

THE TECHNO INDIA UNIVERSITY, TRIPURA EMPLOYEES (SERVICE, DISCIPLINE AND APPEAL) STATUTE, 2026

No. TIUT/01/43/A & S/2026, dated, 3rd January, 2026. In exercise of the power conferred under section 30(ii)(f) of the Techno India University, Tripura Act, 2023, the Executive Council with the approval of the Chancellor is pleased to make the following Statute.

Chapter-I Short title, Commencement and Definitions

1. Short Title and Commencement:

1.1 This Statute may be called The Techno India University, Tripura employees (Service, Discipline and Appeal) Statute, 2026.

1.2 This Statute will come into force on such date as the Executive Council may by notification appoint.

2. Definitions:

2.1 Unless this Statute otherwise requires and subject to the definitions laid down in the Act. -

- (a) "Act" means The Techno India University, Tripura Act 4, 2023.
- (b) "Academic Year" means a period of nearly twelve months, commencing from July of a Year to August of the subsequent year, or as may be decided by the Government of Tripura.
- (c) "Appellate Authority" means the authority competent under these statutes to hear the appeal of an employee after being aggrieved by the order of the Disciplinary Authority.
- (d) "Appointing Authority" means the authority empowered to make appointments to any post of the University.
- (e) "Authority" means authorities as constituted under section 21 of the Act.
- (f) "Company" means a company registered under the Companies Act, 2013.
- (g) "Contractual Employee" means an employee engaged on the basis of an Agreement or Contract, or appointment on contract, for a fixed period with or without any condition for renewal and for a fixed amount of remuneration, and whose service is terminable after the period of contract is over.
- (h) "Convocation" means the convocation of the University.
- (i) "Course(s)" means prescribed area(s) or course(s) of study or programme(s) and/or any other components(s) leading to the conferment or award of a degree, diploma, certificate or any other academic distinction or title of the University.
- (j) "Decided by the University / University may decide / Decision of the University" means as decided by the Vice - Chancellor with the approval of the Chancellor and/or the Decision taken by any Authorities of the University as authorised or empowered.
- (k) "Disciplinary Authority" means the appointing authority or any other authority competent under this Statute to impose on an employee any of the penalties specified in this statute.
- (l) "Duty" means a staff member performing the duties of the post for which he or she is appointed and other assignments entrusted to him or her.
- (m) "Employee" means any person, including teaching, non-teaching probationer and permanent employee working on the payroll of the University.
- (n) "Faculty" means the Faculty of the University.

- (o) “Laboratory Instructor” means a laboratory teaching assistant (TA) and is responsible for the supervision of all laboratory activities for a specific course and construed to be a Teaching Staff. The TA is responsible for maintaining a safe, instructive atmosphere in the laboratory at all times.
- (p) “Leave” means leave of absence sanctioned by the competent authority of the University to a staff member to whom he/she is eligible under this service statute.
- (q) “Non-Teaching Staff” means a non-teaching staff working on the payroll of the University.
- (r) “Officer” means officer of the University working on the payroll of the University.
- (s) “Other Officer” means an officer of the University working on the payroll of the University.
- (t) “Probationer” means an employee engaged on probation for a period of one year, subject to confirmation as a regular employee after satisfactory performance of the probation period for one year.
- (u) “Part-time Teacher (PT)/ Visiting Lecturer (VL)/ Adjunct Professor” means a teacher engaged on payment of honorarium/ remuneration on the basis of number of classes he or she attends.
- (v) “Program means academic courses of the University including any other courses of a similar nature declared as such.
- (w) "Regular Education" means and includes delivering instruction, teaching, learning, education, research, extension and related activities directly by the teacher synchronously to students including on-line mode.
- (x) “Regular Employee” means a teaching or a non-teaching staff engaged on a regular basis, temporary or permanent or on probation.
- (y) “Regulations” means the Regulations of the University.
- (z) "Scheme and Curriculum" means and includes nature, duration, pedagogy, syllabus, eligibility and such other related details (by whatever name it may be called) for the concerned course(s) of the University.
- (aa) "Seal" means the common seal of the University as may be decided and designed by the University subject to further change as deemed necessary from time to time.
- (bb) “Trust” means Techno India, a Trust registered in the office of Asst. Sub District Registrar, Sealdah, South 24 Parganas, West Bengal, under the Indian Trust Act 1882, “Sponsor” and/or
- (cc) “Sponsoring Body” means Techno India, a Trust registered in Kolkata, West Bengal under the Indian Trust Act 1882
- (dd) “Statute” means Statute as framed under Section 30 of the Act.
- (ee) "Subject" means the basic unit(s) of instruction, teaching, training, research etc., by whatever name it may be called, as prescribed under the scheme and curriculum.
- (ff) “Suspension” means and includes the temporary removal of an employee from their duties while maintaining their employment status, typically during an investigation into misconduct or policy violations.
- (gg) “Teaching Staff or Teachers” means a Dean, a Professor, an Associate Professor, an Assistant Professor, a Tutor/Lecturer, an Adjunct Professor, a Visiting Professor, a Scholar-in-Residence, a superannuated Faculty Member or Advisor or Mentor, a Professor of Eminent, a Senior Technical Assistant, an Academic Instructor, a Teaching Assistantship, a Librarian, an Assistant Librarian of the teaching, research and extension departments of the University or of any constituent College or Institution maintained by the University, and such other persons as may be appointed or deputed from any unit of Techno India Group (TIG) for imparting instructions or conducting research or conducting extension activities.

