

MADHYA PRADESH BHOJ (OPEN) UNIVERSITY

STATUTE NO. 13

OTHER OFFICERS OF THE UNIVERSITY-CONDITIONS OF SERVICE, POWERS AND DUTIES.

[As approved by the coordination committee in the 64th meeting held on December,20, 2000 at item and adopted by the Board of Management in theth meeting held on and further amended as per approval vide Government of M.P., Higher Education Department Memo No. F-1/4/05/cc/38 dated 3.2.2005]

[Refer Section 13]

1. In addition to the Officers mentioned in Section 7 of the Adhinyam, the following shall be the Officers of the University : -
 - (i) Regional Directors/Deputy Directors/Asstt. Director.
 - (ii) University Librarian/Deputy Librarian/Assistant Librarian.
 - (iii) University Engineer/ Assistant Engineer.
 - (iv) Deputy Registrars /Assistant Registrars.
 - (v) Such other officer as may be identified by the Board of Management.

Regional Director/Dy. Directors/Asstt. Directors with at least 10 years experience of Post Graduate teaching and research in a University or a Post Graduate College recognized by the UGC or DEC shall be under the category of other academics.

2. The scale of pay or honorarium for contract appointments to the posts (full time or part time) mentioned in paragraph (1) above shall be decided by the Board of Management from time to time, and shall be in general at par with other Universities of the State.

Provided that where an Officer/Teacher serving under the Central Government or State Government or a University/College is appointed on deputation to the University, his emoluments and terms and conditions of service shall be as laid down by the Government/University/ Institution concerned while placing the service of the officer at the disposal of the University.

Provided further that where a retired Government servant or a teacher is appointed to any of the posts mentioned above, he shall draw a salary equal to the last pay drawn while in service minus the pension and pension equivalent of gratuity admissible to him and where this amount is less than the minimum of the scale of pay of the post he shall draw as his salary the minimum of pay of the post concerned irrespective of the pension and pension equivalent of gratuity admissible to him.

3. The Board of Management shall prescribe the qualification, which a candidate should possess for being eligible to hold any of the offices mentioned in paragraph (1) of this Statute. The prescribed qualifications shall be given due publicity and the Selection

Committee as provided in clause 4 of this statute, shall select the candidates for such offices with regard to the qualifications prescribed.

4. For posts mentioned in paragraph 1 - (ii) - (v), the Board of Management shall appoint a Selection Committee consisting of the Kulpati who shall be the Chairman of the Committee, one nominee of the Board of Management from amongst its members will be a member of the committee and another member who is not connected with the University shall be nominated by the Kuladhipati. The appointment shall be made by the Vice Chancellor after considering the recommendations made by the Selection Committee. The appointment so made shall be reported to the Board of Management.

Provided that in case of appointment to the posts at section 1(ii) above, the Selection Committee shall be constituted in accordance with the provisions contained under statute 9 to the Madhya Pradesh Bhoj (Open) University Adhinyam 1991.

Provided further that the Regional Directors/Deputy Directors/Asstt. Directors on part time basis and with fixed honorarium shall be appointed by the Vice Chancellor on a general pattern approved by the Board of Management.

5. The full time Officers mentioned in this Statute shall be entitled to leave, leave salary allowances, medical benefit, provident fund and other benefits and their terms and conditions of service including the age of retirement shall be such as may be prescribed by the University for the employees of the University: Provided that where an officer is a serving or retired employee of the Government/University/Institution he shall not be entitled to the benefit of contributory provident fund.
6. The powers and duties of each Officer mentioned in this Statute shall be such as the Board of Management may determine from time to time.
7. Full time Regional Directors/Dy. Directors/Asstt. Directors will be appointed by following the same procedure as those for full time Professors/Readers/Lecturers in the University respectively.

