



SUMANDEEP VIDYAPEETH

An Institution Deemed to be University u/s 3 and 12B of UGC Act 1956
Accredited by NAAC with a CGPA of 3.53 on a Four Point Scale at 'A' Grade
Category - I Deemed to be University under UGC Regulation 2018

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CODE OF CONDUCT FOR TEACHERS, ADMINISTRATORS AND OTHER STAFF MEMBERS

1. Short title, Application and commencement:

- A. These rules may be called the Sumandeep Vidyapeeth Deemed to be University conduct, and Discipline Rules.
- B. They shall apply to all the constituent institutions, hospitals, departments, sections, faculties, hostels, extension centers and all other establishments of the Institution, herein after referred as SVDU.

2. Definitions:

In these rules unless the context otherwise requires:

- A. "Appointment Authority" means the authority competent to make recruitments and appointments to post created in SVDU.
- B. "Component Authority" means the authority component to exercise different powers conferred by the Regulations of SVDU or the Board of Management or any officer designated so by the Board of Management SVDU.
- C. "Code of conduct" shall mean and include any of the acts or conduct expected of an employee as a specified herein
- D. "Disciplinary Authority" means the authority component under these rules to impose on an employee any of the penalties and punishments.
- E. "Employee" means any person appointed to any post in connection with the affairs of SVDU and includes officers, supervisors, teaching or non-teaching staff, secretarial and Non-secretarial staff.
- F. "Employer" means Sumandeep Vidyapeeth Deemed to be University (referred to as SVDU)
- G. "Management" means the Board of Management of SVDU.
- H. "Misconduct" shall mean and include any of the acts and omissions on the part of an employee.
- I. "Habitual" means the commission or omission of any act of misconduct on at least three occasions in one year or less than one year.

Conduct and Discipline Rules

Code of Conduct:

1. Duty of every employee to maintain integrity and devotion to duty etc.

- A. Every employee of SVDU shall at all times-
 - i. Maintain absolute integrity



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24/06/2021

- ii. Maintain devotion to duty.
- iii. Do nothing which is unbecoming of an employee of SVDU.

B. Every employee shall take all possible steps to ensure integrity and devotion to duty in performance of his official duty in exercise of powers conferred on him shall not act otherwise than his best judgment or evade his responsibilities.

- 2. Every employee of SVDU shall be at the disposal of SVDU for full-time and shall serve in such capacity and at such place as he may, from time to time be directed.
- 3. Every employee shall conform and abide by the provisions of the Code, Order, Regulations, Rules, Directives and Decisions of SVDU and shall also observe, comply with and obey all orders and instructions which may from time to time be given to him by the officer under whose jurisdiction, superintendence or control he has been placed.

4. Taking part in politics and elections-

No employee shall be a member of or otherwise associated with, any political party or any organization which takes part in politics, nor shall he take part in or subscribe in aid of, or assist in any other manner, any political movement or activity.

5. Prohibition against unauthorized supply of information etc.

No employee shall, except in accordance with any general or special order of SVDU or in performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official document or part thereof or information to any other employee or person to whom he is not authorized to communicate such document or information.

6. Prohibition against connection with press or radio or television

A. No employee shall own wholly or in part or conduct any newspaper or other periodical publication or participate in the editing management thereof except with the previous sanction of SVDU or except in the bona fide discharge of his duties-

- i. Publish a book himself or through a publisher or contribute an article to a book or a compilation of articles, or
- ii. Participate in a radio or television broadcast or contribute an article or write a letter to a newspaper or periodical or any television channel with due sanction of the SVDU.

B. No employee shall, in any radio or television broadcast or in letter to a newspaper or periodical or any document published anonymously, or in his own name or in the name of any other person or in any public utterance or in any public place make any statement or express any opinion-

- i. This has effect of an adverse criticism of any current or recent policy or action of SVDU or action of the Government in India.
- ii. This has the effect of airing his personal grievances provided that, nothing in this sub-rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of duties assigned to him/her.

Subscriptions

No employee shall, except with the previous sanction of SVDU ask for or accept contributions



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24/06/2021

to, or otherwise associate himself with the raising of any funds, or other collections in cash or kind in pursuance of any object whatever.

