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SERVICE RULES FOR TEACHERS

DESIGNATION OF TEACHERS AT INSTITUTE

The following posts/ designations have been sanctioned at the time of initial creation of the service rules. The further creation of new posts/ designation and / or abolition of existing posts/ designations are done by the Governing Body based on the needs and requirements of the Institution.

1. **Academic – Teaching**
 - 1.1. The Principal of the Institution
 - 1.2. The Vice-Principal of the Institution
 - 1.3. The Dean's of the Institution
 - 1.4. The Head of the Departments of the Institution
 - 1.5. The Professors of the Institution
 - 1.6. The Associate Professors of the Institution
 - 1.7. The Assistant Professors of the Institution
 - 1.8. Other positions may be decided by the Governing Body such as Emeritus Professors, Adjunct Professor etc. of the institution.

Although posts are created, it is to be decided by the Authority/ Trust to fill up the posts as per the need and requirement of the Institution. It is not mandatory to fill up all the posts at all times. No Act or proceeding of the Institution or any authority of the Institution or any committee constituted shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of the authority or committee of the Institute.

There will be a post called 'In-Charge' which means a temporary responsibility assigned to one employee to perform a role and responsibility of a sanctioned post or designation. In the absence of the Principal, the Vice principal / Officer-in-charge duly nominated by authority shall be in charge of the institute and shall look after the normal academic and other administrative affairs of the institution.

Any temporary designations created such as Officer in charge of Examinations, Officer on special duty, Training and Placement in charge, Annual Cultural festival in charge etc as and when required. Those temporary designations will be assigned by the Principal of the college/Institute

A. JOB RESPONSIBILITY

Ref : AICTE Notification No F No1-65/CD/NEC/98-99 Date: May 03,2000

With reference to notification cited, The job responsibilities of teachers of degree level institution is coupled with Accountability. It mentions Pay Revision as a Composite Package wherein better compensation package, performance and accountability are inter-related, and

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one cannot be had without the other. Performance appraisal and accountability shall be an integral part of this pay revision package.

The job responsibilities of teachers of degree level institution are mentioned as follows:

ACADEMIC	RESEARCH. & CONSULTANCY	ADMINISTRATION	EXTENSION
Classroom Instruction	Research & Development Activities & Research Guidance	Academic and Administrative Management of the Institution	Extension Services
Laboratory instruction	Industry sponsored projects	Policy Planning, Monitoring & evaluation and promotional activities both at Departmental and Institutional level	Interaction with Industry and Society
Curriculum Development	Providing Consultancy and Testing Services	Design and development of new Programmes	Participation in Community Services
Developing Learning Resource Material & Laboratory Development	Promotion of Industry Institution interaction and R & D	Preparing project proposals for funding in areas of R & D Work laboratory Development	Providing R & D support and consultancy services to Industry and Others user agencies.
Students Assessment & Evaluation including examination work of University		Administration both at Departmental & Institutional levels	Providing non-formal modes of education for the benefit of the community.
Participation in the Co-curricular & Extra-curricular Activities		Development, Administration and management of institutional facilities	Promotion of entrepreneurship and job creation.
Students, Guidance & Counselling & helping their personal ethical moral and overall character development		Monitoring and Evaluation of academic and research activities.	Dissemination of knowledge.

Continuing Education Activities		Participation in policy planning at the Regional National level for development of technical education.	
Keeping abreast of new Knowledge and skills help generate new knowledge and help discrimination of such knowledge through books publications, seminars, etc.		Helping mobilization of resources for the institution Develop, update and maintain MIS. Plan and implement Staff Development activities.	
Self development through upgrading qualification, experience & professional activities.		Maintain accountability. Conduct Performance appraisal.	

B. Duties of Teacher

Ref: UNIFORM STATUTES , University of Mumbai

(Terms and conditions of service of teachers working in the affiliated colleges, recognized institutions, autonomous colleges, community colleges, empowered autonomous colleges, empowered autonomous cluster institutions, empowered autonomous skill development colleges in Maharashtra [framed under section 72 (10) Read with section 71 (20) and Section 105 (10) of the Maharashtra Public universities act, 2016])

- A. Subject to the supervision and general control of the Management and the Principal, the teacher shall devote his/her time and energy to develop and improve his/her academic and professional competence by availing all opportunities to attend and participate in academic programmes, such as Seminars, workshop, Orientation Programme and Refresher Courses, Inservice programme, etc. The Management and the Principal shall give the teacher every possible opportunity to do so.
- B. The teacher shall perform his/her academic duties such as preparation of lectures, demonstrations, assessment, guidance to research, tutorials, University, College and Recognized Institution examinations, and will encourage pursuit of learning in the students.
- C. The teacher shall engage the classes regularly and punctually and impart such lessons and instructions as the Principal shall allot from the syllabus to him/her, from

time to time and shall not ordinarily remain absent from work without intimating the Principal.

- D. The teacher shall observe the provisions of the University Act, Statutes, Ordinances, Regulations and Rules in force and as modified, from time to time and abide by the decisions of the University, Management, Principal and shall ensure the interest of the University, College or Recognized Institution. Such decisions, however, shall not be inconsistent with the provisions of the Act, Statutes, Ordinances, Regulations, etc. If it is found by the Management that damage or loss has been caused to the College or Recognized Institution or the University by an act of negligence or default on the part of the teacher, such damage or loss shall be recoverable from him/her.
- E. In addition to the duties of teaching and allied activities, the teacher shall when required, attend to extracurricular, co-curricular activities organized by the University, College and Recognized Institution and administrative and supervisory work and maintenance of records and self reports or any other duties befitting the status of a teacher assigned to him/her by the Principal.
- F. The teacher shall help the University, College or Recognized Institution authorities to enforce and maintain discipline and inculcate good habits among the students.
- G. In case of Professional Colleges, the teacher shall perform such other duties as are prescribed by their respective Central Councils and accepted by Government and University, from time to time.

