



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

Conduct, Discipline & Appeal Rules

1. General

- 1.1 Every employee of the University shall at all times
- maintain absolute integrity;
 - maintain devotion to duty;
 - do nothing which is unbecoming of an employee of the University, and
 - conduct themselves at all times in a manner which shall enhance the reputation of the University.
- 1.2 Every employee shall obey the orders/directions of their superior(s).
- 1.3 An employee shall at all times be courteous in their dealings with other members of the staff, students and the public.

2. Misconduct

Without prejudice to the generality of the term 'misconduct,' the following acts of omission and commission shall be treated as misconduct:

- 1) Theft, fraud or dishonesty in connection with the activities or property of the University.
- 2) Furnishing false information regarding name, age, father's name, qualifications or previous service or any other matter in relation to the employment at the time of employment or during the course of employment.
- 3) Acting in a manner prejudicial to the interests of the University.
- 4) Willful insubordination or disobedience of any lawful and reasonable order of his/her superiors.
- 5) Absence without authorized leave or overstaying the sanctioned leave for more than 07 working days without sufficient grounds or proper explanation.
- 6) Habitual late or irregular attendance or willful absence from duty.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- 7) Neglect of work or negligence in the performance of duty including malingering or slowing down of work.
- 8) Damage to any property of the University.
- 9) Drunkenness or riotous or disorderly or indecent behavior in the premises of the University or outside such premises where such behavior is related to or connected with the employment.
- 10) Gambling within the premises of the University.
- 11) Smoking within the premises of the University where it is prohibited.
- 12) Collection of any cash or kind within or outside the premises of the University, without the permission of the competent authority.
- 13) Sleeping while on duty.
- 14) Commission of any act that amounts to a criminal offence involving moral turpitude.
- 15) Absence from employee's appointed place of work without permission or sufficient cause.
- 16) Unauthorized use or occupation of the University's quarters, land or other property.
- 17) Assaulting or intimidating any employee /student of the University.
- 18) Obstructing/stopping of work or inciting others to stop/obstruct the work in contravention of the provision of any law or rule having the force of law.
- 19) Breach of any law applicable to the employee or of the conduct rules or any other rules or orders issued by the University from time to time.
- 20) Writing of anonymous letters, etc., addressing appeals or representations to an authority other than the appellate or the appropriate authority and forwarding advance copies of appeals or representations to any authority.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- 21) Distribution or exhibition in the University's premises or its precincts handbills, pamphlets, posters or causing to be displayed by means of signs or writings or other visible representations, in any manner without the previous sanction of the authority.
- 22) Refusal to work on holidays or Sundays or extra work when notified to do so in the exigencies of University work.
- 23) Surrounding or forcibly detaining any of the University employees.
- 24) Taking any active part in a meeting or demonstration organized by a political party.
- 25) Abetment of or attempt at abetment of any act which amounts to misconduct.

Note: The above instances of misconduct are illustrative in nature and not exhaustive.

3. Conduct and Discipline

3.1 General Disciplinary Control:

Employees of the University, whether full-time or part-time or on a contractual basis be held to be under the general internal discipline of the University and such rules of discipline as are enforced, or as may be made, from time to time. Any infringement of these rules shall be dealt with severely.

3.2 Employees to promote the interest of the University:

Every employee shall serve the University honestly and faithfully and shall use their utmost endeavor to promote the interests of the University.

3.3 Liability to abide by the Rules:

Every employee of the University shall conform to and abide by the rules and shall observe, comply with and obey all orders and directions which may, from time to time, be given to him/her in the course of their official duties by any authority under whose jurisdiction, superintendence or control he be placed for the time being.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

3.4 Taking part in Strikes, Demonstrations or Similar Activities

No employee shall take part in any act or movement such as strike, incitement thereto or similar activity in connection with any matter pertaining to their service or to any other matter, which tends to bring the University to disrepute.