8. Gifts

- A. No employee shall accept, or permit any member of his family or any person acting on his behalf to accept any gift.

Explanation- The expression "gift" include free transport, boarding, lodging, or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with employee.

Note 1- A casual meal, lift or other social hospitality shall not be deemed to be a gift.

Note 2- An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organizations or any social bodies.

- B. An employee may accept gifts from his personal friends having no official dealing with him, but shall make a report to SVDU if the value of such gifts exceeds 20,000 RS. Or take previous sanction of SVDU if the value thereof exceeds 20,000 RS.

9. Private Trade or Employment

- A. No employee shall, except with the previous sanction of SVDU engage directly or indirectly in any trade or busies or undertake any other employment;
- B. Provided that a 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 is official duties do not thereby suffer, but shall not undertake, or shall discontinue such work if directed by SVDU.
- C. Every employee shall report to SVDU if any member of his family is engaged in a trade or business or owns or manages and insurance agency or commission agency.

10. Prevention of Sexual Harassment of working women/girl student

- A. No employee shall indulge in any act of sexual harassment of women at work place.
- B. Every employee who is in charge of a workplace shall take necessary steps to prevent sexual harassment to any employee at such workplace.

Explanation- For the purpose of this rule "sexual harassment" includes such unwelcome sexually determined behavior, whether directly or otherwise such as:

- Physical contact and advances
- A demand or request of sexual favors
- Showing pornography
- Any other unwelcome physical, verbal or nonverbal conduct of sexual nature.



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11. Canvassing of non-official or other outside influence

No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority in relation to any matter pertaining to his service under SVDU.

12. Membership or association with communal institutions.

No employee shall by writing, speech or deed, or otherwise indulge in any activity which is likely to incite and create feelings of hatred or ill will between different communities in India or religious, racial, regional, communal or other grounds.

13. Prohibition against Dowry;

No employee shall:

- i. Give or take or abet the giving or taking of dowry, or
- ii. Demand dowry, directly or indirectly, from the parents or guardians of the bride or bridegroom, as they may be.

Explanation: For the purposes of this rule dowry has the same meaning as in the Dowry Prohibition Act 1961.

14. Consumption of intoxicating drinks and drugs

An employee shall,

- A. Strictly abide by any law retaining to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being:
- B. Not consume any intoxicating drink while on duty or not be under the influence of any intoxicating drinks or drugs 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 anyway by the influence of any such drink or drug
- C. Refrain from consuming any intoxicating drink or drug in public place;
- D. Not appear in a public place in a state of intoxication.

Explanation: For the purpose of this rule "public place" means any place or premises to which the public have or are permitted to have access, whether on payment or otherwise.

15. Contracting of marriages

- A. No employee shall enter into, or contract, a marriage with a person having a spouse living and
- B. No employee, having a spouse living shall enter into a contract, a marriage with any person. Provided that such contract or marriage as referred to in a clause (A) and (B) is permissible on other grounds permissible by the law of land.

16. Code of Conduct for Teaching Staff:

- A. Teaching Staff shall perform academic duties and work related to examinations assigned.

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- B. Teaching Staff shall not discriminate against a student on political grounds or for reasons of race, religion, caste, language or sex for other reason of an arbitrary or personal nature and shall not incite students/teaching staff against students or other teaching staff, colleagues or administration/governing body of SVDU and college
- C. Teaching Staff shall have freedom of thought and expression. Teaching staff shall not misuse the facilities or forum of any of the constituent institutions of SVDU.
- D. Teaching staff shall not refuse to carry out the academic and administrative decisions taken by SVDU.
- E. Teaching staff shall not make use of the resource and/or facilities of the Department/college/SVDU for personal, commercial, political or religious purposes.
- F. Teaching Staff shall not be partial in assessment of a student or deliberately over-mark, under mark or victimize a student on any grounds.
- G. Teaching Staff shall not conduct/participate in private coaching class directly or indirectly or accept any private tuition.
- H. Teaching Staff shall not indulge in or resort to, directly or indirectly, any malpractice or unfair means in teaching/examination/administration.
- I. Teaching staff shall not furnish incorrect information regarding qualifications, experience, age etc in respect of his appointment, promotion.

