

UNIVERSITY OF PUNE



CIRCULAR NO. 177 OF 2013

It is hereby notified for information of all concerned that the amended Ordinance 157 as regards maintenance of discipline and good conduct by students has come into force with effect from 01.07.2013.

Ordinance 157: Maintenance of Discipline and Good Conduct by Students:

(Under Section 5 Sub Section (6) and (28) of the Maharashtra Universities Act, 1994).

1. Every student, during term of the course, shall be under disciplinary jurisdiction of the Competent Authority which shall take appropriate action, in case of indiscipline/misconduct on part of the student.

The Ordinance has come into force w.e.f. 01.07.2013.

2. Definitions: In this Ordinance unless the context otherwise requires,

(i) 'Student' means and includes a person who is enrolled as such by the University, Affiliated college or Recognised Institutions for receiving instructions and or qualifying for any degree or diploma or certificates of the University.

Note: This includes External Students also.

(ii) 'Institution' means and includes University/Affiliated College/Recognized Institutions, as the case may inclusive of Campus, Hostels, Play-grounds, Laboratory, Libraries, Gymnasium thereof.

(iii) 'Competent Authority' for the purposes of the ordinance means and includes Head of the Teaching Department of the University, Principal of the Affiliated College; Head of the Recognized Institution, Chief Rectors of the University Hostels for the concerned students as such other persons, vested with the authority by Vice-Chancellor for external students.

Provided in respect of mis-conduct regarding University examination, Executive Council shall only be the Competent Authority.

3. Obligations of the Students : Every student, shall at all times,

- (i) Conduct himself properly
- (ii) Maintain proper behaviour.
- (iii) Observe strict discipline both within the campus of the Institution, Hostel and also outside, in Buses, Railways Trains or at public places, or at Picnic or Educational Trips arranged by the Institution or at Playgrounds.
- (iv) Ensure that no act of this consciously or unconsciously bring the Institution or any establishment or authority connected with it into disrepute.
- (v) Shall not lodge any complaint or make any representation regarding any matter connected with the Institution to press or other outside institution/agency etc. without forwarding the same through the Head of the concerned Institution.

4. Any act of a student which is contrary to the provisions of clause (3) shall constitute misconduct and/or indiscipline, which terms shall mean and include, among others, any one or more of the acts jointly or severally, mentioned hereinafter, namely :

- (i) Any act that directly or indirectly causes or attempts to cause disturbance in the lawful functioning of the Institution.
- (ii) Habitual un-punctuality in attending lectures, practicals, tutorials and other courses as may be prescribed.
- (iii) Repeated absence from lectures, tutorials, practicals and other courses as prescribed.
- (iv) Canvassing for or accepting contribution or otherwise associating himself with raising of any fund or any collections in cash or in kind in pursuance of any object whatsoever without the previous sanction of the Competent Authority.

- (v) Occupation of any building such as, hostel room, residential quarter or such other accommodation in the premises owned or hired by the Institution, without prior permission from the Competent Authority.
- (vi) Permitting or conniving with any person not authorized to occupy any hostel-room, residential quarter, or any accommodation or any part thereof of the Institution.
- (vii) Securing admission in the Institution, to any undergraduate or post-graduate programme or any other course by fabrication or suppression of facts or information.
- (viii) Obstruction to any student or group of students in his or their legitimate activities as such, whether in the classroom, laboratories, fields, playgrounds gymnasium or places of social and cultural activity within the campus of the Institution.
- (ix) Suppressing material information or supply of false information to the Institution, for seeking any privilege.
- (x) Possessing or using any fire arms, lethal weapons explosive, or dangerous or corrosive substance on the premises of the Institution.
- (xi) Possessing or consuming any poisonous or stupifying drugs or intoxicant or tobacco or Ghutaka smoking or alcoholic beverage in any form in the Institution.
- (xii) Ragging, bullying or harassing any student in Institution or outside thereof.
- (xiii) Indulging in any act as would cause annoyance, embracement to any other student, or member of the authority of the Institution, to staff member or any member of the family of the staff.
- (xiv) Indulging in any act of violence, assault, intimidation or threatening in the Institution or Hostels or outside thereof.
- (xv) Destroying or attempting to destroy or tamper with any official record or document of the Institution.

- (xvi) Conduct, unbecoming of the student, at any meeting or special functions or sports and cultural activities arranged by the Institutions or at any other public place.
- (xvii) Stealing or damaging any farm produce or any property belonging to the Institution, staff member of the Institution or any other student.
- (xviii) Instigating violence or participating in any violent demonstrations or violent agitation or violent strike in the Institution.
- (xix) Instigating or participating in any gherao of any official or staff member of the Institution.
- (xx) Violation of any of the Rules and Regulations of the Institutions or orders of the Competent Authority.
- (xxi) Gambling in any form in the Institution.
- (xxii) Disorderly behaviour in any form or any act specifically forbidden by the Competent Authority.
- (xxiii) Refusal to appear to give evidence before Enquiry Officer appointed by the Competent Authority with respect to a charge against him.
- (xxiv) Any act violating any provision of the Maharashtra Universities Act, 1994, Statutes, Ordinances, Rules made thereunder.
- (xxv) Conviction, in the Court of Law for criminal offence, involving moral turpitude.
- (xxvi) Any other act not specifically mentioned hereto before which, whether by commission or omission, as would in the circumstances of the case be considered by the Competent Authority as an act of misconduct and/or indiscipline.
- (xxvii) Use of mobiles at classrooms/laboratory/library.