No employee of the University shall engage themselves or participate in any demonstration which involves incitement to an offence

3.5 Connection with Media

- i. No employee shall, except with the prior sanction of the competent authority, own wholly or in part or conduct, or participate in editing or managing any newspaper or other publication either periodical or texts.
- ii. No employee shall publish any letter or article in any newspaper, journal or participate in any talk/discussion on the Radio or T.V. which may be derogatory or which may lead to unseemly controversies or embarrassment to the University.
- iii. The above rules do not however preclude an employee from writing books or engaging in a work of literary, scientific, managerial or artistic character without any detriment to his/her legitimate duties.

3.6 Criticism of the University

The employees of the University shall not indulge in any public criticism of the University administration, in such manner as flavors of defiance and insubordination or causes or is likely to cause embarrassment to the administration in its relation to its staff or students of the University institutions. No employee shall indulge in criticism, which shall embarrass the University administration in its relation to members of different communities among the staff or students or public.

3.7 Obligation to maintain secrecy:

No employee shall, while in service or after their retirement, resignation or discharge, except in accordance with any general or special order of the Vice-Chancellor or, in performance in good faith of the duties assigned to him/her, communicate directly or indirectly to any other person to whom he/she is not authorized to communicate such document or information.

3.8 Evidence before Committee or any authority:

- i. Save as provided in sub-rule (iii) below, no employee shall, except with the prior sanction of the Vice-Chancellor, give evidence in connection with any inquiry conducted by any external person, committee or authority.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- ii. Where any sanction has been accorded under sub-rule (i) above, no employee giving such evidence shall criticize the policy or any action of the University.
- iii. Nothing in this rule shall apply to :
 - a. evidence given at an inquiry before an authority appointed by the Government, by Parliament or by a State legislature or University, or
 - b. evidence given at any judicial inquiry, or
 - c. evidence given at any departmental inquiry ordered by the University.

3.9 Private Trade or Business:

An employee shall ordinarily devote their whole time to the service of the University and shall not, without written permission of the competent authority, engage directly or indirectly in any trade or business whatsoever or any other work which may interfere with the proper discharge of their duties.

Provided that an employee may undertake further studies in any educational institution, college or University with the prior sanction of the competent authority, subject to the condition that it does not interfere with the proper discharge of their duties.

3.10 Taking part in Politics and Elections

No employee shall have political leanings or take part in political activities or be associated with any party or organization having political affiliation.

No employee shall aid or assist in any manner any political movement or activity unless he obtains the permission of the BOM specifically for the purpose and proceeds on appropriate leave.

3.11 Misleading of Students

No employee of the University by speeches or otherwise seeks to mislead the students into activities, which in the judgment of the Vice-Chancellor are objectionable.

3.12 Raising Subscriptions

No employee shall without obtaining the prior sanction of the competent authority ask for or in any way participate in the raising of any subscription or other pecuniary assistance in pursuance of any object whatsoever, except for routine farewell or felicitation functions connected with the University.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

3.13 Influencing superior authorities

No employee shall bring or attempt to bring any kind of influence to bear upon any superior officer or a member of any University authority to further his/her interests in respect of matters pertaining to their service in the University.

3.14 Bigamous marriage

No employee shall enter into or contract a marriage with a person having a spouse living.

No employee, having a spouse living, shall enter into, or contract, a marriage with any person.

3.15 Foreign National

The University employee who has married or marries a person other than that of Indian nationality shall forthwith intimate the details to the University.

3.16 Consumption of intoxicating drinks and drugs

An employee of the University shall:

- i. strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being,
- ii. not be under the influence of any intoxicating drink or drug during the course of their duty,
- iii. refrain from consuming any intoxicating drink or drug in a public place, and not appear in a public place in a state of intoxication.

3.17 Redressal of Grievances

Every person in the service of the University holds his/her office during the pleasure of the Vice-Chancellor/Registrar of the University.

No suit or other proceeding shall lie in a civil court against the University at the instance of a University employee in respect of any order affecting their conditions of service, or in respect of any disciplinary or other action taken against him/her in their capacity as a University employee.

If a University employee feels aggrieved by any such action or order, their remedy is to take recourse to the Grievance Redressal Machinery of the University.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

3.18 Absence from duty or late attendance

An employee shall not be absent from their duties without having obtained the permission of the competent authority.