17. Misconduct

Any of the following acts of omissions on a part of an employee shall amount to misconduct;

- A. Any action by an employee contrary to code of conduct mentioned in foregoing rules.
- B. Willful in subordination or disobedience, whether or not in combination with another, of any lawful and reasonable order of superior;
 - i. Going on an illegal strike on a batting, inciting, instigating or acting in furtherance thereof;
 - ii. Willful slowing down in performance of work, or abetment or instigation thereof;
 - iii. Theft, fraud, or dishonesty in connection with the employer business or property, or the theft of property of another employee within the premises of the SVDU.
 - iv. Taking or giving bribes or any illegal gratification;
 - v. Habitual absence without leave or absence without leave for than 10 consecutive days or overstaying the sanctioned leave without sufficient grounds or proper satisfactory explanation;
 - vi. Late attendance on not less than four occasions within a month.
 - vii. Collection without the permission of the management of any money within the premises of the SVDU except sanctioned by any law for the time being in force;
 - viii. Engaging in trade within premises of SVDU;
 - ix. Drunkenness, riotous, disorderly or indecent behavior on the premises of the SVDU.
 - x. Commission of any act subversive of discipline or good behavior on the premises or precincts thereof or vicinity of the SVDU.

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- xi. Habitual neglect of work, or gross or habitual negligence;
- xii. Willful damage to work , or gross habitual neglect;
- xiii. Canvassing for union membership or the collection of any money or union dues within premises of the SVU except in accordance with any law;
- xiv. Holding meeting within the premises of SVDU, without the previous permission of the management or expert in accordance with provisions of any law for time being in force;
- xv. Disclosing to any unauthorized person any information in regard to the activities of SVDU which may come into possession of the employee in the course of his work.
- xvi. Gambling within the premises of SVDU
- xvii. Smoking or spiting or chewing tobacco on the premises of the SVDU where it is prohibited by the employer;
- xviii. Failure to observe safety instruction notified by university or interference with any safety device or equipment installed within the SVDU;
- xix. Distributing or exhibiting within the premises of the SVDU hand-bills, pamphlet and such other things or causing to be displayed by means of signs or writing or other visible representation on any matter without previous sanction of the management;
- xx. Refusal to accept a charge sheet, order or another communication served on the employee.
- xxi. Unauthorized possession of any lethal weapon in SVDU.
- xxii. Breach of an rules of conduct or instructions or habitual breach of any order or instructions for the smooth functioning of the SVDU;
- xxiii. Tampering with records of the SVDU, falsification, defacement or destruction of any records of the SVDU including those pertaining to employees and students
- xxiv. Sexual harassment which includes un-welcome sexual determined behavior such as-
 - Physical-contact and advances; or
 - A demand or request for sexual favors; or
 - Sexually colored remarks; or
 - Showing pornography; or
 - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

18. Suspension:

- A. The appointing authority or any authority to which the appointing authority is subordinate or the disciplinary authority or any authority empowered by SVDU in that behalf by general or special order 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, he has engaged himself in activities prejudicial to the interest of SVDU.
 - c. Where a case against him **Attested CTC** any criminal offence is under investigation, inquiry or trial;



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- B. The employee shall be deemed to have been placed under suspension:
- With effect from date of his detention, if he is detained in police or judicial custody, whether on criminal charge or otherwise, for a period exceeding forty eight hours.
 - With effect from the date of his conviction if, in the event of a conviction for an offense, he is sentenced to a term imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction and shall continue to remain under suspension until the order of suspension is modified or revoked or recalled by the Authority Competent to do so.
- C. An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority to which that authority is subordinate.
- D. While under suspension, the employee shall not be allowed to sign nor shall he be granted leave by the Competent Authority. Provided always that SVDU may exercise such right as may be deemed necessary and fit in the larger interests of SVDU.
- E. The employee under suspension shall not accept any private or gainful employment in any manner whatsoever.