C. Duties of Principal

Subject to the supervision and general control of the Management, the Principal as the Principal Executive and Academic Head of the College / Recognized Institution, shall be responsible for -

- 1) academic growth of the College.
- 2) participation in the teaching, research and training programmes of the College.
- 3) assisting in planning and implementation of academic programmes such as Refresher / Orientation course, seminars, in-service and other training programmes organised by the University / College for academic competence of the Faculty Member.
- 4) admission of students and maintenance of discipline of the College
- 5) receipts, expenditure and maintenance of true and correct accounts.
- 6) The overall administration of the College and Recognized Institution and their Libraries and Hostels, if any.
- 7) correspondence relating to the administration of the College.
- 8) administration and supervision of curricular, co-curricular / extracurricular or extra-mural, students' welfare activities of the College and Recognized Institution and maintenance of records.

- 9) observance of the Act, Statutes, Ordinance, Regulations, Rules and other Orders issued thereunder by the University' authorities and bodies, from time to time.
- 10) supervision of the examinations, setting of question papers, moderation and assessment of answer papers and such other work pertaining to the examinations of College / Recognized Institution.
- 11) Overall supervision of the University Examinations
- 12) observance or provisions of the Accounts Code.
- 13) Maintaining Assessment Reports of teachers and administrative staff as prescribed and their Service Books.
- 14) any other work relating to the College or Recognized Institution relating to the administration of the College as may be assigned to him by the Management, from time to time.
- 15) Preparation of institutional development plan for every five years with action plan of implementation.
- 16) Identification of avenues for resource generation.
- 17) Preparation for assessment, accreditation and academic audit of the college/institution
- 18) Teacher welfare programmes for teachers which include promotions to administrative staff and Career Advancement Scheme on time.
- 19) Working as a mentor for teachers and administrative staff of the college
- 20) Maintenance and updating college/institutional websites giving all mandatory disclosures of the college/institution and adopting ICT in governance and administration.
- 21) Practise inclusive leadership by involving all teachers in various committees for smooth conduct of the college/recognized institution.
- 22) Connecting college/institution with societal needs.

D. Code of Professional Ethics

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 teacher should be calm, patient and communicative by temperament and amiable in disposition.

Teacher should:

- a) Adhere to a responsible pattern of conduct and demeanor expected of them by the community;

- b) Manage their private affairs in a manner consistent with the dignity of the profession;
- c) Seek to make professional growth continuous through study and research;
- d) Express free and frank opinion by participation at professional meetings, seminars, conferences etc., towards the contribution of knowledge;
- e) Maintain active membership of professional organisations and strive to improve education and profession through them;
- f) Perform their duties in the form of teaching, tutorials, practicals, seminars and research work, conscientiously and with dedication;
- g) Discourage and not indulge in plagiarism and other non ethical behaviour in teaching and research;
- h) Abide by the Act, Statute and Ordinance of the University and to respect its ideals, vision, mission, cultural practices and tradition;
- i) Co-operate and assist in carrying out the functions relating to the educational responsibilities of the college and the university, such as: assisting in appraising applications for admission, advising and counselling students as well as assisting the conduct of university and college examinations, including supervision, invigilation and evaluation; and
- j) Participate in extension, co-curricular and extra-curricular activities, including community service.

2. Teachers and Students Teachers should:

- a) Respect the rights and dignity of the student in expressing his/her opinion;
- b) Deal justly and impartially with students regardless of their religion, cast gender, political, economic, social and physical characteristics;
- c) Recognise the difference in aptitude and capabilities among students and strive to meet their individual needs;
- d) Encourage students to improve their attainments, develop their personalities and at the same time contribute to community welfare;
- e) Inculcate among students scientific temper, spirit of inquiry and ideals of democracy, patriotism, social justice, environmental protection and peace;
- f) Treat the students with dignity and not behave in a vindictive manner towards any of them for any reason;
- g) Pay attention to only the attainment of the student in the assessment of merit;
- h) Make themselves available to the students even beyond their class hours and help and guide students without any remuneration or reward;
- i) Aid students to develop an understanding of our national heritage and national goals; and
- j) Refrain from inciting students against other students, colleagues or administration.

3. Teachers and Colleagues Teachers should:

- a) Treat other members of the profession in the same manner as they themselves wish to be treated;
- b) Speak respectfully of other teachers and render assistance for professional betterment;
- c) Refrain from making unsubstantiated allegations against colleagues to higher authorities; and
- d) Refrain from allowing considerations of caste, creed, religion, race or sex in their professional endeavour.

4. Teachers and Authorities Teachers should:

- a) Discharge their professional responsibilities according to the existing Rules 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 Rule detrimental to the professional interest;
- b) Refrain from undertaking any other employment and commitment, including private tuitions and coaching classes which are likely to interfere with their professional responsibilities;
- c) Co-operate in the formulation of policies of the institution by accepting various offices and discharge responsibilities which such offices may demand;
- d) Co-operate through their organizations in the formulation of policies of the other institutions and accept offices;
- e) Co-operate with the authorities for the betterment of the institutions keeping in view the interest and in conformity with the dignity of the profession;
- f) Adhere to the terms of contract;
- g) Give and expect due notice before a change of position takes place; and
- h) 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.

5. Teachers and Non-Teaching Staff Teachers should :

- a) Treat the non-teaching staff as colleagues and equal partners in a cooperative undertaking, within every educational institution;
- b) Help in the functioning of joint-staff councils covering both the teachers and the non-teaching staff.
- c) 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.

6. Teachers and Society Teachers should:

- a) Recognize that education is a public service and strive to keep the public informed of the educational programmes which are being provided;
- b) Work to improve education in the community and strengthen the community's moral and intellectual life ;
- c) 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;
- d) Perform the duties of citizenship, participate in community activities and shoulder responsibilities of public offices;
- e) Refrain from taking part in or subscribing to or assisting in any way activities, which tend to promote feelings of hatred or enmity among different communities, religions or linguistic groups but actively work for national integration.