- (hh) “Technical Staff” means and includes Medical Officer, Estate Officer, Junior Engineer, Security Officer, Counsellor, ERP Administrator/ System Admins, Technical Assistants, Laboratory Assistant, Field-cum-Lab Assistant, Farm Assistant, Farm Manager, Library Assistant, Nurse, Electrician, Plumber, Carpenter working in a variety of fields, including healthcare, science, computer science, education and arts.
- (ii) “TIG” means Techno India Group and includes all the Societies, Trusts, Companies and educational institutes under this group.
- (jj) “University” means The Techno India University, Tripura.

2.2 All other words defined under the Act, Statute etc. shall be applicable in this statute.

Chapter-II

Duties and responsibilities

3. Duty hours, roles & responsibilities:

3.1 All teaching, non-teaching, technical, administrative and other staff will discharge duties of at least forty hours per week including other duties (Mentoring, research, administrative work, extension activities, library consultation etc.). However, in case of exigencies and need they will perform the extra duties if the authority decides.

3.2 Minimum hours of classes to be taken by the Teaching Staff as follows:

- a. Assistant Professor, Tutor/ Lecturer: Eighteen (18) to Twenty (20) hours per week.
 - b. Associate Professor: Fourteen (14) to Sixteen (16) hours per week.
 - c. Professor: Ten (10) to Twelve (12) hours per week.
 - d. Technical Assistant / Laboratory Instructor will be under the supervision of the concerned Head of the Department and discharge duties under the instruction of Head of the Department.
 - e. Part-time Teacher (PT)/ Visiting Lecturer (VL)/ Visiting Faculty (VF)/ Guest Faculty (GF) and Adjunct Faculty/ Professor shall take classes as would be offered in the letter of engagement.
- 3.3** All teaching staff shall undertake teaching, research, extension and administrative duties within a specialist subject area. The role and responsibilities of teaching staff will, among others, include-
- (a) interviewing course applicants,
 - (b) lecture planning, preparation and research
 - (c) contact and teaching time with students
 - (d) checking and assessing students' work
 - (e) encouraging personal development via tutorial or pastoral work
 - (f) invigilating examinations
 - (g) attending staff meetings
 - (h) general administration
 - (i) writing research proposals, papers and other publications
 - (j) reading academic journals
 - (k) supervising Project work/ Research work of final year UG students as per NEP 2020; PG and PhD students and research staff
 - (l) managing research budgets

- (m) attending and presenting research papers or speaking/ keynote address/ invited speaker/ resource person at conferences and seminars/workshops etc.

[**Note:** Technical Assistant and Laboratory Instructors are exempted from sub-clauses (i), (k), (l) and (m) of Statute No 3.3].

3.4 All non-teaching staff will perform their duties and responsibilities according to the terms of engagement/ appointment letter and relevant provisions of the Act, Statute and Regulations of the University and also as assigned

3.5 Employees on **probation** will have to undergo a performance appraisal and conduct for declaring them as regular employee.