19. Penalties

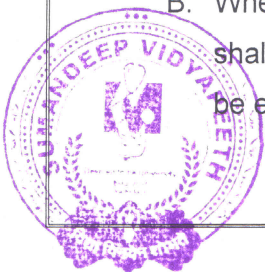
- A. Without prejudice to the provision of any law for the time being in force, the following penalties may, for good and sufficient reasons and as hereinafter provided be imposed on an employee of SVDU namely:-

Minor penalties

- Censure
- Withholding of his promotion
- Recovery from his pay of the whole or part of any pecuniary loss caused by him to SVDU, by negligence or breach of orders
- Withholding of increments of pay

Major penalties

- Removal from service which shall ordinarily be a disqualification for future employment under SVDU;
 - Dismissal from service which shall ordinarily be a disqualification for future employment under SVDU explanation
 - Termination of the services
 - Of an employee appointed on probation, during or at the end of the period of his appointment or the rules and orders governing such probation; or
 - Of an employee employed under an agreement in accordance with the term of such agreement.
- B. Where a penalty mentioned herein imposed on an employee, the authority imposing the penalty shall expressly state in order imposing the penalty that the period for which the reduction is to be effective will be exclusive of any interval spent on leave before the period is completed.



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Sumandeep Vidyapeeth

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Dist. Vadodara-391 760. (Gujarat)

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24/06/2021

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20. Authority to institute proceedings:

- A. SVDU or any other authority empowered by general or special order may;
 - a. Institute disciplinary proceedings against any employee;
 - b. Direct a disciplinary authority to institute disciplinary authority is competent to impose penalty as specified.
- B. Disciplinary authority competent under these rules to impose any of the penalties may institute disciplinary proceedings against any employee on whom the disciplinary authority is competent to impose any of the penalties specified in rule 6.

21. Procedure for imposing minor penalties:

No full-fledged and elaborate departmental enquiry necessary for inflicting minor penalty. In such cases, the employee shall be given an intimation of the act of misconduct committed by him and he will be given a reasonable opportunity to furnish his explanation if any, before the penalty is imposed.

22. Procedure for imposing major penalties:

1. No order imposing any of the major penalties shall be made except after an inquiry held, as far as may be, in the manner provided in this rule.
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 rule an authority to inquire into the truth thereof.

Explanation- Where a disciplinary authority itself holds an inquiry under this rule, any reference to an inquiring, authority in this rule shall, unless the context otherwise requires, be construed as reference to the disciplinary authority.

3. Where it is proposed to hold an inquiry against an employee under this rule, the disciplinary authority shall draw up or cause to be drawn up;
 - a. The substance the imputations of misconduct or misbehavior into definite and distinct articles of charge;
 - b. A statement of the imputations of misconduct or misbehavior in support of each article of charge is proposed to be sustained.
4. The disciplinary authority shall deliver or cause to be delivered to the employee, a copy of articles of charge, the statement of the imputations of misconduct or misbehavior, and a list of charge is proposed to be sustained, and shall by a written notice require the employee to submit to it within such time as may be specified in the notice, a written statement of his defense and to state whether he desires to be heard in person.
 - a. On receipt of the written statement of defense, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or if it considers it necessary as to do, appoint an inquiring authority for the purpose and where all the articles of charge have



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- been admitted by the employee in his written statement of defense, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in manner laid down in these rules.
- b. If no written statement of defense is submitted by the employee, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so or appoint an inquiring authority for the purpose;
 - c. Where the disciplinary authority appoints an inquiring authority it may, by an order, appoint an employee or a legal practitioner, to be known as the "Presenting Officer" to present the case in support of the articles of charge before the inquiring authority.
5. The disciplinary authority shall where it not the inquiring authority, forward to inquiring authority;
 - a. A copy of each of the articles of charge and statements of the imputations of misconduct and misbehavior.
 - b. A copy of written statement of defense, if any submitted by the employee;
 - c. Copies of statement of witness, if any, referred to it in rules;
 - d. A copy of the order appointing the Presenting Officer.
 6. The employee shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by him of the articles of charge and statements of the imputations of misconduct or misbehavior, as the inquiring authority may, by a notice in writing, specify in his behalf, or within such further time not exceeding ten days, as the inquiring authority may allow.
 7. The employee may take assistance of any other employee to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presenting Officer is appointed by the disciplinary authority, having regard to the circumstances of the case, so permits.
 8. If the employee, who has not admitted any of the articles of charge in his 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 plea, sign the record and obtain signature of the employee thereon.
 9. The inquiring authority shall return findings of guilt in respect of those articles of charge to which the employee pleads guilty.
 10. The inquiring authority shall, if the employee fails to appear within the specified time or refuses or admits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove articles of charge and shall adjourn the case to a later date not exceeding 30 days, after recording an order that the employee may, for the purpose of preparing his defense.
 11. The inquiry shall be commenced on the date fixed in that behalf by the inquiring authority and shall be continued thereafter on such or dates as may be fixed from time to time by the authority.