E. Code of Conduct for Teachers

- (i) The teacher shall be available for the College/Recognized Institution full- time and shall serve in such capacity and at such place, as he/she may, from time to time, be so directed.
- (ii) The teacher shall conform to and abide by the provisions of the Universities Act, Statutes, Ordinances, Regulations, and Rules and Directives and decisions of the Competent Authority. The teacher shall also observe, comply with and obey all orders

and instructions which may, from time to time, be given to him/her by the Principal of the College/Recognized Institution,

(iii) The teacher shall at all time maintain absolute integrity, show devotion to his/her profession and shall do nothing which is unbecoming of a teacher and his/her profession.

(iv) The teacher shall extend utmost courtesy and attention to all persons with whom he/she has to deal in the sphere of his/her duties. He shall strive hard to promote and protect the interest of the College/Recognized Institution.

(v) The teacher shall not accept or permit any member of his/her family or any person acting on his/her behalf to accept any gift in cash or in kind for his/her own benefit from any person including another teacher or employee for a work to be done in connection with the business of the College/Recognized Institution.

Provided that, the collection of monthly subscription of membership at the prescribed rate collected by the office bearer of the Association, Union or the Club shall not amount to gift or realization of other contribution for this purpose.

(vi) The teacher shall not, without prior permission of the Competent Authority, remain absent himself from his/her duties. In the circumstances or reasons beyond his/her control, he/she shall intimate or cause to intimate to Competent Authority within five days from the first date of absence, failing which his/her absence may be treated as leave without pay, and he/she shall further be liable to such disciplinary action as the Competent Authority may deem fit.

However, that the Competent Authority shall condone this condition in respect of a teacher who for reasons beyond his/her control was unable to convey the cause of his/her absence.

(vii)(a) The teacher or his/her near relative shall neither bid directly or indirectly, at any auction of any college property nor submit any tender for any supply to the College/Recognized Institution.

(b) The teacher or his/her relative shall not use the college property including the residential accommodation for conducting any trade or business, coaching classes, tuition, occupation or for any other purpose.

(c) The full-time teacher shall not engage himself in any trade, business coaching classes, tuition, imparting instructions leading to any certificate, diploma or degree course(s) or any other occupation which is not part of his/her duties as prescribed under these Statutes.

(viii) The teacher shall not write guides, notes, questions and answers, circulation, etc for commercial benefit.

(ix) The teacher shall abide by The Code of Professional Ethics laid down by University Grants Commission/respective Apex Bodies from time to time.

F. Improper Conduct

- 1) The teacher shall perform all his/her duties faithfully and will not avoid his/her responsibility. The following lapses would constitute improper conduct on the part of the teacher:
- 2) Failure to perform his/her academic duties, such as lecturing, demonstrating, assessing, invigilating, etc.
- 3) Gross partiality in assessment of students, deliberately over/under marking or attempt of victimisation on any grounds.

- 4) Inciting or instigating students against other students, colleagues, administration. (This does not interfere with his/her right to express his/her differences on principles in seminars or other places where students are present.)
- 5) Raising or exploiting questions of castes, creed or religion, race or gender in his/her relationships with the students and his/her colleagues and trying to use the above considerations for improvement of his/her prospects.
- 6) Refusal to carry out the decisions of appropriate authorities, officers, administrative and academic bodies of the University. This will not inhibit his/her right to express his/her difference with their policies or decisions, expression, provided that he/she will not use the facilities or forum of the University, College or Recognized Institution to propagate his/her own ideas or beliefs for or against a particular political party or alignment of political or religious activities.
- 7) Accepting tuitions, conducting/participating in private coaching directly or indirectly or any classes or courses in any manner.
- 8) Involvement in non-academic activities directly or indirectly such as
 - a) Writing of questions-answers, guides, key, likely questions, cyclostyled or photocopied notes, etc.
 - b) Undertaking of any office of profit agency.
- 9) Intoxicating drinks or drugs in force in any area in which he/she may happen to be for the time being;
 - a) Consume any intoxicating drink or be under the influence of any intoxicating drink or drug during the course of his/her duty; and the performance of his/her duties at any time is affected in any way by the influence of any such drink or drug;
 - b) Consuming any intoxicating drink or drug and appearing in a public place in a state of intoxication, unable to control his/her behaviour
 - c) *Explanation* : For the purpose of this rule, "Public Place" means any place or premises (including conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

G. Misconduct

The breach of any of the provisions of these Statutes, or any one or more of the following acts shall be deemed as misconduct on the part of the teacher:

- (i) any action by the teacher contrary to the provisions prescribed in the Act, Statutes, Ordinances, Rules and Regulations.
- (ii) refusal to accept order or other communication served according to the Statutes.
- (iii) obtaining employment in the College/Recognized Institution, by misrepresenting facts.
- (iv) misappropriation of any amount and/or movable and immovable property of the College/Recognized Institution.
- (v) willful and persistent negligence of duty.
- (vi) insubordination: Refusal to obey the order of controlling Authority, willful act/communication by ignoring immediate controlling authority.

- (vii) indulging in or promoting unfair practices in the conduct of College/Recognized Institution /University examinations,
- (viii) theft, fraud or dishonesty,
- (ix) willful or negligent damage of the College/Recognized Institution property,
- (x) any action, involving moral turpitude and attracting conviction in court of law,
- (xi) attending the duties in an intoxicated state and committing nuisance during working hours,
- (xii) misbehavior with students, another teacher, staff, parents.
- (xiii) sexual harassment within the meaning of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013 and the amendments made from time to time.

Explanation :

(1) willful negligence of duty shall among other things include the following:

- (a) dereliction of duties like not engaging the allotted classes or not completing the prescribed syllabi as expected under circumstances not beyond his/her control.
- (b) negligence of administrative, academic or extracurricular, co-curricular duties assigned to the teacher by the Principal of the College/Recognized Institution, which are consistent with the Act, Statutes, Ordinances, Regulations or Rules.

H. Disciplinary Authority

The Disciplinary Authority in respect of the teacher working in a College and Recognized Institution shall be the Management,

Provided that, the Principal of the College or Recognized Institution may impose minor penalties to the teacher.

I. Penalties

Without prejudice to the provisions 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 the teacher found guilty of misconduct. The penalty to be imposed shall essentially be commensurate with the severity or gravity of the misconduct committed and shall be imposed only after sufficient opportunity is provided to the teacher for being heard and to defend himself.