Suspension, Penalties & Disciplinary Authority

8. (1) The appointing authority may by an order place an employee, under suspension :
 - (a) When a disciplinary proceeding against him/her is completed or is pending.
- OR
- (b) Where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial.
- (2) An employee shall be deemed to have been placed under suspension by an order of the appointing authority :
 - (a) With effect from the date of his/her detention, if he/she is detained in custody, whether on a criminal charge or otherwise 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.
- (3) An order of suspension made or deemed to have been made shall continue to remain in force until it is modified or revoked by the appointing authority.
- (4) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him/her during the continuance of the suspension may, for reasons to be recorded by him/her in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.
9. (1) The appointing authority may for good and sufficient reasons, impose on an employee the following penalties :
- (a) Censure;
- (b) Recovery from his/her pay of the whole or part of any pecuniary loss caused by him/her to the University by negligence or breach of orders;
- (c) With-holding of increments of pay;
- (d) Reduction to lower time scale of pay, grade or post;
- (e) Compulsory retirement;
- (f) Removal from service;
- (g) Dismissal from service which shall ordinarily be a disqualification for future employment in the University. Besides the above, the penalty or fine not exceeding rupees Five may be imposed on a Class - IV employee for petty carelessness, unpunctuality, idleness or similar misconduct of a minor nature.
- (2) The appointing authority may institute disciplinary proceeding against an employee of the University.
- (3) No order imposing any of the penalties specified in sub paragraph (1) above other than fine, shall be made except in accordance with the procedure for imposing penalties on Government servant prescribed by the Madhya Pradesh Government and in force at the time of appointing authority orders an inquiry against the employee concerned.
10. (1) Where any penalty is imposed on an employee by the Registrar the employee concerned may prefer an appeal to the Board of Management within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.
- (2) Where any penalty is imposed on an employee by the Board of Management he/she may prefer an appeal to the Kuladhipati within thirty days from the date on which a copy of the order appealed against is delivered to the appellant.

- (3) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material, statements and argument on which the appellant relies shall not contain any disrespectful or improper language and shall be completed in itself.
- (4) The authority which made the order appealed against shall on receipt of a copy of the appeal forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.
- (5) (i) The appellate authority may confirm enhance, reduce or set aside the penalty or remit the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case.
- (ii) The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.
11. A University employee under suspension shall not be granted any leave.
12. (a) An employee under suspension is entitled for the first year of suspension to subsistence allowance at one half of the amount of leave salary, which he/she would have drawn under the leave rules, if he/she had been on earned leave and in addition dearness allowance if admissible on such leave salary.
- Provided that where the period of suspension exceeds one year the authority who ordered the suspension (a) shall increase the amount of subsistence allowance by an amount not exceeding 50% of the amount paid during the first year, if the period of suspension has been prolonged for reasons not attributable to the University employee, or (b) may reduce the subsistence allowance by a suitable amount, not exceeding 50 percent of the amount paid during the first year, if the period of suspension has been prolonged due to reasons directly attributable to the University employee.
- (b) He/she shall also be entitled to any other allowance admissible from time to time on the basis of pay of the employee continues to meet the expenditure for which they are granted.
- No payment shall be made unless the employee furnishes a certificate that he/she is not engaged in any other employment, business, profession or vocation.
13. When a University employee who has been dismissed, removed or suspended, is reinstated, the authority competent to order reinstatement shall 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, and
- (b) whether or not the said period shall be treated as period spent on duty for all purposes.

Miscellaneous

14. Every employee shall at all time :
- (a) maintain absolute integrity;
 - (b) show devotion to duty; and
 - (c) do nothing which is unbecoming of an employee of the University.
15. No employee shall join or continue to be a member of such association, the objects or activities of which are prejudicial to the interest of the University or public order decency or morality.
16. No employee shall
- (i) engage himself/herself or participate in any demonstration which is prejudicial to the interest of the University. Public order, decency or morality or which involves contempt of court, defamation or incitement to an offence.
 - (ii) resort to or in any way abet 'X' any form of violence in connection with any matter pertaining to his her service or the service of any employee.
17. (i) No employee shall except with the previous sanction of the University own wholly or in part or conduct or participate in the editing or management of any newspaper or periodical publication.
- (ii) No employee shall except with the previous sanction of University or the prescribed authority or in the bonafide discharge of his/her duties participate in a radio broadcast or contribute any article or write any letter either in his/her own name or anonymously, pseudonymously in any news paper or periodical or write a book.
- Provided** that no such sanction shall be required if such broadcast or such contribution or writing is of a purely literary, artistic or scientific character.
18. No employee shall except in accordance with any general or special order of the University or in the performance in good faith of the duties assigned to him/her communicate, directly or indirectly, an official document or any part thereof or information to any other employee or any other person to whom he/she is not authorised to communicate such document or information.
19. No employee shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his/her interests in respect of matters pertaining to his/her service under the University.
20. No University employee shall except with the previous written sanction of the University, join any college/school or appear at any examination conducted by the University or any other University or Board. Permission to attend classes or take an

examination will be granted only, if it is consistent with University interest and it cannot be claimed as or right.

21. No University employee except those specifically employed on a part time basis shall, without the previous permission of the University, apply for any post outside the University.
22. Any infringement of provisions of paras 14 to 21 of this Statute, shall be regarded as subversive of good discipline and misconduct and will well justify the initiation of disciplinary action against such employee.