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24/06/2021

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12. On the date fixed for inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witness shall be examined by or on behalf of employee. The presenting officer shall be entitled to re-examine the witness on any points on which they have been cross-examined, but not any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witness as it thinks fit.
13. If the employee to whom a copy of the articles of charge has been delivered, does not submit a written statement of defense on or before the date specified for the purpose or does not appear in person before inquiring authority or otherwise fails or refuses to comply with the provisions of these rule, the inquiring authority may hold the inquiry expert.
- Where a disciplinary authority competent to impose any of the minor penalties but not competent to impose any of the major penalties has itself inquired to any of the articles of charge and that authority, having regard to its own finding or having regard to its decisions on any of the findings of the inquiring authority appointed by it, is of the opinion that any of the major penalties should be imposed on the employee, that authority shall forward the record of the inquiry to such disciplinary authority as it is competent to impose such major penalty.
 - The disciplinary authority to which the records are so forwarded may act on the evidence on the records or may, if it is of the opinion that further examination of any of the witness is necessary in the interest of justice, recall the witness and examine, cross examine and re-examine the witness, and may impose on the employee such penalty as it may not fit in accordance with these rules provided that if any witnesses are recalled, they may be cross examined by or on behalf of the employee.
14. After the conclusion of the inquiry, a report shall be prepared by the inquiring authority. Such report shall contain--
- The articles of the charge and the statement of imputation of misconduct or misbehavior.
 - The defense of the employee in respect of each article of charge;
 - An assessment of the evidence in respect of each article of charge;
 - The findings of each article of charge and reasons thereof;
 - Recommendation regarding the quantum of punishment.
15. Where, in the opinion of the inquiring authority, the proceedings of the inquiry establish any article of charge different from original article of charge it may record its finding on such article of charge. Provided that, the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or had a reasonable opportunity of defending himself against such article of charge.



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16. The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include--
- The report prepared by it under sub-rule 23;
 - The written statement of defense, if any, submitted by the employee;
 - The oral and documentary evidence produce in course of the inquire;
 - Written briefs, if any, field by the Presenting Officer or the employee or both during the course of the inquiry; and
 - The orders if any made by the disciplinary authority and the inquiring authority in regard to the inquiry.

23. Action on inquiry report:

- A. The disciplinary authority, if it is not itself the inquiring authority shall consider the report and record its findings on each charge.

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 major penalties should be imposed on the employee, then it shall--

- Furnish to the employee, copy of the report of the inquiry held by it and its findings on each article of charge, or, where the inquiry has been held by an inquiring authority appointed by it, a copy of the report of such authority and statement of its findings on each article of charge expressly stating whether or not it agrees with the findings of the inquiring authority, together with brief reasons for its disagreement, if any, with the findings of the inquiring authority; and
 - Give to the employee a notice stating the penalty proposed to be imposed on him within 30 days of receipt of notice or such further time not exceeding thirty days, as may be allowed, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during inquiry
- B. If the disciplinary authority, having regard to the finding, is of the opinion that any of the minor penalties shall be imposed on the employee notwithstanding anything contained in these rules, may determine what penalty shall be imposed on the employee and make an order imposing such penalty.
- C. If the disciplinary authority, having regard to finding on the charges is of the opinion that no penalty shall be imposed or the employee is honorably acquitted, the disciplinary authority shall inform the employee accordingly.
- D. The disciplinary authority shall if it is not inquiring authority, consider the record of the inquiry and record of its findings on each charge. If it disagrees with the findings of the inquiring authority on any article of charge, it shall record its reasons for such disagreement and refer the case back to the inquiring authority for further inquiry report. The inquiring authority shall thereon proceed to hold further inquiry according to the provisions of preceding rules as far as they may be.