(a) Minor Penalties :

- (i) censure,
- (ii) fine,
- (iii) withholding of increment of pay for specific period,
- (iv) recovery from his/her pay, or such other amount as may be due from him/her.

(b) Major penalties :

- (i) stoppage of increment with or without effect on future increments,
- (ii) reduction to a lower scale of pay, grade, post or service.

(iii) compulsory retirement.

(iv) removal from service.

(v) termination of service.

(vi) dismissal from service.

Explanation (1) : The order under (a) (iii) of withholding increment shall not affect subsequent increment(s).

Explanation (2) : The order under sub-clause (a)(iv) for recovery shall expressly state the amount of the whole or part of any pecuniary loss caused by him/her to the College/Recognized Institution by negligence or by breach of orders.

Explanation (3) : Reduction under sub-clause (b) (ii) shall ordinarily be a bar to the placement of the teacher to the higher scale of pay, grade, post or service from which he/she was reduced, with or without further directions regarding condition of restoration to the scale of pay, grade, post or service from which he/she was reduced, and seniority and pay on such restoration.

Explanation (4) : The order of penalty of reduction, under sub-clause (b) (ii) shall expressly state whether the period of reduction shall be exclusive of any interval spent on leave or otherwise.

Explanation (5) : Removal under sub-clause (b) (iv) and termination under sub-clause (b) (v) shall not be a disqualification for future employment under the University, College or Recognized Institution.

Explanation (6) : Dismissal under sub-clause (b) (vi) shall be a disqualification for future employment under the University, College or Recognized Institution.

Procedure for imposing Minor Penalty

If the Disciplinary Authority is satisfied that the misconduct committed by the teacher is serious enough to inflict any of the minor penalties, the Disciplinary Authority shall -

(1) issue a notice to the teacher in writing along with the imputation(s) of misconduct and require him/her to show cause as to why the action proposed be not taken against him/her;

(2) give reasonable opportunity to the teacher to furnish explanation;

(3) take into consideration the explanation of the teacher and record findings on each imputation of misconduct;

(4) issue the order imposing one or many of the minor penalties, or if satisfied, drop the imputation(s) and exonerate him/her of the charge(s);

(5) the appeal against the minor penalty imposed by the Disciplinary Authority shall lie with the Grievances Committee.

Action not Amounting to Penalty

The following shall not amount to penalty within the meaning of Statute, namely:

(1) non-placement of teacher in various stages of promotion prescribed by UGC and accepted by the State Government from time to time;

- (2) reversion of the teacher already appointed as the Head of the Department;
- (3) compulsory retirement of the teacher in accordance with the provision relating to his/her superannuation or retirement;
- (4) Termination of Services :
 - (a) the teacher appointed on probation will be liable to be terminated during or at the end of the period of probation in accordance with terms and conditions of his/her appointment with proper justification in that regard;
 - (b) the teacher appointed on a temporary or ad-hoc basis may be terminated in accordance with the provisions made in that behalf;
- (5) termination of service of a teacher appointed under agreement in accordance with the terms and conditions of such agreement;
- (6) repatriation of the service of the teacher whose service has been borrowed from outside authority or recalling the teacher from foreign employment to such authority;
- (7) termination of the service due to abolition of the post(s).

J. Suspension

- (1) The Disciplinary Authority may, by an order in the form prescribed, place the teacher under suspension under the following circumstances:
 - (a) (i) where disciplinary proceedings against him/her are contemplated or are pending and are likely to result into imposing any of the major penalties.
 - (ii) wherein the opinion of the Competent Authority, he/she has engaged himself in activities prejudicial to the interests of the College/Recognized Institution and;
 - (iii) where there is a strong reason(s) to believe that his/her continuance in service is likely to cause embarrassment or to tamper with the investigation of the case, or likely to tamper with the official record or document(s).
 - (b) where the case against him/her in respect of any criminal offence is under investigation, enquiry or trial in a court of law.
- (2) The teacher shall be deemed to have been placed under suspension.:
 - (a) with effect from the date of his/her detention, in police or judicial custody, on a criminal charge, for a period exceeding forty-eight hours;
 - (b) with effect from the date of his/her conviction, if in the event of a conviction for an offence, he/she is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired, consequent to such conviction and shall remain under suspension until the order of suspension is modified or revoked by the Competent Authority.
- (3) While under suspension, the teacher shall not be allowed to resign.
- (4) If the teacher under suspension attains the age of superannuation, the departmental or judicial proceedings pending against him/her shall continue even after his/her retirement.
 - (1) If the Disciplinary Authority finds that a teacher is alleged to be guilty of a lapse or an offence of a serious nature and if there is a reason to believe that in the event of the offence being proved against him, he would deserve to be removed or dismissed from service. The competent Authority/Officer shall first decide whether the person concerned should be placed under suspension.
 - (2) During the period of suspension, a teacher shall be paid a subsistence allowance equal to his full pay and allowances admissible pending regular enquiry.

- a) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the pay excluding the allowances admissible during the period of the first 3 months, if, in the opinion of the said authority the period of suspension has been prolonged beyond 3 months due to reasons to be recorded in writing directly attributable to the teacher.
- b) The rate of dearness allowance will, as the case may be, vary according to the decreased amount of pay admissible under sub- clause (a) above.

