

DIAMOND HARBOUR WOMEN'S UNIVERSITY
FIRST STATUTES - 2017
(CHAPTER - VIII A)



Sarisha, Diamond Harbour Road
South 24 Parganas, 743368
West Bengal

**DIAMOND HARBOUR WOMEN'S UNIVERSITY
SOUTH 24 PARGANAS,
WEST BENGAL- 743368**

NOTIFICATION

No. DHWU/VC/Stat/008, Date : 31.01.2017; In exercise of the powers conferred by sub-section (2) of Section 55 of the Diamond Harbour Women's University Act, 2012 (West Ben. Act XXXVII of 2012), the First Vice Chancellor of the University, with the approval of the Chancellor hereby amends the First Statutes of the Diamond Harbour Women's University as follows:—

Amendments

After Chapter-VIII the following Chapter shall be inserted:—

CHAPTER-VIIIA

**TERMS AND CONDITIONS OF SERVICE OF THE
EMPLOYEES OF THE UNIVERSITY**

79A. Attendance of the employees:—

- (1) In addition to the provisions made under Statute 64 (2), and notwithstanding anything contained in Statute 66, the University shall maintain a biometric system of attendance for recording of attendance and departure of all employees including teachers, officers and non-teaching employees of the University.
- (2) The Registrar shall periodically check and review the

- attendance of all employees of the University under biometric system and shall submit a quarterly report in the meeting of the Executive Council for its observation.
- (3) The University shall fix duty hours for all the employees as per their workload and work pattern which should be commensurable for administration and teaching in the University.
 - (4) Habitual late attendance shall be treated as an act of misconduct and the employee concerned will be liable for appropriate disciplinary proceedings.

79B. Communication of official information: –

- (1) Official information obtained in course of employment must not be communicated by any employee to any outsider or to the press or electronic media without the written permission of the Vice-Chancellor. Violation of the provisions of this statute shall entail disciplinary proceedings against the erring employee.
- (2) No employee of the University shall without the written permission of the Vice Chancellor, publish anonymously or in his own name or in the name of any other person in the press or in any electronic media, any documents or make any statement of fact or opinion—
 - (i) that has the effect of any adverse criticism of any current policy or action of the State Government or the Central Government; or
 - (ii) that is capable of embarrassing the relations between the State Government and the Central Government or the Government of any other State or any foreign state:

Provided that nothing in this statute shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him:

Provided further that the no such permission shall be required if such documents, facts or opinions have purely literary, artistic or scientific character.

79C. General conditions of service:-

- (1) All employees of the University shall devote his whole time to the service of the University and shall not engage directly or indirectly in any business or trade whatsoever including private tuition or any other work which in the opinion of the Vice- Chancellor may interfere with the proper discharge of his duties.
- (2) A member of the staff may undertake part-time teaching assignment in another University/ Institution on a request being made therefore by such University/ Institution and after taking prior approval of the Vice-Chancellor of the University wherein he is employed.
- (3) For the best interest of the University, the Vice-Chancellor may in the case of any employee and the Registrar in the case of employees other than teachers, as the case may be, require such employee to do extra work as may be assigned to him commensurate to the status and duties of the employee.
- (4) In addition to the teaching work a teacher shall be liable to perform such extracurricular duties, supervision and other work in connection with any examination held by the University as may be allotted to him by the Vice-

Chancellor. Non performance of such duty shall be deemed to be negligence in discharge of the duties.

79D. Obligations of the employees:-

- (1) No employee of the University shall commit any misconduct as laid down in section 5 of the Prevention of Corruption Act, 1947 (2 of 1947) or take any gratification other, than the legal remuneration or obtain valuable things without consideration or for consideration which he knows to be inadequate, from persons concerned in proceedings or official business transacted by such employee.
- (2) No employee of the University shall, except with prior sanction of the appointing authority, acquire or dispose of any immovable property by lease, mortgage, sale, gift or otherwise either in his own name or in the name of any member of his family.

Note.—the movable or immovable properties owned by the members of the family of the employee which are either acquired by them from out of their own funds or inherited by them will not come under the provisions of this clause.

- (3) No employee of the University shall lend money to, or obtain loan from, any member of the public, business house or a trader with whom he has to deal in his official capacity directly or indirectly.
- (4) No employee of the University shall employ or engage any subordinate for any private, domestic or personal service or for any purpose other than official business.
- (5) No employee of the University shall use or permit any

other person to use any vehicle or any other property of the University for purposes other than for official purpose.

- (6) No employee of the University shall violate any law relating to intoxicating drinks or drugs; consume or be under the influence, of any intoxicating drink or drug during the course of his duty and/or in any public place.