3.6 It is incumbent on the part of all teaching and non-teaching staff to-

- (a) foster cooperation and communication among each other,
- (b) treat each other in a fair manner, with dignity and respect,
- (c) promote harmony and teamwork in all relationships,
- (d) strive for mutual understanding of standards for performance expectations and communicate routinely to reinforce that understanding,
- (e) maintain equity irrespective of caste, creed and gender.
- (f) encourage and consider opinion of other employees or members and invite their participations in decisions involving their work and careers,
- (g) encourage growth and development of employees by helping them achieve their personal goals, and,
- (h) seek to avoid workplace conflict, and if it occurs, respond fairly and quickly to provide the means to resolve it.
- (i) maintain absolute integrity at all time.

Chapter-III

Performance Appraisal of the Employees of the University

4. Constitution of Performance Evaluation Committee for Teaching Staff:

4.1 There shall be a Performance Evaluation Committee for assessing the performance of the teaching staff (other than Pro-Vice Chancellor and Dean) for each of the schools periodically. The said Committee will be as follows-

Vice Chancellor	Chairman
Pro-Vice Chancellor /Dean (Academic Affairs)	Member
Nominee of the Chancellor	Member
Dean of the concerned School	Member
External Subject Expert	Member
Registrar	Convener

Any other member be appointed by the Chancellor / Vice Chancellor if deem fit.

4.2 All the faculty members have to submit their Self-Appraisal Report through proper channel as per prescribed format within the notified time for further assessment, evaluation and recommendation by the aforesaid committee.

4.3 Review of the performance of teaching staff will be made annually on a notified date.

5. Constitution of Performance Evaluation Committee for non-Teaching, technical, administrative and other Staff:

5.1 There shall be a Performance Evaluation Committee for assessing the performance of non-teaching, technical, administrative and other staff (other than Registrar, Finance Officer/ Chief Finance Officer and Law Officer) of the University. The committee will be as follows:

Vice Chancellor	Chairman
Pro-Vice Chancellor/ Dean (Academic Affairs)	Member
Nominee of the Chancellor	Member
Law Officer/ Finance Officer	Member
Registrar	Convener

Any other member be appointed by the Chancellor / Vice Chancellor if deem fit.

5.2 All the staff members are requiring to submit their Self-Appraisal Report through proper channel as per prescribed format within the notified time for further assessment, evaluation and recommendation by the aforesaid committee.

5.3 Evaluation of performance of non-teaching staff will be made annually on a notified date.

6. Performance Appraisals: Each employee will be responsible for developing their respective work plan for the year. The committee will, *inter alia*, consider the objectives laid down by the authority, work plan and results achieved at the time of appraisal of performance.

7. Rating of performance:

- 7.1 Rating of performance will be broadly on 'Outstanding', 'Very good', 'Good', 'Average', and 'Poor'.
- 7.2 The Committee for performance appraisal will consider the number of component factors on which rating will be awarded.
- 7.3 For promotion, at least one component factor must be 'Outstanding', 60% of component factor must be 'Very good' and no component factor shall be 'Average' or 'Poor'.
- 7.4 For annual increment, 60% of component factor must be 'very good' and no component factor shall be 'Average' or 'Poor'.
- 7.5 Executive Council will lay down the detailed procedure and methods to be adopted for evaluation of performance of employee.
- 7.6 If the performance of any employee engaged on probation is not satisfactory, the probation period may be **extended** or **he/she may be terminated** on the basis of rating and non-compliance of **Section 3 (Duty hours, roles & responsibilities)** of this statute as may be decided by the competent authority of the University.

Chapter-IV Leave

8. Leave Sanctioning Authority is at liberty not to sanction any leave or reduce the period of leave if exigency arises or if the situation so warrants. **It is clearly spelt out that leave cannot be claimed as a matter of right.**

Types of leave

8.1 Casual Leave- It is one kind of leave provided to take care of urgent and unseen matters. An official on authorised Casual Leave is not treated as absent from duty and pay is not intermitted.

Casual leave may be availed in the following manners-

- (a) Casual Leave on full pay may be allowed to regular employee up to a maximum of **10 days** in any one calendar year but **not more than 3 days** at a time.
- (b) Casual Leave cannot be combined with any other kind of leave or Puja holidays, but can be prefixed and or suffixed to Sundays and other holidays provided such leave **shall not exceed 5 days at a time including Sundays and Holiday**. Sunday and Holidays falling during a period of Casual Leave are not counted as a part of Casual Leave.
- (c) Casual Leave can be taken for half day also
- (d) Casual Leave cannot be carried forwarded for the next calendar year.
- (e) A separate Casual Leave account to be maintained for each employee and submit to the leave sanctioning authority in each month.