- E. The orders made by the disciplinary authority under this rule shall be communicated to the



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employee and the inquiring authority.

- F. Common proceedings- Where two more employee are concerned in any case, the Competent Authority, who is the appointing authority for the highest ranking employee amongst those concerned, may make an order directing that disciplinary action against all of them be taken in a common proceedings.
- G. Special procedure in certain cases:
- Notwithstanding anything contained in these rules-
 - Where any penalty shall imposed on a employee on the ground of conduct which has lead to his/her conviction on criminal charge, or
 - Where the disciplinary authority shall satisfied for reasons to be recorded by it in writing that is not reasonably practicable to hold an inquiry in manner provided in these rules, or
 - Where the SVDU shall satisfied that it is not expedient to hold any inquiry in the manner provided in these rules, or is contrary to the interests of Sumandeep Vidyapeeth Deemed to be University the disciplinary authority may consider the circumstances of the case and make such orders thereon it deems fit.

24. Appeals and Review

Orders against which no appeal lies-

- A. Notwithstanding anything contained in part, no appeal shall lie against,
- Any order made by chancellor
 - Any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of disciplinary proceedings other than order of suspension;
 - Any order passed by inquiring authority in the course of an inquiry.
- B. Subject to the provisions of this rule an employee may prefer an appeal against all or any of the following orders, namely
- An order of suspension made or deemed to have been made under these rules;
 - An order imposing any of the penalties, whether made by the disciplinary authority or by an appellate or reviewing authority
 - An order enhancing any penalty, imposed under these rules;
 - An order which:
 - Denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement
 - Denies promotion to which he is otherwise eligible according to the recruitment rule and which is due to him according to his seniority;
 - Interprets to his disadvantage the provisions of any such rule or agreement results into:
 - Stopping him at efficiency bar in timescale of pay on ground of his unfitness to cross bar;
 - Reverting him while officiating in higher service grade or post to a lower service, grade or post, otherwise than as a penalty



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 - Any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of disciplinary proceedings other than order of suspension;
 - Any order passed by inquiring authority in the course of an inquiry.
- B. Subject to the provisions of this rule an employee may prefer an appeal against all or any of the following orders, namely
- An order of suspension made or deemed to have been made under these rules;
 - An order imposing any of the penalties, whether made by the disciplinary authority or by any appellate or reviewing authority
 - An order enhancing any penalty, imposed under these rules;
 - An order which:
 - Denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement
 - Denies promotion to which he is otherwise eligible according to the recruitment rule and which is due to him according to his seniority;
 - Interprets to his disadvantage the provisions of any such rule or agreement results into:
 - Stopping him at efficiency bar in timescale of pay on ground of his unfitness to cross bar;
 - Reverting him while officiating in higher service grade or post to a lower service, grade or post, otherwise than as a penalty



Attested CTC
24/06/2021
Vice-Chancellor
Sumandeep Vidyapeeth
An Institution Deemed to be University
VIII, Piparia, Taluka: Waghodia,
Dist. Vadodara-391 760. (Gujarat)

- iii. Reducing or withholding the post retirement benefits if any admissible to an employee;
- iv. Determining the subsistence and the other allowances to be paid to an employee for the period of suspension or for the period during which he is deemed to be under suspension or for any portion thereof;
- v. Determining his/her pay and allowances:
 - For the period of suspension.
 - For the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time-scale of pay, to the date of reinstatement or restoration to service, grade or post; or
 - Determining whether or not the period from the date of his suspension or from date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time-scale of pay or stage in time scale of pay to date of his retirement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

25. Appellate Authorities:

Subject to the provisions of any law for time being in force-

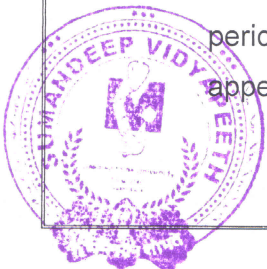
- i. A member of class 1 or class 2 service (including person who belonged to any of these classes immediately before he/she ceased to be in service), may appeal to Board of Management of SVDU against the orders passed by the vice-chancellor imposing penalties on him/her.
- ii. A member of class 3 may appeal to the Vice-Chancellor or the management of SVDU imposing a penalty upon him/her under these rules;
- iii. A member of class 4, may appeal to the Registrar/Principal of the College against the orders passes by the authorities subordinate to the Registrar/Principal of the College.