79E. Act of Misconduct: – Any of the following acts of an employee shall be construed as an act of misconduct:–

- (a) gross negligence in the discharge of duties;
- (b) willful insubordination or disobedience to a reasonable order of a higher authority or breach of discipline;
- (c) theft, fraud or dishonesty in connection with the property of the University or taking away any property of the University without proper authority;
- (d) giving false information regarding one's name, father's name, age, qualifications, previous service etc. at the time of employment;
- (e) habitual late attendance or willful absence from duty without leave or sufficient causes or unauthorized absence for a continuous period or overstaying any kind of leave and non-joining after expiry of the sanctioned leave.
- (f) taking or giving bribes or any illegal gratification or indulging in corrupt practices;
- (g) indecent behavior or any other act subversive of discipline;
- (h) assaulting or intimidating any employee of the

University or using of abusive, foul or offensive languages towards a fellow employee or superior;

- (i) sabotage or willful damage to or causing loss of goods or properties of the University;
- (j) spreading false information with a view to cause disruption of the normal work of the University or spreading of incorrect information which causes disrepute to the University or collecting money from outsiders under the garb of doing some favour;
- (k) unauthorized use of land and building of the University;
- (l) conviction in a Court of Law for offence involving moral turpitude;
- (m) acts or offence involving moral turpitude;
- (n) spreading of indecent, offensive and abusive materials through electronic media or internet;
- (o) unlawful or unauthorized use of digital library of the University or internet facility of the University;
- (p) breach of rules and regulations, orders and circulars of the University or the State Government;
- (q) abetment or attempt to commit any of the acts of misconduct;
- (r) any other ground which may be considered by the State Government and the University to be detrimental to the interest of the State and the University.

79F. Suspension: –

- (1) The appointing authority may place an employee under suspension–

- (a) where a disciplinary proceedings against him is contemplated or is pending or;
 - (b) where a case against him in respect of any criminal offence is under investigation, enquiry 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 detention, if he is detained in police custody on a criminal charge for a period exceeding twenty-four hours,
 - (b) with effect from the date of his conviction, if, upon such conviction, he is sentenced to a term of imprisonment exceeding twenty-four hours.
- (3) During the period of suspension, the employee concerned shall be entitled to a subsistence allowance of an amount equal to one half of his basic pay and allowances in full. In the event of his suspension being followed by punishment he shall not be entitled to any further emoluments other than what he had already been paid from the date of his suspension.
- (4) An order of suspension under this Statute shall not be deemed to be or construed as punishment for any purpose whatsoever.

79G. Pay and allowances on reinstatement: –

- (1) When an employee who has been dismissed, removed or suspended is reinstated, the appointing authority may grant him for the period of his absence from duty, if he is honorably acquitted, the full pay and allowances other than the travelling allowance to which he would

have been entitled, if he had not been dismissed or removed or suspended, less the subsistence grant and the period of absence from duty will be treated as a period spent on duty.

- (2) Until such time the University frames its own regulations/ Ordinances regarding the procedure of holding Disciplinary proceedings and punishment of an employee thereof, the University shall follow the State Government's rules and procedures prescribed in this regard.

79H. Personal file: – There shall be a personal file for every employee in which shall be placed all papers, records and other documents relating to his service in the University. The file should contain in particular, a Service Book giving a history of his service from the date of his appointment including increment, promotion, reward, punishment and all other special events in his service career. The Service Book shall also contain a leave account form for the employee showing a complete record of all leave (except casual leave), earned as well as unearned leave taken by him.

79I. Lien: –

- (1) All permanent and confirmed employees of the University shall acquire a lien on his base post.
- (2) No employees shall keep lien on his post for more than three years unless the period of lien has been specifically extended by the Executive Council beyond that period.
- (3) In granting lien to a permanent employee of the University, the rules and procedures prescribed by the State Government shall be followed mutatis mutandis.

79J. Notice of resignation:-

- (1) An employee, who is not on contract service, may at any time resign from his employment upon giving one month's notice in writing, provided no teacher shall be normally relieved during the course of the academic year unless the Executive Council decides otherwise in any individual case. If he is an officer or a teacher, not below the rank of an Assistant Professor, three months notice in writing will be required. In default, the employee concerned, unless Executive Council decides otherwise in any individual case, shall be liable to refund to the University an amount equal to his total emoluments for the shortfall of the period of notice. The Executive Council shall, however, have the right to deduct the same amount from his dues, if any, from the University.
- (2) On the termination of the service of an employee for whatever cause, the employee shall pay to the University any money that may be due from him, deliver to the authorities of the University all books, apparatus, records, and such other articles belonging to the University as may be in the possession at the time and take clearance certificate from the Registrar. In case of default on the part of such employees, the Executive Council shall have the right to deduct the money or the value of articles from his dues from the University.

79K. Period of validity of panels of candidates: – Whenever the Selection Committee recommends a panel of candidates for appointment to any posts, such panel shall remain valid for purposes of appointment for a period of one-year with effect from the date of acceptance of such recommendation by the Executive Council.

79L. Adoption of course curriculum: – Notwithstanding anything contained in any of the provisions of this Statutes or the regulations made under the Act, the Board of Studies shall adopt the principles and procedures as may be laid down by the State Government from time to time regarding formulation of syllabus and course curriculum for both Undergraduate and Post-graduate studies of the University.

By order of the Hon'ble Chancellor,

ANURADHA MUKHOPADHYAY

Vice Chancellor

Diamond Harbour Women's University