



Disciplinary Proceedings

GSFC University
Fertilizernagar, Vadodara

Disciplinary Proceedings

1. Compliance of Rules, Regulations and other applicable provisions:

All employees of the University shall be governed by the employment terms and services Agreement and shall be required to follow, Rules, First Statutes, Ordinances, Regulations, General Code of Conduct and Ethics, Policy on Gender Sensitive Campus and Redressal of Gender Related Grievances, financial and other academic manuals and other policies that may be framed, as may be applicable and in force from time to time.

Violation /infringement of any of the provisions stated above shall result into initiation of disciplinary proceedings.

2. Categories of infringements and Commencement of disciplinary proceedings :

2.1. All disciplinary proceedings have been classified into two categories i.e. Minor Infringements and Major Infringements

2.1.1. Minor Infringements means the cases where likely penalty will be censure, advisory, warning, fine, recovery of loss, stoppage of increment and stoppage of PLI up to 3 years.

2.1.2. Major Infringements means the cases where likely penalty will result into stoppage of PLI more than 3 years, dismissal, removal, etc.

2.2. Commencement of Disciplinary proceedings:

The disciplinary proceedings shall commence in the following two eventualities.

- 2.2.1. On receipt of complaints of infringement by Provost / Director (EDC) / Director (Admin.)
- 2.2.2. Provost / Director (EDC) / Director (Admin.) may take cognizance of infringement either minor or major on becoming aware about such infringement.
- 2.2.3. A Committee comprising of Provost, Director (Admin. & EF) and Director (EDC) shall decide the category of infringement whether its falls in Minor or Major Infringement and accordingly the disciplinary proceedings shall be initiated.

Provided that Chief Law Officer shall be an invitee in the Committee.

3. Procedure to be followed in case of Minor Infringements :

- 3.1. A delinquent employee who is alleged to have violated/ infringed any provision contained in clause 1 above, shall be issued a show cause notice stating the alleged violations/ infringement and seeking response as to why the penalty should not be imposed upon him.
- 3.2. A reply for show cause notice should be received within 30 days from the date of issue of the show cause notice.
- 3.3. A committee constituted as per clause 2.2.3 above shall decide such cases of infringement based on the response and other available records.

Provided that the Committee shall decide such cases Ex parte if the delinquent employee fails to give reply to the show cause notice within the stipulated time.

3.4.

3.4.1. The Board of Management (BOM) shall be the Appellate Authority for deciding such cases.

3.4.2. The Board of Management (BOM) may form a Sub-Committee for deciding any appeal filed by the delinquent employee against the decision imposing the penalty for Minor Infringement.

3.4.3. The Board of Management (BOM) or Sub-Committee, as the case may be; shall decide the appeal on the basis of records available on file / appeal papers.

3.4.4. It is not necessary for Board of Management(BOM) or Sub-Committee to provide an opportunity of being heard before deciding the appeal as per 3.4.3

4. Procedure to be followed in case of Major Infringements :

4.1. The Committee constituted as per clause 2.2.3 above, comes to the conclusion that the alleged infringement is a major infringement as defined in clause 2.1.2, shall forward the complaint to the Governing Body with its remark if any, for further necessary action.

4.2.

4.2.1. The Governing Body (GB) on receipt of such complaint, shall form a Sub-Committee for taking a decision after following the due procedure of issuing charge sheet and conducting the inquiry thereon.

- 4.2.2. The Governing Body (GB) shall cause the charge sheet to be issued to the delinquent employee and also cause the appointment of inquiry officer.
- 4.2.3. The inquiry officer appointed as per clause 4.2.2, shall carry out the inquiry proceedings as per due process of Law and following the Principles of Natural Justice.
- 4.2.4. The inquiry officer, subject to the clause 4.2.3 above, should conclude the inquiry proceedings as expeditiously as possible ideally within a period of 3 months. The inquiry officer should give minimum number of adjournments.
- 4.2.5. No legal practitioner shall be allowed to represent the delinquent employee in the inquiry proceedings.
- 4.2.6. The inquiry officer should submit inquiry report along with his finding after conclusion of inquiry proceedings to the Sub-Committee constituted in terms of clause 4.2.1, for taking decision on the complaint.
- 4.2.7. The appeal can be filed against the decision of Sub-Committee to Governing Body (GB) within two month from the date of communication of a decision of the Sub-Committee, and Governing Body shall be the appellate authority for such appeal.

5. Special Provision :

- 5.1. Provided that the Disciplinary Proceedings under clause (1) in respect of violation of any policy shall be initiated as per the provisions of respective policies and the procedure provided in Clause (3) and (4) in respect of minor and major infringement respectively, shall not apply.

- 5.2. The President shall have power to suspend any employee of the University pending inquiry in the interest of the University subject to recording of reasons for such decision and intimation to the Governing Body.
- 5.3. The President has a power to take any decision in the matter of disciplinary proceedings so as to remove any difficulty or contradictions or ambiguity or any missing aspects while implementing the provisions relating to disciplinary proceedings.