

Govt. of Maharashtra

Education and Employment Department

THE MAHARASHTRA NON-AGRICULTURAL UNIVERSITIES

AND

AFFILIATED COLLEGES STANDARD CODE

[Terms and Conditions of Service of Non-Teaching Employees]

RULES, 1984

CHAPTER V

Conduct, Discipline And Appeals

41. Conduct. - (1) The employee of the University or the College shall be at the disposal of the University or College for full-time and shall serve in such capacity and at such place as he may from time to time, be so directed.

(2) The employee shall conform and abide by the provisions of the Act, Statutes, Standard Code, Ordinances, Regulations and Rules and directives and decisions of the Competent Authority. The employee shall also observe, comply with and obey all orders and instructions which may from time to time be given to him by the officer under whose jurisdictions, superintendence or control, he has been placed, for the time being.

(3) The employee shall at all time maintain absolute integrity, and show devotion to duty, and shall do nothing which is unbecoming of an employee of the University or the College as the case may be. He shall ensure the integrity and devotion to duty of all employees under his control and authority for the time being.

(4) The employee shall extend utmost courtesy and attention to all persons with who he has to deal in the sphere of his duties. He shall strive hard to promote the interest of the University or the College, as the case may be.

(5) No employee shall in the discharge of the Official duties deal with any matter relating to award of any contract in favour of a Company or firm or any other body or person in which he or any member of his family is interested, except with the prior permission of the Competent Authority. After such a permission is granted, the employee shall refrain himself from extending any undue advantage or benefit to such Company, firm or body as the case may be.

(6) (a) The employee, except in accordance with any general or special orders of the Competent Authority or in performance of his duties and in good faith, shall not communicate or

cause to communicate directly or indirectly any official document or any part thereof or information to any person, within the University or the College or outsider, to whom he is not authorised to communicate such document or information, or to make any use thereof.

(b) The employee shall not contribute to the Press any matter connected with the University or the College without obtaining the previous sanction of the Competent Authority or without such sanction, make use of any document, paper or information, which may have come in his possession in his Official capacity. He shall also not try to obtain unauthorisedly any information, which may not come in his official capacity, in order to make any use thereof.

(c) The employee shall not directly or indirectly take part in activity or demonstration or movement which is considered by the Competent Authority to be prejudicial to the academic and administrative interests of the University or College or being the University or the College in disrepute.

"(7)(1) Subject to the provisions of this rule, an employee may, with previous intimation to the Management in writing, contest elections to the University Senate in accordance with the provisions laid down in the respective Non-Agricultural University Acts.

(2) Subject to provisions of this rule, an employee may, with previous permission of the management in writing, contest elections to public offices other than those mentioned in sub-rule (1) at the local, District, State or National level.

(3) The permanent employee shall, immediately after filing the nomination form for contesting such elections and the same being declare as valid, proceed on leave due and admissible to him, an if there is no leave to his credit, he shall proceed on extraordinary leave, and shall continue to be on leave till the declaration of the election results:

Provided that, the Management may require a temporary employee contesting such elections to resign his post even during the election campaign, if in the opinion of the Management the election campaign is likely to adversely affect the duties of the employee.

(4) The employee contesting such an election shall not involve the Management, employees or students of the Institution in which he is employed, in the election campaign.

(5) (a) In the event of his being elected the permanent employee shall apply for further extension of leave due and admissible to him and if there is no leave to his credit, the extraordinary leave for the period for which he is likely to continue to hold the office shall be granted by the Management in relaxation of the limit prescribed in sub-rule (2) of rule 38. 2

(b) In case, however, if the sessions or meeting of the public office are held at intervals, he may be allowed to avail of leave due and admissible to him or, as the case may be, the extraordinary leave, for the actual period of the sessions or meetings including the period of journey and may be allowed to attend the school during the remaining periods.

(c) The period of extraordinary leave availed of for the purpose, shall be counted for purposes of annual increments.

(6) (a) In the event of a permanent employee who becomes an Office bearer such as Chairman, President, Vice-President, Secretary, Joint Secretary etc. which requires full-time attendance or long-time absence which he had held, and shall be granted by the Managements.

(b) In the case of temporary employee who is on leave till the declaration of election results, and in the event of his being elected or his being re-elected he shall resign the post he had held immediately on his election to the public office.

(7) Provisions of sub-rules (3), (4) and (5) shall *mutatis mutandis* also apply to the permanent employees elected to public offices being further elected on the University Senate."

(8) The employee, except with the previous sanction of the Competent Authority, shall not give evidence in connection with any inquiry conducted by any person, committee, or authority and shall not criticise the policy or action of the Competent Authority:

Provided that the employee may give evidence at -

(a) an inquiry before an authority appointed by the Competent Authority.

(b) a judicial inquiry, or

(c) a departmental inquiry ordered by the Competent Authority.

(9) The employee without the express sanction of the Competent Authority, shall not ask for or accept contribution to, or otherwise associate himself with the raising of funds or other collections in cash or otherwise for his own benefit.

(10) The employee shall not accept or permit any member of his family or any person acting on his behalf to accept any gift in cash or in kind for his own benefit from any person including another employee for a work to be done in connection with the business of the University or College:

Provided, that the collection of monthly subscription of membership at the rate prescribed collected by the office bearer of the Employee's Union of the Club and in

respect of which a due receipt is tendered, shall not amount to gift or realisation of other contribution for this purpose.

*Explanation 1.* - The expression "gift" include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealings with employee.

*Explanation 2.* - The employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organisations, or any similar bodies.

(11) The employee shall not accept, solicit, or seek except with the previous sanction of the Competent Authority any outside office, stipendary or honorary work. He shall not engage in any trade or business or canvass in support of in any commercial or insurance owned or managed by any member of his except co-operative consumers or housing or credit Society.

Every employee shall report to the Competent Authority if any member of his family is engaged in any trade or business or owns or manages an insurance agency or commission agency the Competent Authority may grant the permission, if it is satisfied that the work can be undertaken without detriment to his official duties and responsibilities. The Competent Authority, while granting this sanction, may stipulate that any fees received by the employee for undertaking the work shall be paid in whole or in part to the University or College:

Provided that, this provision shall not be applicable to the honorary work of special charitable nature, or literary artistic or scientific in character, including T.V. / Radio talk without affecting his official duties.

(12) The employee shall not apply for job, post or scholarship without the previous knowledge of the Competent Authority.

(13) The Employee shall not absent himself from his duties without first having obtained the permission of the Competent Authority. In case it is not possible for the employee to obtain such permission owing to circumstances or reasons beyond his control, he shall intimate to Competent Authority within 3 days from the first date of absence, failing which the absence may be treated as leave without pay, and he shall further be liable to such disciplinary action as the Competent Authority may deem fit:

Provided that, the Competent Authority may condone this condition in respect of an employee who reason of his own physical state was unable to convey the cause of his absence.

(14) The employee shall not bid either directly or indirectly, at any auction of any University or College property nor shall he submit any tender for any supply to the University or College.

(15)The employee shall not, by writing, speech or deed, or otherwise, indulge in any activity which likely to incite and create feeling of hatred or ill-will between different communities in India on religious, social, regional, communal or other grounds.

(16) The employee shall not enter upon a course of studies or appear for any examination by University or other bodies without the previous permission of the Competent Authority.