Explanation :

- 1) While under suspension, the resignation of a teacher shall not be accepted.
 - 2) No leave shall be granted to a teacher while he is under suspension.
 - 3) The suspension order shall be served in the form as specified.
- (3) The teacher shall furnish the following certificate before he/she is paid the subsistence allowance : "I certify and declare that I shall not engage myself in any private employment, trade or business during the period of my suspension".
Provided that, if the Competent Authority suspects genuineness of this certificate, it may get the same duly verified, if necessary through the police authorities, and if the teacher is found to have furnished a false certificate, it shall be construed as an act of misconduct and shall be an additional charge in the enquiry against him/her.
- (4) (a) If the teacher under suspension is undergoing a trial in a criminal court or departmental enquiry under these statutes, he/she shall be provided with the subsistence allowance under Clause (2).
 - (b) If the teacher under suspension is convicted by the competent court and sentenced to imprisonment, the subsistence allowance shall be reduced to a nominal amount of Re. 1/- (Rupee One) per month till he/she undergoes punishment or till he/she is deemed to be in the service of the University, whichever is earlier.
 - (c) If the teacher under suspension is acquitted in appeal, he/she shall draw subsistence allowance, at the normal rate under Clause (2) from the date of acquittal till the disposal of inquiry under these Statutes.
 - (5) If the teacher under suspension attains the age of superannuation, he/she shall deem to have been retired and shall not be entitled to any subsistence allowance. If he/she is covered by the Contributory Provident Fund (CPF) scheme, he/she shall be entitled to have his/her own share of contribution but shall not be entitled to the College/Recognized Institution share. If he/she is covered by the Pension scheme, he/she shall be entitled to provisional pension not exceeding the maximum pension admissible to him/her for qualifying service upto the date of suspension. The University share of CPF or the final pension and the gratuity shall not be paid to him/her as per the final decision of proceedings against him/her.
 - (6) If the teacher under suspension is exonerated and/or it is observed that the suspension was wholly unjustified, the teacher shall receive full pay and allowances to which he/she would have been entitled had he/she not been so suspended.

If the person is not fully exonerated, he should be given pay equal to:

- (i) subsistence allowance or
- (ii) certain percentage of pay depending upon the merit of the case.

The period can be converted into leave due and admissible only at the express desire of the teacher concerned.

If the teacher is found fully guilty, and hence removed, terminated or dismissed, the suspension/subsistence allowance already paid to him may be recovered from him.

- (7) When the teacher under suspension is reinstated, after undergoing the punishment or paying the penalty under these Statutes, unless the Competent Authority has already passed such orders at the time of inflicting the punishment, the Competent Authority may by order state:
 - (a) whether the said period be treated as duty leave or leave not due, and
 - (b) the nature of pay and allowances to be paid for the period.
- (8) The substitute teacher appointed in place of the teacher under suspension, shall be paid the salary as per rules.
- (9) In case the College/Recognized Institution fails to pay the subsistence allowance, as decided in these Statutes, the Government through office of the Joint Director shall pay the same to the teacher under suspension and deduct the amount from the grants payable to the College/Recognized Institution.

K. Preliminary Enquiry

- (1) If a teacher is alleged to be guilty of misconduct as per Statute 205, a Preliminary Enquiry of such alleged teacher shall be held by the following Committee:
 - (i) The Principal - Chairman
 - (ii) The member of the Management Council to be nominated by the Vice-Chancellor
 - (iii) Either Head of Department or in his absence one senior faculty member or Head of Department of the same subject from any college to be nominated by the Vice-Chancellor.
 - (iv) A representative of the teacher whose inquiry is to be conducted.
- (2) The Committee, after going through all the documents and evidence(s), shall see whether there is a *prima facie* case against the teacher.
Provided that, while holding the preliminary enquiry, full opportunity shall be given to the Principal/Teacher, as the case may be, to defend his/her case before the Committee.
- (3) In the preliminary Enquiry committee of the Principal, the Chairman of the Governing Council shall be Chairman of the committee and instead of representative of the teacher, a representative of the Principal shall be on the committee;
- (4) The Committee, after going through all the documentary evidence(s) and giving a full opportunity to the Teacher, as the case may be, shall prepare their report and submit the same to the Vice-Chancellor.
- (5) The Vice-Chancellor, after scrutinizing the report of the Committee, may give permission to hold full-fledged Departmental enquiry of the Teacher, as the case may be;
Provided that, if the Vice-Chancellor, after scrutinizing the report, does not agree with the findings of the report, he/she shall direct the Management accordingly and the Management shall comply with;

Provided further that, if the Vice-Chancellor, after scrutinizing the report, feels that the report is incomplete or requires some more documents/evidences, then he/she shall call for such additional documents/evidences and if necessary may appoint another Committee and after considering the report direct the Management accordingly and the Management shall comply with.

Procedure of Enquiry

- (1) Whenever the Disciplinary Authority is of the opinion, based on the reports of the preliminary enquiry committee, that there are grounds for enquiry into the facts of the case and/or substance of imputation(s) of misconduct on the part of the teacher(s), which may result in major penalty, Disciplinary Authority may through an Enquiry Officer, who is Retired Judge below the rank of District Judge to enquire into the facts of the case. The appointment order of the Enquiry Officer shall be issued in the Form as prescribed.
- (2) Where it is proposed to hold enquiry against the teacher, the Disciplinary Authority shall draw up or cause to draw up
 - (a) the substance of imputation(s) of misconduct into definite and distinct article(s) of charge(s).
 - (b) a statement of imputation(s) of misconduct in support of each article of charge(s) which shall contain
 - (i) a statement of all relevant facts including any admission or confession by the teacher, and
 - (ii) a list of documents by which and a list of witnesses by whom, the article(s) of charge(s) are proposed to be sustained.
- (3) The Disciplinary Authority shall deliver or cause to deliver to the teacher, in the prescribed form, a copy of the article(s) of charge(s), the statement of imputation(s) of misconduct and a list of document(s) and of the witness(es) by which, each article of charge is proposed to be sustained, and shall by a written notice require the teacher to submit to it, within fifteen clear days, a written statement of his/her defense and to state whether he/she desires to be heard in person.
- (4) On receipt of written statement of defense and on admission of any or all article(s) of charge(s) by the teacher, the Disciplinary Authority shall record its findings on each charge admitted, after taking such evidence into account as it may think fit and shall act in the manner as prescribed.
- (5) On receipt of written statement of defense of any or all of the article(s) of charge(s) by the teacher or on its non receipt, the Disciplinary Authority may further enquire or cause to enquire into the charge(s) not admitted in the manner as prescribed.
- (6) Where the Disciplinary Authority appoints the Enquiry Officer, it may by an order appoint another teacher or any other suitable person to present the case in support of the article(s) of the charge(s) before the Enquiry Officer. The charge-sheeted teacher may take assistance of any other teacher or any other suitable person to represent the case on his/her behalf. In case the Enquiry Officer permits the teacher to engage a legal practitioner to represent on his/her behalf, the Disciplinary Authority may appoint a legal practitioner as Presenting Officer.
- (7) The Disciplinary Authority shall forward to the Enquiry Officer :