(xxviii) Use of Hot plates, Electric Iron, Tea/Coffee making machines, Water heating coils , radio, non academic use of computers & Laptops

5. The Competent Authority may impose any one or more of the following punishment/s on the students found guilty or misconduct, indiscipline, in proportion thereof.

- (i) Warning/censure/Reprimand.
- (ii) Fine not exceeding Rs. 5000/-.
- (iii) Cancellation of the scholarship/award/prize/medal, awarded to the student by the concerned Institution, with prospective effect.
- (iv) Expulsion from the concerned Institution.
- (v) Debarring from admission to a course or courses of study in the concerned Institution. Debarring from appearing for examination or examinations, conducted by the Institution concerned, for a specific period, not exceeding five years.
- (vi) Cancellation of the result of the student concerned in the examination of the concerned Institution, in which he has appeared.
- (vii) Rustication from the Institution for the period not exceeding five years.

6. If the Competent Authority is satisfied that there is a *prima facie* case for inflicting penalties, mentioned in Clause No. 5, it may itself or through other person/persons, authorized by it, for this purpose, shall make enquiry, in following manner :

- (i) Due notice in writing shall be given to the student concerned about his alleged act of misconduct/indiscipline.
- (ii) Student charged shall be required within 15 days of the notice to submit his written representation about such charge/s.
- (iii) If the student fails to submit his written representation within specified time limit, the enquiry may be held *ex parte*.

- (iv) If oral evidence of the witness against student is recorded by the Enquiry Authority, the student charged shall be given an opportunity to cross examine the witness concerned.
- (v) If the student charged, desires to see the relevant documents, such of the documents, are being taken into consideration or are to be relied upon for purposes of proving the charge or charges, may at the discretion of the Enquiry Authority, be shown to him after the notice as provided in sub-clause (I) above is furnished to him.
- (vi) The student charged shall be required to produce documents, if any, in support of his defence. The Enquiry Authority may admit relevant evidence, documentary or otherwise at any stage before the final orders are passed.
- (vii) Legal practitioner shall not be allowed to appear on behalf of the student charged, in the proceedings before the Enquiry Authority.
- (viii) Enquiry Authority shall record findings on each implication of misconduct or indiscipline, and the reasons for such findings and submit the report along with proceedings to the Competent Authority.
- (ix) The Competent Authority on the basis of findings, shall pass such orders as it deems fit.

7. Provided procedure prescribed above need not be followed and all or any of its provisions may be waived in the following circumstances :

- (i) When the student charged admits the charges in writing.
- (ii) When the order of punishment is to be based on facts which have led to the conviction of the student charged, for the offence involving moral turpitude.
- (iii) When the student charged has absconded or for any other reasons it is impracticable to communicate with him.
- (iv) If in the opinion of the Competent Authority, a punishment or fine not exceeding Rs. 5000/- or Reprimand Censure, Warning is sufficient.

8. If the punishment of rustication is imposed on a student by Principal of the College/Head of the Institution/Head of the Teaching Department or

such other person in whom the authority is vested by the Vice-Chancellor for external students, such a student shall be entitled to prefer an appeal to the Vice-Chancellor, if the punishment is imposed by the Vice-Chancellor, student shall be entitled to prefer an appeal to the Management Council of the University within thirty days of the receipt of the notice of the punishment.

9. In respect of such student, Head of the Institution shall maintain record of the punishment.
10. The institution shall, on each occasion of any punishment being imposed on any student, intimate by a letter, to be sent Under a Certificate of Posting, the fact of such imposition to the parent or guardian of such student on the address available in the college records.
11. A copy of these rules shall be supplied to each student at the time of his admission to the Institution and a receipt for the same shall be obtained from the student. This receipt shall form a part of the record of admission of the student.
12. If any foreign student is admitted for any course, concerned Institution shall send copy of the rules to concerned foreign embassy and department of external affairs.
13. Central Discipline Committee be constituted at University level, Separate discipline committee's for each department & service unit be constituted under the chairmanship of Head.
14. Discipline Committee be constituted by every affiliated college/recognized institution under the chairmanship of Principal/Director.

Ref. No. Law/2013/273
Date: 01.07.2013


Registrar

Copy for information to:

- 1) The Principals of Affiliated Colleges
- 2) The Heads of Recognized Institutions
- 3) The Heads of University Departments
- 4) The Heads of Sections in the University Office