8.2 Privilege Leave- Privilege Leave is the leave which is earned by a regular employee by discharge of duties for a certain period as mentioned herein below and granted to him/her at the discretion of the authority granting such leave.

- (a) Application for Privilege leave must be submitted **at least seven days prior to the date** on which the regular employee proposes to proceed on leave.
- (b) Prior sanction should be obtained before leaving station and/or proceeding on leave as well as for extension of leave
- (c) Privilege Leave will be accrued by a regular employee to the extent of ten days after every six months counting from 1st January to 30th June and 1st July to 31st December. In case, service regularization, resignation or retirement falls within period of aforesaid six-month, Privilege Leave shall be accrued on proportion basis.
- (d) Privilege Leave can be accumulated and carried forward not exceeding 240 days during the service period.
- (e) Privilege Leave will not be accrued for the period for which an employee is on leave without pay (including vacation)
- (f) Leave Account of the privilege leave to be maintained in the Service Book of the employee and to be closed regularly.

8.3 Half Pay Leave-

- (a) Half Pay leave will be accrued by a regular employee to the extent of ten days after every six months counting from 1st January to 30th June and 1st July to 31st December
- (b) Leave Account of the Half Pay leave to be maintained in the Service Book of the employee and to be closed regularly

8.4 Commuted Leave -

- (a) A regular employee shall be entitled to commute the half-pay leave that he/she has earned to full-pay leave on medical ground subject to production of a medical certificate of illness in the prescribed form by a registered medical practitioner with his registration number on his letterhead or on a hospital letterhead. Provided that when commuted leave is granted, twice such number of half pay shall be debited against the leave account, provided also that total commuted leave may be granted not exceeding to 180 days during the whole service period of the employee.
- (b) Half Pay Leave up to a maximum of 180 days may be allowed to be commuted during the entire service (without production of medical certificate) where such leave is utilized for an approved course certified to be in the interest of the University by the Court.

8.5 Maternity Leave-

- (a) Maternity leave with full pay and allowances may be granted to a whole-time female employee (both married/un-married) with less than two surviving children for a period not exceeding to **ninety days** including the period of **ten** confinements as per advice of a registered medical practitioner.
- (b) Maternity leave, combined with any other kind of leave may be granted only if the application is supported by a medical certificate signed by registered medical practitioner (with registration no.).
- (c) Maternity leave shall not be debited to leave account.

8.6 Study Leave for teaching staff – Study leave for PhD directly related to his/her work in the University may be granted to a teacher as follows:

- (a) The Head of the Department of the concerned teacher will recommend taking into account the merit and send it to the Academic Council.
- (b) On the recommendation of the Academic Council, Executive Council will approve/ grant study leave not exceeding **three years**.
- (c) The concerned teacher has put in at least **three years** continuous service excluding the probation period and a bond is to be executed by him/her to serve the university at least **for a period of five years** or till retirement whichever is earlier on return from such leave.
- (d) Leave will be granted **with admissible half pay leave**.

8.7 Duty Leave for Regular Faculty Members:

- (a) A maximum of **fifteen days of duty leave per academic year** can be granted for attending various academic and professional events/ activities *viz.*, conferences, seminars, workshops, delivering lectures, working on deputation, participating in committees, and other duties assigned by the university.
- (b) The leave may be granted on full pay, or reduced pay if the teacher receives financial assistance beyond expenses.
- (c) Duty leave cannot be combined with any other types of leave except medical emergency/leave.
- (d) The leave duration on each occasion is determined by the sanctioning authority.
- (e) Types of leave mentioned hereinbefore are applicable for regular employees of the University.

8.8 Contractual employee, part time employee and employee on probation: Contractual employee, Part-time Employees or employee on probation shall **not be granted any kind of leave mentioned hereinbefore in this chapter**. Special leave may be sanctioned by the leave sanctioning authority.

- (a) If the contract is for one-year, special leave to the extent of five days inclusive all may be allowed.
- (b) If the contract is for more than one year but less than two years special leave to the extent of ten days inclusive all may be allowed.
- (c) If the contract is for more than two years but less than three years, special leave to the extent of fifteen days inclusive all may be allowed.
- (d) Special leave per year should not exceed ten days.
- (e) Part-time employee shall not be entitled to any kind of leave whatsoever.
- (f) Employee on probation shall be allowed ten days leave or leave entitled as per terms and condition of the appointment letter.