- (a) a copy of each of the article(s) of charge(s) and the statement of imputation(s) of misconduct,
 - (b) a copy of the order appointing the Presenting Officer, if any,
 - (c) copies of the statements of witnesses,
 - (d) evidence proving the delivery of documents to the teacher, and
 - (e) a copy of the written statement of defense by the teacher, if any.
- (8) The teacher shall appear in person before the Disciplinary Authority or the Enquiry Officer on such day and at such time within ten working days from the date of receipt by the teacher of the article(s) of charge(s) and the statement of imputation(s) of misconduct as the Disciplinary Authority or the Enquiry Officer may, by notice in writing specify or such further time not exceeding ten days as the Enquiry Officer may allow.
- (9) The Disciplinary Authority may, *suo motu* or on being moved by the teacher against whom enquiry is instituted, for just and sufficient reasons, transfer the proceedings to another Enquiry Officer constituted for the purpose.
- (10) If the teacher, who has not admitted any of the article(s) of charge(s), in his/her written statement of defense or has not submitted any written statement of defense, appears before the Disciplinary Authority or Enquiry Officer, it shall ask him/her whether he/she is guilty or has any defense to make and if he/she pleads guilty of any of the article(s) of charge(s), it shall be so recorded under the signature of the teacher and of that Authority.
- (11) The Enquiry Officer shall return to the Disciplinary authority the findings in respect of those article(s) of charge(s) which the teacher pleads guilty.

However if he/she pleads not guilty, the Enquiry Officer shall proceed to enquire further.

- (12) If the teacher fails to appear within the specified time or refuses to plead or admits to plead, the Enquiry Officer shall require the Presenting Officer to produce the evidence by which he/she proposes to prove article(s) of charge(s), and shall adjourn the case to a later date not exceeding fifteen days after recording the order that the teacher may, for the purpose of his/her defense
- (a) inspect within five days of the order or within such further time not exceeding five days as the Enquiry Officer may allow, the documents specified in the list,
 - (b) submit a list of witness(es) to be examined on his/her behalf,
 - (c) give a notice within ten days of the order or within such further time not exceeding ten days as the Enquiry Officer may allow, for the discovery or production of any document(s), but not mentioned in the list, indicating the relevance of such document(s).
- (13) The teacher may apply orally or in writing, for supply of copies of the statements of witness(es), if any, mentioned in the list and the Enquiry Officer shall furnish him/her such copies as early as possible, and in any case not later than three days before the commencement of the examination of the witness on behalf of the Disciplinary Authority.
- (14)
- (a) The teacher may, by notice to the Enquiry Officer, require copies of certain document(s) in possession of Appointing Authority or Disciplinary Authority. In that case, the Enquiry Officer, shall forward the same or copies thereof to the

Authority in whose custody or possession the documents are kept, with a requisition for the production of the document(s) by a specified date.

- (b) On receipt of the requisition, the Authority having the custody or possession of the requisitioned document(s), shall produce the same before the Enquiry Officer;

Provided that, the Enquiry Officer may, for reasons to be recorded in writing, decline the requisition of any such documents, as are not relevant in the case and the Enquiry Officer may withdraw the requisition or press for the same;

Provided further that, if the Authority, having the custody or possession of the requisitioned document(s), is satisfied, for the reasons to be recorded in writing that the production of all or any of such document(s) would be against the public interest, it shall, by providing copies of the documents, thus inform the Enquiry Officer and the Enquiry Officer shall, on being so informed, withdraw the requisition and communicate the information to the teacher.

(15)

- (a) The enquiry shall commence on the date fixed by the Enquiry Officer and shall continue thereafter on the dates as may be fixed from time to time.
- (b) The oral evidence shall be recorded or caused to be recorded by the Enquiry Officer in a question-answer form, on the completion of which it shall be read out to be correct and signed and dated by the teacher concerned, witness and the Enquiry officer. The copy (copies) of the deposition(s) may be made available to the Disciplinary Authority and to the teacher(s) on request.
- (c) The oral and documentary evidence by which the article(s) of charge(s) are proposed to be proved shall be produced by the Disciplinary Authority. The witness(es) may be examined by the Disciplinary Authority and cross-examined by the teacher or his/her assistant. The Disciplinary Authority shall be entitled to re-examine the witness, on any point(s) on which he/she has been cross-examined. The Enquiry Officer may also put questions to the witnesses.
- (d) Before the closure of the case by the Disciplinary Authority, the Enquiry Officer may allow the Presenting Officer to produce fresh evidence and include the same in the list or may itself call for the new evidence or recall and re-examine any witness(es) and in such cases, the teacher shall be entitled to a copy of the list of further evidence. The Enquiry Officer shall give the teacher an opportunity of inspection of document(s) before they are taken on record;

Provided that, no new evidence shall be permitted unless there is inherent lacuna(e) or defect(s) in evidence originally produced.

- (e) When the part of the inquiry-proceeding of the Disciplinary Authority is closed, the teacher shall state his/her defense orally and/or in writing. The teacher or the assistant may examine the witness(es) himself and they may be cross-examined by the Disciplinary Authority, re-examined by the teacher and examined by the Enquiry Officer.

The Enquiry Officer may also allow the teacher to produce new evidence, if it is necessary in the interest of natural justice.

- (f) After the teacher closes his/her part of the inquiry proceeding and if the teacher has not examined himself, the Enquiry Officer may generally question him/her on the circumstances appearing against him/her, for the purpose of enabling the teacher to explain any circumstances appearing in the evidence against him/her.

