Dhirubhai Ambani
Institute of Information and Communication Technology
Near Indroda Circle, Gandhinagar, Gujarat, India 382 007.
Tel.: +91 79 3052 0000 | Fax: +91 79 3052 0010 | Web: www.daiict.ac.in

General Service Condition, Employee Conduct Rules and Disciplinary Provisions

Preamble:

Recognizing that human resources are basic to achieving the goal,

DA-IICT considers its PEOPLE to be the real asset in all its endeavors to be a world class Institute by its own right.

Believing in the concept of flexibility, much needed for an Institute which looks forward to be world-class, these policies and rules have been framed. These are intended to be more directional than detailed, rigid and watertight compartment.

A New Class of People:

The PEOPLE of DA-IICT would be talented, committed, innovative and efficient as professionals, and sensitive to the national needs in particular for industrial and economic development.

DA-IICT believes that competent and committed faculty will be the foremost building block in the development of an academic institution, who would enjoy academic freedom and flexibility to create, innovate and implement new frontiers in teaching and learning, focus on research and publications, and to do all that will benefit the student body and the society at large. A high quality, committed and responsive academic related and other staff would provide support for an ideal and conducive environment for achieving excellence in teaching, learning and research activities.

Personnel Policy:

The personnel policy of DA-IICT is governed by its goal of building a world class educational institution with the best of talents from anywhere in the world. DA-IICT is committed to provide opportunity to its People to achieve excellence.

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Believing in providing equal opportunity, DA-IICT shall not discriminate on any basis including caste, creed, religion, nationality, color, and sex. Merit and performance shall be the sole criterion in selection and recognition of employees at all levels.

Discipline and high standards of ethics is an important guiding philosophy at DA-IICT. Personnel at all level are required to appreciate the importance of high standards of conduct in their personal and professional accomplishments. Through their conduct they should strive to emerge as role models to others and the society at large.

Classification of Staff: The different categories of staff of the Institute shall be classified as follows:

Academic and Teaching

- Director
- Chair Professors
- Research Professors
- Professors
- Associate Professors
- Assistant Professors
- Distinguished Professors
- Adjunct Professors.
- Visiting Professors

Other Academic

- Research Associates
- Research Assistants
- Technical Assistants
- Such other posts that may be created to assist in academic activities.

Academic Related

- Registrar, Dy. Registrar, Asst. Registrar
- Controller of Examination, Joint Controller of Examination
- Librarian, Dy. Librarian, Asst. Librarian
- Data Processing Staff
- System Manager/System Analyst/System Engineer

Administrative and Technical

- Estate Manager/Engineers and other Engineers,
- Other staff members including Secretarial staff, Laboratory and Workshop staff.

Persons appointed to the level of Asst. Registrar/Asst. Librarian and above will be officers of different level. Those below the level of Asst. Registrar/Asst. Librarian in terms of salaries will be supervisory staff. Non-supervisory staff will be those who may be separately declared as such by the Executive Board.

Opportunities for Entrepreneurial Initiative:

As a policy, the Institute would encourage the faculty members to undertake entrepreneurial activities even while working. Such a scheme of dual functions – one in the Class Rooms and Laboratories and the other outside, in the open market – would be a new scheme. Details of such a scheme would be worked out separately for implementation.

Age of Retirement:

For Teaching staff – 65 years

For Non – teaching staff –60 years

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Service Conditions, Conduct Rules, and Disciplinary Provisions:

1. All employees are subject to the Service Conditions, Conduct Rules, and Disciplinary Provisions laid down in this document.
2. An employee of the Institute shall devote her/his whole time to the service of the Institute and shall not engage directly or indirectly in any trade or business or any other work which may interfere with the proper discharge of her/his duties, but the prohibition herein contained shall not apply to academic work and consultative practice undertaken with the prior permission of the Director, which may be given subject to such conditions as regards acceptance of remuneration as may be laid down by the Board of Governors.
3. The appointing authority shall have the power to terminate the services of any member of the staff by giving 3 months' notice or on payment of 3 months' salary in lieu thereof, if on medical grounds, certified by a medical authority nominated by the Board of Governors, her/his retention in service is considered undesirable by such appointing authority.
4. An employee of the Institute may terminate her/his engagement by giving to the appointing authority three months' notice provided that the appointing authority may for sufficient reasons either reduce this period or call upon the employee concerned to continue till the end of academic session in which the notice is received.

Conduct Rules: Unless the context otherwise requires, "Competent authority" means,

- "The Board of Governors" in the case of the Director,
- "The Director" in the case of all other employees.

5. Every employee shall at all times maintain absolute integrity and devotion to duty and also be strictly honest and impartial in his official dealings.

