

Excerpts of the Minutes of 27th Board of Management meeting held on 25.01.2019.

Date: 02/03/2019

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Agenda Item No: 27.06

Amendment in Section II of Ordinance No.: 12 Titled 'Penalties and Appeals'.

Considered amendment in Section II of Ordinance No.12 Titled 'Penalties and Appeals' starting from para 4 as under :-

Existing provisions of Section II of Ordinance No.: 12	Proposed provisions of Section II of Ordinance No.: 12
<p>4. Suspension:</p> <p>(1) The appointing authority or any other authority empowered by the University in that benefit may place any employee under suspension.</p> <p>(a) Where disciplinary proceedings against him/her are contemplated or are pending; or</p> <p>(b) Where a case against him/her in respect of any criminal offence is under investigation or trial.</p> <p>(2) An employee who is detained in custody, whether on a criminal Charge or otherwise, for a period exceeding 24 hours shall be deemed to have been suspended with effect from the date of his detention, on order of the Vice-Chancellor and shall remain under</p>	<p>4. Suspension:</p> <p>(1) The appointing authority or any other authority empowered by the University may place any employee under suspension.</p> <p>(a) Where disciplinary proceedings against him/her are contemplated or are pending; or</p> <p>(b) Where a case against him/her in respect of any criminal offence is under investigation or trial.</p> <p>(2) An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 24 hours shall be deemed to have been suspended with effect from the date of his/her detention, on the order of the Vice-Chancellor and shall remain under suspension until further orders.</p>

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Handwritten signature and date: 2/3/19



suspension until further orders.

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| <p>(3) Where a case against an employee in respect of any criminal offence is under trial, it shall be the duty of the employee to inform the University about the said fact as soon as he comes to know about it. Similarly, where an employee is detained in custody for a period exceeding 24 hours, it shall be the duty of the employee to inform the University about the said detention at the earliest available opportunity. Failure to supply the information as aforesaid shall be regarded as misconduct on the part of the employee rendering him liable for disciplinary action on that ground alone.</p> <p>(4) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority, which made or is deemed to have made it or by any superior authority.</p> | <p>(3) Where a case against an employee in respect of any criminal offence is under trial, it shall be the duty of the employee to inform the University about the said fact as soon as he/she comes to know about it. Similarly, where an employee is detained in custody for a period exceeding 24 hours, it shall be the duty of the employee to inform the University about the said detention at the earliest available opportunity. Failure to supply the information as aforesaid shall be regarded as misconduct on the part of the employee rendering him/her liable for disciplinary action on that ground alone.</p> <p>(4) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority, which made or is deemed to have made it or by any superior authority.</p> <p>(5) During the period of suspension, an employee is debarred from discharging any official duty or access to the office record.</p> <p>(6) Subsistence Allowance:
An employee under suspension is entitled to subsistence allowance equivalent to 50% of his/her gross salary.</p> <p>(7) Grant of Leave to the employee under suspension:
An employee who is under</p> |
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suspension may not be granted any kind of leave including casual leave. If he/she wants to absent himself/herself from the headquarter, he/she will have to apply for station leave only for the period of absence.

(8) Pay and allowances on reinstatement after suspension:

When an employee under suspension is reinstated, or would have been reinstated but for his/her retirement on superannuation, the authority competent to order the reinstatement shall consider and make a specific order:-

(a) regarding the pay and allowances to be paid to the employee for the period of his/her absence from duty, occasioned by suspension and/or dismissal, removal or compulsory retirement ending with his/her reinstatement or the date of his/her retirement on superannuation, as the case may be, and

(b) whether or not the said period shall be treated as a period spent on duty: Provided that such proportion of pay and allowances shall not be less than the subsistence and other allowances admissible under the rules.

(9) Pay and allowances in case of fully exoneration:

Where on final decision of the case, the competent authority is of the opinion that the employee has been

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fully exonerated *and is reinstated without imposition of any penalty*, the employee shall be given the full pay and allowances to which he/she shall have been entitled, had he/she not been dismissed, removed, compulsorily retired or suspended, as the case may be.

(10) Pay and allowances if not fully exonerated:

Where the competent authority is of the opinion that the employee has not been fully exonerated, he/she shall be given such proportion of pay and allowances as the competent authority may prescribe. The period of absence from duty shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be treated as duty for any specified purpose.

Provided that if no order is passed to treat the period of absence as duty for any specified purpose, the period of absence shall be treated as 'non-duty'. In such event, the past service (i.e. service rendered before dismissal removal, compulsory retirement or suspension) shall not be forfeited.

(11) Conversion of suspension period as leave of the kind due:

Where the suspension period is not to be treated as duty by the competent authority, the same may be converted into leave of the kind due if the employee concerned so desire.

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It is submitted that there is a provision of suspension under Section II of Ordinance No. 12 Titled 'Penalties and Appeals', but the service conditions of an employee under suspension have not been defined in the Ordinance. It is, therefore, felt that the service conditions of an employee under suspension, such as subsistence allowance, grant of leave, regularization of suspension period, entitlement of pay allowances on reinstatement etc. are required to be spelled out in the ordinance.

THE BOARD OF MANAGEMENT CONSIDERED AND APPROVED THE ABOVE AMENDMENTS TO BE IMPLEMENTED WITH IMMEDIATE EFFECT.

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OFFICE OF THE REGISTRAR

Endt. MRIIRS/Acad./ 2019/091

Date: 02/03/2019

Copy of the above is forwarded to the following for information and further necessary action:

**Pro-Vice Chancellor
Dean Academics
ED & Dean, FET
ED & Dean, FBSS
Dean- FMS
Dean, FMeH
Dean, FAS
Dean FAD
Dean FCA
Dean- FCBS
Dean Research
Registrar MREI
Director-Admission/Admn/IT/Sports/MRIIC/CDC/CRC
Controller of Examinations
University Librarian
GM-Admin./Purchase
CVO
GM-CAD
Chief Warden/DR-FET
DR-Admin
Manager-Transport
PS to Chancellor
ES to VP
ES to VC**


**Deputy Registrar
Academics**

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