8.9 Special Casual Leave: Special Casual leave may be granted in the following occasions:

- a) **For family planning:** For male employee maximum 5 (five) working days for vasectomy operation and for female employee maximum 10 working days for Miscarriage/Tubectomy / Laparoscopy operation on production of medical certificate from a registered medical practitioner with registration no.
- b) **Natural Calamities, Bandhs etc.:** SCL may be granted to employee unable to attend office due to dislocation of traffic arisen out of natural calamities band, picketing, curfew etc.
- c) **During Election:** During General Election /by-election to Lok Shaba /State Assembly / municipal corporation/ gram panchayet, employees enrolled as voter in a constituency but having office in another constituency, are entitled to a day's SCL on the day of election to enable to exercise their franchise if there is not closed on that day.

8.10 Compensatory Leave:

Compensatory leave also known as Compensatory off is a type of leave granted to the Group C & Group D employee in lieu of working on Sunday and holidays within one month of it's becoming due and not more than two days compensatory leave is allowed to be availed, However, in exceptional circumstances leave may be sanctioned in the following month only if the leave sanctioning authority satisfied that grant of leave to all staff within a month would cause serious dislocation of current work.

8.11 Leave Sanctioning Authority:

- (1) The following officers noted each are the leave sanctioning authority for the officers and staff noted against each:
 - (a) For the Teaching Staff (except Laboratory Instructor and Technical Assistant) – Vice Chancellor.
 - (a) For non-teaching staff including Laboratory Instructor and Technical Assistant - Registrar
 - (b) For Dean of Faculty, Registrar, Finance Officer, Controller of Exam and Law Officer– Vice Chancellor
 - (c) For Vice Chancellor and OSD to Chancellor- Chancellor.
- (2) The Officers holding the rank higher than the leave sanctioning authority as mentioned above shall have the right to sanction leave for the officers and staff noted hereinabove.
- (3) Leave Sanctioning Authority is at liberty not to sanction any leave or reduce the period of sanctioned leave if exigency arises, or if the situation so warrants. It is clearly spelt out that leave cannot be claimed as a matter of right.

Chapter- V
Discipline and Control

9. Discipline, control and penal measure:

9.1 All regular, contractual, probationer, part time and visiting employees are subject to punitive action for violation of law and conduct of the employee in course of discharging duties.

9.2 The following conduct of the employee may be construed as dereliction of duties:

- (a) Negligence of duty or work amounting to misconduct. Habitual negligence of neglect of work
- (b) Insubordination or refusal of order or instruction from the supervisory officer/controlling officer/appointing authority of the University.
- (c) Conviction of misconduct involving moral turpitude in course of tenure of the employee in the University.

- (d) Violation of the Act, Statute, Regulations, Orders and Notification of the University.
- (e) Intentional falsification of personnel records, payroll reports or other University records.
- (f) Theft, embezzlement of cash, intentional destruction, or defacing of university, employee or student property.
- (g) Deliberate or careless conduct endangering the safety of self or other employees, including the provocation or instigation of violence.
- (h) Consumption of alcoholic beverages while on duty.
- (i) Abusive, threatening or coercive treatment of another employee, student or member of the public.
- (j) Reporting for work in an unsafe condition, which includes but is not limited to, being under the influence of alcoholic beverages or drugs.
- (k) Conviction of any offence of Indian Penal Code or any other Act specified the offence.
- (l) Habitual late attendance, absence without any permission overstaying of leave.
- (m) Riotous and disorderly behaviour during and after the office hours or in the office premises.
- (n) Direct involvement or canvassing or showcasing of any political platform(s) / radical thoughts/ anti national propaganda / anti-constitutional activity within the university premises. Any other offence or violation which may, the University authority deems fallen within the amid of misconduct.
- (o) Any activity unrelated to regular university work, NOC of competent authority to be taken through proper channel.

