

ORDINANCE

CODE OF CONDUCT OF THE EMPLOYEES OF THE UNIVERSITY

(Under Section 6 (.1) (xxi) of the Act)

PART - I

1. These Rules may be called the " Hemwati Nandan Bahuguna Garhwal University (Central University) (Conduct) Rules".
2. Unless the context otherwise requires:
 - a. "Employee" means teaching and non-teaching employees of the University.
 - b. "Members of family" in relation to an employee includes:
 - (i) The wife or husband, as the case may be, of the employee whether residing with the employee or not, but does not include a wife or husband, as the case may be, separated from the employee by a decree or orders of a competent court.
 - (ii) Son or daughter or step son or step-daughter of the employee wholly dependent on him but does not include a child or step child who is no longer in any way dependent on the employee, or of whose custody the employee has been deprived by or under any law:
 - (iii) Any other person related whether by blood or marriage to the employee or to the employee's wife or husband and wholly dependent on the employee.
 - c. "Prescribed Authority" means the Vice-Chancellor or the authority prescribed by the Executive Council for the purpose of these rules as a whole or for any particular rule.

PART-II

3. (1) Every employee shall at all times:
 - (i). Maintain absolute integrity:
 - (ii) Show devotion to duty and
 - (iii) Do nothing which is unbecoming of an employee of the university.
- (2) (i) Every employee, holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all employees for the time being under his control and authority:
 - (ii) (a) No employee shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior.

(b) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the

issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter.

(c) An employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing.

(iii) Unless otherwise stated specifically in the terms of appointment and the contract, every whole time employee may be called upon to perform such duties as may be assigned to him by the competent authority beyond scheduled working hours and on closed holidays and Sundays.

(iv) An employee shall observe the scheduled hours of working during which he must be present at the place of this duty."

(v) Except for valid reasons and/or unforeseen contingencies, no employee shall be absent from duty without prior permission. If an employee is absent from duty without permission for a continuous period of 90 days, he shall be treated as absconding from duty and his service shall be deemed as terminated

Explanation: Nothing contained in clause (ii) of sub-rule 3.2 shall be construed as empowering an employee to evade his responsibilities, by seeking instructions form or approval of a superior officer or authority when such instructions are not necessary under the scheme of distributions of powers and responsibilities.

4. (i) No employee shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm having official dealings with the University.
 - (ii) No employee shall, in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or nay other person if any member of his family is employed in that company or firm or under that person or if he or any other member of his family is interested in such matter or contract in any other manner.
5. (1) No employee shall be a member of, or be otherwise associated with any political party or any organisation which takes part in politics not shall he take part in subscribed in aid of, or assist in any other manner, any political movement or activity,
 - (2) It shall be the duty of every employee to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government or the University as by law established and where an employee is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the University.
 - (3) If any question arises whether a party is political party or whether any organisation takes part in or whether any movement or activity falls within the scope of sub-rule 5.2. the decision of the University thereon shall be final.

- (4) No employee shall canvass or otherwise interfere with or use his influence in connection with or take part in, an election to any legislature or local authority:

Provided that:

- (i) An employee qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted:
- (ii) An employee shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

Explanation: The display of an employee on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule,

6. No employee shall join or continue to be a member of an association, the object or activities of which are prejudicial to the interests of the sovereignty and integrity of India, public order, decency or morality,

7. **No employee shall:**

- (i) engage himself or participate in any demonstration or strike which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence; or
- (ii) resort to or in any way abet in any form of strike or coercion or physical duress in connection with any matter pertaining to his services or the service of any other employee.

8. (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 other periodical publication.

- (ii) No employee shall, except with the previous sanction of the University, or of the prescribed authority or except the bona fide discharge of his duties

(a) publish a book himself or through a publisher, or contribute an article to a book or a compilation or articles.

(b) Participate in a radio broadcast or contribute any article or write a letter to any newspaper or periodical either in his own name or anonymously or in the name of any other person:

Provided that no such sanction shall be required

(i) If such publication is through a publisher and is of a purely literary, artistic or scientific character, or

(ii) Such broadcast or such contribution or writing is of a purely literary artistic or scientific character.