An employee who absents themselves from duty without leave or overstays their leave shall not ordinarily be entitled to draw any pay and allowance during such absence or overstay and shall further be liable to such disciplinary action as the competent authority may take as per rules.

However, the competent authority may treat such period of absence or overstay as a period spent on leave to which he is entitled after obtaining an explanation in writing and having satisfied that the absence or over-stay without leave was due to circumstances beyond the control of the employee.

3.19 Money Lending or Borrowing, Insolvency & Habitual indebtedness

- i. No employee shall directly or indirectly engage themselves in the business of money lending and borrowing.
- ii. An employee shall so manage their private affairs as to avoid habitual indebtedness or insolvency. When an employee is found liable to be arrested for debts or has recourse to insolvency or when it is found that a majority of his/her assets are continuously being attached, he/she may be liable for disciplinary action.
- iii. An employee who becomes the subject of legal proceedings for insolvency/indebtedness shall forthwith report full facts to the University and is liable for disciplinary action at the discretion of the competent authority.
- iv. Employees should not borrow money or accept gifts from their peers or staff reporting to the concerned authority

3.20 Criminal Proceedings:

- i. An employee who gets involved in any criminal proceedings shall immediately inform the competent authority about the facts, irrespective of the fact whether he/she has been released on bail or not.
- ii. An employee who is detained in police custody whether on a criminal charge or otherwise for a period exceeding 48 hours shall immediately inform the fact to the competent authority, and not join their duties in the University without written permission from the competent authority.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

3.21 Attendance at Meetings:

An employee who is appointed as a member of a committee duly constituted by the University must attend all meetings of such Committee.

If for unavoidable reasons, he/she is unable to attend any meeting, he/she should send prior intimation to the Chairman of the Committee stating the reason for their absence.

3.22 Representations

Whenever an employee wishes to put forth any claim or seeks redressal of any grievance, he/she may send/forward their representation through the proper channel to the competent authority and shall not send the copies of representation to any higher authority, unless the lower authority has rejected the claim or refused relief, or the disposal of the matter is delayed by more than fifteen days.

3.23 Breach of Conduct Rules:

Any breach of the above conduct rules or other rules of the University by the employee shall be treated as "misconduct" and the employee shall be liable for disciplinary action and imposition of penalty in accordance with the procedure laid down in these rules.

4. Suspension

An employee of the University may be placed under suspension pending investigation or enquiry into grave charges, where such suspension is necessary in the interest of the University. The Vice-Chancellor shall exercise the powers to suspend in respect of any employee of the University.

An employee who is detained in custody whether on a criminal charge or otherwise for a period exceeding 48 hours shall be deemed to have been suspended with effect from the date of detention. However, the Registrar shall issue an order of suspension with the approval of the Vice-Chancellor and such employee shall remain suspended until further orders.

An order of suspension may at any time be revoked by the authority which made that order.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

4.1 Subsistence Grant:

A person under suspension pending enquiry shall not draw his/her pay and allowances during the period of suspension but is entitled to a subsistence grant at an amount equal to leave salary and dearness allowance, if any, which an employee would have drawn if he/she had been on half pay leave.

If the period of suspension exceeds six months, the authority which passed or is deemed to have passed the orders of suspension shall be competent to vary the amount of subsistence amount for any period subsequent to the period of the first six months as follows:

- i. The amount of subsistence grant may be increased by a suitable amount not exceeding fifty per cent of the subsistence grant admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons not directly attributable to the employee.
- ii. The amount of subsistence grant may be reduced by a suitable amount, not exceeding fifty per cent of the subsistence grant, admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged due to reasons directly attributable to the employee.
- iii. The rate of dearness allowance shall be based on the increased or decreased amount of basic pay, as the case may be, admissible under sub-clauses (i) and (ii) above.

No subsistence grant shall be paid unless the employee furnishes a certificate that he/she is not engaged in any other employment, business, profession or vocation during the period of suspension.

A suspended employee shall not be entitled to any leave for the period of suspension.