10. Procedure for initiating disciplinary action

The procedure for initiating action against an employee in a university is a structured, multi-step process designed to ensure fairness and legal compliance. It typically involves a **progressive discipline model**, moving from informal resolution attempts to formal actions if the issue persists or is severe. Following are the **key steps** in the disciplinary procedure:

- (a) **Identify and Document the Issue:** The process begins when a supervisor or department head identifies a performance or conduct issue (e.g., absenteeism, policy violation, misconduct etc.). Specific instances, dates, times, and impact on the workplace must be documented.
- (b) **Informal Discussion/ Initial Meeting:** For minor issues, an initial coaching or counselling session is held between the employee and their immediate supervisor to discuss the concern, clarify expectations, and attempt to resolve it informally. This conversation should also be documented.
- (c) **Formal Investigation:** If the issue is serious (e.g., harassment, fraud, gross misconduct etc.) or the informal approach fails, a formal investigation is initiated as per procedure detailed herein after:

10.1. Where it is proposed to hold an inquiry against a employee under this Statute, the disciplinary authority shall draw up or caused to be drawn up—

- (i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge;

- (ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge, which shall contain—
 - (a) a statement of all relevant facts including any admission or confession made by the employee;
 - (b) a list of documents by which, and a list of witness by whom the articles of charge are proposed to be sustained.
- 10.2. The disciplinary authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained.
- 10.3. On receipt of the articles of charge employee shall be required to submit his written statement of defence, if he so desires, and also state whether he desires to be heard in person, within a period of thirty days, which may be further extended for a period not exceeding thirty days by recording reasons in writing by the disciplinary authority or any other authority authorised by the disciplinary authority on his behalf: Provided that under no circumstances, the extension of time for filing written statement of defence shall exceed ninety days from the date of receipt of articles of charge.
- 10.4. On receipt of the written statement of defence the disciplinary authority may appoint, an inquiring authority for the purpose of inquiring into such of the articles of charge as are not admitted and where all the articles of charge have been admitted by the employee in his written statement of defence, the disciplinary authority shall record its finding on each charge.
- 10.5. If no written statement of defence is submitted by the employee, the disciplinary authority may, if it considers it necessary to do so, an inquiring authority for the purpose. Where the disciplinary authority appoints an inquiring authority for holding an inquiry into such charge it may by an order, a legal practitioner, to be known as the “Presenting Officer” to present on its behalf the case in support of the articles of charge.
- 10.6. The disciplinary authority shall forward to the inquiring authority—
 - (i) a copy of the articles of charge and the statement of imputations of misconduct or misbehaviour;
 - (ii) a copy of the written statement of defence if any submitted by the employee;
 - (iii) a copy of the statements of witness, if any
 - (iv) evidence proving the delivery of the documents to the employee; and
 - (v) a copy of the order appointing the “Presenting Officer”.
- 10.7. The employee shall be required to appear in person before the inquiring authority at any time prescribed after the expiry of ten working days from the date of receipt of the articles of charge and statement of imputations of misconduct or misbehaviour, or within such further time, not exceeding ten days, as the inquiring authority may allow.
- 10.8. The employee may take the assistance of any other employee to present the case on his behalf but may not engage a legal practitioner for the purpose unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or, the disciplinary authority, having regard to the circumstances of the case, so permits.
- 10.9. The inquiring authority shall return a finding of guilt in respect of [those] articles of charge to which the employee pleads guilty. The inquiring authority shall, if the employee fails to appear within the

specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date, not exceeding thirty days, after recording an order that the employee may, for the purpose of preparing his defence:

- (i) inspect, within five days of the order or, within such further time not exceeding five days as the inquiring authority may allow, the document specified in the list
 - (ii) submit a list of witness to be examined on his behalf;
- 10.10. The inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witness on behalf of the disciplinary authority. (iii) give a notice within ten days of the order or, within such further time not exceeding ten days as the inquiring authority may allow, for the discovery or production of any documents which are in the possession of university.
- 10.11. The inquiring authority shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the document by such date as may be specified in such requisition: Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.
- 10.12. On receipt of the requisition, every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority: Provided that if the authority having the custody or possession of the requisitioned documents is satisfied, for reasons to be recorded by it in writing, that the production of all or any of such documents would be against the interest of the University , it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicate the information to the employee and withdraw the requisition made by it for the production or discovery of such documents.
- 10.13. On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by, on behalf of, the disciplinary authority. The witnesses shall be examined by, or on behalf of, disciplinary authority. The witnesses shall be examined by, or on behalf of the Presenting Officer and may be cross-examined by, or on behalf of, the employee.

The Presenting Officer shall be entitled to re-examine the witnesses on any point, on which they have been cross examined, but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

- 10.14. If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and reexamine any witness and, in such case, the employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned.