Notwithstanding anything contained in sub-rule (1) of this rule,

- i. An appeal against an order in common proceeding held under these rules shall lie to the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate;
- ii. Where the person who made the order an appeal against such order shall lie to the authority to which such person is immediately subordinate.

26. Period of limitation for appeals:

No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of thirty days from the date of the order appealed against to the authority to which such person is immediately subordinate. Provided that, the appellate authority may entertain the appeal after the expiry of the



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24/06/2021
Vice-Chancellor
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Dist. Vadodara-391 760. (Gujarat)

said period, if it is satisfied that the appellant had sufficient cause for not performing the appeal in time.

27. Mode from and contents of appeal:

- i. Every employee preferring an appeal shall do so separately and in his/her own name and shall address it to the authority to which the appeal lies.
- ii. The appeal shall be complete in it and shall contain all material statements and arguments on which the appellant relies, but not contain any derogatory, disrespectful or improper language.

28. Submission of appeals:

- i. Every appeal shall be submitted to the appellate authority through proper channel namely the head of the office in which the appellant may be serving.
- ii. An advance copy may be submitted to the appellate authority.

29. Transmission of appeals:

The Authority which made the order appealed against shall, on receipt of a copy of the appeal, without any avoidable delay, and without waiting for any direction from the appellate authority, transmit to the appellate authority every appeal together with its comments thereon and the relevant records.

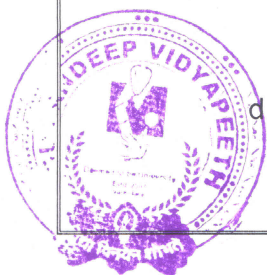
30. Consideration of appeals:

- A. In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of rule 5 of these rules and having regards to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order ,accordingly.
- B. In the case of appeal against an order imposing any of the penalties specified in these rules or enhancing any penalty imposed under that rule the appellate authority
 - i. Whether the procedure laid down in these rules has been followed, and if not, whether such non compliance has resulted in the violation of any provisions or in the failure of justice.
 - ii. Whether the findings of the disciplinary authority are warranted by the evidence n the record: and
 - iii. Whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe: and passes orders-
 - a. Confirming , enhancing reducing or setting aside the penalty: or
 - b. Remitting the case to the authority which had passed the order appealed against, with such directions as it may deem fit in the circumstances of the case.
 - c. Provided that the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent in the case to impose.
 - d. If the enhanced penalty which the appellate authority proposes to impose is

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**Vice-Chancellor
Sumandeep Vidyapeeth**

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one of the major penalties and an inquiry under these rules has not already been held in the case, the appellate authority shall itself hold such inquiry or direct that such inquiry be held in accordance with these rules; and thereafter, on a consideration of the proceedings of such inquiry and after giving the employee a notice stating the enhanced penalty proposed to be imposed on him/ her calling upon him/ her to submit within fifteen days of receipt of the notice or such further time not exceeding fifteen days, as may be allowed, such representation as he/ she may wish to make on the proposed enhanced penalty.

- e. If the enhanced penalty which to appellate authority proposed to impose is one of the major penalties and an inquiry under these rules has already been held in the case appalled authority shall give to be imposed on him /her and calling upon him/her to submit within thirty days of receipt of the notice or such further time not exceeding thirty days, may be allowed, such representation as he/she may wish to make n the enhanced penalty, and make such orders as it may deem fit and.
- f. No order imposing an enhanced penalty shall be made in any other case unless the appellant has been served with notice stating the enhanced penalty proposed t be imposed on him/she and calling upon him/her to submit within thirty days of receipt of the notice or such further time not exceeding thirty days, as may be allowed, such representation as the he/she may wish to make on the proposed enhanced penalty.
- C. The appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