If an employee is arrested by the police on a criminal charge and bail is not granted, no subsistence grant shall be payable. However, on grant of bail, if the competent authority decides to continue the suspension, the employee shall be entitled to a subsistence grant from the date he/she is granted bail.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

4.2 Treatment of Period of Suspension:

- i. When the employee under suspension is reinstated, the competent authority may grant him/her the following pay and allowances for the period of suspension:
 - a) if the employee is exonerated and not awarded any of the penalties mentioned in the Rules, the full pay and allowances which he/she would have been entitled to provided he/she had not been suspended, less the subsistence allowance already paid to him/her; and
 - b) if otherwise, such proportion of pay and allowances as the competent authority may decide.
- ii. In a case falling under sub-clause (a), the period of absence from duty shall be treated as a period spent on duty. In a case falling under sub-clause (b), it shall not be treated as a period spent on duty unless the competent authority so directs.
- iii. If an employee under suspension is dismissed or removed from service, the period of suspension shall be treated as such and the arrears of subsistence allowance, if any, due to him/her up to the date of termination proceedings shall be paid to him/her.

5. Penalties

The following penalties may be imposed on any employee of the University for good and sufficient reason.

5.1 Minor

- i. Censure
- ii. Withholding of increments or promotion

5.2 Major

- i. Recovery of the whole or part of the pecuniary loss caused to the University by negligence or breach of orders.
- ii. Reduction to a lower service, grade or post or to a lower time scale, or to a lower stage in a time scale.
- iii. Compulsory retirement.
- iv. Removal / Dismissal from the service of the University.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

Explanation: The following shall not amount to a penalty within the meaning of this rule:

- i. Withholding of increment of an employee on account of their work being found unsatisfactory or not being of the required standard.
- ii. Stoppage of an employee at the efficiency bar in a time scale, on the ground of their unfitness to cross the bar;
- iii. Non-promotion whether in an officiating capacity or otherwise, of an employee, to a higher post for which he/she may be eligible for consideration but for which he/she is found unsuitable after consideration of their case;
- iv. Reversion to a lower grade or post of an employee officiating in a higher grade or post, on the ground that he/she is considered, after trial, to be unsuitable for such higher grade or post, or on administrative grounds unconnected with their conduct.
- v. Reversion to his/her previous grade or post, of an employee appointed on probation to another grade or post, during or at the end of the period of probation in accordance with the terms of their appointment.
- vi. Termination of service of an employee:
 - a) appointed on probation during or at the end of the period of probation, in accordance with the terms of their appointment.
 - b) appointed in a temporary capacity, on the expiry of the period for which he/she was appointed, or earlier in accordance with the terms of their appointment.
 - c) appointed under a contract or agreement in accordance with the terms of such contract or agreement, and
 - d) on reduction of establishment

5.3 Procedure for Imposing Minor Penalties:

- i. Where it is proposed to impose any of the minor penalties specified in clauses (i) and (ii) of Rule 5.1, the employee concerned shall be informed in writing of the imputations of misconduct or misbehavior against him/her and given an opportunity to submit their written statement of defense within a specified period not exceeding 15 days. The defense statement, if any, submitted by the employee shall be taken into consideration by the disciplinary authority before passing an order.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- ii. The record of the proceedings shall include;
 - a) a copy of the statement of imputations of misconduct or misbehavior delivered to the employee;
 - b) the employee's defense statement, if any; and
 - c) the orders of disciplinary authority together with the reasons thereof.

There is no need to hold an enquiry relating to any disciplinary action for imposing minor penalties.

5.4 Procedure for imposing Major Penalties

- i. Enquiry relating to any disciplinary action may be made by the Vice Chancellor or the Discipline Committee of the BoM by ordering departmental enquiry or Special Committee or Judicial enquiry as circumstances require.
- ii. In cases of lapses for which the Registrar, Head of the Institutions or any other officer of the University or the Head of the Department or Office is directly or indirectly responsible, the Vice Chancellor shall appoint a committee to hold an enquiry and fix liability.
- iii. No order of dismissal, removal, compulsory retirement or reduction shall be imposed on an employee of the University (other than an order based on facts that have led to their conviction in a Criminal court), unless he/she has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending themselves.
- iv. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges.

It shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders in the case.