The inquiring authority shall give to the employee an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the

employee to produce new evidence, if it is of opinion that the production of such evidence is necessary in the interests of justice.

- 10.15. When the case for the disciplinary authority is closed, the employee shall be required to state his defence, orally or in writing, as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the Presenting Officer, if any appointed.
- 10.16. The evidence on behalf of the employee shall then be produced. The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provisions applicable to the witnesses for the disciplinary authority.
- 10.17. The inquiring authority may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him. The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed, and the employee or permit them to file written briefs of their respective cases, if they so desire.
- 10.18. If the employee, to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry ex-parte.

Whenever an inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry, ceases to exercise jurisdiction therein and is succeeded by another inquiring authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself:

Provided that, if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and re-examine any such witness as here in before provided.

- 10.19. After the conclusion of the inquiry, a report shall be prepared and it shall contain-
 - (i) the articles of charge and the statement of imputations of misconduct or misbehaviour;
 - (ii) the defence of the employee in respect of each article of charge;
 - (iii) an assessment of the evidence in respect of each article of charge; and
 - (iv) the findings on each article of charge and the reasons therefor. Explanation— If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of charge, it may record its findings on such article of charge: Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge. Whenever an inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry, ceases to exercise jurisdiction therein and is succeeded by another inquiring

authority which has, and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself: Provided that, if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross-examine and reexamine any such witness as here in before provided.

10.20. After the conclusion of the inquiry, a report shall be prepared and it shall contain-

- (i) the articles of charge and the statement of imputations of misconduct or misbehaviour;
- (ii) the defence of the employee in respect of each article of charge;
- (iii) an assessment of the evidence in respect of each article of charge; and
- (iv) the findings on each article of charge and the reasons therefor.

Explanation- If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of charge, it may record its findings on such article of charge: Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

10.21. Communication of orders- Orders made by the disciplinary authority on the basis of enquiry report shall be communicated to the employee who shall also be supplied with a copy of the report of the inquiring authority and a statement of the finding of the disciplinary authority, together with brief reasons for its disagreements, if any, with the findings of the inquiring authority (unless they have already been supplied to him).

11. Penalty

- 11.1 Verbal warning:** Verbal statement to employee that his/her violation of law and /or misconduct (except any criminal offence or cognizable offence) as laid down in Statute No. 9.2, have/has been evidently proved and this must not recur.
- 11.2 Written reprimand:** Formal notification in writing to employee that his/her violation of law and /or misconduct (except any criminal offence or cognizable offence) as laid down in Statute No. 9.2, have/ has been evidently proved and this must not recur. This will be recorded in the Service Book of the incumbent.
- 11.3 Withheld of increment:** The Competent Authority of the University may withhold the increment for one, two or three years keeping in view the gravity of violation and misconduct.
- 11.4 Withheld of promotion:** The Competent Authority of the University may withhold promotion.
- 11.5 Discharge from service:** The Competent Authority may discharge from service if his or her guilt is evidently proved.

12. Disciplinary Authority & Appellate Authority

- 12.1 Vice Chancellor is the Disciplinary Authority for all categories of employees except, Finance Officer, Dean of Faculty, Registrar, Law Officer, OSD to Chancellor and the officers appointed in the ex-cadre post after retirement not below the age of 55.
- 12.2 Chancellor is the Appellate Authority of all employees except Finance Officer, Dean of Faculty, Registrar, Law Officer, OSD to Chancellor, and the officers appointed in the ex-cadre post after retirement not below the age of 55.

12.3 Chancellor is the Disciplinary Authority of the Finance Officer, Dean of Faculty, Registrar, Law Officer, OSD to Chancellor and the officers appointed in the ex-cadre posts after retirement not below the age of 55 and Appellate authority is official(s) as appointed by the Court of the University.

13. Suspension of an employee

If it is prima facie established that departmental proceedings may be initiated against an employee and if his or her presence may vitiate the proceedings or impedes the proceedings, the employee may be suspended by the Appointing Authority. Notice of suspension is provided to the employee in writing. The period of suspension may be reviewed by the Appointing Authority after 180 days.

14. Appeal

14.1 An employee may prefer an appeal before the Appellate Authority against the decision of the Disciplinary Authority and the Appellate Authority, after giving an opportunity of being heard shall issue order.

14.2 Decision of the Appellate Authority is final and conclusive.

Chancellor
Techno India University, Tripura