6. An employee shall at all times be courteous in her/his dealings with other members of the staff, students and members of the public.
7. Unless otherwise stated specifically in the terms of appointment, every staff member is a whole-time employee of the Institute and may be called upon to perform such duties, as may be assigned to her/him by the competent authority beyond scheduled working hours and on closed holidays and Sundays. Such duties shall inter-alia include attendance at meetings of committees to which she/he may be appointed by the Institute.
8. An employee shall be required to observe the scheduled hours of work, during which she/he must be present at the place of her/his duty.
9. Except for valid reasons and/or unforeseen contingencies no employee shall be absent from duty without prior permission.
10. No employee shall leave station except with the previous permission of proper authority, even during leave or vacation.
11. Whenever leaving the station, an employee shall inform the Head of the Department to which she/he is attached, or Director if she/he is herself/himself the Head of the Department, the address where she/he would be available during the period of her/his absence from station.
12. Taking part in politics and election:
    i) No employee shall be member of any political party/similar organization.
    ii) No employee shall canvass or otherwise interfere or use her/his influence in connection with or take part in any election to legislative body or local authority.

13. Connection with Press or Radio/TV or Patents:
    i) No employee shall, except with the previous sanction of the competent authority, own wholly or in part, any newspaper or other periodical/publication.

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ii) No sanction shall be required for broadcast/telecast or any contribution of a purely literary, artistic, scientific or academic character. Prior approval of the competent authority shall be required for any other intervention.

iii) Subject to the restrictions noted below, members of the staff are at liberty, without any sanction as contemplated above to publish their original scientific academic/ literary work in journals of repute in India and abroad.

14. Criticism of the Institute: No employee shall in any radio broadcast/TV telecast or in any document published anonymously or in her/his own name 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 or opinion:

i) Which has the effect of an adverse criticism of any current or recent policy or action of the Institute, or

ii) Which is capable of embarrassing the relations between the Institute and of the Central Government or any State Government or any other institution or organization or members of the public.

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

15. Evidence before Committee or any other authority:

i. Save as provided in sub-paragraph (3) below, no employee shall, except with the previous sanction of the competent authority, give evidence in connection with any inquiry conducted by any person, committee or authority.

ii. Where any sanction has been accorded under paragraph (2.24.4.1) no employee giving such evidence shall criticize the policy or any action of the Institute or the Central Government or any State Government.

Nothing in this paragraph shall apply to:

- evidence given at any inquiry before any authority appointed by the Institute, by Parliament or by a State Legislature; or
- evidence given in any judicial inquiry; or
- evidence given at any departmental inquiry ordered by the Institute authorities.

16. Unauthorized communication of information: No employee shall, except in accordance with any general or special order of the competent authority or in the performance in good faith of the duties assigned to him, communicate, directly or indirectly, any official documents or information to any person to whom he is not authorized to communicate such document or information.

17. Private Trade or employment:

1. No employee shall except with the previous permission of the competent authority, engage directly or indirectly in any trade or business or any private tuition or undertake any employment outside his official arrangement.

2. Provided that the above restrictions shall not apply to academic work and consultative practice undertaken with the prior permission of the competent authority which may be given subject to such condition as regards acceptance of remuneration etc., as may be laid down by the Board of Governors.

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18. Lending and Borrowing: No employee shall lend money at interest to any person; nor shall he borrow money from any person with whom he is likely to have official dealings.

Criminal Proceedings:

1. An employee who gets involved in some criminal proceedings shall immediately inform the competent authority through the Head of the Department to which he is attached, irrespective of the fact whether he has been released on bail or not.
2. An employee who is detained in police custody whether on criminal charge or otherwise for a period longer than 48 hours shall not join his duties in the Institute unless she/he has obtained written permission to that effect from the Head of the Institute.

19. Vindication of acts and character of employee:

i. No employee shall except with the previous sanction 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 attack of defamatory character.

ii. Provided nothing in this rule shall be deemed to prohibit an employee from vindicating his private character on any act done by him in his private capacity.

20. Marriage: An employee intending to marry a person who holds citizenship of another foreign country shall inform the Director of the Institute of the same.

21. Representations: An employee who wishes to put forth any claim, or seek redressal of any grievance or of any wrong done to her/him, shall ordinarily forward her/his case through proper channel, and may not forward such advance copies of application 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 three months. No employee shall

ordinarily be signatory to any joint representation addressed to the authorities for redress of any grievance or for any other matter.

22. **Punishment and Appeals**: An employee shall be governed by the provisions of the relevant rules regarding imposition of penalties for breach of any of these rules and preference of appeals against any such action taken against her/him.

23. **Interpretation**: The decision of the Board on all question relating to the interpretation of these provisions shall be final.

24. **Disciplinary Provisions**: The Director, as the competent authority, may place a member of the staff appointed at the Institute under suspension –

i. Where a disciplinary proceeding against her/him is contemplated or is pending, or where a case against her/him in respect of any criminal offence is under investigation or trial.

ii. Provided that where a member of the staff is detained in custody for a period exceeding forty-eight hours, whether in connection with a criminal offence or under any law for the time being in force providing for preventive detention, such member of the staff shall be deemed to have been placed by the Director under suspension with effect from the date on which she/he was so detained.

iii. During the period of suspension, the member of the staff shall be entitled to the payments. However, no payment shall be made unless the staff member furnishes a certificate that she/he is not engaged in any other employment, business or vocation.