31. Implementation of orders in appeal

The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

32. Review

1. not with standing anything contained in these rules, the reviewing authority to which as appeal against an order imposing any of the penalties specified these rules lies may , at any time either on his/her or its own motion or otherwise call for the records of any enquiry and review any order made under these rules and may:

- i. confirm ,modify or set aside then order: or
- ii. confirm , reduce ,enhance or set aside the penalty imposed by the order or impose any penalty where no penalty has been imposed: or
- iii. remit the case to the authority which made the order or to any other authority directing such authority to make such further enquiry as it may consider proper in the circumstances of the case or:
- iv. Pass such other orders as it may deem fit:

Provided that, no order imposing or enhancing any penalty hall be made by any



Attested CTC
24/06/2021
Vice-Chancellor
Sumandeep Vidyapeeth
An Institution Deemed to be University
VIII, Piparia, Taluka: Waghodia,
Dist. Vadodara-391 760. (Gujarat)

reviewing authority, unless the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed, and where it is proposed to impose any of the major penalties or to enhance the penalties imposed but the order sought to be reviewed to any of the major penalties, no such penalty shall be imposed except after an enquiry in the manner laid down in these rules and after giving a reasonable opportunity to the evidence adduced during the inquiry.

Provide further that, no power of review shall be commenced until after-

- i. The expiry of the period of limitation for an appeal,
 - ii. The disposal of the appeal where any such appeal has been preferred.
2. An application for review shall be dealt with in the same manner as if it were an appeal under these rules, excepts that the period of limitation for its consideration shall be six months commencing from the date on which a copy of the under review is delivered to the applicant.

33. Miscellaneous:

Service of order, notices etc.

- a. Every order, notice and other process made or issued under these rules shall be served in person on the employee concerned or communicated to him/her registered post.
- b. Power to be relaxed time-limit and to condone delay saves as otherwise expressly provided in these rules. the authority competent under these rules to make order may for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

34. Discontinuation and termination:

1. An employee shall not leave or discontinue his/her service in the university or the college without giving a prior notice in writing to the registrar. As the case may be of his/her intention to leave or discontinue the service. The period of the notice shall be,
 - a. Three calendar months in the case of employee in teaching cadre or doctor in the hospital.
 - b. One calendar month in the case of employee in non teaching cadre or those appointed on contract or for a specified period.
 - c. In case of breach of these provisions, the employee shall pay to the university or the college an amount equal to his/her pay for the notice period required to be given by him/her. In case he/ she fail to pay the amount, it shall be recovered from the dues payable to him/ her.
2. The competent authority, after completing the procedure of department enquiry come to conclusion that the employee should be compulsorily retired or removed from the services, it shall give requisite notice of one or three months as the case may be.
3. An employee on probation shall not leave or discontinue his/her service without first giving prior one month's notice in writing or one month's salary in lieu thereof.

No notice of resignation or termination of services shall be necessary in case of the employee appointed purely on temporary basis with or without definite period prescribed in the



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Dist. Vadodara-391 760. (Gujarat)

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appointment order.

5. An employee shall be considered to be ceased from the services of SVDU or the college in case he/ she abstains himself/her continuously for more than thirty days without any prior approval from the competent authority or without intimation to the authorities.
6. An employee suffering from contagious or infectious disease and is declared unfit for the service by the medical authority shall be discharged from the service of SVDU.

35. Interpretations:

If any questions arises relating to the interrelation of these rules. it shall be referred to the board of management, whose decision thereon shall be final.

36. Delegation of powers:

SVDU may by general or special order direct that any power exercisable by it or any head of department of office under these rules shall subject to such conditions, if any as may be specified in the order, be exercisable also by SVDU officer or authority as may be specified in the order.

37. Repeal and saving

On and from the date of commencement of these SVDU conduct and discipline rules, in so far as they relate to matters provided by these rules and all rules corresponding there to, if any, and in force immediately before the commencement of these rules and applicable to employee to whom these rules apply are hereby repealed: provided that, any order made or action take under the rules repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

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Registrar

Sumandeep Vidyapeeth