8. A. (i) Whenever an employee wishes to put forth any claim or to seek redress of any grievance or any wrong done to him, he must forward his case through proper channel and shall not forward any advance copies of his application to any higher authority. Unless the lower authority has rejected the claim, on refused relief, or the disposal of the matter is delayed by more than three months.
- (ii) No employee shall be signatory to any joint representation addressed to the authorities for redress of any grievance or for any other matter.
9. No employee shall, in any radio broadcast or in any document published in his own name or in anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact opinion
- (i) Which has the effect of an adverse criticism of any current or recent policy or action of the University or the University Grants Commission or the Government; or
- (ii) Which is capable of embarrassing the relations between the University and the Commission or the Government:
- Provided that nothing in this rule 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.
10. (1) Save as provided in sub-rule 10.3 below no employee shall except with the previous sanction of the University give evidence in connection with any enquiry conducted by any person, committee or authority.
- (2) Where any sanction has been accorded under sub-rule 10.1 no such employee giving such evidence shall criticize the policy or any action of the University or Commission or the Government.
- (3) Nothing in this rule shall apply to
- (a) The evidence given at an enquiry before an authority appointed by the University, Commission, Government, Parliament or any State Legislature; or
- (b) The evidence given in any judicial enquiry; or
- (c) The evidence given in any departmental enquiry ordered by authorities subordinate to the Vice Chancellor.
11. 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, communicate, directly or indirectly any official document, or any part thereof or information to any other employee or nay other person to whom he is not authorized to communicate such document or information.
12. No employee shall, except with the previous sanction of the University or of the prescribed authority, ask for or accept contribution to, or otherwise associate himself with the raising of any funds or other collections in cash or in, kind in pursuance of any object whatsoever.!

13. (1) Save as otherwise provided in these rules, no employee shall accept, or permit any member of his family or any other person acting on his behalf to accept any gift.

Explanation: the expression "gift" shall include fee transport, boarding, lodging or other services or any other pecuniary advantage when provide by any person other than a near relative or personal friend having no official dealings with employee.

Note. 1. A casual meal. Lift or other special hospitality shall be deemed to be gift.

Note. 2. An employee shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firm.

- (2) On occasions, such as wedding, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious or social practice, an employee may accept gifts from his near relatives but he shall make a report to the University if the value of any such gift exceeds
- (i) Rs. 500 in the case of an employee holding any Class I (Group A) or Class II (Group B) post;
 - (ii) Rs. 250, in the case of an employee holding any class III (Group C) post: and
 - (iii) Rs. 100, in the case of an employee holding Class IV (Group C) post.
- (3) On such occasions as are specified in sub-rule 13.2 an employee may accept gifts from his personal friends having no official dealing with him, but he shall make a report to the University if the value of any such gift exceeds
- (i) Rs. 200, in the case of an employee holding any Class I (Group A) or Class II (Group B) post;
 - (ii) Rs. 100, in the case of an employee holding any class III (Group C) post: and
 - (iii) Rs. 50, in the case of an employee holding Class IV (Group C) post.
- (4) In any other case, an employee shall not accept, or permit any member of his family or any other person acting on his behalf to accept, any gift without the sanction of the University, if the value thereof exceeds:
- (i) Rs. 75, in the case of an employee holding any Class I (Group A) or Class II (Group B) post; and
 - (ii) Rs. 25 in the case of an employee holding any class III (Group C) or Class IV (Group C) post.
- (5) Notwithstanding anything contained in sub-rules 13.2, 13.3 and 13.4 an employee may receive gifts of symbolic nature from foreign dignitaries and retain such gifts.

- (6) Gifts from foreign dignitaries which are not of symbolic nature may be retained by an employee if the market value of the gift in the country of origin does not exceed Rs.3,000.
 - (7) Where there is doubt whether gift received from a foreign dignitary is of symbolic nature or not, or where the market value of the gifts in the country of origin apparently exceeds Rs. 3,000 or where there is any doubt about the actual market value of the gifts, the acceptance of such gifts and retention thereof by the employee shall be regulated by the instructions issued by the government! University in this regard from time to time.
 - (8) An employee shall not accept any gift from any foreign firm which is either contracting with the University or is one with which the employee had/has or is likely to have official dealings. Acceptance of gifts by an employee from any foreign firm shall be subject to the provisions of sub-rule 13.4
13. **A.** No. employee shall
- I. Give or take or abet the giving or taking of dowry; or
 - II. Demand, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.
14. No employee shall except with the previous sanction of the Vice-chancellor, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour, or in the honour of any other employee