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25. Departmental Inquiry: The Director, as the competent authority, may institute a Departmental Enquiry and appoint a person to conduct the Enquiry and to submit Report for consideration of the appointing authority.

i. The Enquiry Officer may be one of the staff members of the Institute or from outside the Institute. The Enquiry Officer shall conduct the enquiry in accordance with the established procedure based on the principle of natural justice.

ii. On receipt of the Enquiry Report, the same shall be dealt with in accordance with the requirements of law and procedure.

iii. In a case of interpretation or where it is necessary to remove ambiguity or where the rule is silent in any specific area, the Executive Board/ Board of Governors shall give necessary direction.

26. Penalties: The following penalties may for good and sufficient reasons and as hereinafter provided, be imposed on any member of the staff:-

i) Censure;

ii) Withholding of increments or promotion;

iii) Recovery from the whole or part of any pecuniary loss caused to the Institute by negligence or breach of orders;

iv) Reduction to lower Service, grade or post or to a lower stage in a time scale;

v) Compulsory retirement;

vi) Removal from service which shall not be a disqualification for future employment under the Institute;

vii) Dismissal from service which shall ordinarily be a disqualification for future employment under the Institute.

27. No order imposing on any member of the staff any of the penalties specified at (iv) to (vii) above shall be passed by any authority subordinate to that by which he was

appointed and except after an enquiry has been held and the member of the staff has been given reasonable opportunity of showing cause of the action proposed to be taken in regard to him.

28. No order imposing on any member of the staff any of the penalties specified at (i) to (iii) above shall be passed by any authority subordinate to that by which he was appointed and unless the member of the staff concerned has been given an opportunity to make a representation to the Appointing Authority.

29. Notwithstanding the above provisions it shall not be necessary to follow the procedure mentioned above in the following cases:

i. Where an employee is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge;
ii. Where the authority empowered to dismiss or remove the person or to reduce him in rank is satisfied that for some reason to be recorded by that authority in writing, it is not reasonably practicable to give to that person an opportunity of showing cause; or
iii. Where the Chairman of the Board of Governors is satisfied that in the interests of security of the Country it is not expedient to give to that person such an opportunity.
iv. If any question arises whether it is reasonably practicable to give to any person an opportunity of showing cause under clause indicated above, the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank as the case may be shall be final.

30. Appeal:

i. A member of the staff aggrieved by any order imposing penalty passed by the Director against him shall be entitled to prefer an Appeal to the Executive

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Board/Board of Governors against the order. A member of the staff aggrieved by any order passed by the Executive Board/Board of Governors against her/him inflicting a penalty on him shall be entitled to prefer an appeal to the President of the Institute against the order.

ii. No appeal under this shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against. Provided that the Appellate Authority may entertain an Appeal after the expiry of the said period, if he is satisfied that the Appellant has sufficient cause for not submitting the appeal in time.

iii. The authority to whom an appeal against an order of the Director imposing penalty may, on its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order passed in such a case and pass such order as deemed fit as if the member of the staff concerned had preferred an appeal against such order.

iv. Provided that no action under this sub-paragraph shall be initiated more than six months after the date of the order to be reviewed.

v. Notwithstanding anything contained in these Rules, the President may, on her/his own motion or otherwise after calling for the records of the case, review any order which is made under this Rule or is appealable thereunder, and

i) confirm, modify or set aside, the order,

ii) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order,

iii) remit the case to the authority which made the order or to any other authority directing such further action or enquiry as he considers proper in the circumstances of the case, or

iv) pass such other orders as he deems fit; provided that an order imposing or enhancing a penalty shall not be passed unless the person concerned

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has been given an opportunity of making any representation which he may wish to make against such enhanced penalty;

vi. The decision of the final appellate authority shall be final.

vii. When a member of the staff of the Institute who has been dismissed, removed or suspended is re-instated, the authority competent to order the re-instatement shall consider and make a specific order:

viii. Regarding the pay and allowances to be paid to the member of the staff of the Institute for the period of his absence from duty, and

ix. Whether or not the said period shall be treated as a period spent on duty.

x. Where such competent authority holds that the member of the staff of the Institute has been fully exonerated, or in the case of suspension, that it was wholly unjustified, the member of the staff of the Institute shall be given full pay to which he would have been entitled had she/he not been dismissed, removed or suspended, as the case may be, together with any allowance of which she/was in receipt prior to her/his dismissal, removal or suspension.

xi. In other cases, the member of the staff of the Institute shall be given such proportion of such pay and allowances as the competent authority may prescribe.

xii. Provided that the payment of allowances shall be subject to all other conditions under which such allowances are admissible.

xiii. In case of exoneration and restatement, the period of absence from duty shall be treated as a period spent on duty for all purposes.

xiv. In other case, the period of absence from duty shall not be treated as a period spent on duty unless such competent authority specifically directs that it shall be so treated for any specified purpose.

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K.S. Dasgupta

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