



महाराष्ट्र आरोग्य विज्ञान विद्यापीठ, नाशिक

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCES, NASHIK

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मआविवि/एसडब्लु/शिस्त/४६५/२०२०

दि. ५/०३/२०२०

"परिपत्रक क्र. - ०२/२०२०"

प्रति,

मा. अधिष्ठाता/प्राचार्य,

सर्व संलग्नित महाविद्यालये

म.आ.वि.वि., नाशिक

विषय : विद्यापीठ संलग्नित महाविद्यालयांना, संस्थांना व त्यातील विद्यार्थ्यांना शिस्त व शिस्तभंगविषयक कारवाईची नियमावली लागू करणेबाबत...

महोदय/महोदया,

उपरोक्त विषयास अनुसरून आपणास कळविण्यात येते की, मआविवि अधिनियम १९९८, प्रकरण १०, कलम ७७ अन्वये, विद्यार्थ्यांशी संबंधित अशी "शिस्त व शिस्तभंगविषयक" कारवाईची नियमावली (परिशिष्ट "अ") मा. व्यवस्थापन परिषदेच्या दि. ३०/०७/२०१९ रोजीच्या बैठकीत संमत करण्यात आलेल्या ठराव क्र. १२०/२०१९ नुसार विद्यापीठ विभाग व विद्यापीठाकडून चालविण्यात येणाऱ्या संस्था व महाविद्यालयात शिक्षण घेणाऱ्या विद्यार्थ्यांना लागू करण्यात आलेली आहे.

त्याचप्रमाणे मआविवि, अधिनियम १९९८ प्रकरण १० कलम ७७ (८) मध्ये खालील प्रमाणे तरतुद आहे.

"विद्यापीठाकडून चालविण्यात येत नसेल अशा संलग्न महाविद्यालयाच्या किंवा मान्यताप्राप्त संस्थेच्या विद्यार्थ्यांविरुद्ध करावयाच्या शिस्तभंगविषयक कारवाईशी संबंधित सर्व अधिकार, संलग्न महाविद्यालयाचा प्राचार्य किंवा मान्यता प्राप्त संस्थेचा प्रमुख यांच्याकडे विहित असतील आणि पूर्वोक्त पोट -कलमाखाली कोणतेही नियम करण्यात आलेले असल्यास, त्या नियमांसह त्या पोट-कलमांच्या तरतुदी योग्य त्या फेरफारांसह अशा महाविद्यालयांना, संस्थांना व त्यातील विद्यार्थ्यांना लागू असतील "

"All powers relating to disciplinary action against students of an affiliated college or recognised institution not maintained by the University, shall vest in the principal of the affiliated college or head of the recognised institution, and the provisions of the foregoing sub-sections including the rules, if any, made thereunder, shall mutatis mutandis apply to such colleges, institutions and students therein"

मआविवि अधिनियम १९९८, मधील उक्त तरतुदी नुसार उक्त उल्लेखित नियमावली (परिशिष्ट "अ") विद्यापीठ संलग्नित महाविद्यालयांना, संस्थांना व त्यातील विद्यार्थ्यांना योग्य त्या फेरफारासह लागू करण्यात येत आहे. याची कृपया सर्व संबंधितांनी नोंद घ्यावी.

कुलसचिव

कुलसचिव

सोबत:- शिस्त व शिस्तभंगविषयक कारवाईची नियमावली (परिशिष्ट "अ")

MAHARASHTRA UNIVERSITY OF HEALTH SCIENCE, NASHIK**Rule No. 02 /2019**

“Rules of powers and procedure of disciplinary actions in relation to students of the University departments and institutions and Colleges managed and maintained by the University”

(Under section 77 of the Maharashtra University of Health Sciences Act, 1998)

1. Short title, extent and commencement: -

- i) These rules may be called " Rules of powers and procedure of disciplinary actions in relation to students of the University departments and institutions and colleges managed and maintained by the University ".
- ii) It shall come into force prospectively from the date of its issue.
- iii) It extends to all the students of the University departments and institutions and colleges managed and maintained by the University.

2. Objectives: -

- i) to maintain good character, discipline and decorum befitting to the health sciences students in and outside the premises of University departments and institutions and colleges managed and maintained by the University;
- ii) to prevent the students from indulging in ragging or any other undesirable, illegal, antisocial or destructive activities or misconduct in or outside the premises of the University departments, institutions, colleges and hospitals managed and maintained by the University and Hostel premises;
- iii) to prevent and eliminate the scourge of indiscipline or misconduct;
- iv) to provide for the healthy academic environment for the physical, psychological and academic development of all students.