Provided that nothing in this rule shall apply to

- i. A ,farewell entertainment of a substantially private and informal character held in honour of an employee on the occasion of his retirement or transfer or any person who has recently the service of the University; or!
 - ii. The acceptance of simple and inexpensive entertainment arranged by public bodies or institutions
- Note:** Exercise of pressure or influence of any sort on any employee to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character and the collection of subscriptions fro Group 'C' employees under any circumstances for the entertainment of any employee not belonging to Group "C" is forbidden.
15. (1) No employee shall except with the previous sanction of the University, engage directly or indirectly in any trade or business or undertake any other employment:

Provided that an employee may, without such sanction

- I. Undertake honorary work of a social or charitable nature; or
- II. Undertake occasional work of a literary, artistic or scientific character; or
- III. Participate in sports activities as amateur subject to the condition that in all the cases his official duties do not thereby suffer. He shall not

undertake or shall discontinue such work or activity, if so directed by the University.

Explanation: Canvassing by an employee in support of the business of insurance agency, commission agency, etc., owned or managed by his wife or any other member of his family shall be deemed to be breach of this sub-rule.

- (2) Every employee shall report to the University if any member, of his family is engaged in a trade or business or own or manages an insurance agency of commission agency.
- (3) No employee shall, without the previous sanction; of the University except in the discharge of his official duties, take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force or any co-operative society for commercial purpose:

Provided that an employee may take part in the registration, promotion or management of :

- (i) A co-operative society substantially for the benefit of the employees registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force; or
 - (ii) A literary, scientific or charitable society registered under the Societies Registration Act, 1960 (2 of 1960) or any other law for the time being in force.
- (4) No employee may accept any fee for any work done by him for any private or public body or any private person without the sanction of the competent authority of the University,

16. (1) No employee shall speculate in any stock, share, or other investment.

Explanation: Frequent purchase or sale or both of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

- (2) No employee shall make or permit any member of his family or any person acting on his behalf to make, any investment which is likely to embarrass or influence him in the discharge of his official duties.
- (3) If any question arises whether any transaction is of the nature referred to in sub-rule 16.2 the decision of the University thereon shall be final.
- (4) (i) No employee shall, save in the ordinary course of business with a bank or a public limited company, either himself or through any member of his family or any other person acting on his behalf:
 - (a) lend or borrow or deposit money, as a principal or an agent, to, or from, or with any person or firm or private limited company within the local limits of his authority or with whom he is likely to have official dealings or otherwise place himself under any pecuniary obligation to such person or firm or private limited company; or

- (b) lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid:

Provided that an employee may give to or accept from a relative or a personal friend, a purely temporary loan of a small amount free of interest or operate a credit account with a bonafide tradesman or make an advance of pay to his private employee:

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by an employee with the previous sanction of the University.

- (ii) When an employee is appointed or transferred to a post of such nature as would involve him in the breach of any or the provisions of sub-rule 16.2 or sub-rule 16.4, he shall forthwith report the circumstances to the prescribed authority and shall thereafter act in accordance with such order as may be made by such authority.

17. An employee shall so manage his private affairs so as to avoid habitual indebtedness or insolvency. An employee against whom any legal proceedings is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the University.

Note: The burden of proving that the insolvency or indebtedness was the result of circumstances which with the exercise of ordinary diligence, the employee could not have foreseen or over which he had no control, and had not proceeded from extravagant or dissipated habits shall be upon the employee.

18. (1) Every employee shall on his first appointment to any University service or post submit a return of his assets and liabilities, in such form as may be prescribed by the University, giving the full particulars regarding
- (a) The immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in the name of any member of his family or in the name of any other person.
- (b) Shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him.
- (c) Other movable property inherited by him or similarly owned, acquired or held by him; and
- (d) Debts and other liabilities incurred by him directly or indirectly.

Note 1: Sub-rule 18.1. shall not ordinarily apply to class IV (Group C) servants but the University may direct that it shall apply to any such employee or class (Group) of such employees.

Note 2: In all returns, the values of items of movable property worth less than Rs. 2,000 may be added and shown as a lump sum. The value of articles of daily use such as clothes, utensils, crockery book, etc need not be included in such return.