He/she shall be required, within a reasonable time to put in a written statement of their defense and to state whether he/she desires an oral enquiry or only to be heard in person.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- v. At that enquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross examine the witness, to give evidence in person and to examine such witnesses as he/she may produce provided that the authority conducting the enquiry may, for special and sufficient reasons to be recorded in writing, refuse to examine a witness. The enquiry report shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.
- vi. Enquiry relating to any disciplinary action may be made by the Vice-Chancellor or the Discipline Committee of the BOM as circumstances require, or by such other Officer or a special committee appointed for the purpose.
- vii. The above requirements of an enquiry shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him/her. In such an event, an ex-parte enquiry can be conducted.
- viii. Where the officer or committee holding the enquiry is not competent to award a penalty, his/her or its duty ends with the recording of findings on the charges and it is not his/her or its function to make any suggestion regarding the penalty to be awarded or the further disposal of the case.
- ix. After the conclusion of the inquiry, a report shall be prepared and it shall contain:
 - a) a gist of the articles of charge and the statement of the imputations of misconduct or misbehavior;
 - b) a gist of the defense of the employee 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.

5.5 Action on the Inquiry Report:

- i. 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 penalties specified in Rule 15.5.1 should be imposed on the employee, it shall make an order imposing such penalty.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- ii. The disciplinary authority shall, if it disagrees with the findings of the Inquiring Authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose, and impose such penalty as it deems fit.
- iii. If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that no penalty is called for, it may pass an order exonerating the employee concerned.

5.6 Authorities to impose Penalties and dispose of appeals:

- i. The Vice-Chancellor shall be the disciplinary authority to impose appropriate penalties under the rules in respect of employees to whom he/she is the appointing authority.
- ii. The BOM shall be the disciplinary authority to impose appropriate penalties under the rules in respect of employees to whom it is the appointing authority.
- iii. The BOM shall be the appellate authority in respect of all categories of employees.

6. Appeals

- i. An employee of the University aggrieved by any order imposing a penalty passed against him/her shall be entitled to prefer an appeal against the said order to the appellate authority. Such an appeal should be submitted within 15 days from the date of communication of the order imposing the penalty. No employee of the university shall be entitled to more than one appeal from any order imposing any of the penalties.
- ii. The Appellate Authority shall consider whether the:
 - a) facts on which the order was based have been established,
 - b) facts established afford sufficient ground for taking action; and
 - c) the penalty is excessive, adequate or inadequate; and after such consideration, shall pass such order as it thinks proper.



GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru

- iii. Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself.
- iv. Every such appeal shall be addressed to the authority to whom the appeal is preferred and shall be submitted through the proper channel to which the appellant belongs.

7. Service of Notices, Orders

Any order, notice, communication, letter or other document or process made or issued under these rules shall be served on such employee:

- i. by delivering an order, notice, communication, letter or other documents to that employee for whom it is intended or his/her authorized agent, if any; or
- ii. if such order or notice or communication or letter or other documents cannot be so delivered or tendered, by affixing a copy on the notice board of the University and on the usual place of residence of the employee for whom it is intended;
- iii. sending it by registered post with acknowledgement due, addressed to the employee at the place where he ordinarily resides, or at the last known address; or
- iv. if the employee refused to accept the document or he/she could not be found or was not available, an endorsement by the serving officer / postal authorities, shall be deemed to be prima facie proof of delivery of such notice.

8. Power to Relax Time-Limit and to Condone Delay

Save as otherwise expressly provided in these rules, the authority competent under these rules to make any 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.



**GANDHI INSTITUTE OF TECHNOLOGY AND MANAGEMENT
GITAM (Deemed to be University)
Visakhapatnam | Hyderabad | Bengaluru**

9. Vindication of Acts and Character

No employee shall, except with the prior written permission of the competent authority, have recourse to any court of law or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an act of defamatory character provided nothing in this rule shall be deemed to prohibit an employee from vindicating their private character or any act done by him/her in their private capacity.

10. Amendment of Policy:

The University reserves the right to amend, abrogate, modify, and revise any or all the clauses of this policy depending upon University-related work exigencies.