3. Definitions: -

In these rules, unless the context otherwise requires, -

- i) 'Student' means the registered enrolled student undergoing studies of any course in the University departments, institutions and colleges managed and maintained by the University.
- ii) 'Suspect Student' means a student who is responsible for an incidence of indiscipline or misconduct.
- iii) 'Disciplinary Authority' means the appropriate statutory officer or such other officer of the University as may be nominated by the Vice-Chancellor, from time to time.
- iv) Words and expressions used not defined in these rules shall have the same meaning, respectively, assigned to them in the Maharashtra University of Health Sciences Act, 1998.

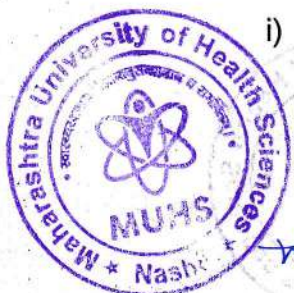
3. Indiscipline or Misconduct: -

The following matters shall be treated as indiscipline or misconduct;

- i) Breach of any express or implied rule promulgated by the University / institutions and colleges managed and maintained by the University;
- ii) Unlawful assembly and / or rioting;
- iii) Public nuisance;
- iv) Violation of decency and morals;
- v) Injury to body, causing hurt or grievous hurt;
- vi) Wrongful restraint or Wrongful confinement;
- vii) Use of criminal force;
- viii) Assault as well as sexual offences or unnatural offences;
- ix) Extortion;
- x) Criminal trespass;
- xi) Offences against property;
- xii) Criminal intimidation;
- xiii) Physical or psychological humiliation;
- xiv) Attempts to commit any or all of the above mentioned offences against the victim(s);
- xv) Threat to commit any or all of the above mentioned offences against the victim(s)
- xvi) Abetment to any or all of the above mentioned offences;

4. Procedure for Disciplinary Action: -

- i) The Registrar shall be responsible for the maintenance of discipline amongst the students of the University departments and institutions and colleges managed and maintained by the University and shall exercise all powers necessary for this purpose, as per the powers delegated by the Vice-Chancellor in this regard.



- ii) The Registrar may either '*suo moto*' or on a report received from the Head of the Department / Institution / College / hospital / hostel managed and maintained by the University, concern University teacher or officer of the University or on the complaint of any student of the University departments / institution / college managed and maintained by the University shall take cognizance of any lapse, misconduct or a serious breach of discipline.
- iii) After receipt of report or complaint, the Registrar may;
 - a) Dispose of the case, summarily depending upon the incidence of indiscipline / misconduct of petty / minor nature;
 - b) Refer the major case to "Complaints Committee" for enquiry.
- iv) Pending enquiry, the Registrar may suspend a Suspect student(s), for an act of indiscipline which is detrimental to healthy atmosphere / law & order in the campus, if in his opinion a prima facie case of breach of discipline exists against the student(s) for a period not exceeding one week. If more duration is envisaged for investigation and disposal of the case and Suspect student(s) need to be suspended, permission of Vice Chancellor shall be taken.
- v) In case of petty / minor cases of indiscipline or misconduct the Registrar may conduct summary enquiry and prepare his report of recommendation with proposed minor penalty, if any, and submit it to the Vice-Chancellor. After approval of the Vice-Chancellor, the decision to dispose summarily and the punishment, if any, shall be communicated to all the concerned by the Registrar.
- vi) Except petty / minor cases of indiscipline or misconduct all the reports / complaints shall be referred to the "Complaints Committee" for inquiry. The constitution of the "Complaints Committee" shall be as under.
 - a) Any senior faculty of University department or institution or college managed and maintained by the University nominated by the Vice-Chancellor.....Chairman
 Provided further that, such faculty shall be from the another University department / institution / college managed and maintained by the University from which the report or complaint is received.
 Provided further that, where there is a report or complaint from more than one University department / institution / college managed and maintained by the University, any senior faculty shall be nominated as a chairperson from any affiliated college / institution of the University.
 - b) Director of the Students Welfare..... Member
 - c) The head of the Law department of the University.... Member
 - d) Any officer of the University not below the rank of Assistant Registrar nominated by the Vice Chancellor..... Member-Secretary.
- vii) As far as practicable, in case of female complainant or victim, the Chairman shall be the female faculty.