- Note 3:** (i) Where an employee already belonging to a service, or holding a post is appointed to any other civil service or post he shall not be required to submit a fresh return under this clause.
- (ii) Every employee belonging to any service or holding any post included in Group A or Group B shall submit an annual return in such form as may be prescribed by the University in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family, or in the name of any other person.

- (2) No employee shall, except with the previous knowledge of the University, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:

Provided that the previous sanction of the University shall be obtained by the employee if any such transaction is:

- (1) With a person having official dealings with the employee.
- (3) Where an employee enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall, within one month from the date of such transaction, report the same to the University, if the value of such property exceeds Rs.10,000/- in the case of an employee holding any Class I (Group A) or Class II (Group B) post or Rs.5,000/- in the case of an employee holding any Class III (Group C) or Class IV (Group D) post:

Provided that the previous sanction of the University shall be obtained if any such transaction:

- (i) With a person having official dealings with the employee.
- (4) The University may, at any time by general or special order, require an employee to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall if so required by the University, include the details of the means by which, or the source from which, such property was acquired.
- (5) The University may exempt any category of employee belonging to Class III (Group C) or Class IV (Group D) from any of the provisions of this rule except sub-rule (4). No such exemption shall, however, be made without the concurrence of the Executive Council.

Explanation 1: For the purpose of sub-rule (1) the expression movable property includes:

- (a) Jewellery, insurance policies the annual premia of which exceeds Rs.2,000/- or one sixth of the total annual emoluments received from the University, whichever is less, shares, securities and debentures;

- (b) Loans advanced by such employees whether secured or not;
- (c) Motor cars, motor cycles, horses, or any other means of conveyance;
and
- (d) Refrigerators, radios, radiograms and television sets.

Explanation 2: For the purpose of this rule, "lease" means, except where it is obtained from or granted to a person having official dealings with the employee, a lease of immovable property from year to year or for any term exceeding one year of receiving a yearly rent.

- 18-A Restriction in relation to acquisition and disposal of immovable property outside India and transactions with foreigners, etc.

Notwithstanding anything contained in sub-rule 18.2, no employee shall, except with the previous sanction of the prescribed authority:

- (a) Acquire by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India;
- (b) Dispose of by sale, mortgage, gift, or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- (c) Enter into any transaction with any foreigner, foreign Government, foreign organization or concern:
 - (i) for the acquisition by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property.
 - (ii) For the disposal of, by sale, mortgage, gift or otherwise, or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

- 19 (1) No employee shall, except with the previous sanction of the University, have recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of a defamatory character.

- (2) Nothing in this rule shall be deemed to prohibit an employee from vindicating his private character or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in private capacity is taken, the employee shall submit a report to the University regarding such action.

20. No employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the University.

- 21 (1) No employee shall enter into, or contract a marriage with a person having a spouse living; and
- (2) No employee having a spouse living shall enter into or contract a marriage with any person;

Provided that the University may permit an employee to enter into or contract any such marriage as is referred to in clause 1 or clause 2, if it is satisfied that:

- (a) Such marriage is permissible under the personal law applicable to such employee and the other party to the marriage; and
- (b) There are other grounds for so doing.
- (c) An employee who has married or marries a person other than of India Nationality shall forthwith intimate the fact to the University.
22. An employee shall:
- (a) Strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be or the time being;
- (b) Not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug.
- (c) Refrain from consuming any intoxicating drink or drug in a public place;
- (d) Not appear in a public place in a state of intoxication;
- (e) Not use any intoxicating drink or drug, to excess.

Explanation: For the purpose of this rule, 'public place' means any place or premises (including a conveyance) to which the public have, or are permitted to have access, whether on payment or otherwise.

23. If any question arises relating to the interpretation of these rules, it shall be referred to the Executive Council whose decision thereon shall be final.
24. Unless there is anything repugnant in the Central Universities Act, Statues, Ordinances, any amendments to the Central Civil Services (Conduct) Rules, 1964 shall be deemed to be the amendments of the relevant provision of these rules or any order or administrative instruction already issued/to be issued by the Central Government shall be deemed to be the orders or administrative instructions under these rules with effect from the date of such amendments/orders are brought into force by the Central Government.