- (g) The Enquiry Officer may, after the completion of production of evidence, hear the Disciplinary Authority or the Presenting Officer and the teacher and/or permit them to file written statements of argument of their respective case
- (16) If the teacher, to whom a copy of the article(s) of charge(s) has been served, does not submit a written statement of defense on or before the date specified or does not appear in person before the Enquiry Officer or otherwise fails or refuses to comply with the provisions of this Statute, the Enquiry Officer may hold the enquiry *ex-parte*.
- (17) (a) Wherever the Enquiry Officer, after having heard and recorded the whole or part of the evidence, ceases to exercise jurisdiction thereon and is succeeded by another Enquiry Officer, it shall act on the evidence so recorded by its predecessor and partly recorded by itself;
- Provided that, if the succeeding Enquiry Officer is of the opinion that further examination of any of the witnesses, already recorded, is necessary in the interest of natural justice, he/she may recall, examine, cross-examine and re-examine him/her.
- Provided further that, if the witness is recalled, he/she may be cross-examined and/or re-examined by the teacher or the Presenting Officer.
- (b) Where in the opinion of the Enquiry Officer, the proceedings of the enquiry establish any article(s) of charge(s) different from original article(s) of charge(s), he/she may record its findings on such article(s) of charge(s);
- Provided that, the findings on such article(s) of charge(s) shall not be recorded, unless the teacher has either admitted the facts on which such article(s) of charge(s) is based or has been provided a reasonable opportunity of defending himself/herself against such article(s) of charge(s).

Enquiry Report

- (1) After the conclusion of enquiry, the Enquiry Officer shall prepare a report. Such report shall contain
- (a) article(s) of charge(s) and the statement of imputation(s) of misconduct;
 - (b) the defense of the teacher in respect of each article of charge;
 - (c) an assessment of the evidence in respect of each article of charge; and
 - (d) the findings on each article of charge and the reasons thereof.
- (2) The Enquiry Officer, shall forward to the Disciplinary Authority the record of enquiry which shall include
- (a) the report prepared by him/her;
 - (b) the written statements of defense submitted by the teacher;
 - (c) the oral and documentary evidence produced in the enquiry;
 - (d) the written statements of argument filed by the Presenting Officer and the teacher, if any; and
 - (e) the orders, made by the Disciplinary Authority and Enquiry Officer in regard to the enquiry.
- (3) The Enquiry Officer may provide a pointer to the kind of penalty, if so directed by the Disciplinary Authority in writing.
- (4) The Disciplinary Authority, to which the record is forwarded may act on the evidence of the record or may, if it is of the opinion that further examination of any of the witnesses

is necessary, recall the witness(es) and examine, cross-examine, and re-examine the witness(es) and impose on the teacher such quantum of penalty as it may deem fit in accordance with these Statutes;

Provided that, if any witness is so recalled, he/she may be cross-examined by the teacher.

Action on Enquiry Reports

- (1) The Disciplinary Authority shall consider the report and its findings on each charge.
- (2) The Disciplinary Authority, itself not being the Enquiry Officer, shall consider the enquiry report and if it disagrees with the Enquiry Officer on any article(s) of charge(s), it shall record its reasons for such disagreement and refer the case back to the Enquiry Officer for further enquiry and report. The Enquiry Officer shall thereon proceed to hold further enquiry according to the provisions of the preceding Statutes.
- (3) The Disciplinary authority, having regard to the findings on the charges, comes to the decision that no penalty be imposed or that the teacher be exonerated, it shall order accordingly.
- (4) If the Disciplinary Authority, having regard to the findings, comes to the conclusion that any of the minor penalties be imposed on the teacher, it shall notwithstanding anything contained in these Statutes, determine what penalty shall be imposed, it shall order accordingly. The order shall be issued in the form as prescribed.
- (5) (a) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, comes to the conclusion that any of the major penalties be imposed on the teacher, it shall
 - (i) furnish to the teacher, a copy of the Enquiry Report and its findings on each article of charge, expressly stating whether he/ she agrees with the findings of the Enquiry Officer or otherwise, together with brief reasons for its disagreement, if any within a week; and thereafter
 - (ii) give to the teacher a show-cause notice in the form as prescribed, stating the quantum of penalty proposed to be imposed on him/her by 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 penalty and the cause as to why the penalty be not imposed on him/her.
- (b) The Disciplinary authority shall consider the representation, if any, made by the teacher and determine afresh the quantum of penalty to be imposed on him/her on the basis of the evidence adduced.
- (6) The final orders made by the Disciplinary Authority under this Statute shall be communicated to the teacher and the Enquiry Officer.
- (7) If the nature of the penalty is either removal or dismissal, the order of the removal or dismissal be issued in the prescribed format.

Appeal

- (1) Notwithstanding anything contained in these Statutes no appeal shall lie against
 - (a) any order of an interlocutory nature or of the nature of a step-in-aid or the final disposal of a disciplinary proceeding, other than an order of suspension;

- (b) any order passed by an Enquiry Officer in the case of an enquiry under these Statutes.
- (2) Subject to the provisions of Clause (1) above, the teacher may prefer an appeal/representation to the Disciplinary Authorities against all or any of the following orders, namely :
- (a) an order of suspension or deemed suspension made under Statutes 211.
- (b) an order which
- (i) denies or varies to his/her disadvantage his/her pay, allowances or any other conditions of service;
 - (ii) denies placement to which he/she is otherwise eligible according to the recruitment rules;
 - (iii) interprets to his/her disadvantage the provisions of any such Statutes;
 - (iv) reverts him/her while officiating in a higher service, to a lower service, grade or post, otherwise than as a penalty;
 - (v) reduces or withholds the post-retirement benefits, if any;
 - (vi) determines the subsistence and other allowances to be paid to him/her for the period of suspension or for the period during which he/she is deemed to have been under suspension or for any portion thereof;
 - (vii) determines his/her pay and allowances, for the period of suspension or for the period of his/her dismissal, removal or compulsory retirement from service, or from the date of his/her reduction to a lower service, grade, post, time-scale or stage in a scale of pay, to the date of his/her reinstatement or restoration to his/her service, grade or post, as the case may be;
 - (viii) determines the nature of the period from the date of his/her suspension or from the date of his/her dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, scale of pay or stage in a scale of pay or the date of his/her reinstatement or restoration to his/her service, grade or post, etc., as the case may be.