- viii) The Vice-Chancellor may additionally appoint any senior faculty from any affiliated College / Institution as member(s). In such situation the Vice-Chancellor may designate any senior faculty as Chairman of the committee.
- ix) The member-secretary shall convene the meeting of the committee after receipt of any report or complaint from the Registrar within 48 hours.
- x) The committee shall supply a copy of report or complaint, if any, or inform the charge(s) in writing to the Suspect student(s) (i.e. charged student(s)) and seek his explanation in writing within a stipulated period. The committee may record the evidence of complainant, Suspect student(s), witnesses and others by conducting the inquiry and prepare its report of observations and recommendation and submit it to the Registrar.
- xi) The Registrar shall provide a copy of the said report to the complainant and Suspect The complainant and Suspec tstudent(s) will be given 5 working days to submit their say, if any, in writing on the said report. In case no reply is received within the stipulated time, it will be presumed that the complainant and / or Suspect student(s) has nothing to offer say in view of the observations and recommendations of the committee.
- xii) The Registrar shall place the said report of the committee and say of the complainant and Suspect student(s) thereon to the Vice-Chancellor for consideration. The Vice-Chancellor shall take appropriate decision on the basis of the available record. The decision of the Vice-Chancellor shall be communicated to all the concerned by the Registrar.
- xiii) As far as may be practicable, the petty / minor casasa may be decided within 30 days and all other major complaints may be decided within 90 days.
- xiv) Where appropriate, the Vice-Chancellor will consider to refer the incident to the Police or any other appropriate authority. Although the Vice-Chancellor or Registrar, as the case may be, would not ordinarily pursue disciplinary action against a student while they are the subject of a Police investigation, it reserves the right to do so; particularly if the safety of one or more students of the University department or institution or college managed and maintained by the University is at risk. The University's disciplinary procedure is not an alternative to investigations carried out by the Police or any other appropriate authority. The University also reserves the right to apply this Procedure after any Police investigation has concluded.



5. Punishments: -

The following punishments may be imposed for acts of indiscipline / misconduct for good and sufficient reasons. The list is not exhaustive.

- i) Minor Punishments
 - a) Written warning.
 - b) Imposition of monetary fine and warning. Provided that the amount of fine shall not be exceeding three hundred rupees.
- ii) Major Punishments
 - a) Rustication / Expulsion from the University department or institution or college managed and maintained by the University, as the case may be. Provided that the period of rustication or expulsion shall not be exceeding six months.
 - b) Suspension / expulsion from Hostel. Provided that, the period of suspension or expulsion from the hostel may extend to the tenure of entire course of the concerned Suspect student.
 - c) Debarred from taking an examination or examinations conducted by the University department or institution or college managed and maintained by the University, as the case may be. Provided that the period of debarment from examinations shall not be exceeding five years.
 - d) Cancellation of result of the University examination in which the Suspect student(s) appeared.
- iii) Any student who is expelled from the hostel on disciplinary ground shall forfeit the amount deposited by him towards the hostel charges. No refunds on pro-rata basis shall be entitled under any circumstances irrespective of the date of expulsion. Student expelled for the complete semester or more shall be required to apply afresh for the hostel accommodation.

6. Miscellaneous: -

- i) All petty / minor indiscipline or misconduct cases for which minor punishment may be inflicted shall be considered and disposed of by the Registrar, summarily, under the supervision and as per powers delegated by the Vice-Chancellor. However, all major cases of serious nature of indiscipline or misconduct for which major punishment may be inflicted shall be disposed by the Vice Chancellor after due enquiry through the complaints committee.
- ii) The cases of ragging shall be dealt separately as per the rules prescribed by the appropriate authorities.
- iii) The University shall have right to amend the procedure of disciplinary action from time to time.
- iv) Matters which are not specifically covered in the clauses hereinabove and if any queries regarding the interpretation of any clause of this



Direction arises, then it shall be finally decided by the Vice-Chancellor and the decision of the Vice-Chancellor shall be final and binding.

- vi) The gender 'He' denotes and includes all gender.

PROMULGATED ON DAY OF 2019 AFTER APPROVAL OF THE APPROPRIATE AUTHORITIES OF THE UNIVERSITY.



REGISTRAR

(Maharashtra University of Health Sciences, Nashik)

