics' laid down by the University Grants Commission (UGC):

1. Teachers and their responsibilities:

Whoever adopts teaching as a profession assumes the obligation to conduct himself / herself in accordance with the ideal of the profession. A teacher is constantly under the scrutiny of his students and the society at large. Therefore, every teacher should see that there is no incompatibility between his precepts and practice. The national ideals of education which have already been set forth and which he/she should seek to inculcate among students must be his/her own ideals. The profession further requires that the teachers should be calm, patient and communicative by temperament and amiable in disposition.

2. Teachers should:

- (i) Adhere to a responsible pattern of conduct and demeanor expected of them by the community;
- (ii) Manage their private affairs in a manner consistent with the dignity of the profession;
- (iii) Seek to make professional growth continuous through study and research;
- (iv) Express free and frank opinion by participation at professional meetings, seminars, conferences etc. towards the contribution of knowledge;
- (v) Maintain active membership of professional organizations and strive to improve education and profession through them;
- (vi) Perform their duties in the form of teaching, tutorial, practical, seminar and research work conscientiously and with dedication;
- (vii) Co-operate and assist in carrying out functions relating to the educational responsibilities of the college and the university such as: assisting in appraising applications for admission, advising and counseling students as well as assisting the conduct of university and college examinations, including supervision, invigilation and evaluation; and
- (viii) Participate in extension, co-curricular and extra-curricular activities including community service.

3. Teachers and the Students:

Teachers should:

- (i) Respect the right and dignity of the student in expressing his/her opinion;
- (ii) Deal justly and impartially with students regardless of their religion, caste, political, economic, social and physical characteristics;
- (iii) Recognize the difference in aptitude and capabilities among students and strive to meet their individual needs;
- (iv) Encourage students to improve their attainments, develop their personalities and at the same time contribute to community welfare;
- (v) Inculcate among students scientific outlook and respect for physical labour and ideals of democracy, patriotism and peace;
- (vi) Be affectionate to the students and not behave in a vindictive manner towards any of them for any reason;
- (vii) Pay attention to only the attainment of the student in the assessment of merit;
- (viii) Make themselves available to the students even beyond their class hours and help and guide students without any remuneration or reward;
- (ix) Aid students to develop an understanding of our national heritage and national goals;
- (x) Refrain from inciting students against other students, colleagues or administration.
- (xi) Take notice of any unbecoming & unruly behavior or any act(s) of breach of discipline by a student or group of students and report the same promptly to the appropriate authority.

4. Teachers and Colleagues:**Teachers should:**

- (i) Treat other members of the profession in the same manner as they themselves wish to be treated;
- (ii) Speak respectfully of other teachers and render assistance for professional betterment;
- (iii) Refrain from lodging unsubstantiated allegations against colleagues to higher authorities; and
- (iv) Refrain from allowing considerations of caste, creed, religion, race or sex in their professional endeavor.

5. Teachers and Authorities:

Teachers should:

- (i) Discharge their professional responsibilities according to the existing Regulations and adhere to procedures and methods consistent with their profession in initiating steps through their own institutional bodies and/or professional organizations for change of any such Clause detrimental to the professional interest;
- (ii) Refrain from undertaking any other employment and commitment including private tuitions and coaching classes which are likely to interfere with their professional responsibilities;
- (iii) Co-operate in the formulation of policies of the institution by accepting various offices and discharge responsibilities which such offices may demand;
- (iv) Co-operate through their organizations in the formulation of policies of the other institutions and accept offices;
- (v) Co-operate with the authorities for the betterment of the institutions keeping in view the interest and in conformity with dignity of the profession;
- (vi) Should adhere to the conditions of contract;
- (vii) Give and expect due notice before a change of position is made; and
- (viii) Refrain from availing themselves of leave except on unavoidable grounds and as far as practicable with prior intimation, keeping in view their particular responsibility for completion of academic schedule.

6. Teachers and Non-Teaching Staff:

- (i) Teachers should treat the non-teaching staff as colleagues and equal partners in a cooperative undertaking, within every educational institution; and
- (ii) Teachers should help in the function of joint staff-councils covering both teachers and the non-teaching staff.

7. Teachers and Guardians

Teachers should try to see through teachers' bodies and organizations, that institutions maintain contact with the guardians, their students, send reports of their performance to the guardians whenever necessary and meet the guardians in meetings convened for the purpose for mutual exchange of ideas and for the benefit of the institution.

8. Teachers and Society

Teachers should:

- (i) Recognize that education is a public service and strive to keep the public informed of the educational programmes which are being provided
- (ii) Work to improve education in the community and strengthen the community's moral and intellectual life;
- (iii) Be aware of social problems and take part in such activities as would be conducive to the progress of society and hence the country as a whole;
- (iv) Perform the duties of citizenship, participate in community activities and shoulder responsibilities of public offices;

Refrain from taking part in or subscribing to or assisting in any way activities which tend to promote feeling of hatred or enmity among different communities, religions or linguistic groups but actively work for National Integration.