Appellate Authority

The teacher aggrieved by the decision of the Disciplinary Authority, may prefer appeal to the Grievances Committee or the tribunal, as the case may be, constituted under the Act. In case the decision of the Grievances Committee is not complied by the concerned authorities, the teacher may forward the appeal to the tribunal as per provisions of the Act.

Service of Order, Notices, etc.

Every order, notice and other process made or issued under these Statutes shall be served in person on the teacher concerned or shall be communicated to him/her by registered post. In case the registered post is not effectively served, the notice shall be pasted on the door of his/her residence and published in at least one leading local newspaper.

Key Result Indicators for assessing the performance of teacher in Institute

Sr.	Activity/Criteria
1	<p>Involvement in the University/College students related activities/research activities</p> <p>(a) Administrative responsibilities such as Head, Chairperson/ Dean/ Director/ Co-ordinator, Warden, etc.</p> <p>(b) Examination and evaluation duties assigned by the college / university or attending the examination paper evaluation.</p> <p>(c) Student related co-curricular, extension and field-based activities such as student clubs, career counselling, study visits, student seminars and other events, cultural, sports, NCC, NSS and community services.</p> <p>(d) Organizing seminars/ conferences/ workshops, other college/university activities.</p> <p>(e) Evidence of actively involved in guiding Ph.D. students.</p> <p>(f) Conducting minor or major research project sponsored by national or international agencies.</p> <p>(g) At least one single or joint publication in peer- reviewed or UGC list of Journals.</p>
2	Academic/Research Activity
A	Research Papers in Peer-Reviewed or UGC listed Journals
B	Publications (other than Research papers)
	(a) Books authored which are published by:
	International publishers
	National Publishers
	Chapter in Edited Book
	Editor of Book by International Publisher
	Editor of Book by National Publisher
C	Creation of ICT mediated Teaching Learning pedagogy and content and
	(a) Development of Innovative pedagogy
	(b) Design of new curricula and courses
	(c) MOOCs
	Development of complete MOOCs in 4 quadrants (E-Tutorial, E- Content,
	MOOCs (developed in 4 quadrant) per module/lecture
	Content writer/subject matter expert for each module of MOOCs (at least one
	Course Coordinator for MOOCs

	(d) E-Content
	Development of e-Content in 4 quadrants for a complete course/e-book
3	(a) Research Projects Completed
	More than 10 lakhs
	Less than 10 lakhs
	(b) Research Projects Ongoing :
	More than 10 lakhs
	Less than 10 lakhs
	(c) Consultancy
4	a) Patents
	International
	National
	*Invited lectures / Resource Person in Seminars/ Conferences/full
	International (Abroad)
	International (within country)
	National
	State/University

Key Result Areas: Expected Outcome:

Performance Parameters

Sr No	Cadre	Part A Min Score	Part B Min Score	Total Min Score
1	Professor	60	110	170
2	Associate Professor	40	90	130
3	Assistant Professor	20	60	80

Scoring Minimum as mentioned in Part A & Part B is mandatory.

Methodology:

The score shall be determined on following parameters:

PART - A

- 1) Research Grant/ MODROB or Any research financial support from Govt agency/Industry/ any other organization

Amount (Rs.)	Score/each
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Less than 1 Lakh	5
Less than 3 Lakhs	10
Less than 5 Lakhs	20
Less than 10 Lakhs	30
More than 10 Lakhs	50

The score shall be used either once or proportionately throughout the tenure of project till completion.

- 2) Mobilization of financial resources from University/AICTE/ISTE/other organizations like Unnat Bharat Abhiyan for academic, social, educational/ training / research /FDP and other programs.

Amount (Rs.)	Score/each
Upto 1 Lakh	5
More than 1 Lakh	10

- 3) Intellectual Property Rights:

Particulars	Type	Score/each
Patent/s	Published	10
	Awarded	40
Copyright/s	Published	10

- 4) Consultancy/Testing

Amount (Rs.)	Score/each
Upto 1 Lakh	5
More than 1 Lakh	Additional 2/Lakh

- 5) Centre of excellence in department

Incubation Center set up	40
Start-Up – Students of department	40
Any Other	40

- 6) Admissions in Department

(Proportionate score shall be considered related to Intake/vacancy in respective branch)

Year	Score
First Year	10
Direct Second Year	10

- 7) Placement in Department

(Proportionate score shall be considered related to Intake/vacancy in respective branch)

Final Year	Score
	10

	10* (max/company)
	5** (per placed student)

*Initiating to bring the company, it should be verifiable & in addition to companies came at the efforts of centralized T&P dept.

**For preparing and Training & placing of the students (for individual efforts to prepare students) It should be verifiable.

Part – B

S No	Particulars	Score/each
1	Research Paper published in Scopus /AICTE approved journal	10
2	Research Grant Proposal submitted	10
3	Result – 5% above average result for subject last three years university examination for GIT students. (No proportion) (Excluding Final Year results)	15
4	MOOC/NPTEL Certification	10
5	MOU in operation	05
6	Full attendance during teaching days	10
7	Holding Administrative Position (VP, HOD, Dean, Registrar etc.)**	10
8	Book published by reputed publisher	15
9	Chapter published in reputed book	10
10	Monitoring - House-keeping in Department including Laboratories	10
11	Number of students with valid GATE score	10
12	Guided students – Winning project in Project Competition	10
13	Extra Curricular - Winners at university level activities	10
14	Remedial Classes/ CET classes conduction	10
15	Industry – Institute Interaction	10
16	Internship to students*	10
17	Community Engagement & Outreach Program (Coordinator/In-charge)	10
18	Activity In-charge (Institute/University/Govt level Activities)	5
19	Teacher-Students Relationship	5
20	Intra-Teacher Relationship (For Office Use only)	Max. 5
21	Memo / Show cause issued (Negative)	10/Memo
22	Any Punitive Action (Negative)	20/Action
23	Non-Monitoring: House-keeping in Department including Laboratories by in-charge (Negative)	10

*Marks in proportion to students in class/es

** Mention achievements on holding position to justify.

Note: While evaluating the score claimed by teacher, the evaluating authorities will remark score claimed.